

CONTROL OF PERMITTED DEVELOPMENT IN CONSERVATION AREA

NO. 31, LEIGHAM COURT ESTATE
(Streatham Hill Ward)

Report by: DES. Consulted formerly; DHS, DLCSS.

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PURPOSE

This report seeks approval for the making of an Article 4(1) direction for the Leigham Court Estate Conservation Area. This direction would result in the strengthening of development control powers over that area, in order to prevent harmful changes to its special character and appearance.

OPTIONS AND RECOMMENDATIONS

- (1) That the Committee authorise the making of a direction under Article 4(1) of the Town and Country Planning (General Permitted Development) order 1995, to restrict certain classes of permitted development, as described in this report, in relation to certain properties within Conservation Area No. 31 (Leigham Court Estate), as described in this report.
- (2) That officers be instructed to submit the direction to the Secretary of State for his approval.
- (3) That officers be authorised to take the necessary action to notify the owners and occupiers of the affected properties of the direction.

For decision

1. Context

Previous decisions

1.1 Between 1972 and 1977 the Council's proposals for the control of aspects of permitted development by Article 4 Directions in all or parts of the following conservation areas were approved by the Secretary of State:

- C.A.3 (Lansdowne Gardens)
- C.A.4 (Albert square)
- C.A.5 (Stockwell park)
- C.A.II (St. Marks - previously known as Hanover Gardens)

1.2 A similar proposal was approved by the Town Planning Committee (ref. TP.104/82-83) on 18th October 1982 for C.A.19 (Park Hall Road). The Article 4 direction was subsequently approved by the secretary of state in February 1985.

1.3 On 8th June 1981, the Town Planning Committee approved the designation of Leigham Court Estate as a conservation area.

1.4 On 8th December 1994, the Environmental Services committee (ref. ES.133/94-95) authorised officers to consult the residents of the conservation area, community groups, and heritage organisations regarding the making of an Article 4 direction and a design guide.

Policy considerations

1.5 The Lambeth Local Plan, together with the Greater London Development Plan, remain the statutory development plans for the area. However, when it is adopted, the Unitary Development Plan (UDP) will become the statutory plan for the whole of the Borough. The policies and statements of the Deposit Draft UDP are therefore an important consideration with regard to any proposals for the area.

1.6 The council's strategic policies, with regard to conservation areas as stated in the Deposit Draft of the UDP (and approved changes) include Policy 014 which states that 'the Council will preserve or enhance the character of conservation areas and set high standards of design for new development in and around such areas....'

1.7 Policy c5 (Control of Permitted Development) of the Deposit Draft UDP also states that 'in appropriate cases, after due consultation with local residents, the Council will consider applying to the DoE for an Article 4 Direction under the General Development Order to restrict certain permitted development rights in conservation areas and other important areas of the Borough...'

1.8 The 'Reasons' statement following Policy C5 states that the council 'proposes a new Article 4 Direction and Design Guide for Leigham court Estate Conservation Area, where particular problems have been caused by permitted development'.

1.9 The approved amendments to the Deposit Draft UDP also propose to extend C.A.31 (Leigham Court Estate conservation Area).

2. Justification

The Special character of Leigham Court Estate Conservation Area

2.1 Leigham Court Estate (see attached plan) has a special historical significance and architectural character, which justify its status as a conservation area. These are set out in the following paragraphs.

Historical Significance

2.2 Leigham Court Estate was built by the Artisans', Labourers' and General Dwellings Company who, along with the Peabody Trust and the improved Industrial Dwellings Company, played an important role in the development and improvement of the design and construction of housing in the mid to late Victorian period. The development of the estate was started in 1894 and completed in 1905.

2.3 The development was one of the first model housing estates to be built at the end of the 19th Century and can be seen as a precedent for the garden suburbs of the early years of this century. It therefore occupies a unique place in Garden City history.

2.4 The development was also one of the first planned estates intended to house a self-sufficient community, containing 539 maisonettes, 18 flats and 427 houses along with a large number of shops and a church. In addition, it benefited from adequate public transport facilities and its setting in a carefully designed environment.

