

For general release

<b>REPORT TO:</b>	<b>Cabinet 10 February 2014</b>
<b>AGENDA ITEM:</b>	<b>6</b>
<b>SUBJECT:</b>	<b>Conservation Area Appraisal and Management Plans Supplementary Planning Documents (SPDs) – Adoption</b> <ul style="list-style-type: none"><li>• <b>East India Estate</b></li><li>• <b>Norbury Estate</b></li><li>• <b>Norwood Grove</b></li><li>• <b>St Bernards</b></li><li>• <b>Upper Norwood Triangle</b></li></ul>
<b>LEAD OFFICER:</b>	<b>Jo Negrini, Executive Director of Development &amp; Environment</b> <b>Mike Kiely, Director of Planning</b>
<b>CABINET MEMBER:</b>	<b>Councillor Jason Perry, Cabinet Member for Planning, Regeneration &amp; Transport</b>
<b>WARDS:</b>	<b>Addiscombe, Fairfield, Norbury and Upper Norwood</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> <b>As a Local Planning Authority The Council has the following statutory duties in relation to conservation areas:</b> <ul style="list-style-type: none"><li>• From time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.</li><li>• In the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.</li></ul>	
<b>FINANCIAL SUMMARY:</b> <b>The recommendations of this report can be funded from the existing Spatial Planning Service budget for 2013/14.</b>	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.:</b> this is not a key executive decision as it is reserved to the Council for approval as part of the policy framework.	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the draft recommendations below

## **1. RECOMMENDATIONS**

The Cabinet is asked to:

- 1.1 Consider the comments and responses at Appendix 6 received through:
  - The statutory public consultation on the draft East India Estate, Norbury Estate, Norwood Grove, St Bernards and Upper Norwood Triangle Conservation Area Appraisal and Management Plans SPDs (Appendix 1-5 e-copy); and
  - Notification of the intention to extend Norbury Estate Conservation Area to include 254-278 Northborough Road as recommended in the draft Norbury Estate CAAMP.

And:

- 1.2 Agree the Consultation Log of comments and responses at Appendix 6 (e-copy);
- 1.3 Agree extension of Norbury Estate Conservation Area to include 254-278 Northborough Road;
- 1.4 Note the current schedule for the completion and adoption of CAAMPs for all of the 21 conservation areas in Croydon.
- 1.5 Note that the Council has undertaken a screening exercise with the statutory bodies to confirm the Conservation Area Appraisal and Management Plans (CAAMP) Supplementary Planning Documents are not required to be supported by a Strategic Environmental Assessment.

Recommend Full Council to:

- 1.6 Adopt and publish the Conservation Area Appraisals and Management Plans (CAAMPs) as Supplementary Planning Documents for the following conservation areas:
  - A. East India Estate (Appendix 1 e-copy).
  - B. Norbury Estate (Appendix 2 e-copy).
  - C. Norwood Grove (Appendix 3 e-copy).
  - D. St Bernards (Appendix 4 e-copy).
  - E. Upper Norwood Triangle (Appendix 5 e-copy).
- 1.7 Agree that the Director of Planning, in consultation with the Cabinet Member for Planning, Transport and Sustainability, be given delegated authority to make minor factual or evidence based related changes to the documents referred to in recommendation 1.6 prior to adoption publication.

