

<b>REPORT OF CABINET MEMBER FOR REGENERATION &amp; PARTNERSHIPS</b>		
<b>CLAPTON POND, STOKE NEWINGTON, and CLISSOLD PARK CONSERVATION AREAS APPRAISALS, and PROPOSED NEWINGTON GREEN CONSERVATION AREA (FP NO10.07)</b>  <b>Cabinet – 22<sup>nd</sup> November 2004</b>  <b>Council – 24<sup>th</sup> November 2004</b>	<b>Classification</b>  Public	<b>Enclosures</b>  Circulated to Members separately
	<b>Ward(s) affected</b>  Clissold, Lordship, Stoke Newington Central, Hackney Downs, and Lea Bridge	<b>AGENDA ITEM NO.</b>  <div style="font-size: 2em; text-align: center;"><b>16</b></div>

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

- 1.1 This report brings forward the results of the consultation exercises for the conservation areas as set out in the summary below and follows on from the report that Colleagues considered and approved at Cabinet in July 2004. As a result of the consultation the proposed areas can now be defined and formally adopted by both Cabinet and Council. The responses to the consultation are summarised in Section 8 of this report for your reference.
- 1.2 I commend this report to Cabinet.

## 2. SUMMARY

This report recommends that extensions be made to Clapton Pond, Stoke Newington and Clissold Park Conservation Areas. It also recommends that the north side of Newington Green be designated as a conservation area and that the conservation area appraisals prepared for each area be adopted by LBH. This follows the preparation of, and public consultation on, draft proposals for the areas, as agreed at Cabinet on the 26<sup>th</sup> July 2004. The response to consultation has been entirely positive.

## 3. RECOMMENDATIONS

**Cabinet is recommended to agree:**

1. That the areas shown on the plans attached as annexes B, D & F, be designated as extensions to the existing Clapton Pond, Stoke Newington, and Clissold Park Conservation Areas respectively, 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 area shown on the plan attached as annex H, be designated as a conservation area, to be known as Newington Green (North) 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.**
- 3. That the conservation area appraisals prepared for each area be adopted as supplementary planning guidance by LBH.**
- 4. 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. That the Mildmay Club, no. 34 Newington Green, be added to the Council's List of Buildings of Local Significance.**

#### **4. FINANCIAL CONSIDERATIONS**

- 4.1 The designation of conservation areas gives rise to consultation and publication costs which are met from the Planning Policy budget.
- 4.2 There will 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. COMMENTS OF THE MONITORING OFFICER**

- 5.1 The Monitoring Officer is satisfied that all the legal requirements for this process have been adhered to.

#### **6. COMMENTS OF THE HEAD OF PAID SERVICE**

- 6.1 The Chief Executive has nothing to add to this report.

#### **7. BACKGROUND**

- 7.1 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.

- 7.2 The council is committed to safeguarding the townscape of the whole borough through encouragement and by use of its development control powers. The Hackney Unitary Development Plan 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. The plan also seeks the preservation of 'Buildings of Local Significance' that are not on the statutory list.
- 7.3 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.
- 7.4 Three of the Borough's existing conservation areas (Clapton Pond, Stoke Newington, and Clissold Park) were identified for review and one new area for designation (Newington Green (North)). Draft proposals and conservation area appraisals were prepared and, on the 26<sup>th</sup> July 2004, Cabinet gave officers authorisation to consult on the proposals and appraisals. Background information presented with the report to Cabinet on the 26<sup>th</sup> July 2004 is attached as annex J for reference. Consultation followed accepted best practice and details of the consultation methodology are attached as annex K.

## **8 RESPONSE TO CONSULTATION**

- 8.1 Responses to the public consultation have been overwhelmingly in support of the proposals. A summary of the responses for each conservation area 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.