2.5 The estate was acquired by the council in 1966.

Architectural character

2.6 The architect Roland Plumbe (who later became known for his local authority housing schemes) provided in the Leigham court development, a variety of house types which allowed for a choice of

accommodation for the tenants while also affording a chance for architectural diversity.

2.7 The houses, though built in traditional long terraces, on a predominantly 'grid-iron' street pattern, show a successful attempt at the handling of individual houses as separate architectural entities by the use of variations in facades, height and other details.

2.8 The buildings are considered to be remarkable in the use of materials and craftsmanship, with combinations of red, yellow, and glazed bricks, clay tiles and terra-cotta features producing a variety of designs. The variation in architectural detail can be seen in the porches, bay windows, gables, dormers, and balustrades and in their combination to bring about variety in similar properties.

2.9 The Church of St. Margaret The Queen is the most dominant architectural feature on the estate. Designed by Plumbe and Harvey, it is built in red brick and red Corsehill stone in an Early English style that shows the influence of the Arts and Crafts Movement.

Loss of character due to permitted development

2.10 The majority of the buildings on the estate appear to be in their original form externally, with the architectural details intact. However, over the years, many of the houses and maisonettes have had alterations made to their exteriors which have resulted in the loss of architectural detailing and consequently, changes to the character of individual houses and whole terraces. This situation has not been helped by the acquisition of some of the properties from the Council by individuals under the 'Right to Buy' scheme.

2.11 in the officers' experience, the aspects of permitted development which have already had a detrimental effect on the character of the buildings and the estate or which may do so in the future include those set out below. An Article 4(1) direction would mean that in future, planning consent would be required before these developments can be carried out.

- (a) the replacement of doors and windows;
- (b) the construction of porches outside external doors;
- (c) the painting, rendering, and pebble dashing of brickwork and masonry;
- (d) the alteration of garden walls and other enclosure;
- (e) the alteration of roofs; and
- (f) the construction of extensions.

The classes of permitted development proposed to be restricted

2.12 The classes of permitted development which are being recommended for restriction are those which relate to the list in paragraph 2.11 above. They are described in Schedule 2 to the Town and Country Planning (General Permitted Development) order 1995, as follows:

- (a) Class A of Part 1: The enlargement, improvement or other alteration of a dwellinghouse.
- (b) Class B of Part 1: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.
- (c) Class c of Part 1: Any other alteration to the roof of a dwellinghouse.
- (d) Class P of Part 1: The erection or construction of a porch outside any external door of a dwellinghouse.
- (e) Class A of Part 2: The erection, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
- (f) Class C of Part 2: The painting of the exterior of any building or work.

Properties proposed to be affected by the Article 4(1) direction

2.13 The properties proposed to be affected by the Article 4(1) direction are as follows;

Amesbury Avenue: Nos.1-173 and 187-203 (odd), and 2-254 (even).

<u>Barcombe Avenue:</u>	Nos. 1-17 and 31-261 (odd), and 2-18, 32-198 and 216-278 (even).
<u>Cricklade Avenue:</u>	Nos. 1-39 and 77-99 (odd), and 2-42 and 80-102 (even).
<u>Downton Avenue:</u>	Nos. 1-35 (odd), and 2-38 (even)
<u>Faygate Road:</u>	Nos. 1-7 (odd), and No. 2.
<u>Hailsham Avenue:</u>	Nos. 1-99 (odd), and 2-176 (even).
<u>Hillside Road:</u>	Nos. 7-23 (odd), and 10-118 (even).
<u>Keymer Road:</u>	Nos. 2-48 (even).
<u>Lyndhurst Avenue:</u>	Nos. 1-127 (odd), and 2-32 (even),
<u>Mount Nod Road:</u>	Nos. 35-64 (consecutive).

Public consultation

2.14 A consultation letter was delivered to the properties which would be affected by the direction. The letter outlined the Council's proposal and its implications for residents of the estate. The owner/occupiers of the properties were invited to forward their views on the proposal to the council. In particular, they were asked to state whether they supported or objected to the proposal. In addition, a public meeting was held on Wednesday 27th September to discuss the proposal. The owners/occupiers of the properties were invited to the meeting, as were all three Streatham Hill Ward Councillors. Many of the residents who attended the meeting expressed the concern that the Council should not be seen to be carrying out unsympathetic alterations to the properties which are still in its ownership.