## 2. EXECUTIVE SUMMARY

- 2.1 National Planning Policy, The London Plan and Local Planning Policy requires Local Authorities to preserve and enhance conservation areas through identifying the special character of each conservation area and outlining how these characteristics can be managed through the retention, development and maintenance of the built environment within conservation areas. English Heritage recommends that every conservation area has its own Conservation Area Appraisal and Management Plan (CAAMP).
- 2.2 Guidance from English Heritage states key elements in defining the special character of conservation areas are likely to be:
- The relationship of the conservation area to its setting and the effect of that setting on the area
  - The still-visible effects/impact of the area's historic development on its plan form, character and architectural style and social/historic associations
  - How the places within it are experienced by the people who live and work there and visitors to the area (including both diurnal and seasonal variations if possible)
  - Architectural quality and built form
  - Open spaces, green areas, parks and gardens, and trees
  - Designated and other heritage assets, their intrinsic importance and the contribution they make to the area
  - Local distinctiveness and the sense of place which make the area unique<sup>1</sup>
- 2.3 Croydon Council has been in the process of producing or updating CAAMPs for all of the 21 conservation areas currently designated in Croydon.
- 2.4 Draft CAAMPs for the conservation areas of East India Estate, Norbury Estate, Norwood Grove, St Bernards and Upper Norwood Triangle have been produced and been through a period of statutory public consultation from 2 September 2013 to 14 October 2013.
- 2.5 To minimise the length of the CAAMPs and avoid duplication, general planning guidance that applies to all conservation Areas in Croydon is provided in a separate document which is referenced frequently in the CAAMPs – the Conservation Area General Guidance SPD, adopted at full Council in April 2013.
- 2.6 The key anticipated benefits of the use of the CAAMPs by applicants, planning officers and the public will be as follows:
- As material planning considerations when determining planning applications CAAMPs and CAGG are likely to lead to an increase in the quality of the design of development within conservation areas that preserve and enhance their special character. The CAAMPs and CAGG will inform the applicants of the various aspects of the built environment of conservation areas that make up their special character and will provide

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<sup>1</sup> English Heritage (2011) *Understanding Place: Conservation Area Designation, Appraisal and Management*, English Heritage, pp9-10

clear guidance about what types of development will be considered acceptable within them;

- An increase in the efficiency of the planning application process for sites within conservation areas through reference to clear and concise information;
- An increased sense of pride amongst residents of conservation areas that will be gained as a result of raising knowledge and awareness of the value of their local area through the consultation process;
- This increased sense of pride is more likely to incentivise property owners in conservation areas to engage in the protection and enhancement of the areas through commissioning works to their properties that are sympathetic to the special character of the conservation area and reporting development that does not have the necessary planning consents to the Council.

2.7 While statutory consultation was not required, the consultation information included notification of the intention to extend the boundary of the Norbury Estate Conservation area to include numbers 254-278 Northborough Road. No comments were received on this proposed extension to the conservation area. These houses were not included in the original conservation area boundary as designated in 2008. It has since been determined that these houses were part of the original estate as shown in a 1925 L.C.C plan of the Norbury Estate. The Council will undertake the necessary statutory processes involved in extending the conservation area boundary under Section 70 Planning (Listed Buildings and Conservation Areas) Act 1990.

2.8 Upon adoption of the CAAMPs the Council will consider the serving of Article 4 Directions for some properties whose special character is at risk from the exercising of permitted development. An Article 4 Direction is a direction which withdraws automatic planning permission granted by the General Permitted Development Order.

### **3. DETAIL**

3.1 A conservation area is an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Conservation areas, like statutory listed buildings, are 'designated heritage assets', of national historic or architectural significance.

#### **3.2 Schedule**

Over the forthcoming 12 months, it is intended that the Spatial Planning Service will continue to produce or update CAAMPs for all of the 21 conservation areas in Croydon. By summer 2014 it is intended that all conservation areas will have at least a draft CAAMP. All draft CAAMPs will be brought to Cabinet for approval to go out to formal public consultation before any subsequent revision and adoption. The consultation process for each CAAMP is to be 6 weeks and, post consultation, a further 3 months is being allowed for revisions which may need to be made to these documents, having regard to the consultation process.

