



<b>REPORT OF THE CABINET MEMBER FOR REGENERATION &amp; PARTNERSHIPS</b>		
<b>REVIEW OF BROADWAY MARKET CONSERVATION AREA [FP NO 02.01.06]</b>  <b>Regulatory Committee – 22<sup>nd</sup> March 2006</b>  <b>Cabinet – 27<sup>th</sup> March 2006</b>  <b>Council – 29<sup>th</sup> March 2006</b>	<b>Classification</b>  Public	<b>Enclosures</b>  Appendices B-C  Appendix A (circulated separately)
	<b>Ward(s) affected</b>  Queensbridge	<b>AGENDA ITEM NO.</b>  <div style="text-align: center; font-size: 2em;"><b>8</b></div>

## 1. INTRODUCTION BY CABINET MEMBER FOR REGENERATION & PARTNERSHIPS

- 1.1 Following Cabinets approval in October of 2005 to undertake a review of the Broadway Market conservation area, the review is now complete and the proposed minor changes are set out in this report for full adoption by Cabinet and Council.
- 1.2 As part of the review a proposal for a small expansion of the conservation area was suggested and this expansion has been added to the conservation area designation, following comments received, as shown on the map held in Annex B of this report.
- 1.3 The review should now ensure that the planning policy that has successfully guided the development and the quality of that development, in the area over the last 10 years continues to be an appropriate planning policy for the coming five years for this part of our Borough, able to contribute to the continued cultural and economic success of the area.
- 1.4 I commend this report to Cabinet

## 2. SUMMARY

- 2.1 This report recommends that the conservation area appraisal prepared for the existing Broadway Market Conservation Area be adopted by the Council. The appraisal describes the special characteristics of the area and offers guidance on what form of development would be appropriate in the future. It also recommends an extension of the existing Conservation Area. This follows the preparation of and public consultation on draft proposals for the area, as

agreed at Cabinet on the 24th October 2005. The response to this consultation has been entirely positive.

### **3. RELATED DECISIONS**

- 3.1 Cabinet Decision on 24<sup>th</sup> October 2005 to go out to public Consultation on the draft Broadway Market Conservation Area Appraisal.
- 3.2 Designation of the Broadway Market Conservation Area 1995.

### **4. RECOMMENDATIONS**

**Cabinet is recommended to request Council to agree:**

- 1. That the area shown on the plan, attached as annex B, be designated as an extension to the existing Broadway Market Conservation Area, as provided for under Section 69 of the Planning (Listed Buildings & Conservation Areas) Act 1990. Also that (a) officers carry out the notification and publicity required under section 70 of the Act and (b) the designation be registered as a local land charge.**
- 2. That the conservation area appraisal prepared for the area, attached as annex A, be adopted as supplementary planning guidance by LBH.**
- 3. That officers be authorised to consider preparing for public consultation draft Article 4 directions (where appropriate), under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995.**

### **5. FINANCIAL CONSIDERATIONS**

- 5.1 As a result of the final designation, there is likely to be a potential increase in the number of planning applications, which will lead to a minor increase in income. The additional work generated by these applications will be carried out by the Development Control section, and this is not likely to have a significant effect on capacity.
- 5.2 Further costs relating to future consultations will be minimal and will be funded through the Planning Policy revenue budget.

### **6. COMMENTS OF THE MONITORING OFFICER**

- 5.1 The Monitoring Officer is satisfied that all the necessary statutory considerations have been taken into account in the formulation of this Report and its recommendations and therefore has no further comment.

## **6. BACKGROUND**

- 6.1 Section 69 of the Planning (Listed Buildings and Conservation areas) Act 1990 places an obligation on local authorities to determine which parts of their 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 those areas as conservation areas.
- 6.2 The Council is committed to safeguarding the townscape of the whole borough through encouragement and by use of its development control powers. The Hackney UDP commits the council to safeguarding the character of conservation areas by resisting the loss of buildings, trees and other features that make a positive contribution to an area, and by promoting high standards of design in new development.
- 6.3 The preparation and adoption of Conservation Area Appraisals is an important tool in informing and controlling development in those areas. Appraisals which have been adopted following public consultation have greater weight in the planning process.
- 6.4 The Office of the Deputy Prime Minister has recently introduced a Best Value Performance Indicator assessing Local Planning Authorities on the number of conservation areas designated and the percentage of those which have up-to-date appraisals (within the last five years). As resources permit, officers are therefore working on a programme of designating new conservation areas and re-assessing existing conservation areas. For each conservation area designation and review, officers are preparing a conservation area appraisal, in line with current best practice.
- 6.5 Working in conjunction with officers of the Conservation & Design Team, the Hackney Society has recently prepared research on the Broadway Market Conservation Area, which has formed the basis of the current review.

