

**DESIGNATION AND APPRAISAL OF DALSTON CONSERVATION AREA****Key Decision No. LHR M5****CABINET MEETING DATE****29 February 2016****COUNCIL****20 July 2016****CLASSIFICATION:****Open****WARD(S) AFFECTED****Dalston  
Shacklewell****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** Dalston is an area that is undergoing great physical change and today the hub of growth is around Dalston Junction itself. Almost nowhere else in Hackney is under such close scrutiny and development pressure as central Dalston.
- 1.2** At the present time, some buildings in the area are statutorily listed and a recent project to expand the Borough's Local List of Heritage Assets has resulted in more individual buildings in the area being recognised as important to the architectural character of the area. However, the need to protect more of the undesignated buildings and the character of the area has been recognised alongside a wider need to carefully manage change and new development, hence the need for this conservation area appraisal.
- 1.3** The proposed Dalston Conservation Area is centred on one of the oldest roads in Britain - the Roman Ermine Street, later known as the Old North Road and now Kingsland High Street. Despite being a continuation of Kingsland Road, it was principally built as a shopping street, and the townscape displays a variety of Victorian and Edwardian architecture.
- 1.4** Following public consultation with the local community, the Dalston 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. The proposals include drawing in a small part of the existing Kingsland conservation area into the proposed Dalston conservation area.
- 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. This report brings forward for consideration the designation and appraisal of the proposed Dalston Conservation Area and boundary map following a six week public consultation.

### **3. RECOMMENDATION(S)**

#### **3.1 Cabinet to recommend to Council:**

- i. To approve and designate the Dalston Conservation Area, as set out in the Area Map at Appendix B, incorporating 527 to 539 and 596 to 600 Kingsland High Street from the existing Kingsland conservation area;**
- ii. To approve and adopt the Dalston Conservation Area Appraisal.**

### **4. REASONS FOR DECISION**

**4.1** This decision is required in order to ensure that the area's heritage is recognised and 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** Consideration was given to extending the existing Dalston Lane (West) conservation area to incorporate the area covered by the proposed Dalston conservation area. However, this was rejected as the two areas have distinct characters that are more suited to separate conservation area designations.

**5.2** The option of doing nothing was rejected as the 2013 Dalston Area Action Plan ("AAP") identified a need to undertake a character appraisal of the area's heritage assets.

### **6. BACKGROUND**

**6.1** The Council's conservation strategy includes a continuing programme of designating and reviewing existing conservation areas.

**6.2** In June 2013, the Council thought it timely to look at the current condition and state of the existing Kingsland Conservation Area by testing the robustness of its boundaries.

- 6.3** Consideration was also given to the designation of a completely new conservation area for central Dalston which would extend northwards towards Stoke Newington.
- 6.4** This followed the adoption of the Local Development Framework (LDF) Dalston AAP (January 2013), in which there was a requirement for the Borough to undertake its own character appraisal of Dalston's heritage assets 'to ensure that proposals are informed by a sound appreciation of the town centre's distinct characteristics and which will establish a robust management strategy for their conservation and enhancement'.
- 6.5** The decision to create a new Dalston Conservation Area covering the area around Dalston Junction, north along Kingsland High Street and into Stoke Newington Road was made in 2014 and this appraisal details the building fabric and heritage assets of that area.
- 6.6** Cabinet approved the draft Dalston Conservation Area Appraisal and Boundary Map in March 2015 for community consultation.
- 6.7** The community consultation took place over a six week period in April and May 2015. In response to the community consultation, some minor changes have been made to the proposed boundary along with minor edits to the character appraisal. The proposed conservation area boundary is fully shown on the map in Appendix B.
- 6.8** 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.
- 6.9** 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.

## **6.10 Policy Context**

**6.10.1** 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.

**6.10.2** 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.

**6.10.3** *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.

**6.10.4** 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.

## **6.11 Equality Impact Assessment**

**6.11.1** 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.

## **6.12 Sustainability**

**6.12.1** 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.

## **6.13 Consultations**

- 6.13.1** 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 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.
- 6.13.2** Community Consultation was undertaken for six weeks between 13 April 2015 and 25 May 2015 on the Draft Dalston Conservation Area Appraisal and Draft Boundary Map.
- 6.13.3** Copies of the consultation brochure (Appendix D) were distributed to businesses and 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. Two drop-in sessions were also held within the Kingsland Shopping Centre on a mid-week afternoon and Saturday daytime.
- 6.13.4** Historic England, the Hackney Society, Dalston Conservation Areas Advisory Committee (CAAC) and Kingsland CAAC were notified of the proposals.
- 6.13.5** There were 20 individual responses to the consultation. There were 14 responses principally supporting the proposals and six responses were received raising various concerns. No responses were received opposing designation. There were nine responses seeking further additions to the conservation area or revisions to the proposed boundary.
- 6.13.6** In response to the community consultation, it is proposed to include 4 to 10 Sandringham Road and 46 to 52 Kingsland High Street within the proposed conservation area boundary. Similarly, in response to the consultation, a smaller part of the existing Kingsland conservation area, (comprising 527 to 539 and 596 to 600 Kingsland High Street) is being included within the proposed Dalston conservation area as it shares a closer character and appearance.
- 6.13.7** A full table of consultation responses and the Council's response can be seen in Appendix D.

## **6.11 Risk Assessment**

**6.11.1** None required.

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

**7.1** This report requests Council to approve and adopt the proposed Dalston 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** – Dalston Conservation Area Appraisal

**APPENDIX B** – Dalston Conservation Area Map

**APPENDIX C** – Dalston Community Consultation Brochure

**APPENDIX D** – Table of Consultation Responses

## BACKGROUND PAPERS

None

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