<b>Tranche 1</b>	
Conservation Area General Guidance	The first tranche of CAAMPs is complete and was adopted at full Council on 22 April 2013
Chatsworth Road	
Croham Manor Road	
The Waldrons	
Wellesley Road (North)	
<b>Tranche 2A (the subject of this report)</b>	
East India Estate	CAAMPs for these conservation areas have been consulted on and are due to be adopted in April 2014 at full Council.
Norbury Estate	
Norwood Grove	
St Bernards	
Upper Norwood Triangle	
<b>Tranche 2B</b>	
Central Croydon	These conservation areas are located within the boundary of the Old Town Masterplan and their CAAMPs are due to be consulted on between January and February 2014.
Church Street	
Parish Church	
<b>Tranche 3</b>	
Addington Village	It is intended that these CAAMPs will be consulted on in Autumn 2014.
Beulah Hill	
Bradmore Green	
Church Road	
Harold Road	
South Norwood	These existing CAAMPs will be updated and consulted on in Autumn 2014.
The Webb Estate and Upper Woodcote Village	
Conservation Area General Guidance	This document will be updated to be consulted on in in Autumn 2014.
Kenley Aerodrome	This Conservation Area Proposals Statement was produced in conjunction with Tandridge Council. It is considered to be fit for purpose and is not proposed to be updated / amended.

### 3.3 Prioritisation of CAAMP production

The conservation areas have been prioritised against the following criteria to determine the order in which the 21 CAAMPs are produced:

- The quality and quantity of existing guidance on each conservation area;
- The current condition of the conservation areas and the extent to which their special character has recently been eroded and is perceived to be at risk from future development;

- That the conservation areas taken to Cabinet in each annual tranche are from a variety of locations within the Borough but with clusters being taken forward if more efficient;
- Ongoing related strategic work to the conservation areas that is dependent on the detail provided in the CAAMPs:
- The level of local awareness about the conservation areas.

### **3.4 Legal and Policy justification**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Act”) imposes a duty on Local Authorities to have special regard for the preservation or enhancement of conservation areas. Sections 66 and 73 of the Act require Local Authorities to have special regard to conservation areas when making planning decisions. This requirement is reinforced in the London Plan, the Croydon Local Plan: Strategic Policies and the Saved Policies of the Croydon Replacement Unitary Development Plan.

3.5 The CAAMPs will be adopted as SPDs (as defined by the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012) to give them weight as material planning considerations when determining planning applications. The Sustainability Appraisal for the Croydon Local Plan – Strategic Policies forms the overarching Sustainability Appraisal for the CAAMP SPDs, particularly in terms of Policy SP4: Urban Design & Local Character. This is available on the planning policy pages of the Croydon Council website.

3.6 The extension to the Norbury Estate will be carried out under the requirements of Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3.7 The (General Permitted Development) Order 1995 (as amended) permits the serving of Article 4 directions (where appropriate) to enable a local planning authority to prevent the cumulative erosion of the special character of a conservation area through minor changes to properties over time. Policy SP4 of the Replacement Unitary Development Plan: The Croydon Plan: states that the Council will, “...impose Article 4 Directions where needed.”

### **3.8 Content of documents**

The Appraisal of the draft CAAMPs have chapters covering Context, Townscape Character, Streetscape Character, Architectural Character, Character Areas (if applicable) and Condition and Threats. The Management Plans of the draft CAAMPs has chapters covering Additional Considerations, Development Guidelines and Enhancement.

### **3.9 Context in relation to the Croydon Local Plan**

The current CAAMPs work directly relates to the wider characterisation and place-based approach that is being developed as part of the Croydon Local Plan: Detailed Policies and Proposals.

### **3.10 Non-immediate Article 4 Directions**

- 3.11 The Spatial Planning Service will consider the benefit of serving Article 4 Directions in the conservation areas for which CAAMPs have been produced to protect and enhance the special character of the areas.
- 3.12 An Article 4 Direction is a direction which withdraws automatic planning permission granted by the General Permitted Development Order for a particular class of development. There are two types of Article 4 Directions:
1. Immediate directions – permitted development rights are withdrawn with immediate effect and without consultation for a period of up to 6 months. To make permanent the immediate Article 4 Directions the Local Planning Authority must confirm them within 6 months following local consultation;
  2. Non-immediate directions – permitted development can only be withdrawn after local consultation for a period of 12 months. Such directions are permanent.
- 3.13 It is important to note the following:
- That an Article 4 Direction does not prevent the type of development to which it applies; it simply requires that planning permission be obtained for the proposed development which must be sympathetic to the special character of the Conservation Area;
  - There is no charge to apply for types of development for which Article 4 Directions have been served, as stipulated by national planning policy.
- 3.14 The use of Article 4 Directions is common across Conservation Areas in London to protect and enhance the special character of Conservation Areas.