### **Stoke Newington Conservation Area**

- 8.2 A total of 15 responses received; all of them positive.
- 8.3 English Heritage (EH) supported the proposals, but suggested that "the opportunity to should be taken to address more comprehensively the conservation and regeneration needs of the area with a more far-reaching plan". They suggested a more extensive designation and improvements along the A10 corridor (Stoke Newington High Street), highlighting the unimplemented Heritage Economic Regeneration Scheme (HERS) from 1999-2000, which suggested more extensive boundary amendments. Other minor boundary changes including the street frontage to Stoke Newington Church Street between Yoakley Road and Lordship Road were also suggested.
- 8.4 The Garden History Society (GHS) wrote to record "our strong support for the conservation area revisions and designation, which we consider offer an

appropriate framework within which to recognise, conserve, and where appropriate enhance those features which contribute to the special character of these areas. We would also wish to record our approval for the clear documentation which concisely sets out the historic development of the areas, and the way in which this is reflected in the surviving designed landscape and built environment.” Hackney Historic Buildings Trust (HHBT) also supported the proposals.

- 8.5 Stoke Newington Conservation Area Committee (SNCAAC), Abney Park Cemeteries Trust, the Hackney Society’s Community Heritage Officer and all individual responses supported the proposals. Minor amendments were suggested to the text and some adjoining streets were suggested for inclusion. SNCAAC requested more enforcement action against breaches in planning control. They also suggested that brief explanatory leaflets be prepared, describing the special interest of each conservation area.
- 8.6 A number of amendments were made to the text of the appraisal and, where appropriate, a number of minor changes to the suggested boundary have been made in response to the consultation process. The southern boundary of the Stoke Newington Conservation Area was rationalised, although it was felt that extending the Conservation Area in line with the 1999-2000 HERS proposals (as suggested by EH) was not appropriate without the benefit of a grant scheme. Were an area based grant scheme to come forward in the future then further extensions along the A10 should be considered.
- 8.7 A number of suggestions for more significant alterations to the Stoke Newington Conservation Area boundary were considered: areas around Sanford Terrace; Winston Road/Burma Road; Lordship Road/Listria Park/Martaban Road/Manor Road/Allen Gardens; Bouverie Road/Yoakley Road/Grayling Road; Kynaston Road. However, these areas represent different characteristics to that of Stoke Newington Conservation Area, and should they prove to have sufficient special interest for potential designation, they should be considered for designation as separate conservation areas.

### **Clissold Park Conservation Area**

- 8.8 A total of 24 responses received; all of them positive.
- 8.9 EH supported the proposals and boundary changes. Suggested there would be a logic to including more frontage to north and east of the Park, in particular the “fine 1930s housing along Greenwood Close.” Suggested taking in adjacent flats for completeness and to avoid “vulnerable pockets of undesignated land” between Clissold Park CA and Lordship Park CA. Again, the GHS supported the proposals. HHBT also supported the proposals.
- 8.10 The Clissold Court Residents Association also supported the inclusion of Greenwood Close / Clissold Court within the Clissold Park Conservation Area, as did the SNCAAC. Clissold Park Users Group supported the proposals, although expressed concern about the poor condition of the Park, Clissold House and the Town Hall.

- 8.11 19 of the 24 responses supported the inclusion of Greenwood Close / Clissold Court within the conservation area, and upon further examination by officers these buildings were considered to be of sufficient interest to merit inclusion in the Clissold Park Conservation Area.
- 8.12 Stratham Grove was considered for inclusion in the Clissold Park Conservation Area, but it was thought that its characteristics would merit designation as a separate conservation, possibly combined with a potential conservation area around Clissold Crescent / Caryford Road. Minor amendments were made to the text of the Clissold Park Conservation Area Appraisal to reflect some of the responses to consultation.

