

Item No. 7.2	Classification: Open	Date: 12 July 2012	Meeting Name: Bermondsey and Rotherhithe Community Council
Report title:		Page's Walk Conservation Area	
Ward(s) or groups affected:		Grange	
From:		Head of Development Management	

RECOMMENDATION

1. That the community council considers the results of the public consultation on the draft appraisal for the Page's Walk Conservation Area and reports its comments to Planning Committee.

BACKGROUND INFORMATION

2. On the 13 October 2011 community council considered a report recommending that public consultation be undertaken on the draft Page's Walk Conservation Area Appraisal. A copy of the report is Appendix 2.
3. Letters were sent to all of the owner/ occupiers of properties in the immediate conservation area (Appendix 3) giving a 12 week consultation period. The letter included general guidance on conservation areas and information as to where the Page's Walk Conservation Area Appraisal could be viewed on the council's website. Three responses were received during the consultation period, these responses are analysed in more detail below.
4. The Page's Walk Conservation Area is situated between Willow Walk and New Kent Road. The conservation area is very cohesive in character, consisting for the most part of two-storey, mid 19th century, terraced dwellings in London stock brick. Due to their simultaneous construction by the same developer, the terraces are consistent in design and form a strong rhythm that continues along the length of the street.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

5. The main issues of this are:
 - a) to report on the consultation responses received and the subsequent amendments made to the draft Page's Walk Conservation Area Appraisal.

Planning policy

6. Core Strategy 2011 (April)
Strategic Policy 12 Design and Conservation.

Southwark Plan 2007 (July)

Saved Policy 3.15 Conservation of the Historic Environment

Saved Policy 3.16 Conservation Areas

Saved Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites

Saved Policy 3.19 Archaeology

London Plan 2011 (July)

Policy 7.9 Heritage-led regeneration

Policy 7.8 Heritage assets and archaeology

The National Planning Policy Framework (March 2012)

Consultation responses

7. Three consultation responses were received by the Council on the draft appraisal, and included the following comments:

87 Lynton Road

- That the Page's Walk Conservation Area boundary should be extended to include: The Victoria Public House No. 70 Page's Walk, Old School Building (Former School Keeper's House) Page's Walk and The School House (Former Page's Walk School).

57 Page's Walk

- The respondent provided further historical background information on the development of Page's Walk.
- A reference is made to paragraph 3.2.9 of the draft appraisal, which suggested there would be a benefit in screening by sensitive development between Page's Walk and the warehouses on Mandela Way. However, the consultee has responded that "*nothing should be built between the police warehouse and the Page's Walk back gardens. The height of the warehouse was only accepted so long as it was kept away from our boundary. Even so it completely determines our outlook, trying to screen it would be even more damaging.*"
- The respondent draws to the Council's attention negative features in the conservation area, which include: BT cables, the tree outside the School House, rubbish bins, meter boxes, graffiti on the end wall of No. 103 and the vacant site adjacent to No. 103.
- A reference was made to guidance in Section 5.0 of the draft appraisal and the respondent expressed concern that the residents would be unlikely to afford real slates or would consider the retention of redundant or defective chimneys a priority. Representations were also made on guidance relating to rear extensions. They confirmed that a number of properties already had full width and therefore it is two storey full width back extensions that should not be permitted, as these would deprive neighbours of light.

Email response

- The respondent supports the conservation area, particularly if it involved better tree planting and control of street furniture, would enhance Page's Walk and the surrounding area.

Summary of consultation and amendments to the draft appraisal

8. Officers reviewed the suggested boundary changes to the Page's Walk Conservation Area and considers that the buildings meet the criteria set out in paragraph 127 of the NPPF (March 2012), which states: 127: *'when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.'* The Victoria Public House and the former School Keeper's House have townscape merit and form gateways at either end of the conservation area. The former Page's Walk School also has townscape merit and is a surviving example of late 19th century development in Bermondsey. Officers consider that the buildings comply with the requirements of paragraph 127 of the NPPF and propose to consult on the extension to the Page's Walk Conservation Area later in the year.
9. The Page's Walk Conservation Area Appraisal (Appendix 1) has been revised to take into account informative feedback on the historical development on the area. The appraisal has also been revised to reflect recent changes in national planning policy following the introduction of the NPPF in April this year. Other changes include the addition of a 'definition of special interest and significance' and a section on 'the setting of the conservation area'. It should be noted that the content of conservation area appraisal has been prepared in accordance with guidance contained within English Heritage's document 'Understanding Place: Conservation Area Designation, Appraisal and Management'. In addition the appraisal accords to the NPPF and the PPS 5 Practice Guidance, which was not cancelled with the introduction of the NPPF. The layout and content of the appraisal reflect the Council's other recently adopted council conservation area appraisals.
10. The consultation comment on paragraph 3.2.9 of the draft appraisal has been noted and the sentence *'towards the south end of the street, the industrial buildings behind the conservation area are visible and can benefit from screening by sensitive development of the space'*, has been removed from the appraisal.
11. The comments made during consultation on negative impacts on the conservation area, have been noted and the appraisal revised to include an observations on the graffiti to No. 103 Page's Walk, the open land adjoining to No. 103 and the impact of meter boxes. Whilst, refuse bins are not considered development and therefore do not fall under the control of the planning system, their control could be dealt with by a future Page's Walk Conservation Area Management Plan.
12. Section 5.0 of the appraisal sets out best practice guidance for development, repair and alterations to unlisted buildings within Southwark's conservation areas. The consultation comments are noted with regards external paint colour, roofing materials and retention of chimneys. The advice in Section 5.0 serves as guidance for unlisted buildings within the conservation area and currently the Council's permission would not be required for redecoration of the exterior, a change from natural and artificial slate or the taking down of a

chimneystack. The comments on rear extensions has been noted and following consultation responses also received on the draft Page's Walk Conservation Area Appraisal, the text has been amended to reflect the need to consider rear extensions on a case by case basis.

