

SURBITON NEIGHBOURHOOD COMMITTEE

19 DECEMBER 2002

DESIGNATION OF RIVERSIDE SOUTH CONSERVATION AREA

REPORT BY THE HEAD OF PLANNING & DEVELOPMENT

SUMMARY

This report assesses an area, which forms part of the Thames-side Strategic Area of Special Character, to consider whether it has sufficient special interests worthy of conservation area designation. The new conservation area, to be known as Riverside South, is recommended for public consultation to identify the support for conservation area designation.

RECOMMENDATION

The Surbiton Neighbourhood Committee is requested to recommend:

1. the designation of the proposed Riverside South Conservation Area as identified on plan no. 02/162/B in Annex 2, in accordance with the statutory procedures set out in sections 69 & 70 of the Planning (Listed Buildings & Conservation Areas) Act 1990, subject to public consultation with:-
 - a) local amenity groups including:- Surbiton Conservation Area Advisory Committee and any other residents' association covering the area
 - b) regional and national bodies including:- English Heritage; Victorian Society; Twentieth Century Society; Greater London Authority
2. the consultation referred to in 1 above be carried out;
3. that the results of the consultation be reported to the Executive for a final decision to be made on whether the proposed Conservation Area should be designated;
4. the Surbiton Conservation Areas Advisory Committee be invited to bring the Riverside South Conservation Area within their remit and facilitate a local person to represent the interests of the area in any consultation.

REASON FOR RECOMMENDATION

To enable the proposed Riverside South Conservation Area to go out to public consultation and to be considered by the Executive on 11 February 2003, before the forthcoming public inquiry at Seething Wells, Riverside Filter Beds, on 18 February 2003.

BACKGROUND TO CONSERVATION AREAS

1. It is the duty of every Local Planning Authority under Section 69 (1) of the Planning (Listed Buildings and Conservation Area) Act 1990, to determine which parts of its area are of "special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance", and to designate such areas as conservation areas.

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2. Policies BE3 (Development in Conservation Areas), and BE4 (Demolition of Buildings in Conservation Areas) of the Unitary Development Plan sets out the policies for existing conservation areas. The criteria which the Authority will take into account when considering the designation of an area as a conservation area are set out under BE3, whilst policy BE2 (Local Areas of Special Character) states that future conservation areas will be drawn from Strategic or Local Areas of Special Character.
3. Central Government guidance on the designation of conservation areas is to be found in PPG15 Planning Policy Guidance: Planning and the Historic Environment, this is supplemented by Conservation Area Practice and Conservation Area Appraisals published by English Heritage (October 1995 & March 1997).
4. The statutory definition of a conservation area is set out in paragraph 2, and the national guidance referred to in paragraph 4 makes it clear that it is the quality and character of areas, rather than that of individual buildings which should be the prime consideration in identifying conservation areas. It is important that conservation areas justify their status, and that the special architectural or historic interests are clearly defined. This careful analysis will determine whether the area has a character or appearance that it is desirable to preserve or enhance.
5. Borough-wide there are presently 22 conservation areas, designated over the last 30 years. The last designation was the Kingston Vale Conservation Area in January 2002. A Conservation Area publication series was approved by Cabinet in October 2001 and distributed earlier this year.

BACKGROUND TO THE RIVERSIDE SOUTH CONSERVATION AREA

6. The existing Thames-side Strategic Area of Special Character (SASC) and Thames Policy Area as indicated in the Thames Landscape Strategy is identified on Plan No. 02/161/B in Annex 1. The area also contains part of the Cleveland Road/The Mall and Seething Wells Local Areas of Special Character (LASC) as identified on Plan No. 02/161/B in Annex 1. The Cleveland Road/The Mall LASC was first identified as part of policy UD4 of the Royal Borough of Kingston upon Thames Local Plan 1989, whilst Seething Wells LASC was identified as part of Policy BE2 of the Royal Borough of Kingston upon Thames Unitary Development Plan in 1998.
7. The Unitary Development Plan (UDP) 1998, Policy BE1 states that 'the Thames-side SASC has been drawn to include all public and private open spaces which adjoin the riverside and buildings which have a direct visual relationship with the Thames. Particular importance will be attached to the protection of the riverside character, including both the riverbank and the adjoining open spaces in order to preserve important views and avoid adverse visual intrusion'. UDP Policy BE2 states 'that LASCs possess sufficient quality in terms of their architectural and environmental unity to make them of significant local value. In particular the retention of buildings and other features that contribute to the character of the individual areas will be encouraged'.
8. The Thames-side SASC has not been formally assessed for conservation area designation before. It has been brought forward at this time due to the importance of the setting of the River Thames landscape, particularly in relation to Hampton Court Park, which have been designated a Conservation Area by the London Borough of Richmond. However, the character of this riverside location, including important views, is under threat, particularly due to recent development pressures to build residential development adjacent to the Thames. The only planning control to protect

the area is the designation of a conservation area. Since conservation area designation is within the power of the local planning authority, it is within UDP policy and national guidance to consider designating Riverside South as a Conservation Area. An independent consultant has been commissioned to give an impartial and expert opinion based on a wider knowledge of regional and national conservation area qualities, and to provide a background for any future appeal evidence to oppose inappropriate development in this area.

