

Officer delegated decision

Decision 29 October 2015

Hyde Farm Conservation Area (CA48)

Wards: Thornton Ward

Report Authorised by: David Joyce, Programme Director – Planning and Development

Portfolio: Cabinet Member for Jobs and Growth Jack Hopkins

Contact for enquiries:

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Report summary

In February 2014 the Council consulted residents within the Hyde Farm CA on a draft Conservation Area Character Appraisal as the first step on an agreed programme of renewing the planning guidance for the conservation area.

A consultation response questioned the conservation area boundary in relation to nos. 1-71 (odds) and 4 – 62 (evens) Haverhill which are terraced houses. It was argued that these were not special, had been altered and did not warrant continued inclusion within the CA.

Officer assessment concluded that the houses were indeed much altered. The residents of the houses in question have been consulted to seek their view on whether they should remain in the conservation area. The majority (77%) of respondents support removal. It is recommended that the houses at 1- 71 and 4 - 62 Haverhill Road be removed from the conservation area on the grounds that they do not contribute to its special interest. See map in Appendix 2.

Removal of the houses will necessitate the revocation of the existing Article 4 Direction and its replacement with a new Direction relating to the new conservation area boundary. The controls of the new direction will be no different from the existing direction.

Finance summary

The issuing of statutory notices and associated notification and correspondence with residents will be undertaken within existing budgets.

Recommendations

- (1) To remove nos. 1 – 71 (odd) and (4 – 62 (even) Haverhill Rd from the Hyde Farm Conservation Area.
- (2) To cancel the Hyde Farm Article 4 Direction (2003).
- (3) To approve the issue of an Article 4 Direction following the revised CA boundary.

Context

- 1.1 In February and March 2014 the Council consulted all residents within the Hyde Farm Conservation Area (CA48) on a new draft character appraisal. This was in response to local residents concerns about planning and conservation issues which had been voiced through Ward Councillors and shared with officers at a public meeting in 2013.
- 1.2 All the properties in the conservation area (about 600 in all) were sent letters and a total of 25 responses were received. These have been given careful consideration by officers and the draft appraisal has been amended where appropriate. The final draft of the character appraisal will form part of the proposed Conservation Area Statement for the area which is will be progressed in due course.
- 1.3 One respondent requested that consideration be given to the removal from the conservation area of the houses on at 1- 71 and 2 – 64 Haverhill Road. They stated that conservation area is characterised by Tyneside Flats and it is the character of these that are its defining feature. The houses, on the other hand, are of a standard type and are similar to many houses in the wider locality which are not subject to conservation area controls. The respondent also stressed that many of the houses had been altered.
- 1.4 Officers undertook a photographic assessment of the properties. This shows that only one fifth of the street facades are unaltered. Two thirds of the houses have had their facades painted or rendered, one third have inappropriate windows and one fifth have lost historic roof finishes. Given the findings it is considered that the removal of the houses from the conservation area is justified as the houses collectively are not of special architectural or historic interest the character and appearance of which it is desirable to preserve or enhance. This is because of the degree of alteration.
- 1.5 Occupants of the houses, and their immediate neighbours were consulted on the proposal removal from the conservation area in March 2015. Of the 27 consultation responses 77% support removal of the houses from the conservation area. The remaining responses were split – half opposing and the remainder were mixed.
- 1.6 The removal of the houses from the conservation area will necessitate the cancellation of the Article 4 direction which was put in place in 2003. It was considered necessary in order to prevent unacceptable loss of authentic historic details through incremental change. It restricts permitted development within the area in order to better control alterations. The national planning regulations do not allow for the amendment of Article 4 Directions therefore cancelation is unavoidable.
- 1.7 These proposals accord with the Cleaner Streets and Greener Neighbourhoods and Safer and Stronger Neighbourhoods vision set out in the Community Plan 2013-16. Removal of the houses from the CA will allow residents to optimise their extensions potential. Updating the Article 4 Direction will ensure that environmental quality in the conservation area is sustained.

