


## LONDON BOROUGH OF WALTHAM FOREST

Meeting / Date	<b>20th April 2023</b>	
Report Title	<b>Proposed designation of a new conservation area at Chingford Station Road</b>	
Cabinet Portfolio	Councillor Ahsan Khan, Deputy Leader and Portfolio Lead Member for Housing and Regeneration	
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Wards affected	Chingford Green	
Public Access	Open	
Appendices	Appendix 1 – Map of the proposed Chingford Station Road Conservation Area  Appendix 2 – Summary of Special Interest and justification for designation as a conservation area.  Appendix 3 – Summary of consultation comments & officer responses  Appendix 4 – Map of the existing Chingford Green Conservation Area  Appendix 5 – Equality Analysis Screening Assessment	

### 1. SUMMARY

- 1.1 This report seeks Cabinet approval to formally designate a new conservation area in North Chingford, centred around Station Road and the surrounding residential streets. The boundary of the proposed conservation area is shown in the plan at Appendix 1.

### 2. RECOMMENDATIONS

- 2.1 Cabinet is recommended to:
- 2.1.1 Note and consider the proposed Conservation Area Map (Appendix 1) and Summary of Special Interest (Appendix 2); and,
- 2.1.2 Formally designate the proposed Chingford Station Road Conservation Area.

### **3. PROPOSALS**

- 3.1 Conservation areas are a means of recognising the importance of the architectural and historic qualities of an area as a whole, as well as individual buildings. This influences the way in which the Council, as the local planning authority, deals with planning applications and development proposals within those areas. In determining planning applications that affect heritage assets, including conservation areas, the Council should take account of the desirability of sustaining and enhancing their significance, the positive contribution that conservation of assets can make to sustainable communities, and the desirability of new development making a positive contribution to local character and distinctiveness. Conservation Area designation may also bring potential opportunities for external funding, for example through bids to the National Lottery Heritage Fund and Historic England.

- 3.2 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places an obligation on local authorities to determine which parts of their area are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas.

#### Criteria for Conservation Area Designation

- 3.3 While the legislation provides no specific criteria for the designation of conservation areas, guidance prepared by Historic England sets out a number of key elements that should be taken into account in defining an area's special interest, including:
- The still-visible effects/impact of the area's historic development on its plan form, townscape, character and architectural style and social/ historic associations and the importance of that history;
  - Architectural quality and built form, including any particular architectural interest resulting from a past use, planning or design, important phases of development, the integrity or group value of buildings or provision of a record of development over time through the architectural record;
  - The contribution to the special interest made by the setting of the area, that is what the setting can contribute to the significance of a heritage asset, and how it can allow that significance to be appreciated;
  - Local distinctiveness and a sense of place which make the area unique, including the influence of sources of building materials and historic industries that have come to contribute significantly to the area's present identity;
  - How the places within it are experienced by the people who live and work there and visitors to the area (including both daily and seasonal variations if possible);
  - The design, planting or past use of open spaces, green areas, parks and gardens, and trees, including the representation of

particular species or varieties that reflect key periods of horticultural interest, collecting or design;

- Designated and other heritage assets, their intrinsic importance and the contribution they make to the townscape – this will normally provide an indication of past recognition of special interest, whilst a focus of assets of a similar type may suggest the area as a whole has a particular special interest.

3.4 The National Planning Policy Framework (NPPF) also makes clear at paragraph 191 that when considering the designation of conservation areas, ‘...local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest’.

3.5 Close attention has been given to these matters when preparing the proposed Chingford Station Road Conservation Area and its Appraisal and Management Plan. A detailed assessment of the area’s special interest and justification for its designation has been provided by Purcell, external heritage consultants, and a summary is available at Appendix 2, as well as below at paragraph 3.10.

#### Borough context

3.6 Waltham Forest currently contains 14 conservation areas, each designated at different times and in respect of their unique qualities and significance. The existing conservation areas range from the medieval/early modern historic character found in Walthamstow Village, to the late Victorian growth and expansion of Leyton Town Centre, to examples of unique post-war municipal housing found in Ropers Avenue, Chingford.

3.7 The most recent conservation area designations were in September 2015, when new conservation areas were designated in Lloyd Park Walthamstow, and Bakers Arms, Leyton.

3.8 Chingford Green is already designated as a conservation area, and this was last reviewed in 2020-21. This designation is focused on the early modern character of the Green and its immediate surroundings. The proposed new conservation area would abut the existing conservation area, but is considered to have character sufficiently different so as to justify a new conservation area designation, rather than an extension of the existing one. A map of the existing Chingford Green Conservation Area is included at Appendix 4.