### **Clapton Pond Conservation Area**

- 8.13 A total of 13 responses received; all of them positive.
- 8.14 EH supported the proposals, as did the GHS. The Hackney Society, Clapton NRF Partnership Steering Group and HHBT also supported the proposals, although various amendments to the boundaries were suggested.
- 8.15 Clapton Pond Conservation Area Committee supported the proposals, but suggested further extensions to the south and east of the Ponds. Clapton Pond Neighbourhood Action Group also supported the proposals and suggested that included, as well as all the landscaped area to the north-east boundary. Other comments included: the suggestion of a grant scheme; consideration should be given to the area to the east of Clapton Pond (Thistlethwaite, Newick & Mildenhall Roads) for inclusion or designation as a separate conservation area; extending the boundary to the north-east to take in the former Lea Bridge Tram Depot / Old King's Head PH / 24-33 Upper Clapton Road, as well as the grid of streets to the east ending at Wattisford Road and Chatsworth Road; suggesting the designation of Clapton Riverside as a conservation area.
- 8.16 Nos. 148-150 Lower Clapton Road were considered to be of sufficient interest to merit inclusion in the Clapton Pond Conservation Area. Areas to the east of the Ponds were considered for inclusion, but it was thought that their characteristics would merit further consideration for designation as a separate conservation area. Given the contained nature of the Conservation Area, extending its boundary north of the Lea Bridge roundabout was not considered appropriate. Minor amendments were made to the text to reflect some of the responses to consultation.

### **Newington Green (North) Conservation Area**

- 8.17 A total of 12 responses received; all of them positive.
- 8.18 EH, the GHS, Clapton Pond Conservation Area Committee and the Newington Green Action Group all supported the proposals. A number of responses suggested the inclusion of a larger section of Church Walk and the open area / trees to the rear of the Chapel / Mildmay Club. The London Borough of Islington and the HHBT also supported the proposals.

- 8.19 Minor amendments were made to the boundary of the Conservation Area and to the text to reflect some of the responses to consultation.

## **9 CONCLUSION**

- 9.1 As a result of the period of public consultation the proposals and conservation area appraisals for Clapton Pond, Stoke Newington, Clissold Park, and Newington Green (North) Conservation Areas have been revised, and are now recommended for approval.

## **11. IMPLICATIONS OF DESIGNATION**

- 11.1 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.
- 11.2 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.
- 11.3 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.

## **12. NOTIFICATION PROCEDURES**

- 12.1 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

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  
John Judah, Director of Environment**

Report Originating Officers: Simon Ramsden ☎ 020-8356 8033  
Financial considerations: Nick Hutchins ☎ 020-8356 8267  
Monitoring officer comments: Gwen Markham ☎ 020-8356 6107

**Background papers**

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

<b>Description of document</b>	<b>Location</b>	<b>Date</b>
Clapton Pond Conservation Area Appraisal	Annex A attached	Nov 2004
Clapton Pond Conservation Area Map	Annex B attached	Nov 2004
Stoke Newington Conservation Area Appraisal	Annex C attached	Nov 2004
Stoke Newington Conservation Area Map	Annex D attached	Nov 2004
Clissold Park Conservation Area Appraisal	Annex E attached	Nov 2004
Clissold Park Conservation Area Map	Annex F attached	Nov 2004
Newington Green (North) Conservation Area Appraisal	Annex G attached	Nov 2004
Newington Green (North) Conservation Area Map	Annex H attached	Nov 2004
Background information presented with the report to Cabinet on the 26 <sup>th</sup> July 2004	Annex J attached	July 2004
Consultation Methodology	Annexe K attached	Nov 2004
PPG15: Planning and the Historic Environment	Planning Department	Sept 1994

**ANNEX J:**

**BACKGROUND INFORMATION PRESENTED WITH THE REPORT TO  
CABINET ON THE 26<sup>th</sup> July 2004**

**J1 INTRODUCTION**

J1.1 As part of previous reviews of existing and potential conservation areas within the Borough, a number of existing areas have been identified for review. As resources permit, officers are working on a programme of re-assessing these areas and preparing conservation area appraisals for them. Clapton Pond, Stoke Newington, and Clissold Park Conservation Areas are amongst the oldest designated areas in the Borough and have previously been identified as being in need of review. Working in conjunction with officers of the Conservation & Design Team, the Hackney Society is preparing draft appraisals for Broadway Market, Hoxton Street, and Clapton Square Conservation Areas; other areas which have also previously been identified as being in need of review.

**J2 CLAPTON POND, STOKE NEWINGTON, AND CLISSOLD PARK  
CONSERVATION AREAS APPRAISALS**

J2.1 Clapton Pond Conservation Area was designated by LBH in 1971; Clissold Park Conservation Area was designated in 1969; and Stoke Newington Conservation Area was designated on the 20 December 1983 (and subsequently extended on the 5<sup>th</sup> March 1985). Detailed character appraisals were not published at the time of designation, and the special interest of the areas has not been assessed since those dates.