## **4. CONSULTATION**

- 4.1 Before the formal consultation process began, the draft CAAMPs for the East India Estate, Norbury Estate, Norwood Grove, St Bernards and Upper Norwood Triangle Conservation Areas went through a process of internal consultation within the Planning and Building Control division. Additionally, the following early informal external engagement was conducted. The three Conservation Area Advisory Panels were asked to supply comments to inform the production of draft CAAMPs. The Canning & Clyde Road and H.O.M.E Resident Associations supplied comments in relation to the draft East India Estate CAAMP. A meeting and walk-around was held with the chairman of the Crystal Palace Community Association in relation to the draft Upper Norwood Triangle CAAMP.
- 4.2 The formal Consultation process for the draft CAAMPs has adhered to the Council's adopted Statement of Community Involvement 2012 and also the statutory requirements of the the Town and Country Planning (Local Planning) (England) Regulations 2012. It lasted for a period of 6 weeks from the 2 September to the 14 October 2013. It involved the following communication methods:
- Letters sent to every affected owner and occupier within each conservation area for which a draft CAAMP has been produced

- Two public consultation drop-in events, which took place on the 23 September between 3pm-7pm in the Foyer to the Croydon Central Library and on the 26 September between 3pm-7pm at the Living Water Satisfies Community Café on Westow Street
- Site notices at several locations within each conservation area for which a draft CAAMP has been produced.
- An advertisement in The Croydon Guardian
- An email to The Conservation Area Advisory Panels and Resident Associations (where they are in existence) for each area informing them of the opportunity to make representations on the document
- Notification on the Conservation Areas pages of the Croydon Council website
- Copies of the draft CAAMPs were available to view at Access Croydon and all local libraries with the borough

4.3 75 separate responses were received in total on the documents that were generally positive.

4.4 No major concerns have arisen from the comments. Some minor modifications have been made to the draft CAAMPs after the documents had been out to consultation. These were either changes made in response to comments following the consultation or changes made for reasons of formatting, legibility and clarity.

4.5 The proposed extension of the Norbury Estate Conservation Area to include 254-278 Northborough Road was included in section 7 of the draft Norbury Estate Conservation Area Appraisal and Management Plan. This is not a statutory requirement. No comments were received on this proposed extension.

## 5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

### 5.1 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2013/14 £'000	2014/2015 £'000	2015/16 £'000	2016/17 £'000
<b>Revenue Budget available</b>				
Expenditure	4	5		
Income				
<b>Effect of decision from report</b>				
Expenditure	4	5		
Income				
<b>Remaining budget</b>	<hr/> 0 <hr/>	<hr/> 0 <hr/>	<hr/> 0 <hr/>	<hr/> 0 <hr/>
<b>Capital Budget available</b>	0	0	0	0



Expenditure	0	0	0	0
<b>Effect of decision from report</b>	0	0	0	0
Expenditure	0	0	0	0
<b>Remaining budget</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

## 5.2 The effect of the decision

All the costs of preparing the documents, consultation and adoption, estimated at £9,000, are accommodated within the existing Spatial Planning budget for 2013/14 and 2014/15. There are no identified funds for the CAAMP programme beyond the next financial year.

## 5.3 Risks

There are no significant risks arising directly from this report.

## 5.4 Options

If the Conservation Area Appraisals and Management Plans are not adopted then the benefits outlined above will not be realized and the deterioration of the fabric and the erosion of the special character of conservation areas is likely to continue.