CONCLUSIONS ON ASSESSMENT OF THE RIVERSIDE SOUTH CONSERVATION AREA

9. The Consultants' report carefully analyses the architectural and historic interests of Thames-side Strategic Area of Special Character and the areas immediately outside the boundary. It concludes that the character and appearance of the area as a whole is of special architectural and historic interest, its linear form being influenced by the spatial and/or visual relationship with the river Thames, which also acts as the principle unifying element.
10. The **historic interest** lies in the importance of the riverbank in relation to the historic landscape of Hampton Court Palace, including views in and out of its parkland, and other strategic views from the riverside path. Also of importance is the quality of the 19th century public works that established Queens Promenade as a place of recreation, together with the industrial/public health buildings and structures at Seething Wells Water Works.
11. Queens Promenade is described in the Thames Landscape Strategy as retaining "much of its Victorian character with colourful flower beds, shrubberies, strips of lawn and cast iron railings". It also provides an attractive riverside walk. Views of Hampton Court Palace Grounds and the barge walk opposite increase the value and sensitivity of this linear open space. Landing stages advertise boat trips and visits to Hampton Court, whilst ducks and wildlife abound. The boundary railings, planting and mature trees provide an important visual separation from the busy Portsmouth Road and development to the east. Further tree planting within the grounds of houses along Portsmouth Road, provides positive edges to these buildings. The mature trees lining Portsmouth Road also form an important feature of the wider landscape, particularly when viewed from a distance. Together with the river Thames they help to draw the character of the area together. Raven's Ait, once osier beds, is now developed as a Conference and Corporate Entertainment centre and dominates the rivers scene.
12. Seething Wells originally occupied the site of a spring but later became the site of the Chelsea and Lambeth waterworks. These were constructed between 1852 and 1860, and represent a site of archaeological significance, particularly due to the technological advances which engineers were making in providing a clean water supply to the city. The solid Victorian masonry buildings provide an example of "Italianate Gothic" and form a notable landmark. Whilst the former Water Works complex has now been adapted by Kingston University for student accommodation, the filter beds to the north lie derelict and obsolete. They nevertheless remain the best surviving example in the area of the Victorian approach to this type of essential Public works project and are therefore particularly sensitive. The filter beds also provide a rich environment for nature conservation on account of the large numbers of wetland wildlife which nest in the broom of the reservoir wall. However, due to

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their valuable and desirable riverside location, they are currently the focus of residential development proposals.

13. Also of interest is the fact that the Portsmouth Road is a strategic historic route, which follows the river and originally formed part of the turnpike road between London and Portsmouth.
14. The **architectural interest** lies in the significant number of listed buildings and structures that make a positive contribution to the character of the area, including those associated with river navigation and leisure. The historic pattern of development in the area associated with ancient riverside estates and later Victorian benefactors is also of note. Only a few buildings such as the high rise flats (at Porton Court, Thames Haven, the Hermitage and Tynamara), and the disused petrol filling station, have a negative impact on the residential character, composition of the landscape and distant views. Also of architectural interest is the industrial/public health heritage, which is represented in the buildings and Structures at Seething Wells Water Works. The domestic scale, rhythm and group or townscape quality of mainly pre-war or earlier buildings alongside or near the river frontage also adds to the architectural interest
15. Thames-side SASC contains many fine individual listed buildings and structures. These include: The Church of St Raphael Grade II*; Hermes Hotel 1 Portsmouth Road; 3 Surbiton Road; together with the Lodge; Chelsea Coal Store; Chelsea Fountain; Chelsea boundary walls and railings; and Lambeth Uncovered Coalstore.
16. Amongst the listed buildings mentioned earlier, Seething Wells Water Works buildings and the Church of St Raphael, which overlooks Queens Promenade, stand out as important landmark buildings. They can be clearly seen from Hampton Court Park and many points along the opposite bank of the river Thames and in the case of the church from Kingston Bridge.
17. The residential areas adjacent to Portsmouth retain many fine examples of Victorian suburban development, although only a few examples of these houses remain, having been demolished and replaced with blocks of flats. Several of these properties and structures have been identified as buildings of townscape merit and make a positive contribution to the special interest of the area. These include: 28, 35, 37, 60 (Fox and Hounds PH) and 85 Portsmouth Road, together with the gatehouse building (former Lambeth Waterworks Lodge), the Electric substation, the former Chelsea Waterworks drainage pumping house and the wall and railings to the filter beds. Also included are Dover Cottages in Seething Wells Lane and the Thames Sailing Club. The Club, founded in 1870, is reputedly the oldest sailing club on the Thames. It is characterised by gables, veranda and weatherboarding, which are an important feature of Thames-side architecture.
18. The area within the boundary identified on Plan No. 02/161/B in Annex 2 is considered to be an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. It is therefore suggested that a new designation named the proposed Riverside South Conservation Area be progressed.