## **7. REVIEW OF BROADWAY MARKET CONSERVATION AREA**

- 7.1 Broadway Market Conservation Area was originally designated on 18<sup>th</sup> September 1995. An appraisal which outlined the special interest of the area was prepared to support the designation.
- 7.2 The *Broadway Market Traders and Residents Association* has recently met with Council Officers raising concerns regarding a number of issues in the area, one of them being the application of planning policies within the Broadway Market Conservation Area.
- 7.3 The Hackney Society recently undertook a review of the buildings in the Broadway Market Conservation Area, and this work has been used as a basis for the review of the Broadway Market Conservation Area.

- 7.4 The appraisal follows best practice as set out in guidance from *English Heritage* and the *Royal Town Planning Institute*. It begins with an explanation of the national and local planning policies concerning conservation area controls. The historical development of the area is then described, followed by a general description of the area today. Key buildings (Listed, Locally Listed, and those of townscape merit) are then described. There is a chapter covering “Urban Design and Development Control Principles”, followed by a SWOT analysis of the areas.
- 7.5 A draft conservation area appraisal was prepared by officers. It contains a more thoroughly researched and illustrated description of the Area, and guidance on acceptable forms of development.
- 7.6 In addition to defining the special architectural and historic interest of the area, the Appraisal proposes minor changes to the boundaries of the conservation area. The proposed extension includes the following properties: 95-111 and 126-160 Lansdowne Drive and 114 Shrubland Road. These changes reflect the increased understanding of the special interest of the respective area: the proposed changes are clearly identified and justified within the Appraisal.
- 7.7 It was agreed at Cabinet, on the 24th October 2005, to undertake a period of public consultation on the draft changes. Public consultation was undertaken between 14<sup>th</sup> November 2005 and 15<sup>th</sup> January 2006. Consultation followed accepted best practice and details of the consultation methodology are attached as annex C.

## **8. CONSULTATION**

- 8.1 A total of four responses were received: all were in support of the proposals. A summary of the responses is given below. The responses to the consultation were considered by officers and, where appropriate, amendments were made to the proposals. A summary of those amendments is also given below.
- 8.2 English Heritage wrote in support of the “comprehensive and well-balanced” appraisal. They agreed with the decision not to include London Fields within the revised Conservation Area boundary.
- 8.3 An individual resident wrote in support of the appraisal and the guidance it contained, and agreed with proposed boundary changes.
- 8.4 Two other letters were received. They were both in support of the appraisal and the proposed changes. They stressed the need for sympathetic development in the Area. They both stressed the need for firm application of the guidance and the need for enforcement action against unauthorised works. They warned of the potential erosion of the character of the area if shops were allowed to be converted into residential uses. They suggested that the Council provide support for of the restoration and reinstatement of damaged or missing architectural details.
- 8.5 The two responses questioned the omission of London Fields from the revised Conservation Area. Officers referred again to guidance from Central Government contained in Planning Policy Guidance Note 15: Planning and the Historic

Environment (PPG15). Paragraph 4.6 states: "Given the nature of conservation area controls - essentially controls over demolition; strengthened controls over minor development; and the protection of trees - designation is not likely to be appropriate as a means of protecting landscape features, except where they form an *integral part of the historic built environment* and that factor needs to be taken into account in considering any planning applications which would affect them." As discussed in the Appraisal, there is a fragmented nature to the historic development surrounding the Fields. In light of the comments from English Heritage and guidance in PPG15, officers consider that as common land, which is identified as a Green Link, London Fields itself is protected from potential, inappropriate development. However, care needs to be exercised to preserve the open landscape character and setting of the London Fields and officers consider that this issue is more appropriately addressed in the forthcoming Hackney Central Area Action Plan.

## **9. CONCLUSION**

- 9.1 As a result of the period of public consultation the proposals and conservation area appraisal for Broadway Market Conservation Area have been revised, and are now recommended for approval.

