

KINGSTON TOWN NEIGHBOURHOOD COMMITTEE

20 OCTOBER 2004

DESIGNATION OF RIVERSIDE NORTH CONSERVATION AREA

REPORT BY THE DIRECTOR OF ENVIRONMENTAL SERVICES

SUMMARY

This report assesses an area, which forms part of the Thames-side Strategic Area of Special Character, to determine whether it has sufficient special interests worthy of conservation area designation. The proposed conservation area to be known as Riverside North has been subject to a public consultation exercise. This report sets out the special architectural and historic interest of the area and the results of the public consultation. It seeks the views of this Committee, which are likely to be reported to the Executive meeting of 16th November 2004, to consider the formal designation. The recommended boundary of the proposed area has been amended in response to an assessment of the consultation responses and is considered worthy of designation as the Riverside North Conservation Area.

RECOMMENDATIONS

It is **RECOMMENDED** that:

1. The results of the public consultation on the Proposed Riverside North Conservation Area be noted;
2. This Committee's comment on the proposed Riverside North Conservation Area as identified on drawing 04/165/B in Plan 3, be forwarded to Executive for a decision on the designation of the Proposed Riverside North Conservation Area.
3. The Kingston Town Neighbourhood Conservation Area Advisory Committee (CAAC) be asked to bring the proposed Riverside North Conservation Area within their remit and to appoint a representative from the area;
4. A notice board dedicated to the Proposed Riverside North Conservation Area be installed in a location to be agreed with the Kingston CAAC and adjacent owners and occupiers, and a leaflet be published and distributed to all properties in the area, subject to officers identifying a budget of £1500.

REASON FOR RECOMMENDATION

To provide guidance to the Executive upon which to make a resolution on the designation and to enable the proposed designation to be effectively implemented and a management regime established.

BACKGROUND TO THE PROPOSED RIVERSIDE NORTH CONSERVATION AREA

1. In November 2002, an independent consultant, 'Conservation Architecture & Planning' (CAP), considered an assessment of two Thameside Strategic Areas of Special Character to determine if they had sufficient special interests worthy of conservation area designation. The proposed Riverside North area was part of a joint assessment with the Riverside South area, which at that time suffered from the threat of demolition of several attractive turn of the century houses fronting the river, whilst in the Riverside South area a public inquiry was imminent for a proposed residential development on the riverside Filter Beds. The Executive agreed the designation of the Riverside South Conservation Area on 11 February 2003.
2. The existing Thames-side Strategic Area of Special Character (SASC) and Thames Policy Area as indicated in the Unitary Development Plan (UDP) Proposed Alteration is identified on Plan No. 04/080/B in Annex 1. The area also adjoins the Woodside Road/Eastbury Road Local Areas of Special Character (LASC) and the Richmond Road Conservation Area as identified on Plan No. 04/083/B in Annex 2.
3. The 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'. A new policy OL14 in the UDP Proposed First Alteration, identifies the Thames Policy Area where new development "should respect and enhance the special character of reaches of the river and be of high quality design in accordance with policy BE1."
4. The Riverside South Conservation Area was designated due in part to the importance of the setting of the River Thames landscape, particularly in relation to Hampton Court Park, which was designated a Conservation Area by the London Borough of Richmond. This River Thames landscape also extends to the north of Kingston Town Centre. The character of this riverside location on its west bank, including important views, is again recognised by the designation of a Conservation Area by the London Borough of Richmond. However, the east bank in the Royal Borough of Kingston remains under threat, particularly due to development pressures to build residential development adjacent to the Thames.
5. A designation brings into effect additional planning controls over the demolition of existing structures, works to trees (unless already covered by a Tree Preservation Order), and minor works comprising permitted development. The Council is also statutorily committed to pay special attention to the character and appearance of the area in all decisions it makes, and to prepare and publish proposals for the preservation and enhancement of the area. Policies BE3 and BE4 of the adopted Unitary Development Plan would also become a material consideration in all planning decisions. Public consultation on the proposed Riverside North Conservation Area has now been completed and the results and response is presented with a review of and recommendation on the proposal.