Conclusion on planning issues

13. Section 69 of the Town and Country Planning Act 1990 imposes a duty on the local Planning Authority to designate as conservation areas any "areas of special architectural or historic interest the character or appearance of which is desirable to preserve or enhance". There is a duty on the local planning authority under Section 69 to review areas from time to time to consider whether designation of conservation areas is called for. The Council considers that the Page's Walk Conservation Area remains a notable surviving example of mid 19th century workers terraced housing of a strong unified character and therefore worthy of designation.
14. In March 2012 the Government introduced the National Planning Policy Framework replacing the guidance formerly contained within PPS5. Paragraph 169 of the NPPF is particularly relevant with regards conservation area appraisals '*local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment..*' The conservation area appraisal complies with the requirements of NPPF paragraph 169.
15. In 2011 English Heritage published guidance on conservation area appraisals, 'Understanding Place: Conservation Area Designation, Appraisal and Management'. This sets out the importance of definition and assessment of a conservation area's character and the need to record the area in some detail. The purpose is to provide a sound basis for rational and consistent judgements when considering planning applications within conservation areas. Conservation area appraisals, once they have been adopted by the Council, can help to defend decisions on individual planning applications at appeal. They may also guide the formulation of proposals for the preservation and enhancement of the area. The Page's Walk Conservation Area Appraisal has been prepared in accordance with the English Heritage guidance.

Community impact statement

16. The draft appraisal has been consulted in accordance with the Statement of Community Involvement. The Statement of Community Involvement sets out how and when the Council will involve the community in the alteration and development of town planning documents and applications for planning permission, and was adopted in January 2008.
17. The consultation has sought the views of local residents, businesses and other local interest groups over the conservation area appraisal. The draft Page's Walk Conservation Area Appraisal was placed on the council's website and copies made available in the local libraries.

Human rights implications

18. This conservation area engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
19. This proposal has the legitimate aim of providing for the conservation of the historic environment within the conservation area. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

Resource implications

20. Notifying the public of the Page's Walk Conservation Area Appraisal has not resulted in resource implications for the staffing of the Regeneration Department.
21. Other resource implications will be the cost of publishing the conservation area appraisal, which can be met within the Regeneration Department's revenue budget. The cover price of the document will be fixed to cover production costs.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities Law & Governance

22. A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance (*section 69(1), Listed Building Act (LBA) 1990*). A Local Planning Authority (LPA) is under a duty to designate conservation areas within its locality and to review them from time to time (*section 69(2)*). Section 69(2) of the Act imposes a further duty on local planning authorities to review the extent of their functions and if need be to designate any further parts of their area as conservation areas. It is this section of the Act which is being triggered here.
23. There is no statutory requirement for LPA's to consult with anyone before a conservation area is designated and nor does the Council's Statement of Community Involvement require consultation in respect of designating Conservation Areas. However, English Heritage advises LPA's to consult as widely as possible, not only with local residents and amenity societies, but also with Chambers of Commerce, Public Utilities and Highway Authorities.
24. Once adopted the Conservation Area Appraisal will provide additional guidance to be taken into account in determining applications for developments affecting Page's Walk Conservation Area.
25. The draft appraisal for the Conservation Area Appraisal is brought before the Community Council in accordance with Part 3H paragraph 4 of the Constitution under the heading "Consultative/non-decision making" which requires the Community Council to comment to Planning Committee on the adoption of Conservation Area Appraisals and also designations of Conservation Areas.

Equalities and Human Rights

26. The Equality Act 2010 introduced a single public sector equality duty (PSED). This duty requires us to have due regard in our decision making processes to the need to:
- (a) Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not
 - (c) Foster good relations between those who share a relevant characteristic and those that do not share it.
27. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The PSED also applies to marriage and civil partnership, but only in relation to (a) above.
28. There has been compliance with the Council's Approach to Equalities as well as the public sector equality duty as contained within section 149 of the Equality Act 2010. All six equality strands have been duly considered and assessed, this is evidenced at in the Equalities and Human Rights Impact Assessment (EqIA).
29. In accordance with part 3H, paragraph 4 of the constitution providing comments to planning committee on proposals for the designation of conservation areas including conservation area appraisals is a matter for community council.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES – available on the council's website

<http://modern.gov.southwark.gov.uk/ieListDocuments.aspx?CId=349&MId=4287>

No.	Title
Appendix 1	Amended conservation area appraisal for Page's Walk Conservation Area
Appendix 2	Report to the Bermondsey Community Council on 13 October 2011
Appendix 3	Consultation map, letter to businesses and owner/ occupiers
Appendix 4	Equality Impact Assessment (EqIA)

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Tracy Chapman, Senior Design and Conservation Officer	
Version	Final	
Dated	11 May 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	21 June 2012	