

## Environmental Services Committee

### PROPOSED DESIGNATION OF ROSENDALE ROAD CONSERVATION AREA

(Thurlow park ward)

Report by Director of Environmental services.

Consulted formally: DLCSS.

Authorised for submission by

Paul Duffield Director of Environmental services.

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#### **Purpose**

To designate Rosendale Road as a Conservation Area.

#### **Recommendations**

(1) That the Committee approves the designation of the Rosendale Road Conservation Area under section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 as shown on Plan No. DES/PP/182.

(2) That the committee approve the detailed boundary of the area, as shown on plan No. DES/PP/182.

#### **For decision**

##### 1. Context

1.1 Policy CI (on the Designation of conservation Areas) in the Deposit Draft unitary Development Plan 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 or appearance of which it is desirable to preserve or enhance.

The policy goes on to state that the council will consider the designation of areas which have been strongly recommended by local residents' organisations or whose character is under threat of unsuitable alterations due to imminent developments

1.2 As a result of a public consultation exercise on the Deposit Draft Unitary Development Plan, a number of comments were received, requesting that consideration be given to the designation of a number of new conservation areas or extensions to existing ones. The council sought advice from English Heritage on the suitability of these areas for designation and following this advice, proposed to designate a number of new conservation areas or extensions - to existing conservation areas.

1.3 A proposal to designate parts of Rosendale Road and Carson Road was therefore included in the UDP proposed changes Document which was agreed by committee in October 1993.

1.4 correspondence was subsequently received requesting that the council also consider designating Dalmore Road and Eastmearn Road as conservation areas. Officers liaised with English Heritage, who advised that Dalmore Road and Eastmearn Road were suitable for conservation Area designation.

1.5 on September 22nd 1994 Environmental services committee received a report from councillor Gentry, requesting consultation with residents in Rosendale, Carson, Dalmore and Eastmearn Roads on the proposal to designate Rosendale Road conservation Area.

1.6 At the same meeting Councillor John Whelan presented a petition signed by 75 residents from Rosendale Road and Carson Road in favour of establishing a conservation area. The petition also included one objection from a resident in Carson Road.

1.7 The receipt of this petition combined with the growing concern of local residents and Council officers about development pressures in the area, and the possible threat to the character of the houses in the area, led officers, in liaison with English Heritage to investigate the detailed boundary and suitability of properties in Rosendale Road, Carson Road, Dalmore Road and Eastmearn Road, for designation as a conservation area.

1.8 On 1st November 1994 Environmental services committee approved a report on the conservation and Listed Building work Programme which set out a work programme for the Town Planning Division in respect of the borough's conservation areas and listed buildings, sought in principle approval for establishment of an Assistant conservation Officer and informed the committee on the progress made towards appointment of a conservation officer.

## 2. Justification

2.1 The proposed conservation area covers those properties identified in the UDP and proposed changes document: Nos. 117-159(odd) and 116-170(even) Rosendale Road, Corfe Lodge and oak Lodge in Carson Road and Nos. 1-51(odd) and 2-72(even) Carson Road, plus other properties considered to be worthy of inclusion: Nos. 1-31(odd) and 2-16(even) Eastmearn Road and Nos. 1-37 (odd) and 2-56<even) Dalmore Road.

2.2 The properties within the boundary of the proposed conservation area are predominantly in residential use. Research of records held by the Minet Library Archives has revealed that the majority of properties within the proposed conservation area were built between 1885 and 1911, with the exception of Nos. 21-31 Eastmearn Road which first appear in Kelly's Registry (Streatham and Norwood) in 1925.

2.3 The four streets combine to give a feeling of an entity and provide a good example of a late Victorian development. Many of the properties were built using red and yellow stock bricks with slate roofs. There is a mixture of single and double fronted properties and the majority are two-storey.

2.4 Some properties have retained attractive decorative details and features of the period. The brickwork of some of the houses contains decorative band courses. Some roofs have decorative ridge tiles and there are some particularly attractive decorative bargeboards. A prominent feature of many of the houses is the decorative plasterwork to doors and windows, with particularly attractive floral capitals to pillars and decorative keystones. A detailed architectural study of Lancaster Road conservation Area and the wider area, produced by Lancaster Avenue Residents, points out that:

*"This decorative work is of particular interest as it illustrates the Victorians developing tastes for foliage decoration over porches and on doors and on capitals.*

*The influence of Gothic architecture and decoration was strong at this time and a large number of books were written to encourage architects, stonemasons, and other artisans to respect the rules governing the design of pillars, mouldings, capitals and other decorations. Other books were written and comprehensively illustrated on the subject of architectural foliage. These contained a wealth of designs which, while respecting the natural form, were adopted to the shape of the decorated arch and capital,"*

2.5 Many of the properties within the proposed conservation area provide excellent examples of well-preserved foliage decoration. Much of the character of the area derives from the quality of this decoration, which has survived substantially intact, and the relationship of the houses to their mature gardens, and the trees in the streets.

