

**ALBION SQUARE DRAFT CONSERVATION AREA APPRAISAL AND REVISED
CONSERVATION AREA BOUNDARY**

Key Decision No. LHR M2

CABINET MEETING DATE

29 February 2016

COUNCIL MEETING

20 July 2016

CLASSIFICATION:

Open

WARD(S) AFFECTED

**London Fields
Haggerston**

CABINET MEMBER

Cllr Guy Nicholson

Regeneration

KEY DECISION

Yes

REASON

AFFECTS TWO OR MORE WARDS

GROUP DIRECTOR

Kim Wright, Group Director Neighbourhoods and Housing

1. CABINET MEMBER'S INTRODUCTION

- 1.1** Albion Square is a small Conservation Area centred on a formal garden square around which the streets of this Victorian development were formally laid out and built up during the 1840s. Albion Square is noted for the survival of high quality early Victorian housing, much of which is listed. The Church of All Saints and adjoining vicarage in Livermore Road are included within the conservation area. It also includes properties on the south side of Middleton Road located between Mayfield Road in the west and No.68 Middleton Road to the east.
- 1.2** The Conservation Area was designated in 1975 and no appraisal has been undertaken until now. A number of threats have been identified that could undermine the character and appearance of the conservation area and it is therefore timely to undertake an appraisal. It is also likely that future development proposals will come forward that could also undermine the character and appearance of the conservation area.
- 1.3** The Draft Albion Square Conservation Area Appraisal proposes a revised conservation area boundary that includes an eastern extension incorporating the Victorian Queensbridge Primary School. The proposals will ensure the quality of future development in the areas surrounding Albion Square and overlooking the current conservation area will make a positive contribution to the local environment.
- 1.4** Following public consultation with the local community, the Albion Square Conservation Area Appraisal proposes a carefully considered boundary that reflects the area's special interest and will ensure the quality of future development in the area will make a positive contribution to the local environment.
- 1.5** I commend this report to Cabinet and Council.

2. GROUP DIRECTOR'S INTRODUCTION

- 2.1** This report implements in part the Conservation Areas Review approved by Cabinet in September 2006. The strategy approved as part of the Conservation Review involves an ongoing programme of conservation area appraisals, designations and reviews of existing conservation areas to ensure that each has an up to date character appraisal meeting the Council's statutory duties. Following a six week public consultation, this report brings forward for consideration a Conservation Area Appraisal for the existing Albion Square Conservation Area, including revisions to the conservation area boundary.

3. RECOMMENDATION(S)

3.1 Cabinet to recommend to Council to:

- i. Approve and designate the Albion Square Conservation Area as set out in the Area Map at Appendix B, including the eastern extension to incorporate Queensbridge Primary School.**
- ii. Approve and adopt the Albion Square Conservation Area Appraisal**

4. REASONS FOR DECISION

4.1 This decision is required in order to ensure that a full and up to date conservation area appraisal is in place that clearly sets out the area's qualities and identifies threats and weaknesses.

4.2 This decision is required in order to ensure that the conservation area boundary accurately reflects the historic environment in this area and ensures that appropriate protection is in place.

5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5.1 There were no alternative options considered.

6. BACKGROUND

6.1 As well as designating new conservation areas, the Council's conservation strategy includes a programme of reviewing existing conservation areas, particularly where they do not have an existing conservation area appraisal, as is the case with the Albion Square Conservation Area.

6.2 Albion Square Conservation Area was originally designated in 1975, but no detailed Conservation Area Appraisal was undertaken until 2007. Due to limited resources at that time, the review work was not progressed and remained in draft form. It has now been further revised before being put forward for formal adoption in 2016.

6.3 The research and assessment of the area's special interest undertaken for this appraisal has enabled careful consideration of the existing boundaries and an extension to the designated area has been included in this appraisal, undertaken by a qualified independent heritage consultant.

6.4 Cabinet approved the draft Albion Square Conservation Area Appraisal and Boundary Map in March 2015 for community consultation.

6.5 The community consultation took place over a six week period in April and May 2015. In response to the community consultation, some minor edits have been made to the character appraisal. The proposed conservation area appraisal and boundary map is shown in Appendices A & B.

6.6 The appraisal follows best practice as set out in guidance from English Heritage, now Historic England. 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 along with a SWOT analysis of the area.

6.7 The preparation and adoption of Conservation Area Appraisals is an important tool in informing and controlling development in those areas and appraisals that have been adopted following public consultation have greater weight in the planning process. Conservation area designation allows the Council to ensure, through the planning system, that the special quality and value that has been identified in a conservation area may be protected. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (“the Act”) requires planning authorities to pay special attention in the exercise of their planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

6.8 Policy Context

6.8.1 The proposal supports the Core Strategy (2010) policies 24 *Design* and 25 *Historic Environment* and Hackney’s Sustainable Community Strategy (2009), Priorities 5 (promoting well-designed neighbourhoods) and 6 (protecting Hackney’s environment). It also conforms to the National Planning Policy Framework 2012.