CONCLUSIONS ON ASSESSMENT OF THE RIVERSIDE NORTH CONSERVATION AREA

6. The Consultants' (CAP) 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 is of special architectural and historic interest and should be designated as a conservation area. A summary of the consultants report is set out below:
7. The **architectural interest** is associated with 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 highly visible eight storey blocks of flats (at York Court, Brunswick Court and Ulster Court), the Sea Scouts Boathouse and the Hawker Siddeley Social Club have a negative impact on the residential character, composition of the landscape and distant views.
8. Thames –side SASC contains a number of attractive 19th century riverside buildings, in particular the late Victorian boathouses and large Victorian houses on the Lower Ham Road. Whilst there are no listed buildings in the area, one notable building is the Albany Boathouse built in 1893, for RJ Turk and Son, boat builders. It is the only surviving historic boathouse within the Borough of Kingston and is in the Borough's list of Buildings of Townscape Merit.
9. Important contributions are also made by other key unlisted buildings in the area including four substantial houses 102, 104, 108 and 110 Lower Ham Road. Built in approx 1895, they are the oldest on this section of road and contemporary with a late Victorian development of houses in the Richmond Road Conservation Area, which is located to the east. The style and form is entirely suited to their location overlooking the river. Further individual detached houses were built on sites along the Lower Ham Road in the early years of the C20 namely 106, 112, and number 84 which were built using similar styles and materials. The final addition to this group was 100 Lower Ham Road.
10. The **historic interest** lies in the area's intimate relationship with the River Thames, which separates it from the Richmond Road Conservation Area and the riverside buildings on the opposite bank. These include views of Victorian boathouses, jetties and large Victorian houses with landscaped grounds reaching to the river. Also of importance is 18th century Bank Grove Estate and the quality of the 19th century public works that established the municipal parklands, such as Canbury Gardens, together with river embankments, walks and their associated built structures, which are still used and maintained.
11. The Canbury Gardens area is part of the landscape described in the Thames Landscape Strategy as, "a unique landscape of parks, palaces and working communities. Centuries of settlement have left a legacy of architecture, public access and nature conservation value unparalleled in the rest of the capital."
12. Canbury Gardens, designated Metropolitan Open Land in the UDP, was created from an area of drained land, once a tract of marshes and osier beds and has been a popular recreational space for the public, being within easy walking distance of Kingston Town Centre. They were laid out as a raised public garden adjoining the

J4

barge walk and opened in November 1890. In 1897, paths and a bandstand were added to the gardens. In the early 1900s Canbury Gardens was extended towards Lower Ham Road and more formal gardens created with trees along the paths, tennis courts, two bowling greens and pavilion. Today the park is screened from the houses in Lower Ham Road by trees and dense thicket hedging.

13. Further south the barge walk leading from Kingston Bridge is planted with London Plane trees. For much of its length the riverside path is at two levels; the towing path at the lower level and the promenade path on the higher level. The towpath was originally built to separate the promenade from the barges, which eventually gave up their cargo to the railways. The barge walk and footpath to Ham Lands is informally managed landscape, a contrast to Canbury Gardens. Here the site of the former Hawker Siddeley factory has been substantially developed with medium density housing but is separated by open space from the riverside walk.
14. Formerly known as Bank Grove Estate, this heavily wooded triangular area was bounded by Richmond Road, Lower Ham Road and Bank Lane. The Estate included a mansion built in the 18th century grounds, together with glasshouses, conservatories, paddocks and a summerhouse adjacent to the Thames. Today Grosvenor Gardens, Albany Park Road and flats and houses in Lower Ham Road and Richmond Road have replaced Bank Grove Estate and its landscaping. However, much of its original boundary wall survives in Lower Ham Road including some magnificent cedars. The boundary wall has been included in the Borough's list of Buildings of Townscape Merit.
15. The Consultant's report 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 principal unifying element. It is for these reasons that the area 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. The Consultants recommend that the Riverside North Conservation Area be designated.

EXTENT OF PUBLIC CONSULTATION

16. The consultation exercise was undertaken between 11th June and 12th July 2004 and further extended to include properties in Albany Mews, between 17th August and 13th September 2004, following support from several local amenity bodies. A summary of the Consultant's report of November 2002 was sent with a letter inviting comments from local, regional and national bodies. Additionally a total of 90 letters were sent to owners and occupiers and known agents of all land and buildings within the proposed Riverside North Conservation Area. The letter outlined the background to conservation areas, described the special architectural and historic interests in the area, identified the planning controls that would come into effect and gave guidance on how to find out more information. Each letter included a map showing the boundary of the proposed designation, a response form and a reply paid envelope. A display containing a large scale plan illustrating the boundary and photographs of key buildings in the area was available during the consultation period in the Guildhall and Kingston Library. This information was also reproduced on six A2 posters, which were located in the Boaters PH, the Tennis Pavilion and at Sainsbury's and on notice boards throughout the area. **This display with**

amendments showing the present recommended boundary will be on display at the meeting of this Committee. The consultants report and historic maps for the area were also available with the display and could be downloaded from a dedicated page within the Council's web site, with links to ISIS for detailed planning histories. On-line responses were invited.

RESULTS OF PUBLIC CONSULTATION

Organisations

17. The comments received from the organisations consulted (listed under background paper No. 2) are summarised below, with a response.

The Kingston Town Neighbourhood Conservation Area Advisory Committee (CAAC) & Kingston Upon Thames Society. Support.

A letter received on 12 July 2004, comments that it is right to give extra protection afforded by Conservation Area status to this second riparian part of the Royal Borough. Canbury Gardens certainly needs any extra conservation area support it can get in promoting improvements to fencing, signage and above all landscaping. However, they feel that in view of the juxtaposition of the adjacent Richmond Road Conservation Area (No 13), that the two areas should be joined along the west part of Albany Park Road as far as the Albany Mews. This would then include the Avenue of London Plane trees and "The Albany" itself.

"The Albany" comprises three Y-shaped blocks in the then fashionable Swedish-modern manner. As such it uses materials familiar in the area, and the successful weathering suggests a good standard of technical design. Their scale, related to the breadth of the river at this point is well judged, and the retention of mature trees, in particular the resplendent cedars, and the protection given to the old Bank Grove estate walls, all combine to provide a positive rather than a negative contribution to the scene. The Bank Grove estate walls also extend along the north side of Bank Lane, and behind 102-108 Lower Ham Road.

