

<b>Item No</b> <b>2</b>	<b>Classification</b> Open	<b>Committee</b> PLANNING COMMITTEE	<b>Date</b> 29/09/2004
<b>From</b> INTERIM HEAD OF PLANNING AND REGENERATION		<b>Title of Report</b> DULWICH VILLAGE CONSERVATION AREA EXTENSION AND APPRAISAL.	
<b>Proposal</b> Proposed conservation area extensions and appraisal for the Dulwich Village Conservation Area.		<b>Wards</b> College, Village and South Camberwell	

## **PURPOSE**

- 1.1 To propose that extensions to the Dulwich Village Conservation Area be approved for public consultation together with the draft Conservation Area Appraisal for the area.

## **RECOMMENDATION**

- 2.1 That the proposed extensions and the draft Conservation Area Appraisal for the Dulwich Village Conservation Area be approved for public consultation.

## **BACKGROUND**

- 3.1 The Dulwich Village conservation area was designated in September 1968, one of the first such areas in the borough to be declared. It was extended in September 1971 to include the toll gate in College Road. In recent years there have been many requests for the area to be extended and a public meeting was held in the village on 30 September 2003, at which it was clear that public support for extension was widespread.
- 3.2 Accordingly, members of the Council's Design and Conservation Team have inspected the area and are recommending that two extensions be submitted for public consultation:
- An area bounded by the railway embankment from West Dulwich station northwards to the boundary of the Stradella Road conservation area; from the Stradella Road CA's south east boundary north eastwards along the North Dulwich railway viaduct to North Dulwich station; from North Dulwich station eastwards to the north end of Calton Avenue, to include the Memorial Gardens and Alleyn's School in Townley Road, and thence back to the existing conservation area boundary at the junction of Druce Road and Woodwarde Road, to include the school's sports grounds and St. Barnabas' church.
  - The east side of Druce Road and both sides of Court Lane up to, and including, Court Lane Gates to Dulwich Park.

These areas are shown on the attached plan and the reasons for including them are set out in section 4 below.

- 3.3 The draft Appraisal follows the guidance published by English Heritage in 1997. This sets out the importance of defining and assessing a conservation area's character and the need to record it in some detail. The purpose is to provide a sound basis for rational and consistent judgements when considering planning applications within conservation areas. When formally adopted by the Council, conservation area appraisals have the status of supplementary planning guidance and therefore 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.
- 3.4 The present draft appraisal for Dulwich Village forms part of an on-going exercise, which, in line with government advice, will in due course see the adoption of appraisals for every conservation area.
- 3.5 Designation of a conservation area imposes certain duties on planning authorities. These duties are twofold. First, to formulate and publish from time to time proposals for the preservation and enhancement of conservation areas in their district and submit them for public consultation. Secondly, in exercising their planning powers to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas. The formal adoption of these appraisals will satisfy these obligations.

## **4 FACTORS FOR CONSIDERATION**

### **4.1 The Main Issues:**

The main issues in this case are:

#### **4.1.1 The Proposed extensions.**

4.1.2 The first of the two proposed extensions would add a considerable area to the existing designation. Much of the area is occupied by sports grounds and suburban housing development of consistently high quality. It is considered that the inclusion of the sports grounds would enhance the open, semi-rural character of the village, and that the lines of the railway embankment and viaduct provide a logical containment to the north and west sides of the area in both historical and physical terms.

4.1.3 The construction of the railways in the 1860s represents a major development in the history of Dulwich. The coming of the railways triggered the rapid expansion of the area, transforming its former character as a separate village outside the metropolis. Furthermore, the sale of land by the College Governors to the railway companies helped the College to pay for its new buildings in College Road, which are now such an important feature of the conservation area, and listed grade II\*. The College Governors' insistence on having a say in the appearance of the railway structures, to ensure that they were worthy of the village's dignity, also ties them into the conservation area, as structures such as North Dulwich and West Dulwich stations, the bridge over Turney Road and the North Dulwich Viaduct are clearly of interest in their own right. The well-treed slopes of the embankment and the red brick and terra cotta of the viaduct form the clearest possible definition to the conservation area's west and north sides.

4.1.4 The existing northern boundary to the conservation area in Dulwich Village seems particularly illogical, as the village's distinctive character clearly extends further north, at least as far as the southern end of Red Post Hill, where the grade II listed Lydenhurst, 19 Village Way, and the Italianate loggia of North Dulwich station provide a positive focus to

the view from the south. It is suggested that North Dulwich station would be a fitting entry point to the conservation area.

- 4.1.5 To the north east, the village boundary is less clear cut, but it is considered that the new St. Barnabas' Church, with its distinctive and innovative glass spire, and the 1889 Alleyn's School building in Townley road are key local landmarks, which are well set off by the Townley Road playing fields, the Memorial Gardens and the sweep of semi-detached late 19<sup>th</sup> century pairs along Calton Avenue.
- 4.1.6 The second proposed extension is much smaller, comprising Court Lane Gardens, the east side of Druce Road and both sides of Court Lane as far as the Court Lane Gates to Dulwich Park, where the boundary would meet the boundary of the existing Dulwich wood conservation area. Court Lane Gardens, with its groups of mature specimen trees, is an important local open space, which positively enhances the setting of the Edwardian and inter-war residential development in this part of Court Lane. The east side of Druce Road is included as it is of consistent quality with the already included west side and it makes no sense to include one side and not the other.