2 Proposal and Reasons

- 2.1 The houses at 1 – 71 (odds) and 2 – 64 (evens) Haverhill Road are not considered to warrant continued inclusion within the conservation area. Their removal is considered justified. See map in Appendix 2.

- 2.2 The character appraisal for the conservation area clearly sets out what the special architectural and historic interest of the area is and defines its character and appearance. This helps residents better understand the significance of the area. The document will also assist with decision making. Guidance will be prepared in due course to assist those proposing to make building alterations and to inform decision making.
- 2.3 Permitted development rights still present a risk to the unified architectural and historic interest of the conservation area. The character and appearance which is desirable to preserve or enhance comes from a uniform palette of materials and a cohesive design. The estate was conceived and erected by a single charitable developer with a vision of uniformity and a great deal of architectural consistency is to be found on the buildings. Therefore, the painting of properties, alterations to roofs, alterations to boundaries, changes to windows and doors, the laying or hard standings and installation of satellite dishes etc. all have significant potential to cause harm to the special interest of the conservation area.
- 2.4 It is recommended that a new Direction under Article 4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 is issued which will relate to the new conservation area boundary. The cancellation of the current Direction and the issuing of the new direction will be undertaken in a seamless manner so that the conservation area is never without Article 4 Direction cover. The new Article 4 Direction will control the same things as the existing Direction. No changes to the scope or content are proposed. Only the area it covers will change to reflect the new conservation area boundary.

3 Finance

There are no direct financial implications arising from the recommendations. The issuing of any statutory notices, notifications and correspondence will be undertaken and funded from existing approved budgets.

4 Legal and Democracy

- 4.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to designate those parts of their area which they determine are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance,
- 4.2 Article 4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 enables a local authority to withdraw certain permitted development rights within a conservation by making an Article 4 Direction if they consider it expedient to do so.
- 4.3 The Council's Constitution requires that all key decisions, decisions which involve resources between the sums of £100,000 and £500,000, and important or sensitive issues must be published on the website for five clear days before the decision is approved by the Director. This report does not fall into any of these categories and will therefore not be published on Officer Decisions.
- 4.4 The decision can be taken by David Joyce, Programme Director – Planning and Development. Page 100 Lambeth constitution states that:

The authority to determine town planning applications and to discharge all other functions concerning planning and development control (including but not limited to

advertisement control, listed building and conservation area control and tree preservation orders) and related matters, including enforcement decisions and actions, as set out in paragraph 1 above, is delegated to the Assistant Director, Planning and Development. Although his post title has changed, he still has this power.

5 Consultation and co-production

- 5.1 The proposals and recommendations result from engagement with Hyde Farm residents. The outcome of the consultation is outlined in Appendix 1. The proposals have ward member support.

6 Risk management

- 6.1 None.

7 Equalities impact assessment

- 7.1 There are no equalities issues and mitigations.

8 Community safety

- 8.1 There are no implications for community safety.

9 Organisational implications

- 9.1 Environmental

The proposals will ensure that the Council continues to manage its historic built environment in a consistent manner in accordance with best practice.

- 9.2 Staffing and accommodation

None

- 9.3 Procurement

None.

- 9.4 Health

None.

10 Timetable for implementation

- 10.1 See below:

| Action | Timetable |
|--|------------------------|
| Notifications of the conservation area boundary change to the affected residents and statutory notices in the press. | Immediate effect |
| Cancellation of the Article 4 Direction and issuing of a new Direction. | Late 2015 / early 2016 |

| | | |
|---|--|--|
| NB there is a statutory process to be followed. | | |
|---|--|--|

