

Proposed designation of the Abbeville Road Conservation Area (CA 30) (Clapham Common Ward)

Item **XX**

Executive portfolio:

Authorised for submission by: Councillor Andrew Sawdon
Executive Committee

XXX/02-03

27 October 2003

Executive Summary

The designation of the Abbeville Road Conservation Area (CA 30) and its boundaries is proposed. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to review the extent of designation of conservation areas, and to designate further areas where appropriate.

The commercial properties along Abbeville Road form a clearly defined and well preserved group of speculatively developed Victorian shopping parades. The area exhibits significant coherency, harmony and period character. Conservation Area status would both recognise, and protect, this historic character.

Recommendations

- (1) That the Executive approves the designation of the Abbeville Road Conservation Area, under section 69 of the Planning (Listed Building & Conservation Areas) Act 1990.
- (2) That the Executive approves the detailed boundary of the area as shown on the attached plan DES/PP/558.

Funding

This proposal forms part of the current work programme of the Conservation & Urban Design Team within the Planning Department – see financial implications in section 3.

Consultation

Name	Department/Organisation	Date Sent/ Received	Date Cleared/ Received	Comments included in report at para:
Internal				
Edmund Bird	Conservation	4 September 2003	8 September 2003	No
Peter Flockhart	Legal Services	29 September 2003	3 October 2003	No
Des Farry	Corporate Finance	25 September 2003	25 September 2003	No
Les Brown	Lambeth Planning	30 September 2003	30 September 2003	No
Councillor Andrew Sawdon	Executive Member for the Environment	8 October 2003	8 October 2003	No

External

Sarah Buckingham	English Heritage	30 April 2003	14 July 2003	Para. 5.3
Margaret Ross-Bell	Clapham South Neighbourhood Association	27 May 2003	9 June 2003	Para. 5.3
Roger Armstrong	Clapham Society	9 October 2002	No reply	No

Date consultation entered in Consultation and Events Diary:**Report History**

Decision type: Non-key decision
Drafted on: 08.08.03 **Deadline:** 09.10.03 **Date sent:** 09.10.03 **Date Published:** XX
Report drafted by and contact for enquiries: Hannah Walker, Conservation & Urban Design Officer
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Context

- 1.1 The function of the planning system is to regulate development and use of land in the public interest. The best of the Borough's built and landscaped environment can be valued and protected as part of this regulation through the designation of new conservation areas or the extension of existing ones. The enduring quality of these areas adds to the quality of life of the residents by protecting and enhancing the local scene and sustaining the sense of local distinctiveness and civic pride.
- 1.2 Existing and potential conservation areas are currently being reviewed by the Council in accordance with guidance contained within Planning Policy Guidance (PPG15) issued by the Department of National Heritage and the Department of the Environment in September 1994, Conservation Area Practice (English Heritage, 1995) and Conservation Area Appraisals (English Heritage, 1997). The importance of preserving and enhancing the character and appearance of areas of historic or architectural interest and setting high standards of design for new development in and around these areas is also a key policy contained within the Unitary Development Plan adopted in 1998. Policy CD1 states that the Council will consider whether conservation areas should be extended, or new ones designated, in areas of special architectural or historic interest the character of which it is desirable to preserve or enhance.

2. Background and history of the issue

- 2.1 A strategy for the review of existing conservation areas and the designation of new conservation areas was approved by the Environmental Services Committee on the 21st July 1997 (Ref. ES 55/97-98). This report identified three approaches for implementing this review: development pressures, pressure from local residents and a geographical basis starting with conservation areas in the north of the borough. To date, 14 new conservation Areas have been designated - Lambeth Walk & China Walk, Mitre Road & Ufford Street (Waterloo), Poets Corner (Herne Hill), Clapham High Street, Westow Hill, Rush Common & Brixton Hill, Peabody Estate (Herne Hill) Oaklands Estate (Clapham), Streatham High Road & Streatham Hill, Albert Embankment, Vauxhall Gardens Estate, Sibella Road (Clapham North), Wandsworth Road, and Leigham Court Road North (Streatham). The boundaries of 14 existing conservation areas have also been reviewed for appropriate extensions/partial de-designations.