Certain properties which have been included are clearly of less architectural quality than "The Albany", specifically Nos 80, 82 and 86-88. In taking this view we recognise that we are at odds with the notion that "The Albany" has a negative impact. However, it should be remembered that at the time "The Albany" was conceived, the dominant influence on building heights was the presence of the CEGB Power Station. Since the consultants regard the 'riverscape' to be the *raison d'être* of this Conservation Area (rather than the architecture), it will appear somewhat contradictory to exclude these buildings, which are highly significant within that 'riverscape'.

Finally, "Albany Mews", an enclave of brick and tile 2/3 storey houses, has been arbitrarily split halfway into its full depth. How will this be explained to householders?

A response to these issues on the boundary is given in paragraphs 18-23 Maldens and Coombe Conservation Areas Advisory Committee although not formally consulted also support the proposed conservation area. They consider that the eight storey flats at York Court, Brunswick Court and Ulster Court should be included within the Conservation Area. They do not agree that they have a negative impact on the

J6

residential character of the area. They reflect some of the flats on the opposite bank and are architecturally better than some of the more mundane flats along Lower Ham Road. Albany Mews is one of the best housing schemes and landscaping in the borough and the whole of this estate should be included in the conservation area. Recommend clearance of some of the dead trees in the north part of the proposed area.

Kingston upon Thames Archaeological Society

Support

Strongly support the designation in order to protect the English traditional riverside scene, with the local colour preserved. Also support points raised by Kingston Town Neighbourhood CAAC.

London Borough of Richmond upon Thames

Support

This is an area of some architectural, historic and landscape interest. We support the proposal to designate a new conservation area in this location. We are pleased that the proposed new conservation area would border two conservation areas in our Borough, Hampton Wick and Broom Water Conservation Areas. This designation may preserve and enhance the riverside setting of these conservation areas”.

The Friends of the Canbury Gardens

Support

Welcomes the proposed designation of the Riverside North Conservation Area. However, the consultants report is factually incorrect. The barge walk leading from Kingston Bridge is lined with an Avenue of original London Plane trees, not a Chestnut Grove. The ‘elevated path’ adjacent to the river should be described as ‘the wide riverside promenade’ which is a locally used term and describes its current and historical use as a promenading boulevard. Also, the consultants have not mentioned the Kings Passage (chestnut alley) and the Horse Chestnut tree avenue, which is MOL. This well used entry corridor to the park is an important historical feature and should be included within the conservation area boundary. Historically the original Horse Chestnut tree avenue must have been planted around 100 + years ago and is a well-loved local feature and a continuity into the 21st century of a specific tree which was historically prevalent in the area.

The Friends of Kingston Museum & Heritage Service

Support

Support the new designation in principle but would like the conservation area extended to join the Richmond Road Conservation Area, including the Albany Flats and both sides of Albany Park Road.

Canbury and Riverside Association

Support

Welcomes the proposals as being consistent with the aim of CARA, which is the conservation and improvement of the Canbury Riverside area. CARA supports the comments made by the Kingston Town Neighbourhood Conservation Area Advisory Committee. In particular we would have preferred to see the conservation area extended to include the Albany and the riverside of Albany Park Road so it adjoins the Richmond Road Conservation Area.

Kingston Friends of the Earth

Support

Additional attention should be given to the protection of the trees as part of the landscape

The River Thames Boat Project

Support

The Barge Dock marks the end of the urban centre of Kingston and heralds the entrance to Canbury Gardens. There is an opportunity provided by the Dock to improve and enhance this critical area. The Barge Dock is a unique riverside facility and a rare example of industrial heritage, which served as a wharf for Kingston Power Station. Any environmental improvements that would be encouraged by the creation of the Conservation Area would be beneficial if they supported the maintenance and use of the Barge Dock by large vessels such as the Venturer and associated river related uses.

English Heritage (London & SE Region)

Support

Site visited on 4 August 2004 and verbal comments made as reported at paragraphs 20 and 22. Any written response will be reported as late material.

Environment Agency

Support

Recommend that the policies under this designation reflect those set out in the Thames Strategy and London Plan. A 16-metre buffer zone should be established between all developments and the Thames. This should remain undisturbed and maintained for wildlife and not include any built development. Any associated works alongside the River are likely to require Land Drainage Consent

Thames Landscape Officer**Support**

Verbal comments made as reported at paragraphs 20. Any written response will be reported as late material.

A response to the issues on the boundary is given in paragraphs 18-23

Borough Valuer	No Observations
Victorian Society	No response
Twentieth Century Society	No response
Garden History Society	No response
The Kingston chamber of Commerce	No response
River Thames Society	No response
London Rivers Association	No response
Thames Landscape Officer	No response
Government Office for London	No response
Kingston Green Forum	No response
London Wildlife Trust	No response
Surrey Wildlife Trust	No response
Kingston Cycling Campaign	No response

Response to suggested amendments made by organisations**“The Albany” and Albany Park Road**