#### Chingford Station Road

3.9 The proposed boundary for this new conservation is shown on the plan in Appendix 1, and includes the commercial properties and character of Station Road, as well as several streets of largely Victorian and Edwardian residential properties either side of the railway line. It also extends out to include the Queen Elizabeth Hunting Lodge, the Royal Forest Hotel, and the Butlers Retreat to the north-east, and the Queen Elizabeth public house to the south-east.

3.10 This part of Chingford is considered to be of both historic and architectural significance, therefore meriting designation, for a number of reasons:

- Its royal associations which remain tangible today, including links to Tudor Monarchs via the Hunting Lodge, notably Henry VIII and Elizabeth I, as well as Queen Victoria who visited by train in 1878 to dedicate the Forest to the public;
- Its variety of eclectic architectural styles including Italianate, Gothic, Queen Anne, and Arts and Crafts properties, and the choice of quality materials such as red, yellow and brown brick, hung tiles, terracotta, and use of exposed half timbering as a nod to the area's Tudor history, reflecting the high status of the area as a late Victorian/Edwardian suburb.
- Its association with architects the Egan Brothers, who designed many of the late 19<sup>th</sup> century buildings included within the conservation area.
- Its visible evolution and growth following the arrival of the railway line in the 1870s, with much of the residential development in the proposed conservation area resulting from those new connections to the centre of London. This is particularly noted in the Chingford (Forest Rise) Estate, developed by the Liberator Building Society in 1884.
- Its history as an inland tourist destination in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, following the arrival of the railway line. Visitors would come to see the Forest and Chingford Plain, resulting in the opening of buildings such as the Royal Forest Hotel and the Butlers Retreat.

3.11 The conservation area would contain four statutory listed buildings, 34 locally listed buildings, and a large number of non-designated heritage assets and other buildings that are considered to make a positive contribution to the character of the proposed conservation area. It would also contain a number of sites that are identified as detractors to the character of the proposed conservation area, which would be opportunities for well-designed new development to enhance the conservation area.

3.12 The preparation of the conservation area appraisal document was undertaken by Purcell, professional heritage consultants with extensive experience in built heritage, and done so using Historic England's Advice Note as the basis for the document's research and structure. Detailed research has resulted in the conservation area boundary proposal that is now proposed, following an iterative process that considered potential areas for inclusion or exclusion from the final proposal, including taking into account public feedback.

#### Locations included

3.13 The following roads/addresses are within the proposed Chingford Station Road Conservation Area:

Beresford Road: 1-79 (odds), 2-28 (evens);

Buxton Road: 1a-67 (odds), 2-40 (evens), Spicer Hall Nos. 1-3, Chingford United Reform Church, Sunday School, Stone Terrace Nos. 1-2;

Connaught Avenue: 1-85 (odds), 2-100 (evens);

Crescent Road: 1-21 (inclusive);

Douglas Road: 1 (odds), 2-48 (evens);

Eglington Road: 1-49 (odds), 2-34 (evens);

Farnley Road: 1a-11 (odds), 6a-24 evens);

Forest Approach: Royal Epping Forest Golf Club (main building);

Forest Avenue: 1-11 (inclusive);

Forest Side: 95 (Queen Elizabeth Public House), 97a (former Riding School);

Forest View: 2-41 (inclusive, including Masonic Hall, Grosvenor Heights, Montgomerie Court, The Vista, St Joseph's Court, Walsingham House, Ash Court, Doncel Court);

Frederica Road: 1-43 (odds), 2a-30 (evens);

Gordon Road: 1-45 (odds), 2-54 (evens);

Kimberley Road: 1-13 (odds);

Mornington Road: 1-51 (odds), 2-30 (evens), 36-94 (evens);

Queens Grove Road: 2-24 (evens);

Rale Lane;

Rangers Road: Royal Forest Hotel, Queen Elizabeth's Hunting Lodge, Butlers Retreat, Keeper's Lodge;

Station Road: The Village Arcade, 49-175 (odds), 4-180 (evens), The Crossways;

The Drive: 1-49 (odds), 2-38 (evens);

Victoria Road: 21-51 (odds), 2-14 (evens);

Willow Street: 1-31 (odds) (including Willow Apartments and 1B, 1C), 2-48 (evens) (including the Old Bakery).

#### **4. OPTIONS & ALTERNATIVES CONSIDERED**

- 4.1 Several different options for the boundary position were considered as part of the detailed research process, and again following suggestions received via public consultation. These are addressed in Appendix 3.
- 4.2 Another alternative would be to not designate the proposed conservation area. This would mean that the area would remain subject to normal planning controls which would not give the heritage significance of the

area sufficient protection or status in relation to the design quality of future incremental changes or planning proposals.