## **10. IMPLICATIONS OF DESIGNATION**

- 10.1 Conservation area designation allows the Council to ensure, through the planning system, that the special quality and value that has been identified in these conservation areas will be protected. Extension of existing conservation areas allows this control to be extended over a slightly larger area.
- 10.2 Conservation area designation means that development within the area is more closely controlled. The Town and Country (General Permitted Development) Order 1995 outlines how permitted development rights that exist generally are restricted in conservation areas. In particular, Article 4 of the Order allows the Council to exercise greater control over alterations to individual properties including changes to windows and front doors, porches, extensions, alterations to front boundary walls and fences, and vehicle hard standings. Such changes, if uncontrolled, can cumulatively erode the character of a conservation area, especially if the existing buildings are well preserved and retain most of their original architectural features.
- 10.3 Conservation area designation also gives the council powers under section 54(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to require an owner to carry out urgent repairs to an unlisted building in a conservation area. The council must first seek a direction from the Secretary of State, under section 76 of the Act, on the basis that the building makes a positive contribution to the conservation area. The types of works covered by the powers are restricted to emergency repairs, for example works to keep a building wind and weatherproof

and safe from collapse, or action to prevent vandalism and theft. In the absence of suitable action by the owner, the council can carry out the repairs and recover the costs involved.

## 11. NOTIFICATION PROCEDURES

- 11.1 Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the council to notify the Secretary of State and English Heritage of the final designation, and to advertise the designation in the London Gazette and a local newspaper (e.g. Hackney Today).

**Councillor Guy Nicholson - Cabinet Member for Regeneration & Partnerships**  
**Fiona Fletcher-Smith – Corporate Director Neighbourhood and Regeneration**

Report Originating Officer: Simon Ramsden ☎ 020-8356 8033  
 Financial considerations: Deirdre Worrell ☎ 020-8356 7350  
 Monitoring officer comments: Gwen Markham ☎ 020-8356 6107

### Background papers

The following documents have been relied upon in the preparation of this report:

Description of document	Location	Date
Broadway Market Conservation Area Appraisal	Annexe A attached	March 2006
Broadway Market Conservation Area Map	Annexe B attached	March 2006
Consultation Methodology	Annexe C attached	March 2006
Council's Unitary Development Plan	Planning Department	1995
PPG15: Planning and the Historic Environment	Planning Department	September 1994
Broadway Market Conservation Area: Proposals for Consideration	Planning Department	May 1995