J2.2 The 14<sup>th</sup> February 2000 meeting of the Borough Services Committee agreed that the three conservation areas should be reviewed.

J2.3 In line with Government guidance (PPG15: Planning and the Historic Environment) LBH engaged consultants to prepare Conservation Area Appraisals for Clapton Pond, Stoke Newington, and Clissold Park Conservation Areas. On the 26<sup>th</sup> July 2004 Cabinet approved the draft appraisals prepared for public consultation (ratified at Council on the 22<sup>nd</sup> September 2004). Details of the public consultation undertaken are included in Section 10 of this and a summary of responses is included as annex I.

J2.4 In addition to defining the special architectural and historic interest of the three areas, the Appraisals propose minor changes to the boundaries of the three conservation areas. These changes reflect the increased understanding of the special interest of the respective areas: the proposed changes are clearly identified and justified within the Appraisals.

J2.5 The three appraisals have a common format, following best practice as set out in guidance from English Heritage and the Royal Town Planning Institute. They begin

with an explanation of the national and local planning policies concerning conservation area controls. The historical development of each area is then described, followed by a general description of the areas today. Key buildings (Listed, Locally Listed, and those of townscape merit) are then described, and, if appropriate, individual character areas within each conservation area are identified. There is a chapter covering "Urban Design and Development Control Principles", followed by a SWOT analysis of the areas.

- J2.6 The Clapton Pond Conservation Area Appraisal proposes the extension of the area to include buildings mainly to the west and south of the Pond. The existing boundary line included only buildings to the east of the Pond; however, those buildings to the west have been identified as being of townscape merit and contribute positively to the area. Many of the shops have inappropriate signage which detracts from Clapton Pond and inclusion of these buildings in the conservation area would enable the Council to have greater control over future signage. The buildings to the south enclose the Pond and affect its setting; their inclusion would give the Council greater control over any development proposals on these sites.
- J2.7 The boundary changes to Stoke Newington Conservation Area are relatively minor, comprising: the inclusion of a number of additional buildings of townscape merit in Stoke Newington High Street; the inclusion of the former Saint Mary's Church Rooms, Defoe Road; and the inclusion of two buildings of townscape merit in Lordship Road.
- J2.8 As with Clapton Pond Conservation Area, the boundaries of Clissold Park Conservation Area have not been re-examined since its designation (1969) and, therefore, do not reflect current accepted thinking. The Appraisal proposes the inclusion of a number of buildings of townscape merit which enclose the Park to Queen Elizabeth's Walk. It also proposes the inclusion of a number of listed buildings to the south of the Park, and two additional rows of terraced houses of townscape merit to Albion Road.
- J2.9 All three appraisals have been prepared with the assistance of the relevant, local Conservation Area Advisory Committees, and with a view to complementing, and feeding into any other ongoing programmes of work in the three areas: for example, informing any potential funding bids for Clissold Park, or complementing the work of the Clapton Pond Neighbourhood Action Group.

### **J3 DESIGNATION OF THE NORTH SIDE OF NEWINGTON GREEN AS A CONSERVATION AREA**

- J3.1 The north side of Newington Green falls within LBH, with the west, east and south sides being in the London Borough of Islington (LBI). This area has been identified by LBI as being of special interest and has been designated as a conservation area.
- J3.2 The 14<sup>th</sup> February 2000 meeting of the Borough Services Committee agreed that the area should be surveyed for possible conservation area designation.