#### 4.2 **Content of the Character Appraisal and Design Guidance**

- 4.2.1 The text of the Character Appraisal is attached. The criteria set out in the English Heritage guidance leaflet "*Conservation Area Appraisals*" has been used. The document also includes a section that provides design guidance for alterations and new building works in the conservation area.
- 4.2.2 The Committee is recommended to agree the wording and approve the document for public consultation.

#### 4.3 **Southwark Unitary Development Plan [UDP] Policy:**

- 4.3.1 UDP Policy 3.6: Heritage Conservation is as follows: "new development should preserve or enhance the historic character and qualities of buildings or areas of historical or architectural significance. The character of conservation areas should be recognised and respected in any new development in these areas. Planning proposals that will adversely affect heritage resources will not normally be acceptable".
- 4.3.2 This policy relates to conservation areas, listed buildings, scheduled ancient monuments and historic parks and gardens and is described in more detail in the Heritage Conservation Supplementary Planning Guidance.
- 4.3.3 The UDP is currently under review. A first draft of the new plan has been placed on deposit and the period for making comments on this ended in January 2003. It is expected that the new plan will be adopted late in 2004. The new draft Unitary Development Plan, also known as "The Southwark Plan", is supported by a number of supplementary planning guidance documents relating to different themes – including design and heritage conservation – and for different areas.
- 4.3.4 Policy 4.3.1 of the draft "Heritage Conservation" Supplementary Planning Guidance (November 2002) is as follows: "In exercising its powers under the Planning Acts (and Part 1 of the Historic Buildings and Ancient Monuments Act 1953), the Council must pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas. In Southwark this requirement is satisfied in a number of ways including the formation of conservation policy (UDP), production of

supplementary planning guidance and character assessments, and in assessment of applications for planning permission and Conservation Area Consent”.

4.3.5 Policy 4.3.2 is that “the Council is required from time to time to formulate and publish proposals for the preservation and enhancement of its conservation areas, and to undertake local public consultation on such proposals”.

4.3.6 The action proposed in this report complies fully with current UDP policy and the new draft Southwark Plan and supplementary planning guidance documents.

## **5 CONCLUSIONS**

5.1 There has been a clear obligation to produce Conservation Area Appraisals since 1997 when the English Heritage guidance leaflet “Conservation Area Appraisals” was published. The draft Appraisal that is the subject of this report seeks to assess the Dulwich Village conservation area’s character and to present guidelines for its proper preservation. This will be important for providing a sound basis for recent and consistent judgements.

5.2 In drawing up the draft appraisal it has become evident that the existing conservation area boundary does not fully represent the extent of the area’s special architectural or historic interest. This coincides with considerable pressure from local groups and individuals for extensions to the area.

5.3 It is therefore recommended that the proposed extensions and the draft Conservation Area Appraisal be approved for public consultation.

## **6 LOCAL AGENDA 21 IMPLICATIONS**

6.1 The conservation area initiatives proposed in this report will contribute to sustainability through promoting respect and care of historic buildings and heritage areas in Southwark

6.2 Whilst the draft Appraisal recommends the use of some non-renewable resources, for example lime mortar and natural slate, these materials are acknowledged as appropriate in conservation terms and are recommended by English Heritage.

## **7 EQUAL OPPORTUNITY IMPLICATIONS**

7.1 No equal opportunity implications arise from this report.

## **8 RESOURCE IMPLICATIONS**

8.1 Consulting the public on the draft appraisal and the proposed conservation area extensions will not result in resource implications on the staffing of the planning department. Considering the results of the consultations and their impact on the architectural and historic character of the area will require specialist conservation expertise, which can be accommodated into the present staffing provision.

8.2 Other financial implications will, in due course, be the cost of publishing the Conservation Area Appraisal and Design Guide (estimated at approx. £500), which can be met within the Regeneration Department’s revenue budgets. The cover price of the document will be fixed to cover production costs.

## **9 CONCURRENT REPORT OF THE BOROUGH SOLICITOR AND SECRETARY – LEGAL ISSUES**

- 9.1 This report recommends approval of the draft text of a conservation area appraisal for the Dulwich Village conservation area and of extensions to the conservation area boundary, for the purposes of public consultation.
- 9.2 The Council has powers under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to determine which parts of its area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and to designate them as conservation areas.
- 9.3 The Council adopted its Unitary Development Plan in July 1995, and by virtue of section 54A of the Town and Country Planning Act 1990, any determination under the Planning Acts must be in accordance with the plan, unless material considerations indicate otherwise. The plan policies, therefore, have special status in deciding planning applications and have considerable weight in the determination of planning appeals.
- 9.4 The Secretary of State for the Environment (in Planning Policy Guidance Note 12 – Development Plans and Regional Planning Guidance) has said that he believes that planning guidance, which supplements the statutory plan, can be helpful to those preparing planning applications. Such guidance must be issued separately from the plan and its status made clear. While supplementary planning guidance (SPG) does not have the status of plan policies, it may be taken into account as a material consideration when development control decisions are made. PPG12 states that the weight accorded to it will increase if it has been prepared in consultation with the public and has been the subject of a Council resolution.
- 9.5 Members should be aware that when, in due course, they consider the results of consultation, the Council must be prepared to give genuine consideration to the views expressed in making its decision. This does not mean that the authority is bound to act on the views expressed by the consultees, nor that members should not reach their own conclusions on the basis of all the information available to them.

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