6.8.2 Under the National Planning Policy Framework (NPPF) 2012, conservation areas are classed as designated heritage assets. The NPPF requires local planning authorities to set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, LPAs should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

6.8.3 *The State of Hackney’s Historic Environment* report (2005) set out the Council’s responsibilities as planning authority as well as its stewardship role in caring for the historic environment. The report endorsed the Council’s commitment to the historic environment and set out a broad conservation strategy, which included the preparation of a

comprehensive review of conservation area strategy, including character appraisals and management proposals.

- 6.8.4** The *Conservation Areas Review*, which was approved by Cabinet in September 2006, set out a five year programme for the designation of new conservation areas; the review of existing conservation areas in line with best current practice and in a manner consistent with the emerging planning policy structure and management guidelines for each of the Borough's conservation areas.

6.9 Equality Impact Assessment

- 6.9.1** The EIA was prepared to assess the potential impact of the designation of the conservation area on different groups within Hackney to ensure there is no undue impact on any particular community groups. The EIA did not identify any negative impacts.

6.10 Sustainability

- 6.10.1** The designation and management of conservation areas can contribute to sustainable neighbourhoods and places by highlighting local distinctiveness and character and ensuring these values are taken into account when changes affecting the historic environment are proposed in planning applications. Conservation areas are part of the local cherished scene and are valued by many residents in the Borough. The management of conservation areas aligns with the Council's *Sustainable Community Strategy* (2009) priorities to ensure Hackney remains a pleasant place with sustainable, attractive, well-designed neighbourhoods where people want to live. Development and refurbishment of buildings within conservation areas will be required, wherever possible, to meet the Council's relevant sustainability targets and requirements.

6.11 Consultations

- 6.11.1** There are no legal or statutory requirements to carry out public consultation for new or existing conservation areas. However, in line with best practice and the Council's Statement of Community Involvement, the Council carried out a public consultation with stakeholders as appraisals that have been adopted following public consultation carry greater weight on appeal.

- 6.11.2** Community Consultation was undertaken for six weeks between 13 April 2015 and 25 May 2015 on the Draft Albion Square Conservation Area Appraisal and Draft Boundary Map.

- 6.11.3** Copies of the consultation brochure (Appendix D) were distributed to residents within the proposed conservation area. The consultation was publicised in Hackney Today and the appraisal document and map were published on the Council's consultation and conservation webpages and

made available in Dalston and Hackney Central Libraries. A consultation drop-in session was also held at the Tomlinson Centre, Queensbridge Road on a Friday afternoon.

6.11.4 Historic England, the Hackney Society, Dalston Conservation Areas Advisory Committee (CAAC) and Kingsland CAAC were notified of the proposals.

6.11.5 There were seven individual responses to the consultation. No responses were received opposing designation. The full table of consultation responses and the Council's response can be seen in Appendix E.

6.12 Risk Assessment

6.12.1 None required.

7. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

7.1 This report requests Cabinet and Council to approve and adopt the revised Albion Square Conservation Area boundary map and appraisal.

7.2 The conservation area once adopted will incur minimal costs for staff time and production of documents. These will be contained within the current Planning budgets.

8. COMMENTS OF THE DIRECTOR OF LEGAL

8.1 The Act places a duty on a local planning authority ('LPA') from time to time to determine which part 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 those areas as conservation areas. The proposed designation arises out of this duty.

8.2 An LPA must pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area when determining planning applications. Furthermore, some permitted development rights (pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO")) are applied more restrictively or will not apply at all to conservation areas (e.g. additions to the roof of a dwelling house under class B of Part 1 of Schedule 2 of the GPDO etc).

8.3 The conservation area character appraisal is taken into account in the planning process, and in appeals against refusals of planning permission (including demolition) in a conservation area.

- 8.4** Although there is no statutory requirement to consult prior to designation, it is desirable and good practice to consult in accordance with the Council's Statement of Community Involvement and the Consultation Guide - Code of Good Practice on Consultation (April 2012). In addition, this will afford the appraisal greater weight as a material consideration.
- 8.6** Following designation or the variation or cancellation of any such designation the notification requirements under section 70 of the Act must be complied with.

APPENDICES

APPENDIX A – Albion Square Conservation Area Appraisal

APPENDIX B – Albion Square Conservation Area Map

APPENDIX C – Albion Square Community Consultation Brochure

APPENDIX D – Table of Consultation Responses

BACKGROUND PAPERS

None

Report Author	Matt Payne Conservation & Design Officer 020 8356 8106 matt.payne@hackney.gov.uk
Comments of the Group Director of Finance and Corporate Resources	Hamza Yusuf Head of Finance 020 8356 3651 hamza.yusuf@hackney.gov.uk
Comments of the Director of Legal	Ben Burgerman Senior Lawyer - Planning 020 8356 6180 ben.burgerman@hackney.gov.uk