## ANNEXE A

### BROADWAY MARKET CONSERVATION AREA APPRAISAL

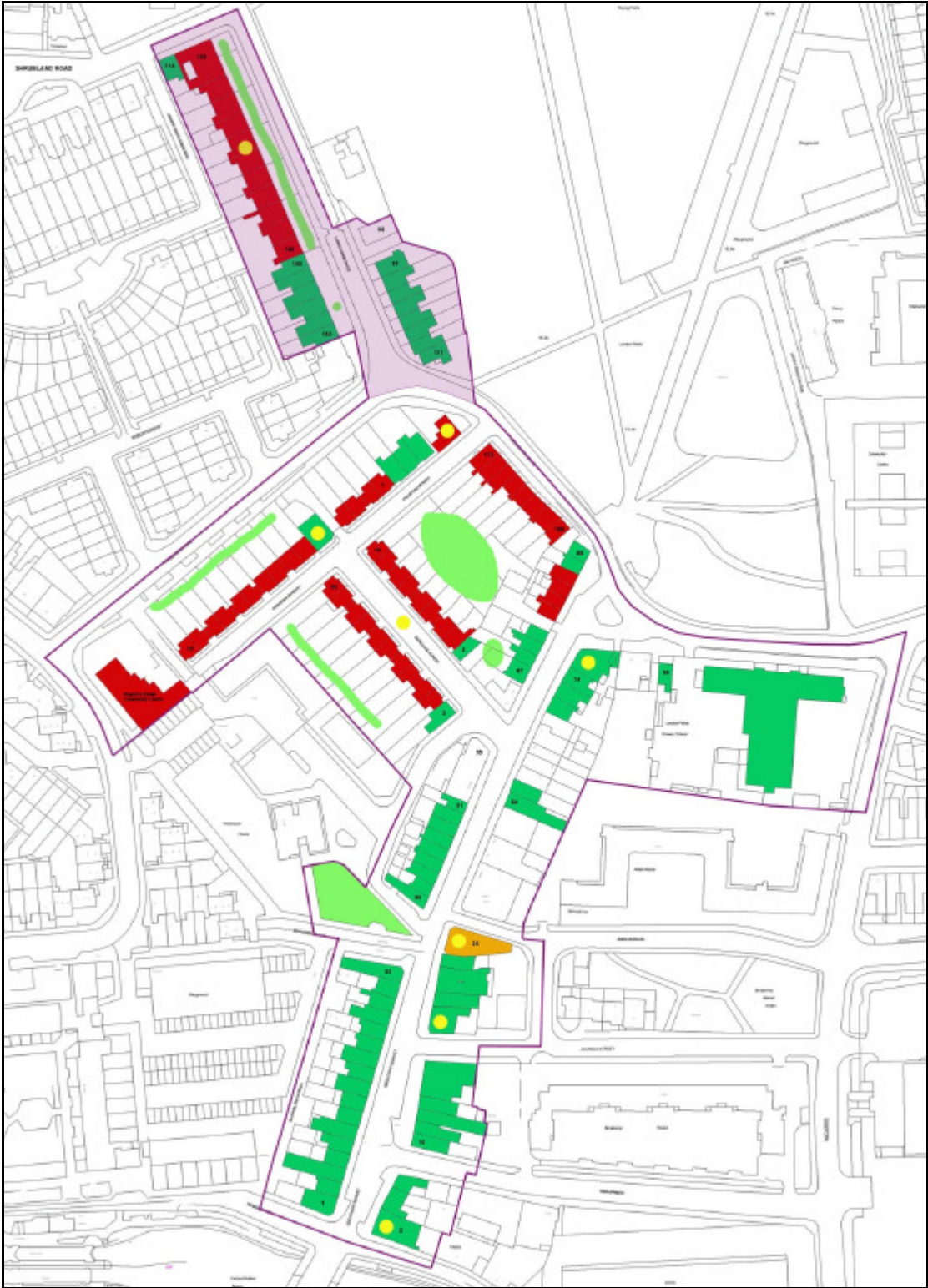
March 2006

Circulated separately

**ANNEXE B**

**REVISED BROADWAY MARKET CONSERVATION AREA MAP**

**March 2006**



Revised boundary in mauve / purple  
Conservation Area extension shaded light mauve / purple

## ANNEXE C

### CONSULTATION METHODOLOGY

#### C Method of Consultation

- C1.1 Consultation letters, with copies of the appraisals, were sent to the relevant Conservation Area Advisory Committee, Hackney Society, and English Heritage.
- C1.2 Consultation letters (or emails) were also sent to the respective elected Ward Members, LBH's Community and Leisure Directorate, the Building Exploratory, officers of the Planning Department (North, Major Applications and Fast-Track Teams) the National Amenity Societies (the Ancient Monuments Society, The Society for the Protection of Ancient Buildings, the Georgian Society, the Victorian Society, and the Twentieth Century Society), the Garden History Society, and Hackney Historic Buildings Trust.
- C1.3 In addition to those parties name above, the following additional consultees were notified: Broadway Market Traders and Residents Association, Broadway House Tenants Association, Alden House Tenants Association, Welshpool House Tenants Association, and London Fields School.
- C1.4 Copies of A4 posters, for display on public notice boards, were sent to: libraries, the Huddleston Centre, Hackney Museum, Hackney Archives, the Round Chapel, and the Building Exploratory. Copies of the posters were also circulated to many of the local groups listed above, and they were requested to display them on any suitable notice boards.
- C1.5 Hard copies of the Appraisals, along with feedback forms, were made available for public inspection in the reception of the Planning Department from 14<sup>th</sup> November 2005-15<sup>th</sup> January 2006.
- C1.6 Consultation letters will be sent to residents affected by the proposed extension: 95-111 and 126-160 Lansdowne Drive and 114 Shrubland Road.
- C1.7 The Appraisal were put on the Planning Department's Consultation pages on the Council's website from 14<sup>th</sup> November 2005 – 15<sup>th</sup> January 2006, with links from elsewhere on the Conservation and Design Team's pages. The public will be encouraged to respond to the proposals via email.
- C1.8 A quarter-page article outlining the proposals was published in *Hackney Today*, on 21<sup>st</sup> November 2005. An additional loose leaf A4 sheet on public consultations, including the Review of Broadway Market Conservation Area, was also included in *Hackney Today*.
- C1.9 A paragraph outlining the proposals was also placed in the Department's *Planning Update* on a number of occasions during the consultation period. This is circulated to all Officers in the Planning Department, Members, and Head's of Service in the Environment Directorate. It was made available to the public in Planning reception and is published on the Council's web-site. A press release was prepared and

circulated, by the Communications Team, in December 2005, and a local newspaper, *The Eel*, was informed of the consultation.

- C1.10 Officers attended a publicised *Neighbourhood Committee Meeting* on the 5<sup>th</sup> December 2005 with display boards, to answer questions from the public.