18. The Kingston Town and Maldens and Coombe CAACs, Kingston upon Thames Archaeological Society, Friends of Kingston Museum and Heritage Service and Canbury and Riverside Association consider that “The Albany” should be within the conservation area and be joined with the adjacent Richmond Road Conservation Area (No 13). This would then include the Avenue of London Plane trees along the west side of Albany Park Road, which currently falls outside the Richmond Road Conservation Area.
19. “The Albany” comprises three Y-shaped blocks of flats, which are eight storeys high. The CAACs consider that their scale in relation to the breadth of the river is well judged and will provide a positive contribution to the scene. They reflect some of the flats on the opposite bank and are architecturally better than some of the more mundane flats along Lower Ham Road. The CAACs note that at the time “The Albany” was conceived the dominant influence on heights was the presence of the CEGB Power Station. Since the consultants regard the ‘riverscape’ as the main reason for this Conservation Area, it would be contradictory to exclude them, as they are highly significant within that ‘riverscape’.
20. However, the consultants see “The Albany” as having a negative impact on the residential character, composition of the landscape and distant views. They consider the three highly visible eight storey blocks as incongruous in scale, form, proportions and materials. The Thames Landscape Strategy argues that from a distance these blocks stand out harshly in the river scene, despite the mature landscape, which helps to reduce their impact on the river. English Heritage and the Thames Landscape Officer agree with this view. As the CEGB Power Station has been demolished, there is now no reason for having large-scale buildings in this

location despite the existence of larger flats on the opposite bank. Including these large blocks of flats within the conservation area will set a precedent and make it more difficult to refuse similar scaled buildings in future. This would be in conflict with the need to preserve and enhance the character of the proposed conservation area. Therefore there are strong grounds for omitting the Albany development. However, the boundary does recognise the value of the two fine Lebanon Cedars and the old garden wall, which were included in the Bank Farm estate and both are included within the proposed conservation area boundary.

21. In relation to Albany Park Road it should be recognised, that properties on the west side of this road were built at a much later date than those on the east side, which form a distinctive group of late Victorian red brick houses. Hence their exclusion from the Richmond Road Conservation Area. Furthermore the properties on the west side of Albany Park Road do not form part of the river setting of the proposed conservation area and therefore there would be no strong reason for including them within the proposed conservation area boundary. However, the character of the avenue of the street trees along Albany Park Road is recognised and it is suggested that consideration be given to including the whole of this avenue within the Richmond Road Conservation Area at a later date.

Albany Mews

22. Regarding the Albany Mews the CAACs consider that the whole of this modern estate with its attractive landscaping should be included within the conservation area, being one of the best housing schemes in the Borough. However, English Heritage considers that this group of 2/3 storey houses do not form part of the area's special architectural or historic interest and should be omitted. The location of the estate adjacent to the river means that the houses, many of which are turned at ninety degrees to Lower Ham Road, do form part of the riverside view. Furthermore, the sloping site in front of these properties means that the riverside can be appreciated from within the estate. The consultation exercise revealed that only one resident on the estate objected to their inclusion within the conservation area boundary. It is agreed that arbitrarily splitting the boundary halfway into its full depth would be difficult to justify and therefore it is recommended that the whole of the estate is included within the proposed conservation area.

King's Passage

23. Finally, The Friends of the Canbury Gardens have drawn attention to the importance of King's Passage (chestnut alley), which is MOL. As a result the whole of this entry corridor to the park has now been included within the conservation area boundary up to the north wall to the adjoining residential development

Owners & Occupiers within the proposed Conservation Area

24. In reply to the 90 letters sent out in the proposed conservation area a total of 31 responses were received. (This is a 34 per cent response rate). 27 (87 %) responses agree with the designation, and 4 (13%) are against the designation.
25. Of both those agreeing or disagreeing with the designation none raises any issues concerning the proposed boundary.
26. Of the 4 responses that disagree with the designation 2 give no reasons for this view. The remaining 2 raise issues including in summary: -
- a) The designation would impose unnecessary and costly planning controls on the residents. The suggestion that this area is of 'historic interest' strains the use of the term. The designation under the 1990 Act is therefore unlawful (*response - existing controls do not cover the merits of demolishing existing buildings, and the statutory duty to preserve or enhance the character or appearance of the area. The Council already employs Conservation & Design Officers to manage the conservation area controls and no significant additional costs will be incurred. The area does have special architectural and historic interest as demonstrated and has the support of local amenity groups and residents. It is therefore lawful under the 1990 Act*);
 - b) Nothing has been done to improve the roads or footpaths in Lower Ham Road or to cut the adjacent hedge in order to improve the view of the river. (*response – the need to preserve or enhance the conservation area will help to bring pressure to provide sensitive improvements in the future*)

Comments from Adjoining Land Owners regarding the Former Power Station Site

27. One response was received that disagrees with the designation. The issues raised including in summary: -
- It is not considered that the proposed Riverside North Conservation Area has significant or special architectural or historic interest to merit designation as a conservation area. There is only one Building of Townscape Merit (BTM) and there are no listed buildings. It is accepted that the area and Canbury Gardens is important in terms of its riverside and natural environment qualities and its leisure and recreation value. In particular its designation as a Strategic Area of Special Character, an Area of Archaeological Significance, Metropolitan Open Land and within the Thames Policy Area. The southern part of the proposed Conservation Area, including the barge dock, falls within major Proposal Site PS1 in the UDP. The designation of part of PS1 as a Conservation Area could hinder the completion of the regeneration of this area. The area already benefits from the necessary planning designations and there would be no further benefit in designating the area as a Conservation Area (*response - the overriding conclusion from the consultants report and the responses from the local amenity groups and residents is that the area passes the key test and does have special architectural and historic interest. Although there are only two Buildings or Structures of Townscape Merit, Government Guidance in the form of PPG15 emphasises that "it is the quality and interest of areas, rather than that of individual buildings, which should be the prime consideration in identifying conservation areas. In this case it is the area's intimate relationship with the River Thames and its historic landscape and gardens that help to define this special interest. Certainly it is not the intention of conservation areas*

to stifle change or prevent development on gap sites or where buildings make no positive contribution but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own);