- 4.3 Should the area be designated as a conservation area, future alterations to properties would be easier to control and enforce where deemed unsuitable, and more sensitive design approaches would be sought, so as to preserve and enhance the area's special historic and architectural interest. Conservation area designation does not prevent new development, but ensures any such development is of exemplar design and responsive to its context.
- 4.4 Should the area be designated, the council would explore the option of introducing an Article 4 Direction to the conservation area. This would seek to remove some permitted development rights in respect of some changes, for instance to windows and roofing materials. Most conservation areas within the borough have Article 4 Directions in place. This process will require a further Cabinet decision.
- 4.5 Conservation Area designation may also bring potential opportunities for external funding, for example through bids to the National Lottery Heritage Fund and Historic England, or to the Levelling Up fund.

## **5. SUSTAINABLE COMMUNITY STRATEGY PRIORITIES (AND OTHER NATIONAL OR LOCAL POLICIES OR STRATEGIES)**

- 5.1 The designation of the conservation area would support local and national policies and priorities.
- 5.2 *The Planning (Listed Buildings and Conservation Areas) Act 1990* places a statutory duty on local authorities to determine which parts of their area are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas.
- 5.3 *The National Planning Policy Framework* requires local authorities to assess the significance of heritage assets and the contribution they make to their environment, and to make that information publicly available, which this new designation along with the appraisal and management plan would do.
- 5.4 The designation would support the priorities within the *Waltham Forest Public Service Strategy*, including Priority 2 Safe and Healthy Lives (Safe neighbourhoods and town centres), Priority 3 Our 15-minute neighbourhood (Local neighbourhood life, people friendly streets, regeneration for everyone, the greenest borough, celebrating culture in challenging times), and Priority 4 Confidence in our Future (Growing local economic strength, local leadership in building back greener).
- 5.5 Designation would also support the Council's new Corporate Framework for Neighbourhoods, including 15 minute neighbourhoods, particularly Theme 1 Everyone taking part and fulfilling their potential (Create healthy neighbourhoods, Celebrate and support culture in every community), Theme 2 Everyone benefitting from shared prosperity (Opportunities for socialising, Leisure and play, Design open and

accessible public spaces), and Theme 3 Improving the Borough Together (Resident ownership over their neighbourhoods, Local improvements, Lead and collaborate with local partners).

- 5.6 The designation would also support the Council's aspiration to achieve exemplar design at all stages of the planning process, in addition to the local plan policies regarding heritage assets and new design.

## **6. CONSULTATION**

- 6.1 Although not a statutory requirement, consultation has been undertaken. The draft conservation area appraisal and management plan were shared for a four-week consultation in September 2022. This consisted of the draft document being available online for viewing and comments to be submitted. Hard copies of the document were also placed in Chingford Library for the same duration. Historic England were consulted, but only an acknowledgement was received, not any substantial comments.
- 6.2 A focused workshop session was facilitated by Purcell, which was attended by the three Chingford Green Ward Councillors, as well as representatives from Love North Chingford, Chingford Historical Society, and the City of London (in their capacity as Conservators of the Forest).
- 6.3 A public drop-in session was also held, which allowed for questions and discussion with Purcell and Council officers, which was well attended.
- 6.4 The consultation received a significant number of responses, which are detailed in fuller terms in Appendix 3. Many comments were shared during the drop-in session, and some 213 further comments were submitted via the online platform/paper forms. There were more than 350 interactions in total (interactions include expressing support or disagreement to other comments already submitted, but not necessarily providing any comments).
- 6.5 In response to the question '*Should North Chingford Station Road be designated as a Conservation area?*', there was overwhelmingly clear support for designation of a new conservation area - 182 'yes' responses, to 17 'no' responses.
- 6.6 In response to the question '*How do you feel about the conservation area study?*', there was clear support for the appraisal: 113 respondents were very happy or happy; 26 were neither happy nor unhappy, and 12 were unhappy or very unhappy.
- 6.7 The comments and suggestions were reviewed by the consultants and where appropriate incorporated into the final conservation area appraisal and management plan. This included adding new information in respect of certain buildings and character areas, as well review of the boundaries.

