

Officer Delegated Decisions

12 December 2007

Emergency conservation area designation – Herne Hill Item 1

Herne Hill Wards

Report authorised by: Les Brown Divisional Director, Planning

Executive summary

Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) imposes a duty on local planning authorities to review their conservation areas from time to time.

In response to local concerns Cllr Jim Dickson made a resolution to the full Council on the matter of the designation of part of Herne Hill as a conservation area on 28th February 2007 (Appendix 1 – extract of minutes).

Following that resolution the Conservation & Urban Design team have assessed the area concluded that it has sufficient special architectural and historic character or appearance to warrant designation as a conservation area and will complement the adjoining Stradella Conservation Area within the London Borough of Southwark.

The Council has recently learned that there is an imminent and real threat of demolition to one of the key buildings within the proposed conservation area and that designation should be made immediately to prevent this demolition.

Summary of financial implications

The area is quite small and work associated with its designation can be contained within the resources of the Planning Division.

Recommendations

- (1) That the area outlined in the attached Conservation Area Statement (Appendix 1) is designated as 'Herne Hill Conservation Area' under section 69 of the Planning (Listed Building & Conservation Areas) Act 1990 and using delegated powers.

I approve the above recommendations:

Signature _____ **Date** _____

Executive Director, Housing & Regeneration

Any declarations of interest (or exemptions granted):

Issue

Interest declared

Consultation

Name of consultee	Directorate or Organisation	Date sent to consultee	Date response received from consultee	Comments appear in report para:
Council			28.02.07	Agree
Cllr J Dickson			28.02.07	Agree
Cllr P McGlone	Portfolio Holder		07.12.07	Agree
Les Brown	Planning Division		05.12.07	Agree
Mike Dickens	Legal Services		12.12.07	4.1 & 6.1
Entered in Consultation and Events Diary?				
No				

Report history

Decision type: Non Key Decision	Urgency item?	
Date report drafted: 12 December 2007	Report deadline:	Date report sent:
Report author and contact for queries: Doug Black, Deputy Team Leader, Conservation & Urban Design 020 7926 4065 dblack1@lambeth.gov.uk		

Background documents

Planning (Listed Buildings and Conservation Areas) Act 1990
'Guidance on Conservation Area Appraisals', English Heritage, Feb. 2006

Appendices

Appendix 1 – Extract from Minutes from Council Meeting 28.02.07
Appendix 2– Draft Herne Hill Conservation Area Statement

Proposed Herne Hill Conservation Area

1. Context

- 1.1 The demolition of a petrol filling station at 128 Herne Hill and the subsequent vacancy of the adjoining former postal sorting office at 130 Herne Hill have raised concerns among local residents that new development on the vacant site and redevelopment of the sorting office might harm the character of the area. At present the former building could be demolished without permission.
- 1.2 This lower section of Herne Hill was developed in the late 19th and early 20th Centuries and has a consistent character containing a number of interesting residential and commercial buildings of good architectural and townscape character. Today Herne Hill forms the boundary with London Borough of Southwark and its side of the road (East side) at this point is already designated as the Stradella Conservation Area. The properties in Lambeth (West side) that will subject to the conservation area designation are:
 - 1 – 16 Herne Hill Mansions, Herne Hill
 - Site of petrol filling station, 128 Herne Hill
 - Former Postal Sorting Office, 130 Herne Hill
 - Former Fire Station, 132 / 132a Herne Hill (including flats over)
 - Site of former post office, 134 Herne Hill
 - 136 & 136a Herne Hill
- 1.3 A draft Herne Hill Conservation Area Statement has been prepared for the proposed conservation area (Appendix 2) in accordance with established best practice set out in the Act and national guidance. Upon formal designation it will be put out to public consultation as required by law.

2. Immediate threats

- 2.1 The Planning Division has received a number of informal enquiries from developers and their agents relating to the development site and vacant former Postal Sorting Office at 130 Herne Hill. It is likely that applications for the site will be forthcoming in the short / medium term.

- 2.2 Conservation Area designation is considered an urgently expedient in order to protect the former Postal Sorting Office from demolition.

3. Comments from Executive Director of Finance

- 3.1 There is no specific provision in the Planning Division Budgets for this designation. Costs associated with designation will be contained within existing budgets.

4. Comments from Director of Legal and Democratic Services

- 4.1 Subject to the exclusions referred to in paragraph 5 of the Corporate Scheme of Delegation, the Executive Director of Regeneration and Housing is authorised to act on behalf of the Council on all matters relating to the discharge of the Regeneration and Housing functions of the Council, which include but are not limited to all functions under the provisions of housing legislation, public sector (HRA) and private sector housing, homelessness, the administration of grants for improvement and repair of properties, the functions of the Design and Property Services Division, housing strategy, regeneration, revitalise, economic development, investment strategy, town planning and development control, management of corporate property, valuation services, adult education and Town Centre services.

5. Results of consultation

- 5.1 Given the urgency of the case no extensive internal consultations have been undertaken. Public consultation on the draft Conservation Area Statement (appendix 2) will be undertaken in January 2008.
- 5.2 The Herne Hill Society was the initiator of the proposed designation.
- 5.3 Ward Councillors have been instrumental in securing the proposed designation.
- 5.4 English Heritage has written in support of the designation agreeing that the area exhibits the special architectural and historic interest deemed necessary to justify conservation area designation.

6. Organisational implications

- 6.1 **Risk management:**
None.
- 6.2 **Equalities impact assessment:**
None.
- 6.3 **Community safety implications:**
None.
- 6.4 **Environmental implications:**

Designation will assist the council meet its statutory obligation to consider, for time to time, the designation of conservation areas.

6.5 Staffing and accommodation implications:
All work is being carried out using existing staff.

6.6 Procurement implications:
None.

6.7 Legal implications:

The designation of conservation areas under the Planning (Listed Buildings & Conservation Areas) Act 1990 is a Cabinet function of the Council. However, as there is a risk that an important building will be demolished the designation can be made under delegated authority.

7. Timetable for implementation

7.1 The proposed timetable is as follows: -

Formal Designation	December 2007
Issue of statutory press notices	December 2007
Inform Govt. Office for London (statutory requirement)	December 2007
Issue letters of designation to residents (good practice)	December 2007
Inform Ward Councillors	December 2007
Site notices to be erected where necessary within the conservation area.	December 2007
Inform the LB Southwark.	January 2008
Public consultation on the draft Conservation Area Statement.	January 2008