REVIEW OF THE PROPOSED CONSERVATION AREA BOUNDARY AND SPECIAL INTERESTS

28. Public consultation has shown widespread support for the proposed conservation area from the owners and occupiers within the area and local and national amenity bodies and organisations. As indicated previously at paragraphs 22-23, an amendment to the conservation area boundary is proposed, to include the remainder of Albany Mews to the north east of the area and all of King's Passage, in response to suggestions made by some organisations. It is recognised that several local amenity bodies wished to see the "The Albany", included within the proposed conservation area. However the Consultants, English Heritage and the Thames Landscape Officer see these three tower blocks as having a negative impact on the residential character, composition of the landscape and distant views. In particular the blocks are considered incongruous in scale and inappropriate design and would not support the character of this riverside location. The definitive proposed conservation area boundary, including the amendments, is illustrated in Annex 3 drawing no.04/165/B, Plan 3 which can be compared with Annex 1 Plan 1 and 2, the boundary used for consultation and the SASC/ Thames Policy Area boundary.
29. The special interests of the proposed conservation area have been set out in the Consultants report of November 2002, summarised at paragraphs 6-15 above. For future reference purposes, and to establish the material consideration of the character and appearance of the area in accordance with policy BE3 (Development in Conservation Areas) and BE4 (Demolition of Buildings in Conservation Areas) of the adopted UDP (or any successor) the features which are considered to contribute to the special architectural or historic interest of the area and their character or appearance is therefore considered worthy of preservation or enhancement are listed as: -
- (a) The intimate relationship with the River Thames, the islands, the Barge Dock and the riverside buildings on the opposite bank, which include Victorian boathouses and large Victorian houses within landscaped grounds;
 - (b) Its historic pattern of development, association with ancient riverside estates and later Victorian benefactors such as 18th century Bank Grove Estate and the more recent Albany Estate, together with its original boundary garden walls and landscaping;
 - (c) The importance and quality of the 19th century public works that established the municipal parkland of Canbury Gardens identified as a major open space and an area of high landscape value, containing avenues of trees, pavilions, tennis courts and a bandstand. Elsewhere the contribution made by the informally managed landscape of Ham Lands, the river embankments, the promenade and the barge walk at a lower level and their associated built structures, which are still used and maintained;
 - (d) The presence of a number of buildings of architectural interest which address the river and make a positive contribution to the character and appearance of the area. In particular, the large Victorian/Edwardian houses at 84 Lower

Ham Road and between 100 –112 (even) Lower Ham Road and the late Victorian boathouses which are associated with navigation and leisure such as the Albany Boathouse built in 1893 and the lengths of old garden wall to The Albany Estate, which are now Buildings of Townscape Merit.

In conclusion a summary description of the character and appearance of the area is: -

“A linear area whose form and mature landscape is influenced by the spatial and/or visual relationship with the River Thames, alongside which lie ancient riverside estates, important 19th century public works that established Canbury Gardens and a group of large Victorian/Edwardian houses and late Victorian boathouses fronting the river.”

IMPLEMENTATION OF THE PROPOSED CONSERVATION AREA

30. The implications of conservation area designation are set out in the public consultation letters of June and August 2004. More detailed information on the implications of designation and good practice guidance is contained in the text of the Conservation Areas General Guide. The additional controls over demolition, trees and permitted development rights come into effect immediately a Committee decision to designate is made. However, in addition to the statutory duties to make the designation a local land charge, and to advertise the designation and notify central government it is necessary to ensure that all owners and occupiers within the area are aware of the controls and policies to be applied. A letter will be sent to all owners, occupiers and any known agents notifying them of a decision to designate and the implications. In addition it is recommended that the information is available in a format that can be used as a future reference document for owners and occupiers and accessible to the general public who may have a wider interest in conservation areas. The Council has a published series of conservation area leaflets containing illustrations identifying the boundary and the character of the area, and text summarising the character and stating the planning controls and ways to preserve the character of an area. The cost of producing a 500 print run would be approximately £300.
31. Similarly in order to raise the profile of conservation areas and to provide a forum for the display of material related to each conservation area by both the Council and local residents a set of conservation area notice boards have been installed in 21 existing conservation areas. This conservation area would benefit from a notice board to display a copy of the leaflet and to capture the attention of the large numbers of passers by in the area, complimenting the existing notice boards in the Richmond Road and Kingston Old Town Conservation Areas. A notice board from the same supplier could be supplied and installed for approximately £1200. The location of the notice board would be agreed with the Kingston Town Neighbourhood CAAC and any immediate property owners or occupiers. Officers will investigate potential methods of funding a budget for both a conservation area leaflet and a notice board up to £1500.
32. The Royal Borough of Kingston also has a well established set of three Conservation Area Advisory Committees (CAACs) established as independent lay committees representing the local areas and the local amenity bodies to give the Council advice on all planning matters affecting conservation areas. Their main

business is as a special consultee on planning applications in conservation areas. The Kingston Town Neighbourhood CAAC would be happy to take the proposed Kingston Hill Conservation Area within their remit and to appoint a representative from the owners and occupiers in the area. They should be formally requested to extend their constitution to this effect.

