

CHENEY STREET- EXTENSION TO EASTCOTE VILLAGE CONSERVATION AREA

Cabinet Member	Councillor Keith Burrows
Cabinet Portfolio	Planning and Transportation
Officer Contact	Nairita Chakraborty and Sarah Harper, Planning, Environment and Community Services
Papers with report	Appendix 1: Character Assessment: Cheney Street – Proposed extension to Eastcote Village Conservation Area. Appendix 2: Agreed criteria for eligibility as a Conservation Area or Area of Special Local Character Appendix 3: Proposed criteria for eligibility as a Conservation Area or Area of Special Local Character

HEADLINE INFORMATION

Purpose of report	<p>As part of the ongoing programme of review of the Borough's Conservation Areas, the boundaries of the existing Eastcote Village Conservation Area have been reconsidered. The report seeks approval to go to public consultation on the proposed extension to Eastcote Village Conservation Area to include Cheney Street.</p> <p>Secondly, in view of the recent changes in government guidance, officers are seeking authorisation for revisions to the eligibility criteria for the designation of Conservation Areas and Areas of Special Local Character within the Borough.</p>
Contribution to our plans and strategies	Hillingdon's Emerging Local Development Framework Hillingdon Design & Access Statements Hillingdon Unitary Development Plan 1998 (Saved Polices 2007) Community Strategy
Financial Cost	The cost of the initial consultation would be approximately £200 while the costs of designation, including publicity and the production of a leaflet for residents in the area, would be approximately £1000. This would be met from within the Planning, Environment and Community Services budget for 2010/11.
Relevant Policy Overview Committee	Residents' and Environmental Services
Ward(s) affected	Eastcote and East Ruislip

RECOMMENDATIONS

That Cabinet:

- 1. Approve, for public consultation, the proposed extension to the existing Eastcote Village Conservation Area, as illustrated in the map included in Appendix 1.**
 - 2. Instruct officers to undertake a period of consultation of 6 weeks with all ward Councillors, local residents, owners and other interested groups within the proposed area and to report the outcome of the consultation to the Cabinet meeting in December 2010.**
 - 3. Approve the revised eligibility criteria for the designation of Conservation Areas and Areas of Special Local Character included in Appendix 3.**
-

INFORMATION

Reasons for recommendation

As part of the Council's rolling review of the Borough's Conservation Areas, and following a request for designation, officers have re-assessed Cheney Street and propose its inclusion within Eastcote Village Conservation Area. A period of six weeks for public consultation is recommended in accordance with Hillingdon's Statement of Community Involvement.

In addition, revised criteria for the designation of Conservation Areas and Areas of Special Local Character are being proposed to take account of new government guidance, in particular Planning Policy Statement 5 (PPS 5).

Alternative options considered

- Not to consult on the proposed extension of the area: this would be against guidance given in PPS 5 and by English Heritage and would not comply with the Hillingdon's Statement of Community Involvement (SCI).
- Not to agree the revised criteria for the designation of Conservation Areas and Areas of Special Local Character: this would compromise the quality of designated areas within the Borough and consistency with current guidance.

Comments of Policy Overview Committee

None at this stage

Supporting Information

1. Under the Planning (Listed Buildings and Conservation Areas) Act 1990 all local planning authorities have a responsibility to review and, where appropriate,

designate those areas that are of “special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance” as Conservation Areas. There are currently 30 Conservation Areas in the Borough, the most recent designations being in December 2009.

2. The Cheney Street area was considered for designation as a Conservation Area in May 2008. At that time, however, the area was deemed too varied in architectural quality to warrant designation. Following renewed requests from local groups however, a smaller area, focussing on Cheney Street itself, was re-assessed. It was considered that, whilst not possessing enough architectural quality for designation in its own right, it does form an attractive gateway into the Eastcote Village Conservation Area and should be, therefore, included as an extension.

3. It was also considered that the original assessment criteria for designating a Conservation Area or Area of Special Local Character needed to be revised to take account of national guidance (Planning Policy Statement 5 – ‘Planning and the Historic Environment’, and related Practice Guide) and to address the shortcomings noted during previous designation exercises.

Proposed extension to Eastcote Village Conservation Area to include Cheney Street

4. A detailed analysis of this area, with photographs and a map identifying the proposed extension to the Conservation Area, can be found in Appendix 1. The area under consideration lies to the south of the Eastcote Village Conservation Area, and is characterised by its large, well detailed detached houses, and some bungalows, all in an attractive green setting with mature gardens and abundant, kerbless, grass verges.

5. The area was originally part of Horn End Farm and Cheney Farm and the earliest residential development took place during the 1930’s as part of the suburban expansion of London. Most of the houses were built gradually over a period of about 50 years. This is reflected in the varied layout and footprint of the houses throughout the area. Designed individually, the houses are constructed of varying materials and incorporate a range of architectural details.

6. No. 9 Cheney Street, the original Cheney Farmhouse, is the only listed building in the area and is listed Grade II. It is a 17th century timber-framed building with exposed framing between rendered panels. There are also examples of good quality 1930’s properties with mock timber-framing, such as no 24 Cheney Street. Others exhibit attractive features characteristic of the 1930’s, such as projecting gables, hipped roofs and Ipswich style windows, for example at No. 19 Cheney Street.

7. The dominant features of the area are the hedges and low walls bordering front gardens, the mature trees, grass verges and the central reserve. These, together with the curving road layout and gentle topography, create an attractive, semi-rural, street scene. The spacing between the houses, landscaping and views into the back gardens all form part of the setting and special character of the area. Overall, the area reflects the character of Eastcote Village Conservation Area and forms an important gateway into it.