A total of 14 representations of support and six representations of objection were received. These were in the form of letters, telephone calls and comment sheets handed in at the public meeting. Many of those in support expressed the desire to see that buildings on the estate retain their original features where these are still intact.

3. Legal powers and advice

3.1 The Council as local planning authority for the area has a duty under the Town and Country Planning Act 1990, to secure the proper planning of the area. Restricting permitted development in areas where special architectural character is in danger of being eroded by such development, can be seen as facilitating the Council's functions as the local planning authority.

3.2 Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 specify certain classes of development as permitted development which may normally be carried out without the consent of the local planning authority.

3.3 Article 4(1) of the same order provides that a local planning authority or the Secretary of state if they consider it expedient, may issue directions to restrict the permission granted by Article 3 in respect of certain classes of development. Such directions may specify the classes of permitted development which should not be carried out without consent from the local planning authority or the Secretary of State.

3.4 Government guidance emphasises that in making an Article 4 Direction, a local planning authority must demonstrate a special need for it. The Secretary of state takes the view that permitted development rights should only be withdrawn in exceptional circumstances, where it can be demonstrated that there is a real and specific threat to an interest of acknowledged importance. An Article 4(1) direction may be justifiable if it would help to protect features that are key elements in the character and value of a particular area. This is provided that the proposal is backed by a clear assessment of the area's special architectural and historic interest, that the local planning authority can demonstrate local support for the action, and that the direction involves the minimum withdrawal of permitted development rights necessary to achieve its objective both in terms of the classes of development being restricted and the extent of the area affected.

3.5 If the Committee recommends the making of the Article 4(1) direction, there are certain statutory

procedures to be followed before it becomes effective.

4. Financial implications

4.1 Persons proposing to carry out any of the works restricted by the Article 4(1) direction would be required to obtain planning consent from the Council beforehand. The Directorate of Housing, which owns many of the properties on the estate, would also need to meet this requirement when carrying out of the restricted works, and this may have time implications for such works. However, no fee will be charged for planning applications relating solely to these classes of development.

While, all applications for planning permission will be considered on their individual merits, the Councils planning officers would promote and seek to ensure high standards of design in all cases. In particular, where the replacement of front doors is being considered, officers would normally advise that replacements should be of the same design as the original doors. These doors may have to be specially crafted and may cost more than most standard designs. There may therefore be additional cost implications for the council as property owner in any future programme of works including the replacement of front doors on the estate.

In addition, planning officers will seek to ensure that all other improvements or alterations to the exterior of the buildings are carried out to a high standard of design. It is proposed, in due course, to produce design guidance on the types of alterations/extensions that would be considered acceptable in the conservation area by the council. Further consultation will be undertaken before this guidance is produced.

5. Environmental implications

5.1 The control of permitted development as outlined in this report would help to protect and enhance the special character of the conservation area and help to retain the special character of the built environment of the estate.

6. Staffing and accommodation implications

6.1 The introduction of an Article 4(1) direction on parts of the estate is likely to result in an increase in the number of applications for planning permission being submitted for consideration by the council's planning officers with regard to the properties on the estate. However, it is considered that the existing resources within the Planning Division would accommodate any such increase.

7. Audit Trail

Committee deadline: 25.10.95					
Author; DES					
Date drafted: 17.10.95					
Consultation with other Officers/Directorates					
Date	Name	Directorate	Date Received	Date Cleared	Date Returned
19.10.95	K Howard	DLCSS	19.10.95	20.10.95	20.10.95
19.10.95	S Lazenby	DHS	19.10.95	23.10.95	24.10.95
Date sent to Committee Secretariat: 25.10.95					
Date received by Committee Secretariat:					
Date sent to Councillors:					

8. List of Background Documents

1. Lambeth Unitary Development Plan (Deposit Draft and Proposed changes).
2. Town and Country Planning (General Permitted Development) order 1995.
3. Planning Policy Guidance 15; Planning and the Historic Environment.
4. Case File No. 42:11:59 (Plans and Projects Group).