

**Review of Conservation Areas & their boundaries**

**Extension of the South Bank Conservation Area (CA No.38) to include land transferred to Lambeth in 1993 (designated as part of the Old Bargehouse Alley Conservation Area by Southwark in 1988)**

(Bishops Ward)

Report by the Director of Environmental Services Consulted  
Formally: CEO, B.Sol, Authorised for submission by:  
Tony Hall, Acting Director of Environmental Services

Contact for enquiries: Edmund Bird - Conservation Officer (tel: 0171 926 1215)

**PURPOSE**

To extend the South Bank Conservation Area (CA No.38) to include land transferred from Southwark to Lambeth in 1993 (already designated as part of the Old Bargehouse Alley Conservation Area by Southwark in 1988)

**RECOMMENDATIONS**

- (1) That the Committee approves the extension of the South Bank Conservation Area, under section 69 of the Planning (Listed Building & Conservation Areas) Act 1990 as shown on Plan No. DES/PP/416.
- (2) That the Committee approves the detailed boundary of the area as shown on Plan No. DES/PP/416.

**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 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 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. 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 Deposit Draft Unitary Development Plan. Policy CI 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 is desirable to preserve or enhance.

1.3 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, and the inclusion of buildings of historic interest which were not recognised at the time of the original designation, in this case 17 years ago. 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. In the northern half of the borough two new conservation areas have already been designated (Mitre Road & Ufford Street and Lambeth Walk & China Walk) and a further four existing conservation areas have been reviewed and extended (Lambeth Palace, Kennington, Albert Square and Vauxhall) - this is the fifth to be assessed as part of this review.

1.4 The South Bank Conservation Area was designated in July 1982. It is the third largest Conservation Area in Lambeth, covering over 50 hectares and includes some of London's most well known Twentieth Century landmark buildings such as the County Hall, St. Thomas' Hospital, the Royal Festival Hall, the Royal National Theatre, the Shell Centre and the London Weekend Television Tower.

## 2. Justification

Since the borough boundary changes in 1993, when the London Borough of Lambeth assumed control of what is now Bernie Spain Gardens and the part of the River Thames in front of the gardens, there has been a significant anomaly. Although this land was designated as part of the London Borough of Southwark's Old Bargehouse Alley Conservation Area in 1988 as an extension to this Conservation Area originally designated in 1983, it was never formally included within Lambeth's adjacent South Bank Conservation Area. This has left a gap of about 50 metres on this prominent Thames frontage between the existing South Bank CA boundary and the new borough boundary with Southward. The purpose of this report is therefore to remedy this anomaly and include this small area into the South Bank Conservation Area which would then share the same boundary as the borough boundary.

### 2.1 Description of land concerned

The land affected by this proposal consists of Bernie Spain Gardens, laid out by the Coin Street Community Builders in the early 1990's and part of King's Reach of the River Thames. The gardens are an attractive oasis of green open space on this section of the Thames which is otherwise lined with large public and commercial buildings. They are laid out with lawns and planted borders with paths linking a paved crescent abutting the riverside walk with a circus seating area adjacent to Upper Ground. This area was formerly occupied by Nelson's Wharf which accessed the river via a jetty, at the head of which was Old Bargehouse Alley (hence the name of the adjacent L.B. Southwark Conservation Area). The Nelson's Wharf buildings (long since demolished) was formerly connected via a footbridge over Upper Ground to a factory premises (Nos. 64-76 Stamford Street) which is also long removed and is now occupied by a continuation of Bernie Spain Gardens.

## Summary

The above proposed modifications have all been carefully assessed in accordance with the criteria recommended by English Heritage and the extension is considered worthy of being included within the Conservation Area to protect this important and highly prominent part of the River Thames frontage.

## 3. Public Consultation

A letter of consultation asking for any views of the Coin Street Community Builders who own Bernie Spain Gardens was sent on the 26th August 1998. No representation has been received in response. The London Borough of Southwark has responded, noting that the area concerned had previously been within the Borough's Old Barge House Alley Conservation Area and therefore its designation as a conservation area had already been recognised. The conservation officer goes on to say that she welcomes Lambeth's recommendation to include it within the South Bank Conservation Area and feels that it will positively contribute to its character and appearance.

English Heritage have written to confirm that the area concerned has already been designated by the London Borough of Southwark as a Conservation Area. They note that "although the physical layout and use of this area has changed since the original designation, it clearly forms part of the evolving South

Bank character. Bernie Spain Gardens provides an area of open space which enhances the special character of the area and contributes to the setting of the adjoining listed buildings and the River Thames waterfront. English Heritage, therefore, fully supports the extension of the designated Conservation Area".

#### 4 Effects of Designation

Under the Town and Country General Development Order 1995 (the GDO) 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) Consent for all advertisement hoardings, temporary or permanent, is required.
- (iii) (iii)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.
- (iv) The design quality of any 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 and appearance of its own.

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## 5. Procedure After Designation

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

- (i) Owners of land 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 the London Gazette.
- (ii) English Heritage and the Borough Land Charges section would be notified of the decision.
- (iii) The production of a character statement and design guidance for the whole of the extended conservation area would be reported to Committee for approval as resources permit.

## 6. Legal Powers and Advice

6.1 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".*

6.2 Section 69 (4) states that:

*"The designation of any area as a conservation area shall be a local land charge".*

6.3 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.

6.4 Section 71(1-3) of the Act identify 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."*

## 7. Environmental Implications

The designation of this extension to the South Bank Conservation Area provides the Council with additional development control powers to protect and enhance this small area, it also places a duty on the Council to include this area within a plan outlining the aims of preserving and enhancing the conservation area as a whole.

8. Financial Implications

Approval of the recommendations will result in the expenditure of about £100 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

There are no staffing implications as a direct result of this report - given the small size of this area and its nature as a park/part of the River Thames, the effect of designation on staff workload should be negligible. The duty to prepare public design guidance and enhancement schemes is already a part of the conservation team's future work programme.

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

<b>Committee deadline: 02.10.98</b>					
<b>Author; Edmund Bird - Conservation Officer</b>					
<b>Date drafted: 26th August 1998</b>					
<b>Consultation with other Officers/Directorates</b>					
<b>Date</b>	<b>Name</b>	<b>Directorate</b>	<b>Date Received</b>	<b>Date Cleared</b>	<b>Date Returned</b>
	<b>M.Dickens</b>	<b>BSOL</b>	<b>4/9/98</b>	<b>7/9/98</b>	<b>7/9/98</b>
	<b>S.Whitaker</b>	<b>CEO</b>	<b>2/9/98</b>	<b>25/9/98</b>	<b>25/9/98</b>
<b>Date sent to Committee Secretariat: 01.10.98</b>					
<b>Date received by Committee Secretariat 01.10.98</b>					
<b>Date sent to Councillors: 05.10.98</b>					