- J3.3 The area to the north of the Green contains a number of buildings of historic interest, most of them being statutory listed. Buildings of note are:
- ? 40 Newington Green. Former bank building and Liberal Club. 1892.
  - ? 39 Newington Green. Unitarian Chapel, grade II listed. 1708, with remodelled front. The chapel was central to the citizen's rights movement for which Newington Green is well known. Mary Wollstonecroft, Benjamin Franklin and Thomas Jefferson were members of the congregation. It is the oldest non-Conformist place of worship in London still in use.
  - ? 36-38 Newington Green. Grade II listed, eighteenth century terraced houses with later shop-fronts.
  - ? 35 Newington Green. Grade II listed house, early-mid eighteenth century house with later shop-front
  - ? 34 Newington Green. Mildmay Club and Institute. 1893. With intact interiors, including a theatre space.
- J3.4 The area to the north of Newington Green makes a positive contribution to the special interest and character of the area as a whole and, therefore, officers propose the designation of a new conservation area to complement the existing conservation area in LBI.
- J3.5 LBI are currently preparing an Appraisal of the conservation area and the opportunity exists to develop a cohesive and coordinated approach. In recognition of the special interest of Newington Green LBI has recently commissioned the Building Exploratory to produce a CD-Rom "to celebrate the unique community of Newington Green and to promote the Heritage Economic Regeneration Scheme for Newington Green Conservation Area."
- J3.6 The Council has been contacted by the Newington Green Action Group suggesting the area for designation as a Conservation Area: "The north side of Newington Green, perhaps the best side as an architectural group, lies within Hackney. We would urge Hackney Council to consider the creation of a Conservation Area for the north side of the Green....." (letter dated 20<sup>th</sup> February 2004). Initial informal contact with LBI indicates that they would welcome designation of the north side of the Green as a conservation area.
- J3.6 A draft conservation area appraisal was prepared for the area, including a map of the proposed conservation area and its relationship with the existing Newington Green Conservation Area in LBI. On the 26<sup>th</sup> July 2004 Cabinet approved the draft appraisal prepared for public consultation (ratified at Council on the 22<sup>nd</sup> September 2004). Details of the public consultation undertaken were included.

**ANNEX K:**

**CONSULTATION METHODOLOGY**

**K Method of Consultation**

- K1.1 Consultation letters, with copies of the appraisals, were sent to the relevant Conservation Area Advisory Committees, Hackney Society, English Heritage, 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.
- K1.2 Consultation letters (or emails) were also sent to the respective elected Ward Members, the Building Exploratory, Renaisi, and officers of the Planning Department (North, Major Applications and Fast-Track Teams).
- K1.3 In addition to those parties name above, the following additional consultees were notified for each conservation area: *Stoke Newington & Clissold Park Conservation Areas*: LBH's Parks Department (Mark White & Gary Thomas), LBH's Community & Leisure (Carole Stewart & Glen Grey), Abney Park Cemetery Trust, Clissold Residents Association and Clissold Park Users Group. *Clapton Pond Conservation Area*: Clapton Pond Neighbourhood Action Group, the LBH's Parks Department (Gary Thomas), and LBH's Community & Leisure (Carole Stewart). *Newington Green (North) Conservation Area*: London Borough of Islington's Environment and Conservation Department, and the Newington Green Action Group.
- K1.4 A4 posters, for display on public notice boards, were sent to: libraries, the Huddleston Centre, Hackney Museum, Hackney Archives, the Round Chapel, Islington Local History Centre, 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.
- K1.5 Hard copies of the Appraisals, along with feedback forms, were made available for public inspection in the reception of the Planning Department and in Stoke Newington Library, from 1<sup>st</sup> September – 14<sup>th</sup> October 2004. Hard copies were also made available, by the Hackney Buildings Preservation Trust, at the Round Chapel.
- K1.6 Large information boards were placed in the foyer of Stoke Newington Library (1x A1 board for each conservation area), from 20<sup>th</sup> September – 14<sup>th</sup> October 2004.
- K1.7 The Appraisals were put on the Planning Department's Consultation pages on the Council's website from 1<sup>st</sup> September – 24<sup>th</sup> October 2004, with links from elsewhere on the Conservation and Design Team's pages. The public was encouraged to use the on-line consultation forms to respond to the proposals.
- K1.8 An article outlining the proposals was published on the front page of *Hackney Today*, on 6<sup>th</sup> September 2004. An article outlining the proposals was also placed in the Department's *Planning Update*, on 2<sup>nd</sup> September 2004. 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, at the beginning of September 2004.

- K1.9 Officers presented the proposals regarding Clapton Pond Conservation Area to a public meeting on the 8 September 2004 organised by the Clapton Pond Neighbourhood Action Group.