Detailed analysis and reason

- 2.2 A detailed assessment of the proposed Abbeville Road Conservation Area has been completed in accordance with the guidance referred to in paragraph 1.2 and this character statement is attached as Appendix A. This character statement provides a sound basis for designation, is important for development control purposes and also acts as an aid to the formulation of proposals for the preservation or enhancement of the character or appearance of the conservation area.

- 2.3 Throughout the 18th and 19th centuries, substantial villas lined Clapham Common Southside, set within extensive grounds. Following the sale and demolition of most of these large mansions, Abbeville Road was laid out from 1875 onwards across their former gardens. The west side of Abbeville Road was developed during the early 1890s, with the terraces on its eastern side following in 1894/95. These commercial terraces were built speculatively as a local shopping parade to service the adjacent residential streets, such as Narbonne Avenue and Shandon Road, which had quickly filled with suburban terraces during the last decades of the 19th century.
- 2.4 It has been decided to draw the proposed Conservation Area boundary tightly around the commercial properties along Abbeville Road. This reflects the special, distinctive character of this local shopping centre which is differentiated from other shopping areas by its fine urban grain, the extent to which its historic character has been maintained, and the proliferation of independent businesses. The proposed Conservation Area displays a strong cohesive architectural identity with a select palette of materials and a range of unifying decorative features. The consistent size and scale of the buildings, roof heights and plot widths add visual harmony whilst still allowing for a pleasant degree of visual diversity. The period character of the area is reinforced by the survival of a number of original and historic shopfronts which are distinguished by their high quality construction and traditional proportions and detailing.
- 2.5 The reason for the recommended decision is to recognise the special and distinctive character of this section of Abbeville Road and afford it Conservation Area protection, in line with the local planning authority's obligations under the Planning (Listed Buildings and Conservation Areas) Act 1990. This special character has been identified as part of an on-going review of the built heritage within Lambeth.

3. Financial implications

- 3.1 Approval of the recommendations will result in the expenditure of approx. £150 for advertising the designation in the South London Press and the London Gazette - the requisite budget is held by the Planning Division Business Unit.

4. Legal implications

- 4.1 The Planning (Listed Buildings & Conservation Areas) Act 1990 gives the Council power to declare a new conservation area or extend an existing one. Section 69 (2) states that: "It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and if they so determine, they shall designate those parts accordingly".

- 4.2 Section 69 (4) of the Act states that: “The designation of any area as a conservation area shall be a local land charge”.
- 4.3 Section 70 (5) of the Act states that the Local Planning Authority (LPA) should publish notice of any designation, variation or cancellation with particulars of its effect, in the London Gazette, and in at least one newspaper circulating in the area of the LPA.
- 4.4 Section 71(1-3) of the Act identifies future duties on the Council associated with a designation, stating:
“(1) It shall be the duty of a LPA from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation area.
(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.
(3) The LPA shall have regard to any views concerning the proposals expressed by persons attending the meeting.”

Effects of designation

- 4.5 Under the Town and Country (General Permitted Development Order) 1995 (the GPDO) and the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), conservation area designation has a number of practical implications for the area. These are outlined below:
- (i) Designation would take effect on the date of the Committee’s resolution to agree to the recommendations in this report.
 - (ii) Conservation Area Consent is required to demolish or partially demolish buildings within a conservation area (Section 74 of the Act).
 - (iii) Some permitted development rights are restricted within a conservation area.
 - (iv) The Council has the power to make an Article 4 direction withdrawing certain other permitted development rights.
 - (v) The Council must be informed of all works to trees within a conservation area 6 weeks in advance to give time to issue a Tree Preservation Order, if required.
 - (vi) The design quality of all new development in a conservation area is important. Planning Policy Guidance: Planning & the Historic Environment (PPG15) and Section 72 of the Act state that all development is required to preserve or enhance the character or appearance of the conservation area. PPG15 goes on to state that new buildings should respect their context, as part of a larger whole which has a well established character or appearance of its own.

Procedure after designation

- 4.6 Following Executive approval of the report a number of actions would be undertaken:

- (i) All owners of properties within the area designated as a Conservation Area would be informed in writing of the designation, which would also be advertised in the local press and London Gazette.
- (ii) English Heritage and the Borough Land Charges section would be notified of the decision.

