

**Committee:** Cabinet

**Date:** 23<sup>rd</sup> June 2008

**Agenda item:** 16

**Wards:** Village Ward

**Subject:** Wimbledon North Conservation Area

**Lead officer:** Michael Owens, Head of Regeneration and Leisure

**Lead member:** Councillor William Brierly, Cabinet Member for Planning and Traffic management

**Key decision reference number:** 591

**Recommendations:**

**N.B. Appendices 1 and 2 are available for perusal in the Cabinet Room**

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- A. That Cabinet considers the representations received on Wimbledon North Conservation Area character appraisal comprising the Introduction and Part 1 for the whole of the conservation area and the more detailed sub area appraisal for Sub-Area 6 "Wimbledon House" of the Wimbledon North Conservation Area, as set out in Appendix 2 to this Report **(available in the Resource Room)**
- B. That Cabinet approves the amended version of the Character Appraisal documents attached at Appendix 1 to this Report **(available in the Resource Room)**
- C. That Cabinet approves the proposed boundary alterations to the Wimbledon North, Bathgate Road and Wimbledon Village conservation areas, as shown on the maps attached at Appendix 3 to the Cabinet Report, namely:
- The addition of the entire length of Dairy Walk and all of the land between it and Burghley Road, including Nos. 30b, 30c, 32, 40, 42 Burghley Road and 43 and 45 Marryat Road
  - The addition of the houses and their gardens on the west side of Parkside Avenue, at Nos. 5, 7, 9 and 11, and of land on the north side adjacent to the garden of No.1 Deepdale
  - The addition of No. 1a Calonne Road
  - The addition of all of the land and buildings within Atherton Drive including nos. 1, 2, 4, 6, 8 and 10
  - The addition of land to the rear of No. 29 Marryat Road
  - The addition of land to the rear of No. 3 (Burghley Court), Burghley Road
  - The transfer from the Wimbledon North Conservation Area to Bathgate Road Conservation Area of No. 58 Somerset Road and No. 2 Coach House Lane.

- The transfer from the Wimbledon North Conservation Area to Wimbledon Village Conservation Area of the land on the west side of Parkside, occupied by the War Memorial

D. The Cabinet approves the addition of the following buildings to the non-statutory local list: -

**Sub Area 1**

- St Mary's Garden Hall, 30 St Mary's Road
- Steeple Court, 36 St Mary's Road
- Surviving remnant of the western boundary wall to Elizabethan Manor House, now forming part of western boundary to No.2 Arthur Road.

**Sub Area 2**

- The White Pavilion, Wimbledon Park, Home Park Road
- Bowls Pavilion/Fitness Centre, Wimbledon Park

**Sub Area 3**

- 89 Arthur Road
- 18<sup>th</sup> Century Tunnel under Ricards Lodge School grounds

**Sub Area 4**

- 9 Alan Road
- Nos. 44, 46, 65, 67 and 69 Church Road
- Turnstile at entrance to Dairy Walk, Church Road
- Nos. 1 and 3 Courthope Road
- Nos 31a, 31b St Mary's Road
- Walls forming the north east, south east and south west boundaries of the Old House Close development
- Walls forming the north east boundary of No 121 Church Road, alongside Dairy Walk
- Boundary wall between Nos. 23 and 25 Belvedere Avenue

**Sub Area 5**

- 2 Lancaster Gardens
- Old boundary walls to former rear garden of Eagle House, fronting Lancaster Road and to the rear of Rushmere Place.

**Sub Area 6**

- 36 and 38 Calonne Road
- 14 Marryat Road
- 22 Parkside
- Motor house structures at Nos. 3 and 10 Parkside Avenue
- 20 and 31 Parkside Gardens

- Nos. 1 (The Malthouse) and 4, Rushmere Place
  - Boundary fronting the highway at No.40 Parkside, and rear of 29 and 31 Parkside Gardens, fronting Parkside.
  - Walls fronting the highway at 3 Marryat Road
- E. That Cabinet approve the making of Article 4 (2) Directions removing permitted development rights as set out below from all residential properties, within the sub area, as part of the planned roll-out of Article 4 Directions for all the boroughs conservation areas, following the completion of trials of the Article 4 (2) Directions for the John Innes conservation areas.

**Development affected**

**Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995**, consisting of the enlargement, improvement or other alteration to a dwelling house, where any enlargement or improvement would front a public highway or other public space. Including replacement of doors or windows with a different style or material or exchanges to external finishes such as wall surfaces or roof tiles which would affect the appearance of the property.