| Audit trail | | | | |
|--|---|------------------|----------------------|--------------------------|
| Consultation | | | | |
| Name/Position | Lambeth cluster/division or partner | Date Sent | Date Received | Comments in para: |
| Sue Foster | Strategic Director, Neighbourhoods and Growth | 08/10/2015 | | n/a |
| Hamant Bharadia (finance clearance@lambeth.gov.uk) | Business Partnering | 08/10/2015 | 11/10/2015 | n/a |
| Peter Flockhart | Legal Services | 08/10/2015 | 16/10/2015 | Secton 4 |
| Wayne Chandai (democracy@lambeth.gov.uk) | Democratic Services | 08/10/2015 | 21/10/2015 | n/a |
| Katy Shaw | Governance - Neighbourhoods and Growth | 08/10/2015 | | n/a |
| Councillor Hopkins | Cabinet Member, Jobs and Growth | 08/10/2015 | | n/a |
| Councillor L Peck | Ward Councillor | 02/10/2015 | 06/10/2015 | n/a |
| Councillor D Morris | Ward Councillor | 02/10/2015 | 07/10/2015 | n/a |
| Councillor L Davie | Ward Councillor | 21/10/2015 | | n/a |

| Report history | |
|---|---|
| Original discussion with Cabinet Member | N/A |
| Part II Exempt from Disclosure/confidential accompanying report? | No |
| Key decision report | No |
| Date first appeared on forward plan | n/a |
| Key decision reasons | Non Key |
| Background information | Draft Hyde Farm CA Appraisal |
| Appendices | Appendix 1 – consultation responses Appendix 2 – map showing proposed boundary change. |

APPROVAL BY CABINET MEMBER IN ACCORDANCE WITH SCHEME OF DELEGATION

I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board and taken account of their advice and comments in completing the report for approval:

Signature *Douglas Black* Date *29.10.2015.*

Doug Black, Delivery Lead, Conservation & Urban Design.

I approve the above recommendations:

Signature *David i. Joyce* Date *29 / 10 / 15*
David Joyce, Programme Director – Planning and Development

Any declarations of interest (or exemptions granted):

Issue

Interest declared

APPENDIX I.

Hyde Farm Conservation Area

2015

Proposed boundary change – removal of houses on Haverhill road.

