

Item No.	Classification:	Date:	Meeting Name:
7.	Open	8 September 2015	Planning Committee
Report title:		Walworth Road Conservation Area	
Ward(s) or groups affected:		East Walworth, Faraday, Newington and Camberwell Green Wards	
From:		Director of Planning	

RECOMMENDATIONS

1. That the Planning Committee approves the proposal to carry out a public consultation with local residents and businesses on the proposed Walworth Road Conservation Area.
2. That the Planning Committee comment on the proposed Walworth Road Conservation Area
3. That the Planning Committee comment on the draft boundary map of the proposed Walworth Road Conservation Area (Appendices 1 and 2).
4. That the Planning Committee notes the Equality Impact Assessment. (Available on-line at:

http://www.southwark.gov.uk/downloads/download/3694/conservation_area_management_plans)

BACKGROUND INFORMATION

5. It is planned to consult upon the proposed Walworth Road Conservation Area based upon the draft Conservation Area Appraisal and draft boundary map.
6. The proposed conservation area is focused upon the busy commercial street of Walworth Road, a street that reflects the historic commercial and retail growth of the area and which is characterised by a mixture of early 19th century to mid 20th century buildings. The boundary has been informed by the historical research and characterisation area work undertaken by the Walworth Society.
7. The proposal is before the committee following a two year period in which the Walworth Society has worked with the council to prepare a detailed Historic Area Assessment for the Walworth Road for which the council granted CGS funding. The efforts of the Walworth Society in carrying out this detailed assessment are commended and the proposed consultation on the proposed conservation area will be a natural development of this work.
8. The proposed Walworth Road Conservation Area is situated on the southern edge of the Heygate Estate (decanted for redevelopment) and stretches down to Burgess Park. It is bounded by the Larcom Street and Liverpool Grove Conservation Area to the east and the Sutherland Square Conservation Area to

the west. The area is primarily centred along Walworth Road, stretches along the southern side of Manor Place to the railway line and takes in the streets around Westmoreland Road, Queens Row and Horsley Street. The area is also located within the commercial core of Walworth and the Elephant and Castle Opportunity Area (as defined by Figure 13 of Southwark's Core Strategy).

9. Section 69 of the Town and Country Planning Act 1990 imposes a duty on local planning authorities to designate as a conservation area 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 local planning authorities under Section 69 to review areas from time to time to consider whether or not such areas should be designated as conservation areas.
10. In March 2012 the Government introduced the National Planning Policy Framework replacing the guidance formerly contained within PPS 5. The NPPF also introduced a new criteria for local authorities to consider when designating new conservation areas; paragraph 127 states: '*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 council considers that the proposed conservation area meets this test because it includes notable surviving examples of early 19th to mid 20th century urban fabric. The historic street layout also remains as it was and this contains well defined and architecturally interesting developments along the street frontage. Paragraph 169 of the NPPF is particularly relevant with regards to conservation area appraisals and provides that '*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 draft conservation area appraisal provides detail as to the merits of the proposal and complies with the requirements of this paragraph.
11. In 2011 English Heritage published guidance on conservation area appraisals, '*Understanding Place: Conservation Area Designation, Appraisal and Management.*' This document sets out the importance of defining and assessing a conservation area's character. The purpose of this assessment 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.
12. Designation of a conservation area imposes certain duties on planning authorities. These duties are twofold; firstly, to formulate and publish from time to time proposals for the preservation and enhancement of the conservation areas in their district. Secondly, in exercising planning powers, a local authority must pay special attention to the desirability of preserving and enhancing the character and appearance of conservation areas. As such, there is also a presumption against the demolition of buildings within a conservation area.

KEY ISSUES FOR CONSIDERATION

13. The proposed conservation area is primarily characterised by the busy commercial street of Walworth Road, which contrasts with the residential streets

of the adjoining conservation areas of Larcom Street, Liverpool Grove and Sutherland Square. This road reflects the characteristics of the different periods of the area's growth and demonstrates the pressure on land during the 19th century to accommodate the increase in population. The conservation area is largely characterised by a mixture of early 19th century to mid 20th century buildings.

14. Although the special quality of the area is the main reason for designation, rather than the individual buildings, the proposed conservation area is based upon the busy shopping street, of Walworth Road. Along its one mile length Walworth Road exhibits roadside buildings from all stages of its historical development including those dedicated for housing, retail and civic use. In contrast, the streets off Walworth Road are characterised by 18th century housing converted to shops implanted into the front gardens with factories to the rear. The impact of the railway line in the mid 19th century forged a path adjacent to the Walworth Road which formed a series of awkward plots to the east. The edges of the conservation area are characterised by late 19th and 20th century housing.
15. The key approaches into the conservation area are from Elephant and Castle (to the south) and Camberwell (to the north). East-west junctions with Walworth Road have less activity. A key view within the proposed conservation area is the 'northern view' along Walworth Road, towards the Strata and Elephant and Castle. Southern views towards Camberwell contain vistas between street frontages (three to four storeys) rather than broad prospects. Views along the entire length of Walworth Road are prevented by the bend in the street at the junction with Westmoreland Road. Views to the west are limited by the railway line and to the east occasional vistas are possible, such as at Liverpool Grove which is dominated by the Grade II* Church of St. Peter.

