

ENVIRONMENT COMMITTEE (En/98-99)

Review of Conservation Areas & their boundaries **Partial De-designation of the La Retrait Conservation Area (CA No.36)**

(Thornton Ward)

Report by the Director of Environmental Services Consulted Formally: CEO, B.Sol, Parks Manager
Authorised for submission by:
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PURPOSE

To de-designate part of the La Retrait Conservation Area (CA No.36) to exclude the Molly Huggins Close estate and certain other properties in the vicinity of Weir Road

RECOMMENDATIONS

- (1) That the Committee approves the de-designation of the area of land indicated on Plan No. SES/PP/415 under section 69 of the Planning (Listed Building & Conservation Areas) Act 1990
- (2) That the Committee approves the revised detailed boundary of the reduced conservation area as shown on Plan No. DES/PP/415.

For decision

1. 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 conservation area designation. Existing conservation areas and their boundaries are currently being reviewed by the Council, in accordance with guidance contained within Planning Policy Guidance (PPG15) (sec. 4.3) issued by the Department of National Heritage and the Department of the Environment in September 1994, and Conservation Area Practise issued by English Heritage in October 1995. PPG15 advises planning authorities that it is important that conservation areas are seen to Justify their status and that the concept is not devalued by the designation of areas lacking special interest. It goes on to advise authorities 'to periodically review existing conservation areas and their boundaries and consider the -cancellation of designation where an area or part-of an area is no longer considered to possess the special interest which led to its original designation.' (PPG15 section 4.3)

1.2 A strategy for the review of existing conservation areas and their boundaries was approved by the Environmental Services Committee on the 21st July 1997 (Ref. ES 55/97-98). That report set out a methodology of the review based upon six main elements which included the rectifying of anomalies, often caused by developments which have taken place subsequent to the original designation of a conservation area.

2. Justification

2.1 The La Retrait Conservation Area was designated in February 1982. Its principle objective was to protect the mainly mid Nineteenth Century buildings of the La Retrait Convent and Roman Catholic Girls' School, a number of villas and cottages dating from the same early Victorian era fronting Cavendish Road and Weir Road and also the Weir Maternity Hospital which was opened in 1913 with an extension built in 1931. Whilst the Convent and Girls School have remained in use to this day, the Weir Maternity

Hospital closed in 1977 and consent to demolish all of the original Edwardian hospital buildings was granted soon after the designation of the Conservation Area, in 1984. The site was then redeveloped by the Metropolitan Housing Trust as a housing estate (Molly Huggins Close) in 1987.

2.2 Only the fine 1931 building of red-brick and stone dressings designed by R. J. Thompson (a local architect who designed school buildings and a swimming baths in nearby Wimbledon) survived the clearance of the site, along with the street boundary railings in front of the former Edwardian hospital buildings which were preserved by in front of the new housing estate. This building, the adjoining two Italianate villas built in 1860 and a further villa at the western end of Weir Road (No.1, now Charwood Mansions, which was also built by the same local builder Henry Harris in 1860) are considered to be the only properties on Weir Road which have any special historic and architectural interest worthy of being included within the conservation area.

2.3 It is therefore proposed to exclude the whole of Molly Huggins Close (an attractive and well designed modern development but one which does not possess the required special architectural or historic interest) and a block of properties between Nos. 1A and No. 9, including light industrial works to the rear of Nos- 9 and 11 which are also considered to lack special interest.

3. Public Consultation

Letters of consultation asking for any regarding the proposal were sent to the Metropolitan Housing Trust and occupiers of properties at Nos. 3-7 were sent on 1998. No representations have been received in response.

English Heritage have written too.

4 Effects of De-designation

Under the Town and Country General Development Order 1995 (the GDO) and the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) there are a number of controls affecting properties in conservation areas. These controls would be lifted in the two areas of de-designation - some of the implications are outlined below.

- (i) De-designation would take effect on the date of the Committee's resolution to agree to the recommendations in this report.
- (ii) Consent for all advertisement hoardings, temporary or permanent, would no longer be required.
- (iii) The Council would no longer need to be informed of all works to trees 6 weeks in advance unless the trees concerned are individually protected by a Tree Preservation Order.
- (iv) Occupiers of any family dwelling houses would now enjoy the benefit of full permitted development rights.

5. Procedure After Designation

Following Committee approval of the report a number of actions would be undertaken:

- (i) Owners of land within the areas identified would be informed in writing of the de-designation, which would also be advertised in the local press and the London Gazette.
- (ii) English Heritage and the Borough Land Charges section would be notified of the decision.

6. Legal Powers and Advice

6.1 The Planning (Listed Buildings & Conservation Areas) Act 1990 gives the Council power to assess the merits of the conservation areas within its jurisdiction. 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 farther parts of their area should be designated as conservation areas;"

6.2 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.

7. Environmental Implications

The de-designation of part of this conservation area would enable occupiers of dwelling houses to enjoy the full benefits of permitted development rights. However in the case of the two areas concerned, one is an estate wholly owned by a housing association and the other is occupied by commercial or other non-residential uses. The practical effect of this de-designation is therefore likely to be minimal..

8. Financial Implications

Approval of the recommendations will result in the expenditure of about £40 for advertising the designation in the South London Press and the London Gazette - the requisite budget is held by the Planning Division Business Unit.

9. Staffing & Accommodation Implications

Given the small size of the two areas concerned and their use (commercial /non-residential or housing association properties), the effect of designation on staff workload should be negligible or marginally reduced.

10. Equal Opportunities

There are no implications for equal opportunities as a direct result of this report.

11. Background Documents

Planning (Listed Buildings & Conservation Areas) Act 1991 Department of the Environment & Department of National Heritage:

Planning Policy Guidance (PPG15): Planning & the Historic Environment (September 1994)

English Heritage: Conservation Area Practice (October 1995)

12. Audit Trail

Committee deadline:					
Author: Edmund Bird - Conservation Officer					
Date drafted: 25th November 1998					
Consultation with other Officers/Directorates					
Date	Name	Directorate or Division	Date Received	Data Cleared	Date Returned
	M.Dickens	BSOL			
	S.Whitaker	CEO			
	D.Paul	Parks Mgr			
Date sent to Committee Secretariat:					
Date received by Committee Secretariat					
Date sent to Councillors:					