ENVIRONMENTAL IMPLICATIONS

33. The designation of any new conservation area would impose a duty on the Planning Authority to pay special attention to the preservation or enhancement of the character or appearance of that area (as described in this and background reports) in exercising any powers under the Planning Acts, including amongst others development control decisions. Additionally there is a duty to formulate and publish proposals for the preservation and enhancement of the area.

ANNEXES

1. Plan No. 04/080/B Public Consultation on the Proposed Conservation Area.
2. Existing Designations, showing the SASC and Thames Policy Area boundaries.
3. Plan No.04/165/B Proposed Riverside North Conservation Area.

BACKGROUND PAPERS held by Tony Hall, author of the report 020 8547 4652 e-mail: tony.hall@rbk.kingston.gov.uk

1. Assessment of the Thames-side Strategic Area of Special Character November 2002 by The Conservation Studio;
2. Consultation letters dated 11 June and 17 August 2004;
3. 15 representations from organisations;
4. 32 (5 disagree & 27 agree) representation forms and letters from owners or occupiers and/or adjoining landowners;
5. Letter from Indigo Planning Ltd dated 9th July containing the NHP (Kingston) Ltd Objection.

PROPOSED RIVERSIDE NORTH CONSERVATION AREA

Report by the Director of Environmental Services
Executive Member for Transport and Sustainable Development

Purpose

On 20th October 2004 the Kingston Town Neighbourhood Committee considered an assessment of an area, which forms part of the Thames-side Strategic Area of Special Character, to determine if it had sufficient special interests worthy of conservation area designation. The Committee also considered the results of public consultation on the proposed Riverside North Conservation Area. This was undertaken between July and September 2004 and reported to the Committee for their comments. The boundary of the proposed area has been carefully reviewed and amended in response to an assessment of the consultation representations. A boundary is recommended for formal designation as the Riverside North Conservation Area.

Action proposed by the Executive Member for Transport and Sustainable Development:

The Executive is requested to:

1. designate the Riverside North Conservation Area as shown in Annexe 3 Drwg. No. 04/212/B Plan 3;
2. agree that the necessary statutory procedures for the designation of the Riverside North Conservation Area, under Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990, be carried out;
3. agree that the owners and occupiers of properties and land within the designated conservation area be notified by letter of the designation;
4. agree the special architectural or historic interest identified in this report and related background papers be adopted as a material consideration for the purposes of Development Control and any other planning decisions, specifically in the application of UDP policies BE3 and BE4;
5. agree that a conservation area leaflet be published to follow the existing series of conservation area leaflets;
6. agree the installation of a conservation area notice board to follow the existing set of conservation area notice boards, in an appropriate location agreed with the Kingston Town Neighbourhood CAAC and adjoining occupiers, subject to officers identifying the necessary budget; and
7. agree that the Riverside North Conservation Area shall fall within the remit of the Kingston Town Neighbourhood Conservation Area Advisory Committee;

Reason for action proposed

To preserve the special architectural or historic interest of the proposed Riverside North Conservation Area.

BACKGROUND

1. A report on the process and considerations used during the designation of all conservation areas is found on this agenda. These are the considerations and processes followed in the investigation of the proposed Riverside North Conservation Area.
2. In November 2002, an independent consultant, 'Conservation Architecture & Planning' (CAP), considered an assessment of two Thames-side Strategic Areas of Special Character. The proposed Riverside North area was part of a joint assessment with the Riverside South area, which at that time suffered from the threat of demolition of several attractive turn of the century houses fronting the river, whilst in the Riverside South area a public inquiry was imminent for a proposed residential development on the riverside Filter Beds. The consultants concluded that the character and appearance of these areas was of special architectural and historic interest and that both should be designated as conservation areas. The Executive agreed the designation of the Riverside South Conservation Area on 11 February 2003.
3. On 20th October 2004 the Kingston Town Neighbourhood Committee considered a report on the proposed Riverside North Conservation Area, identified on drawing No. 04/212/B Plan 3 (Annex 3), to determine whether it had sufficient special interests worthy of conservation area designation, and their minute is attached in Appendix 4. The area forms part of the Thames-side Strategic Area of Special Character (SASC). The area also adjoins the Woodside Road/Eastbury Road Local Areas of Special Character (LASC) and the Richmond Road Conservation Area as identified on drawing No. 04/083/B Plan 2 in Annex 2. Public consultation on the proposed Riverside North Conservation Area has now been completed. A copy of the report to that Committee has been circulated separately to Members of the Executive only.