## 5.5 Future savings/efficiencies

Officer time required to advise applicants is likely to be reduced due to the provision of better written guidance.

(Approved by: Tim Flood, on behalf of Head of Finance, Development & Environment)

## 6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

6.1 The draft East India Estate, Norbury Estate, Norwood Grove, St Bernards and Upper Norwood Triangle Conservation Area Appraisals and Management Plans Supplementary Planning Documents were produced, consulted on and will be adopted in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012.

6.2 The extension to the Norbury Estate will be carried out under the requirements of Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(Approved by: Gabriel Macgregor, Head of Corporate Law, on behalf of the Council Solicitor and Monitoring Officer)

## **7. HUMAN RESOURCES IMPACT**

- 7.1 There are no human resources implications arising from this report.

(Approved by Adrian Prescod, HR Business Partner, for and on behalf of Interim Director of Workforce, Interim, Chief Executive department)

## **8. EQUALITIES IMPACT**

- 8.1 The Croydon Local Plan – Strategic Policies (formerly Core Strategy) Equalities Impact Assessment applies to all the *Conservation Area Appraisals and Management Plans* that are proposed for consultation.

<http://www.croydon.gov.uk/contents/departments/planningandregeneration/pdf/868213/1149737/corestratequalityimpactssessment.pdf>

- 8.2 The conclusions of the report relating to heritage and the built environment states that the Croydon Local Plan: Strategic Policies (formerly Core Strategy policies) promote a high quality, well managed and well maintained public realm and equal access to heritage and the built environment by equality groups.

## **9. ENVIRONMENTAL IMPACT**

- 9.1 *Conservation Area Appraisals and Management Plans* encourage the protection and enhancement of the special character of the built environment of conservation areas, sustainable construction and therefore approving the recommendations of the report is likely to have a positive environmental impact.

## **10. CRIME AND DISORDER REDUCTION IMPACT**

- 10.1 This report has no direct impact on Crime and Disorder reduction.

## **11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 11.1 To comply with statutory obligations and to improve facilitate the preservation and enhancement of conservation areas in Croydon through the implementation of Conservation Area Appraisal and Management Plans.

## **12. OPTIONS CONSIDERED AND REJECTED**

- 12.1 The other option would be to not produce any conservation area Supplementary Planning Documents, which as outlined above, is a statutory obligation. This would mean that there would be no document to guide development in conservation areas and no Conservation Area Appraisal and Management Plans for the East India Estate, Norbury Estate, Norwood Grove, St Bernards and Upper Norwood Triangle Conservation Areas, which would lead to planning applications being determined on the basis of existing planning policy and guidance that is not considered to be sufficiently detailed or area-specific. This would be likely to result in a continuation in the deterioration of

the fabric and the erosion of the special character of conservation areas through poor quality development. On this basis the do nothing option has been rejected.

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**APPENDICES: e-copy only**

Appendix 1: East India Estate Conservation Area Appraisal and Management Plan Supplementary Planning Document

Appendix 2: Norbury Estate Conservation Area Appraisal and Management Plan Supplementary Planning Document

Appendix 3: Norwood Grove Conservation Area Appraisal and Management Plan Supplementary Planning Document

Appendix 4: St Bernards Conservation Area Appraisal and Management Plan Supplementary Planning Document

Appendix 5: Upper Norwood Triangle Conservation Area Appraisal and Management Plan Supplementary Planning Document

Appendix 6: Consultation log of comments and responses on the draft East India Estate, Norbury Estate, Norwood Grove, St Bernards and Upper Norwood Triangle Conservation Area Appraisals and Management Plans.

**BACKGROUND DOCUMENTS:**

*Understanding Place: Conservation Area Designation, Appraisal and Management, English Heritage (2011): document previously published*

*Croydon Local Plan: Strategic Policies (formerly Core Strategy) Equalities Impact Assessment (2011): document previously published*

*Croydon Local Plan: Strategic Policies - Sustainability Appraisal (2012): document previously published*