IMPLICATIONS OF CONSERVATION AREA EXTENSION AND DESIGNATION

19. All land and properties located within a designated conservation area are subject to the following additional planning controls: -

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- a) Demolition of a structure over 115 cubic metres would require conservation area consent. Any applications would be determined in accordance with UDP policy BE4 which resists the loss of buildings that make a positive contribution to the character of the area;
 - b) Works to most trees would require six weeks notice, unless already subject to a tree preservation order (TPO). Although some TPOs exist in both areas assessed above the tree protection is not comprehensive throughout the areas;
 - c) Permitted development rights to single family houses and industrial or warehouse premises would be more restrictive. For example, planning permission would be required for alterations to any part of the roof of a house, the cladding of the exterior, and the installation of a satellite dish. However, houses would still have significant permitted development rights to changed windows and doors, and construct small extensions and porches unless they are controlled by the introduction of an Article 4 Direction.
20. The Authority's obligations following the designation of a conservation area are: -
- a) To pay special attention to the conservation area in exercising any of its planning powers. In particular, applications for new development would be determined in accordance with UDP policy BE3 that seeks to preserve or enhance the character and appearance of each conservation area.
 - b) To advertise applications and take into account representations;
 - c) To formulate and publish proposals for the preservation and enhancement of the area. The recent publication of the Conservation Area leaflet series is the first stage in a long process of conservation area character appraisals, and studies.
21. More detailed information on the implications of conservation area designation and good practice guidance can be found in the text of the Conservation Areas General Guide.

PUBLIC CONSULTATION & DESIGNATION PROCEDURES

22. There is no statutory duty to consult prior to designation of a conservation area, but guidance is that it will be highly desirable that there should be consultation with local residents, businesses, and other local interested bodies over both the identification of areas and the definition of their boundaries. The greater the public support for the designation the more likely it is that policies for the area will be implemented voluntarily, and without the need for additional controls. Guidance also acknowledges that consultation may produce a negative response and that the Authority should take the lead in deciding on the validity and desirability of designation, even if this runs counter to local feeling.
23. It has been this Authority's standard practice to consult with all property and landowners within a proposed designation boundary prior to a final decision to designate a conservation area. A letter and short questionnaire have typically been hand delivered to properties and response rates have generally been between 40 and 70%. It is common to receive a majority in favour of a designation and a minority against either the principle of a designation or the inclusion of their property in the area. Often the consultation process has resulted in revisions to the boundary normally to include a wider area. There is no mechanism for an affected party to appeal against a conservation area designation. The only challenge would be by

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way of an application for a Judicial Review to the High Court on grounds of a breach of the *ultra vires* rule. There has not been a challenge to any of the previous designations in this Borough, although suggestions have been made.

24. The forthcoming public inquiry at Seething Wells, Riverside Filter Beds, on 18 February 2003, for 59 flats and a nature reserve, represents a known threat to the character and appearance of this area. It is suggested therefore, that the Surbiton Neighbourhood Committee recommend the designation of the proposed Riverside South Conservation Area and the proposed boundary subject to public consultation. Consultation should include a letter to all property and landowners within the proposed boundary, and to any interested residents associations and other local, regional and national amenity bodies. Presentation material will be available at the meeting and during any consultation period to illustrate the proposed boundary at a large scale and photographs of the special architectural and historic interests which designation seeks to protect. Thereafter, the results of the consultation should be reported to the Executive, who have the power to make a final decision on whether the proposed Conservation Area should be designated.

CONCLUSION

25. That a new Conservation Area to be known as 'Riverside South', is recommended for public consultation to identify the support for conservation area designation.

Annexes

1. Existing Thames-side Strategic Area of Special Character (SASC) Plan No. 02/161/B.
2. Proposed Riverside Conservation Area, Plan No. 02/162/B.

Background Papers: held by Tony Hall [author of report], 020 8547 4652

1. Report by the consultant, Conservation Architecture & Planning, titled " Portsmouth Road/Queens Promenade Conservation Area".