THE ASSESSMENT AND BOUNDARY USED FOR PUBLIC CONSULTATION

4. The full background to the assessment of the character of the area is set out in the consultant's report¹. The Kingston Town Neighbourhood Committee report of 20 October 2004² contains a summary of the assessment, and the defined character of the area is the basis for considering the responses to the consultation and the final boundary of the proposed conservation area. The Thames-side Strategic Area of Special Character (SASC), as identified in the adopted and emerging alterations to the Unitary Development Plan was the basis for the assessment of the area. Drawing No. 04/165/B Plan 1a (Annex 1) shows the boundaries upon which the public consultation has been undertaken, and are very similar to the boundary recommended for designation in this report.

RESULTS OF PUBLIC CONSULTATION

5. As indicated the public consultation process used for the designation of all conservation areas is explained in the report on general principles about Conservations Areas set out elsewhere on this agenda. Details of the format of the public consultation are contained in the report to the Kingston Town Neighbourhood Committee of 20th October 2004³. An exhibition display used during consultation, that

¹ See background paper 1

² See background paper 2

³ See background paper 2

L3

has been amended to show the recommended boundary contained within this report, will be on display at the meeting.

Kingston Town Neighbourhood Committee Recommendation:

6. The Committee supports the proposed designation of the Riverside North Conservation Area as an area of special architectural and historic interest and the proposed boundary as shown on Drwg. No. 04/212/B Plan 3.

Organisations

7. Responses were received from the following organisations: -
 - The Kingston Town Neighbourhood Conservation Area Advisory Committee (KTN CAAC)
 - Maldens and Coombe Conservation Area Advisory Committee (M&C CAAC)
 - Kingston upon Thames Archaeological Society
 - London Borough of Richmond upon Thames
 - The Friends of the Canbury Gardens
 - The Friends of Kingston Museum & Heritage Service
 - Canbury and Riverside Association
 - Kingston Friends of the Earth
 - The River Thames Boat Project
 - English Heritage
 - Environment Agency
 - Thames Landscape Officer
8. The representations made and a response to the KTN and M&C CAACs, Kingston upon Thames Archaeological Society, Friends of Kingston Museum and Heritage Service and Canbury and Riverside Association, particularly in respect of whether “The Albany” should be within the conservation area and be joined with the adjacent Richmond Road Conservation Area (No 13), is considered below at para. 12 and more fully in the Kingston Town Neighbourhood Committee report of 20th October (paras. 17-23, ⁴. In conclusion, the response to the representations recommends that the boundary should exclude “The Albany”, but include the whole of the “Albany Mews” and King’s Passage.

Owners & occupiers within the proposed Conservation Area and existing Local Area of Special Character

9. In reply to the 90 letters sent out in the proposed conservation area a total of 31 responses were received. (This is a 34 per cent response rate). 27 (87 %) responses agree with the designation, and 4 (13%) are against the designation. A response to 4 objections was contained in paragraph 26 of the report to Kingston Town Neighbourhood Committee of 20th October⁵ There are no amendments to the proposed boundary as a result of consultation with owners and occupiers.

Key land owner

10. A response to an objection from an adjoining Land Owner regarding the Former Power Station Site was contained in paragraph 27 of the same Committee report⁶

⁴ See background paper 2

⁵ See background paper 2

⁶ See background paper 2

REVIEW OF THE PROPOSED CONSERVATION AREA BOUNDARY AND SPECIAL INTERESTS

11. Public consultation has shown widespread support for the proposed conservation area from the owners and occupiers within the area and local and national amenity bodies and organisations. An amendment to extend the area to include the remainder of Albany Mews to the north east of the area and all of King's Passage is recommended in response to suggestions made by some organisations.
12. It is recognised that several local amenity bodies wished to see the 3, eight storey blocks of flats known as "The Albany", together with the west part of Albany Park Road as far as the Albany Mews, included within the proposed conservation area and adjoin the Richmond Road Conservation Area. They indicated that the blocks were a good standard of technical design and considered that their scale, in relation to the breadth of the river at this point, was well judged. However the Consultants, English Heritage and the Thames Landscape Officer saw the tower blocks as having a negative impact on the residential character, composition of the landscape and distant views. In particular the blocks were considered incongruous in scale and inappropriate in design and would not support the character of this riverside location. In relation to Albany Park Road the properties on the west side of this road were built at a much later date than the distinctive group of late Victorian red brick houses on the east side. Hence their exclusion from the Richmond Road Conservation Area. Furthermore the properties on the west side of Albany Park Road do not form part of the river setting of the proposed conservation area and therefore there would be no strong reason for including them within the proposed conservation area boundary. As a result both "The Albany" and the west part of Albany Park Road have been omitted from the proposed area.
13. The definitive proposed conservation area boundary, including the amendments, is illustrated in Annex 3 drawing no.04/212/B, Plan 3, which can be compared with Annex 1 and 2 Plans 1a and 2, the boundary used for consultation and the SASC/ Thames Policy Area boundary.
14. The special interests of the proposed conservation area have been set out in the Consultant's report of November 2002⁷, summarised at paragraphs 6-15 of the Kingston Town Neighbourhood Committee report of 20 October 2004⁸. For future reference purposes, and to establish the material consideration of the character and appearance of the area in accordance with policy BE3 (Development in Conservation Areas) and BE4 (Demolition of Buildings in Conservation Areas) of the adopted UDP (or any successor) the features which are considered to contribute to the special architectural or historic interest of the area and their character or appearance is therefore considered worthy of preservation or enhancement are listed as: -
 - (a) The intimate relationship with the River Thames, the islands, the Barge Dock and the riverside buildings on the opposite bank, which include Victorian boathouses and large Victorian houses within landscaped grounds;
 - (b) Its historic pattern of development, association with ancient riverside estates and later Victorian benefactors such as 18th century Bank Grove Estate and the more recent Albany Estate, together with its original boundary garden walls and landscaping;
 - (c) The importance and quality of the 19th century public works that established the municipal parkland of Canbury Gardens identified as a major open space and an area of high landscape value, containing avenues of trees, pavilions, tennis