5. Consultation feedback

- 5.1 Letters of consultation asking for the views of owners/occupiers of properties within the area were sent on 11 September 2002. This letter outlined the type of controls that would apply within the proposed Conservation Area. The consultation period ended on 4 October 2002. Additional letters of consultation were sent to owner/occupiers of properties adjacent to the proposed conservation area boundary on 3 February 2003. The consultation period in this instance ended on 24 February 2003.
- 5.2 There were a total of 3 responses to the consultation. One respondent supports the proposal provided that proposed development adjacent to the conservation area boundary is not assessed in an indiscriminate way and consideration is given to its actual visual impact on the conservation area. One respondent considered that the planning system already adequately preserves the character of the parade and that conservation area status would add another layer of planning control which may harm new businesses. A further respondent requested the inclusion of Abbeville Mansions. However, the proposed boundary has been drawn tightly around Abbeville Road's commercial terraces. In line with English Heritage guidance, although Abbeville Mansions is an attractive late Victorian development, it is not considered to be sufficiently distinctive within its local context so as to merit inclusion within the proposed Conservation Area.
- 5.3 Consultation documents and a character appraisal for the proposed conservation area were also sent to English Heritage, the Clapham Society and the Clapham South Neighbourhood Association. The Clapham South Neighbourhood Association comments that they are happy to give their support to the designation, which seems well merited. English Heritage endorse the proposed designation, commenting that it is an area of well defined, distinct and special character, of which conservation area designation will be an appropriate acknowledgement. Furthermore, it is their view that the creation of a conservation area will also present a good opportunity to introduce planning policies in relation to retention of good shopfronts, control of advertising and protection of retail/commercial uses, as appropriate.

6. Other implications

- 6.1 CPA recovery plan – not applicable.
- 6.2 Risk Management – none.

- 6.3 Equalities – There are no implications for equal opportunities as a direct result of this report, however any improvement to the urban environment gained as a result of this designation should benefit all groups in society. Any improvements will of course take into account the needs of people with mobility problems.
- 6.4 Crime and Disorder implications – none
- 6.5 Environmental implications – The designation of the proposed Abbeville Road Conservation Area provides the Council with additional development control powers to protect and enhance the appearance and urban environment of this small area.
- 6.6 Staffing and Accommodation implications - The designation of this new conservation area is likely to generate some additional workload for Development Control and Conservation officers. The duty to prepare public design guidance and enhancement schemes will be a part of the conservation team’s future work programme.
- 6.7 Impact on Front Line services – none
- 6.8 Area implications – see sections 6.3 and 6.5 above.

7. Timetable for Implementation and Success Criteria

- 7.1 The designation would have immediate effect. Following the designation, all occupiers of the properties included within the Conservation Area will be notified of the designation.

8. Appendices

Appendix A Abbeville Road Character Statement (compiled by Hannah Walker)

9. List of background documents

Planning (Listed Buildings & Conservation Areas) Act 1990

Planning Policy Guidance (PPG15): Planning & the Historic Environment Department of the Environment & Department of National Heritage (September 1994)

Conservation Area Practice English Heritage (October 1995)

Conservation Appraisals English Heritage (March 1997)

The Buildings of Clapham. The Clapham Society (2000)

Clapham Past. Gillian Clegg

The Old Photographs Series: Battersea and Clapham. Patrick Loobey

Old Ordnance Survey Maps – Clapham Common 1870

Old Ordnance Survey Maps – Clapham Common 1894

Letter of support received from Ms Sarah Buckingham, Historic Areas Adviser, English Heritage.

Letter of support received from Ms Margaret Ross-Bell representing the Clapham South Neighbourhood Association, 10 Anchor Mews, Hazelbourne Road, London SW12 9PQ

Letter of conditional support from Mr Trevor Clark, 1st floor flat, 78 Narbonne Avenue, London SW4

Letter of objection received from Mr James Hicks, 89 Narbonne Avenue, London SW4 9LQ

Letter requesting the extension of the proposed conservation area boundary from Mr Andrew Lorant, Flat 6 Abbeville Mansions, 26 Abbeville Road, London SW4 9NQ