2.6 The purpose of designating the Rosendale Road conservation Area would be twofold. Firstly it would enable the council to bring greater development control powers to bear on insensitive and inappropriate development in the area, in an effort to preserve, or enhance, its character or appearance as an area of special architectural or historical interest, secondly it would enable the council to take positive steps towards preserving and enhancing the character and appearance of the area.

#### Public consultation

2.7 On 5th January 1995 council officers sent a letter to the owners/ occupiers of properties within the proposed conservation area and to local amenity groups seeking their views on the proposed designation and the suggested boundary of the Area. As a result of this letter a number of telephone calls and letters were received requesting further information about the proposal to designate the conservation area.

2.8 In addition, the Rosendale Road's Residents Association and residents in Carson Road invited Council officers to a joint meeting of their members to answer their questions regarding the proposed conservation area. Officers suggested that all residents within the proposed conservation area should be invited and this was agreed by the groups and was subsequently done (see Para 2.9 below).

2.9 In view of the concerns raised by local residents, a further letter was sent to all residents inviting them to a public meeting on 7 February 1995, enclosing an information sheet, setting out the council's objectives in declaring conservation areas and giving details of the additional planning controls that would apply within a conservation area, these are summarised in Para 2.19. In order that council officers could obtain an overall view on the level of support for, and opposition to, the proposed conservation area designation, the letter also included a reply slip which residents were asked to return to council officers by 24th February 1995. The results from the reply slips returned is set out below.

	REPLIES RECEIVED	FOR	AGAINST	NO OF PROPERTY ADDRESSES
ROSENDALE ROAD	17	16	1	17
CARSON ROAD	25	16	9	22*
DALMORE ROAD	21	21	0	21
EASTMEARN ROAD	9	5	4	9

\* Some individual properties returned more than one reply slip from separate residents, the number of replies received may therefore be higher than the number of property addresses.

2.10 A number of telephone calls and letters of support or objection were received from residents who did not use reply slips. These were as follows: CARSON ROAD: 2 Objections and 1 support; ROSENDALE ROAD: 3 support.

2.11 In addition a petition was received on 15th February 1995 from sixty residents (in 40 property addresses) in Dalmore Road supporting the designation of the conservation area. This petition included the signatures of 17 of the 21 residents in Dalmore Road who had returned reply slips (see above).

2.12 Letters of support were received from English Heritage, the Norwood Society, the Dulwich society, Lambeth Environmental Consortium and the committee of Rosendale Road Residents Association.

#### Suggestions for Changes to Boundary

2.13 A number of suggestions were received from local residents concerning the boundary of the proposed conservation area. These are summarised below with an officer response.

##### Suggestion 1

2.14 Requests were made for officers to consider excluding a terrace of 1925 properties at Nos. 17-31 Eastmearn Road and a newer-style property constructed in 1967, at NO. 16 Eastmearn Road. occupiers of these properties expressed the view that these properties differed in character and appearance from the other properties within the proposed conservation area.

##### Officer Response 1

Officers gave consideration to these views but concluded that whilst these properties differ in style from others within the area, they are integral to the setting of the other properties and unsympathetic alterations to them could erode the overall character of the area.

##### Suggestion 2

2.15 Suggestions were made to extend the boundary of the proposed conservation area at the northern end to include properties and/or the gardens in Thurlow Park Road, plus a further extension to take in the northern part of Rosendale Road including All saints church.

##### Officer Response 2

Officers felt that whilst the properties in Thurlow Park Road may be of a similar style it is not considered that they form a natural alliance with the other properties in the proposed conservation area. Their frontage is onto the south circular and this serves to effectively separate them from the streets behind. The properties across the south Circular at the northern end of Rosendale Road do not bear any uniformity to the properties within the rest of the proposed conservation area and the south circular provides a visual break between the two ends of Rosendale Road. All saints Church is afforded protection through the listed building mechanisms. It is not therefore considered

necessary to extend the boundary at the northern end.

### suggestion 3

2.16 Further extensions to the south-western boundary were suggested to take in Chestnut, Chatsworth, Idmiston, Ardlui Roads and Chancellor Grove.

### officer Response 3

Officers consider that there is some merit to designating a conservation area to cover these roads. However, it would not be appropriate, in view of their differing style, to designate them as part of the Rosendale Road Conservation Area. It may be that officers could consider designation of these roads as a conservation area at a later date.

### Suggestion 4

2.17 An extension at the southern boundary was suggested to take in the southern end of Rosendale Road up to Park Hall Road and the Rosendale Public House.

### Officer Response 4

Officers, in drawing up the boundary, have borne in mind several factors including the uniformity of properties in the streets. The properties at the southern end of Rosendale Road do not relate to the majority of properties within the proposed conservation area. Part of Park Hall Road is already designated as a conservation Area and the Rosendale Public House is afforded protection through its listed building status.

### Suggestion 5

2.18 some residents in Carson Road suggested the exclusion of Carson Road from the proposed conservation area because they did not feel that additional planning controls were needed in order to protect their properties.