8. Within the immediate vicinity of Cheney Street, there are modern 1980's developments, arranged around cul-de-sacs such as Curzon Place and Nightingale Close and at the junction with the Bridle Road. These houses are of mixed architectural quality and have much smaller curtilages, being infill properties in gardens or small fields. As such, they are not considered to reflect the character of Cheney Street itself, and have been excluded from the proposed extension.

Consultation carried out or required

9. The consultation of all residents within the proposed extension to the Eastcote Village Conservation Area will be required, to seek their views on, and confirm their support for, designation. It is proposed that this will take place over a six-week period commencing in October 2010. This will require a letter and supporting information to be sent to each property. The views of the ward councillors, local conservation panel, other residents and amenity groups, including English Heritage will also be sought. The responses to this process will be collated and reported to Cabinet for consideration in December 2010.

Proposed Eligibility Criteria for the Designation of Conservation Areas and Areas of Special Local Character

10. The current eligibility criteria, devised primarily to identify new Areas of Special Local Character as part of the review undertaken in 2006, are included in Appendix 2. Whilst they introduced a standard approach for designations and helped to determine whether some would be more appropriately designated as Conservation Areas, the criteria need to be revised to accord with the new government guidance and to address issues arising from previous designation exercises.

11. The recently adopted Planning Policy Statement 5 (PPS 5) takes a holistic approach to the historic environment. It also states that those parts of the historic environment, worthy of constituting a material consideration in planning applications, should be treated as 'designated heritage assets'. Paragraph 10 of the Practice Guide to Planning for the Historic Environment (PPS 5) states that 'The significance of a heritage asset is the sum of its architectural, historic, artistic or archaeological interest'. Paragraph 14 also states that 'Conservation Areas should be designated if they are of special architectural or historic interest'. Based on this, officers are proposing the revised criteria for designating both Conservation Areas and Areas of Special Local Character. This, along with the proposed scoring system, is included in Appendix 3.

12. It is important that designated areas are seen to justify their status and that the concept is not devalued by the designation of areas lacking any special interest. It is, therefore, necessary to establish agreed criteria to accord with the national guidance and to ensure each designated area genuinely has the necessary level of special interest to merit designation, and to ensure that their special interest is fully identified and assessed.

Financial Implications

13. The extension of Eastcote Village Conservation Area to include Cheney Street would have the following cost implications. The public consultation would cost

approximately £200 and, if designation is agreed, the necessary advertisements, notification of residents and the publication of leaflets, would result in an overall cost of approximately £1000. This would be provided from the budget for Planning, Environment and Community Services in 2010/11.

The adoption of the proposed Eligibility Criteria would have no direct financial implications.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

The aim of the recommendation is to consult local people and stakeholders on the proposed extension to the Eastcote Village Conservation Area in order to ensure that their comments are considered and incorporated where appropriate. The adoption of the revised eligibility criteria will provide a more detailed framework for designations, providing greater clarity for residents, service users and communities and enabling the Council to retain consistent standards of designation.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance have reviewed the report and confirm their agreement to the financial implications as stated.

Legal

Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives local authorities power to designate areas of special architectural or historic interest the character of which it is desirable to preserve or enhance, as Conservation Areas. Section 70 of the Act sets out notification requirements once the Conservation Area has been designated. Under section 70(5) of the Act the local authority must give notice of any designation of any part of their area as a Conservation Area (and of any variation or cancellation of such designation) to the Secretary of State and to the Historic Buildings and Monuments Commission for England. Section 70(8) prescribes that any designation, variation or cancellation must be published in the London Gazette and at least one newspaper circulating in the area of the local authority.

The designation of an area as a Conservation Area has several formal consequences:

- a. the demolition of most buildings requires the consent of the local authority (section 74 of the Act);
- b. prior notification must be given to the local authority before works can be undertaken to trees within the Conservation Area (section 211 of the Town and Country Planning Act 1990);
- c. the local authority has a duty under section 71 of the Act to formulate and publish proposals for the preservation and enhancement of the area;
- d. the local authority has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in the exercise of their powers under the planning Acts and Part 1 of the Historic Buildings and Ancient Monuments Act 1953 (section 72);

- e. planning applications for development which would, in the opinion of the local authority, affect the character or appearance of the Conservation Area must be given publicity under section 67 of the Act and representations received must be taken into account in determining the application (section 67(7));
- f. permitted development rights under the Town and Country Planning (General Permitted Development) Order 1995 are more restricted than in other areas; and
- g. the right to display certain types of illuminated advertisement without express consent under the Town & Country Planning (Control of Advertisements) Regulations 1992 is excluded.

The leading case on consultation is the High Court decision in R v Brent London Borough Council ex Parte Gunning (1985) 84 LGR 188. In **Gunning**, Hodgson J drew attention to four elements that should exist in the proper performance of a statutory duty to consult. The Council must be satisfied that:

- a. consultation took place at a time when proposals were still at a formative stage;
- b. sufficient time was allowed for consideration and response;
- c. and that responses from the public were conscientiously taken into account in finalising the statutory proposal.

Corporate Landlord

The proposed recommendation has no direct property implications for the Council.

Relevant Service Groups

The Council's Highways and Green Spaces services support the recommendations outlined in this report.

BACKGROUND PAPERS

- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning Policy Statement 5 (PPS 5): Planning for the Historic Environment, 23rd March 2010
- PPS 5 Planning for the Historic Environment: Historic Environment Planning Practice Guide- 23rd March 2010
- London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies 27th September 2007
- London Borough of Hillingdon Core Strategy (Draft for consultation June 2010)
- Guidance on the Management of Conservation Areas, English Heritage, February 2006
- Guidance on Conservation Area Appraisals, English Heritage, February 2006