Outstanding Schemes

16. There are no significant outstanding schemes within the proposed conservation area; however there are a number of potential development sites which currently contribute poorly to the character and appearance of the area. These include:
 - No. 151 Walworth Road (fire damaged former town hall); and
 - Nos. 264-276 (even) Walworth Road (redevelopment opportunity).

Planning Policy

17. 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) consolidated with revised early minor alterations
October 2013

- Policy 7.9 Heritage-led regeneration
- Policy 7.8 Heritage assets and archaeology

Community impact statement

18. The designation will be consulted upon 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. This document was adopted in January 2008. Although the Statement of Community Involvement does not require the council to consult when designating conservation areas, the council proposes to follow a similar procedure in this instance.
19. It is proposed to hold a public meeting within 12 weeks of this committee meeting and to consult with the affected Community Councils. A draft conservation area appraisal will be published during the consultation period.
20. The consultation will seek the views of local residents, businesses and other local interest groups in respect of the proposed designation, the draft Conservation Area Appraisal and the boundary map. Notification of the consultation on the proposed designation and the supporting documents will be placed in the local press, on the council's website and will be made available at the Newington Temporary and East Street Libraries.
21. A report on this and any other consultation responses received will be referred back to members for consideration.

Resource implications

22. Notifying the public of the proposed Walworth Road Conservation Area will not result in resource implications for the staffing of the Planning Department.
23. Other resource implications will be the cost of publishing the Conservation Area Appraisal, which can met within the Planning Department's revenue budget. The cover price of the document will be fixed to cover production costs.
24. The conservation area could generate additional casework for planning staff. However, given the location and scale of many of the proposals in this area there is already an attention to the design and appearance of the proposals and the designation should not result in significant resource implications for the staffing of the Regeneration Department.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

25. The Planning Committee is being asked to approve the proposal to carry out a public consultation in relation to the proposed Walworth Road Conservation Area and to comment upon the proposal and the draft Conservation Area Appraisal

and boundary map. The Planning Committee is entitled to do this pursuant to paragraph 3 of Part 3 F of the Council's Constitution.

26. 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)*).
27. There is no statutory requirement for LPAs to consult with anyone before a conservation area is designated, nor does the Councils Statement of Community Involvement require consultation in respect of designating Conservation Areas. However, Historic England advises LPAs 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.
28. There is no formal designation procedure. The statutory procedure simply involves a council resolution to designate being made. The date of the resolution is the date the conservation area takes effect. The designation of conservation areas is reserved to Planning Committee under Part 3F, paragraph 3 of the constitution.
29. There is no statutory requirement on the level of detail that must be considered by an LPA before designation. However, guidance from English Heritage states that it is vital an area's special architectural or historic interest is defined and recorded in some detail. A published character appraisal is highly recommended and can be found at Appendix 1 of this report. The overall impetus for designating a conservation area must be the desire to preserve and enhance the area.
30. Notice of the designation must be published in at least one local newspaper circulating in the LPA's area and in the London Gazette (*section 70(8), LBA 1990*). The Secretary of State and English Heritage must also be notified (*section 70(5)*). There is no requirement to notify the owners and occupiers of premises in the area. The conservation area must be registered as a local land charge (*section 69(4)*).
31. The designation of a conservation area gives the LPA additional powers over the development and the use of land within it.
32. There is no statutory right of appeal against a building being included in a conservation area. However, it is possible to seek a judicial review of an LPA's decision to designate a conservation area.
33. The Human Rights Act 1998 imposed a duty on the council as a public authority to apply the European Convention on Human Rights; as a result the council must not act in a way which is incompatible with these rights. It is not envisaged that the consultation on the proposed Walworth Road Conservation Area will conflict with any protected rights.
34. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including

marriage and civil partnership. In summary those subject to the equality duty, which includes the council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and (ii) foster good relations between people who share a protected characteristic and those who do not. It is not envisaged that the adoption of the Strategy will conflict with the requirements of the Act. The Equalities Impact Assessment considers the issue of equalities in detail.

BACKGROUND DOCUMENTS – there are no background documents.

APPENDICES

No.	Title
Appendix 1	Map of the proposed Walworth Road Conservation Area (North)
Appendix 2	Map of the proposed Walworth Road Conservation Area (South)

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Tracy Chapman, Team Leader Design and Conservation	
Version	Final	
Dated	26 August 2015	
Key Decision?	N/A	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Finance Director	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		26 August 2015