## **7. IMPLICATIONS**

### **7.1 Finance, Value for Money and Risk**

- 7.1.1 The Council spent circa £24,000 of expenditure in 2021-22 to prepare the draft appraisal and management plan document and the material for the public consultation. These expenditures were financed from the borough's allocation of the Welcome Back Fund. No additional funding is being sought as a result of these proposals.
- 7.1.2 Implementation of these proposals, including placing notices in the press and any further consultation and officer time, are being met within existing service budgets. Reviewing potential conservation area designations and their ongoing management is part of the Council's statutory duties in relation to heritage assets and no additional costs are anticipated as a result of the new proposal.
- 7.1.3 As per paragraph 4.5 of this report, should the conservation area be designated it may open up future opportunities to apply for external funding towards projects/initiatives in the conservation area, such as the National Lottery Heritage Fund or Historic England.
- 7.1.4 Should the conservation area be designated an Article 4 Direction may be introduced in the future which would remove some permitted development rights for certain property alterations and instead planning permission would be required. Such a planning application would result in the receipt of planning application fees.

### **7.2 Legal**

- 7.2.1 The Council's power to designate conservation areas derives from section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, where such areas have special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. This is an Executive Decision and not one reserved to Full Council.
- 7.2.2 There is no legal obligation to carry out a public consultation prior to designation but it is good practice to do so.
- 7.2.3 Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to give notice of the designation of any part of their area as a conservation area to;
  - a. The Secretary of State; and
  - b. Historic England.
- 7.2.4 Notice of any such designation, with particulars of its effect, shall also be published in the London Gazette and in at least one newspaper circulating the area of the local planning authority.
- 7.2.5 A conservation area designation must also be registered as a Local Land Charge.

### **7.3 Equalities and Diversity**

- 7.3.1 An Equalities Analysis screening has been completed and there are no negative or adverse impacts identified (See appendix 5).



#### **7.4 Sustainability (including climate change, health, crime and disorder)**

- 7.4.1 Designation of a new conservation area presents a number of opportunities where sustainability measures and mitigations can be addressed.
- 7.4.2 By their very definition conservation areas place emphasis on the conservation and reuse of buildings and materials, encouraging sustainable approaches. Designation itself provides additional planning controls in respect of the demolition of existing structures and the construction and design of new buildings, and would increase the council's ability to advise applicants on specific sustainability measures and enhancements, notably in relation to materials and technologies.
- 7.4.3 Designation would also provide greater protection in principle for existing trees within the conservation area, requiring increased consultation with the council should removal be proposed, alongside future tree preservation orders.
- 7.4.4 Additionally, designation as a conservation area would likely result in the future adoption of an Article 4 Direction, which would remove certain permitted development rights. This may include removal of permitted development rights in relation to changes to front gardens, which in the context of the Climate Emergency would be useful in resisting removal of front gardens for parking/hardstanding, and in ensuring that proposed works include suitable planting, sustainable urban drainage, and biodiversity measures.
- 7.4.5 An Article 4 Direction may also remove permitted development in relation to other property changes, such as to front facing roof slopes which may require planning applications be submitted for use of photo-voltaic panels. However this in itself would not preclude the total use of solar panels, and officers would remain receptive to new technologies which could deliver sustainable energy solutions whilst still preserving the character of the conservation area.
- 7.4.6 As such, the designation of the conservation area is considered to have a positive impact on sustainability implications, providing the Council with a greater degree of oversight and influence on measures that would positively contribute to tackling the Climate Emergency and help mitigate the expected impacts.
- 7.4.7 In respect of crime and disorder, ASB officers have advised that heritage style lampposts may not be compatible with new CCTV installations. However no heritage style lampposts are found within the proposed conservation area boundary, so designation of the new conservation area is not considered to have a notable implication.
- 7.4.8 ASB Officers have also advised that overgrown trees can drown out light and impede CCTV views, and that pruning trees within a conservation area may require notices to be submitted six weeks in advance of works.

This poses a small risk in terms of being very responsive to residents' concerns about crime, which will be considered for mitigation.

## **7.5 Council Infrastructure**

7.5.1 The proposals will be met within the existing Council infrastructure and resources. The ongoing management of a conservation area is a statutory duty, and the Place & Design Team includes staff members who are responsible for this.

7.5.2 Designation may result in an increase in the numbers of planning applications received, which may impact support services such as the Planning Validation team. However, any increase is likely to be very modest, and not result in a significant change to workloads. Any additional applications will also result in an increase in planning application fees to contribute towards resourcing their assessment.

## **7.6 Brexit**

7.6.1 There would be no implications in relation to Brexit.

## **BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)**

Chingford Station Road Conservation Area Appraisal and Management Plan (2023)

Historic England Advice Note 1 (Second Edition) – Conservation Area Appraisal, Designation and Management

National Planning Policy Framework (2021)