Total number of consultation responses – 27

Number in favour– 21

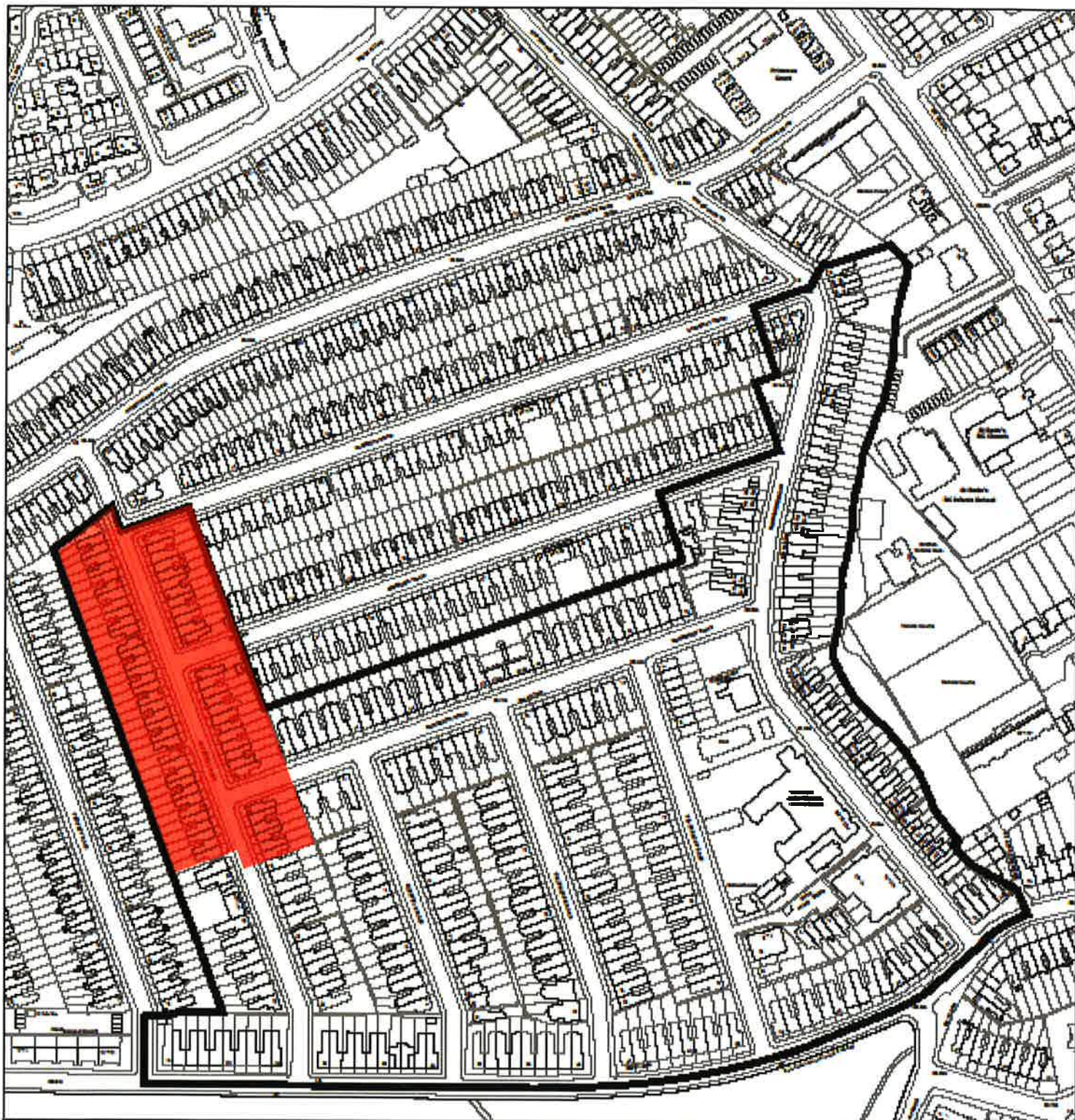
Number opposed – 03

Number of mixed responses – 03

| Respondent | Comments | Council response / comment (if necessary) | Removal |
|---------------|---|---|---------|
| Respondent 1 | Support. | noted | Support |
| Respondent 2 | Not a resident of the houses. | noted | |
| | A stricter line should be taken to conserve the houses. | The strictest controls have failed to preserve the houses. They are too far gone. | Object |
| | Why not exclude the post-war flats? | This was considered but ruled out because the resulting CA boundary would not make sense. | |
| Respondent 3 | Not a resident of the houses. | Noted. | |
| | Opposed. | Noted. | Object |
| Respondent 4 | Support | Noted. | Support |
| Respondent 5 | Support | Noted. | Support |
| Respondent 6 | Support | Noted. | Support |
| Respondent 7 | Support | Noted. | Support |
| Respondent 8 | Support | Noted. | Support |
| Respondent 9 | Support | Noted. | Support |
| Respondent 10 | Support | Noted. | Support |
| Respondent 11 | Support | Noted. | Support |
| Respondent 12 | Support | Noted. | Support |
| Respondent 13 | Support | Noted. | Support |
| Respondent 14 | Support | Noted. | Support |
| Respondent 15 | Support | Noted. | Support |
| Respondent 16 | Support | Noted. | Support |
| Respondent 17 | Support | Noted. | Support |
| Respondent 18 | Support | Noted. | Support |
| Respondent 19 | Support | Noted. | Support |
| Respondent 20 | Support | Noted. | Support |
| Respondent 21 | Support | Noted. | Support |
| Respondent 22 | Mixed response | Noted. | Mixed |
| | Supports the conservation area designation | Noted. | |
| | Objects to the article 4 direction | Noted. | |
| Respondent 23 | Not a resident of the houses | Noted. | |
| | Supports the conservation area | Noted. | Mixed |
| | No view on removal | | |
| Respondent 24 | Support | | Support |
| Respondent 25 | Supports the conservation area designation | Noted. | Mixed |
| | Objects to the article 4 direction | Noted | |
| Respondent 26 | Support | | Support |
| Respondent 27 | Object | Noted. | Object |

BLANK

CA 48 Hyde Farm Estate



CONSULTATION MAP

FEBRUARY 2015

HOUSES BEING CONSIDERED FOR REMOVAL FROM THE CONSERVATION AREA



1:2,798

0 55 110 220 Meters

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