### Officer Response 5

Officers recognised and appreciated the concerns raised by individual residents that conservation area status would increase the planning controls over their properties. However, officers felt that the purpose of these additional controls is to seek to apply a benefit to the wider area and that to exclude particular properties or roads would damage the integrity of the area.

Officers consider that properties in Carson Road are of a similar design to those in Rosendale Road. In addition, access to Carson Road is directly available from Rosendale Road and this creates a natural link between the roads. It is considered that exclusion of Carson Road would damage the overall appearance and character of the proposed conservation area.

## Effects of designation

2.19 Under the Town and Country Planning General Development order 1988 and the Planning (Listed Buildings and Conservation Areas) Act 1990, Conservation Area designation has a number of practical implications for the area. These are, in outline that:

- (i) Conservation area consent is required to demolish most buildings within a conservation area (Section 74 of the Planning (LB & CA) Act 1990; with only a few exceptions as listed in section 75 and in the relevant direction.
- (ii) Some permitted development rights are restricted within a conservation area, e.g. neither stone cladding, or roof extensions are allowed without planning permission.
- (iii) Consent for all advertising hoardings, temporary or permanent is required.
- (iv) 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 desired. This only applies to trees planted on privately owned property.
- (v) The design quality of all new development in a conservation area is also important. EPG 15 Planning and the Historic Environment indicates that in addition to adopted local plan policies for conservation areas, special regard should be had to such matters as scale, height, massing, respect for the traditional pattern of frontages, vertical or horizontal emphasis and detailed design (e.g. the scale and spacing of window openings and the nature and quality of materials). General planning standards should be applied sensitively in the interests of harmonising the new development with its neighbours in the conservation Area.
- (vi) The Council could also make a direction (under Article 4 of the General Development Order 1988) further restricting permitted development rights within the conservation area. This would need to be approved by the Secretary of state. It could be used to, e.g. remove the rights to alter the original style of windows in a terrace, or to place estate agents' "For sale-boards, without first obtaining planning permission.
- (vii) Once a conservation area is declared there is a duty on the council to formulate and publish proposals for the preservation and enhancement of the area. These could identify such things as environmental improvements, (e.g. reinstatement of period street lighting and paving) and the preparation of planning briefs and design guidance for the future development of sites and detail the type of alterations, repairs and maintenance of property that would be desirable in the area.
- (viii) Under the Planning (Listed Buildings and conservation Areas) Act 1990 there are a number of possible funding sources for preserving or enhancing conservation areas.

### Procedure after designation

2.20 Following Committee approval of the report a number of actions would be undertaken: These are that:

- (i) All owner/occupiers of properties in the conservation area would be written to informing them of the designation. Notice of the designation would also be published in the local press and the London Gazette
- (ii) English Heritage would be notified of the designation.
- (iii) The production of character appraisals and management statements on such things as townscape analysis, design guidance and maintenance of properties. Management Policies and Plans would be reported to Committee for approval as resources permit.

### 3. Legal powers and advice

3.1 The planning (Listed Buildings and Conservation Areas) Act 1990 gives the council power to declare a conservation area. 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.-

3.2 Section 69(4) states that:

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

3.3 Section 70(5) of the 1990 Act states that the local authority should notify the secretary of State and the Historic Buildings and Monuments commission (English Heritage) of the designation.

Section 70(8) of the Act states that the local authority 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 local planning authority.

3.4 Section 71(1),(2) and (3) of the 1990 Act identify future duties on the Council associated with a designation, stating that:

<sup>H</sup> (1) It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.

(3) The local planning authority shall have regard to any views concerning the



proposals expressed by persons attending the meeting."

4. Financial implications

4.1 There are no financial implications as a direct result of this report.

5. Environmental implications

5.1 All trees within a conservation area are given protection in so far as notification of any works to a tree must be given six weeks in advance to the Council to enable it to issue a Tree Preservation order.

5.2 The designation of a conservation area provides the council with additional development control powers to protect and enhance the area, it also places a duty on the Council to prepare and publish a preservation and enhancement plan for the area.

6. Staffing and accommodation implications

6.1 There are no staffing implications as a direct result of this report, however the declaration of a conservation area involves Development Control staff in more complex procedures when handling planning applications within the designated area.

6.2 The duty to prepare and publish a Preservation and Enhancement Plan will require staff to undertake some complex and detailed conservation work.

6.3 It is considered that with the additional support of the recently appointed Conservation Officer, and the proposed assistant conservation Officer, staff resources will be adequate to carry out the additional work as part of the normal programming of workloads.

7. Equal opportunities

- (a) Race relations
- (b) Women's rights
- (c) People with disabilities

7.1 The designation of a conservation area places a duty on the council to prepare and publish a Preservation and Enhancement Plan. Any physical improvements to the area, e.g. new paving or street lighting, as a result of this would be improvements for the benefit of all. New paving would in particular improve accessibility for people with disabilities and new street lighting would improve safety for all pedestrians.