⁷ See background paper 1

⁸ See background paper 2

L5

courts and a bandstand. Elsewhere the contribution made by the informally managed landscape of Ham Lands, the river embankments, the promenade and the barge walk at a lower level and their associated built structures, which are still used and maintained;

- (d) The presence of a number of buildings of architectural interest which address the river and make a positive contribution to the character and appearance of the area. In particular, the large Victorian/Edwardian houses at 84 Lower Ham Road and between 100 –112 (even) Lower Ham Road and the late Victorian boathouses which are associated with navigation and leisure such as the Albany Boathouse built in 1893 and the lengths of old garden wall to The Albany Estate, which are now Buildings of Townscape Merit.

In conclusion a summary description of the character and appearance of the area is: -
“A linear area whose form and mature landscape is influenced by the spatial and/or visual relationship with the River Thames, alongside which lie ancient riverside estates, important 19th century public works that established Canbury Gardens and a group of large Victorian/Edwardian houses and late Victorian boathouses fronting the river.”

IMPLEMENTATION OF THE PROPOSED CONSERVATION AREA

15. The decision to designate a new Conservation Area not only involves additional statutory requirements but also the need to ensure owners or occupiers of land are aware of the controls and policies and understand the positive benefits of designation. To achieve this a leaflet would be produced, a Conservation Areas Advisory Committee representative appointed, and a notice board installed, in order to raise the profile of the conservation area and to provide a forum for the display of material. These actions and mechanisms are picked up in recommendations 5-7 of this report and referred to in Paragraphs 40-47 of the report on general principles about Conservation Areas found elsewhere on this Agenda.

ENVIRONMENTAL IMPLICATIONS

16. The designation of any new conservation area would impose a duty on the Planning Authority to pay special attention to the preservation or enhancement of the character or appearance of that area (as described in this and background reports) in exercising any powers under the Planning Acts, including amongst others development control decisions. Additionally there is a duty to formulate and publish proposals for the preservation and enhancement of the area.

ANNEXES

1. Plan No. 04/165/B Plan 1a, Public Consultation on the Proposed Conservation Area
2. Plan No. 04/083/B Plan 2, Existing Designations, showing the SASC and Thames Policy Area boundaries.
3. Plan No.04/212/B Plan 3, Proposed Riverside North Conservation Area
4. Kingston Town Neighbourhood Committee 20 October 2004, Proposed Riverside North Conservation Area, Appendix J - Minute

BACKGROUND PAPERS held by Tony Hall, author of the report 020 8547 4652 e-mail :

Tony.hall@rbk.kingston.gov.uk

L6

1. Assessment of the Thames-side Strategic Area of Special Character November 2002 by Conservation Architecture & Planning;
2. Kingston Town Neighbourhood Committee report 20 October
3. Consultation letters dated 11 June and 17 August 2004;
4. 15 representations from organisations;
5. 32 (5 disagree & 27 agree) representation forms and letters from owners or occupiers and/or adjoining landowners;
6. Letter from Indigo Planning Ltd dated 9th July containing the NHP (Kingston) Ltd Objection.

38. RIVERSIDE CONSERVATION AREA**Appendix J**

The proposed conservation area, to be known as Riverside North, has been consulted on extensively. The Riverside South Conservation Area was designated due in part to the importance of the setting of the River Thames landscape, particularly in relation to Hampton Court Park. The river landscape also extends to the north of Kingston Town Centre and the character of this riverside location on its west bank, including important views has been recognised by being designated a Conservation Area by the London Borough of Richmond. However, the east bank in this borough remains under threat, particularly due to development pressures for residential development adjacent to the Thames. The consultations indicate widespread support for the conservation area proposal.

RESOLVED that:

1. the results of the public consultation on the Proposed Riverside North Conservation Area be noted;
2. the Executive be advised that this Committee supports the proposed designation of the Riverside North Conservation Area as identified on drawing 04/165/B in Plan 3,
3. the Kingston Town Neighbourhood Conservation Area Advisory Committee (CAAC) be asked to bring the proposed Riverside North Conservation Area within their remit and to appoint a representative from the area;
4. a notice board dedicated to the Proposed Riverside North Conservation Area be installed in a location to be agreed with the Kingston CAAC and adjacent owners and occupiers, and a leaflet be published and distributed to all properties in the area, subject to officers identifying a budget of £1500.

Reason for decision

To give views to the Executive upon which to make a resolution on the designation and to enable the proposed designation to be effectively implemented and a management regime established.