**Class C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995**, consisting of alteration to the roof of a dwelling house where the roof slope would front a public highway or other public space.

**Class F, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995**, consisting of the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse, where the hard surface would front a highway or other public space.

**Development described in Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995** consisting of the erection, alteration or removal of a chimney on a dwelling house or building within the curtilage of a dwellinghouse

**Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995**, involving the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure to a dwellinghouse where the gate, fence, wall or other means of enclosure would front a highway or other public space.

**Class B of Part 31 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995**, involving any building operation consisting of the demolition of the whole or part of any gate, fence, wall or other means of enclosure.

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**1. Purpose of report and executive summary**

- 1.1 This report sets out the conclusions of the public consultations conducted in connection with the draft Character Assessment for Wimbledon North

Conservation Area comprising an amended version of Introduction and Part 1 and the sub-area appraisal for Sub Area 6 of the conservation area.

- 1.2 The purpose of the Character Assessment is to define as far as possible the characteristics of the Conservation Area, which make its character “special”. It is also intended to allow for a review of the boundaries of the Conservation Area to see if any boundary alterations are warranted. Finally the Assessment is required to put forward proposals for the enhancement of the Conservation Area, or the protection of its special character.
- 1.3 The report also seeks agreement in principle to the making of Article 4 (2) Directions, following the recent pilot undertaken in the Merton Park conservation areas, to specifically protect the character and appearance of the conservation area by bringing the following types of permitted development within the scope of planning control:-
- Demolition and erection of boundary treatments fronting the highway up to 1.0 metre in height, including gates: To ensure appropriate boundary treatments.
  - The removal of hedges fronting the highway: To preserve the character and appearance of the area.
  - The formation of hardstanding areas: To ensure the retention of soft landscaping in gardens that contributes to the character and appearance of the area and in the interests of nature conservation.
  - Alterations to windows and external doors: To preserve the character and appearance of the area.
  - The erection, alteration or removal of a chimney: To preserve the character and appearance of the area.
  - The painting of masonry including brickwork: To preserve the character and appearance of the area.
  - The removal and replacement of roofing materials: To preserve the character and appearance of the area.
- 1.4 The quantity of paper that makes up Appendix 1 (the revised draft Character Appraisal documents) to this report precludes the possibility of including it within the report itself. This Appendix is therefore provided in the Members Resources Room at the Civic Centre, and (for the public) at Merton Link (for reference), as well as on the Planning – Urban Design and Conservation section of the Council’s website.

## **2. Background**

- 2.1 The production of Character Assessments has been pursued in accordance with a programme of work for such documents, which was last reported to Cabinet in March 2008. This Assessment would, if approved together with the assessment for the Vineyard Hill Road Conservation Area, (both of which are before this meeting), be the 17<sup>th</sup> and 18<sup>th</sup> character assessments, out of 28 designated Conservation Areas.

- 2.2 Planning Policy Guidance Note no. 15 (PPG15) indicates the importance of carrying out careful assessment of Conservation Areas, in order to define and record the features of an area, which give it its special character, and to similarly define features which detract from that character. The preparation of a character assessment for a Conservation Area also provides an opportunity to review the appropriateness of the Conservation Area boundaries, and this has been done as part of the work for the Wimbledon North conservation area. As a consequence some revisions to the Conservation Area boundaries are proposed in this report. The character appraisal documents for the Wimbledon North Conservation Area also identified a number of buildings that were considered to merit inclusion in the Council's non-statutory local list of buildings of special architectural or historic interest. These recommendations were included in the consultations carried out on the draft documents and were all supported.
- 2.3 In its reports of July 2003, "Protecting Our Historic Environment: Making the System Work Better", and June 2004, "Review of Heritage Protection: The Way Forward", the Department for Culture, Media and Sport recommended that local authorities be encouraged to provide assessments for their conservation areas. The progress made by Local Authorities towards the preparation of up-to-date Character Assessments for Conservation Areas is a Government Best Value Performance Indicator (number BV219b).
- 2.6 The Report on the Vineyard Hill Conservation Area character appraisal details the implications for the Council's Best Value Performance Plan (BVPP), 2007 (July 2007) in line with the Government Best Value Performance Indicators (BVPIs).
- 3. Alternative options**
- 3.1 In order to meet BVPI targets and the Council's Best Value Performance Plan, there is no alternative but to proceed with character assessment work, such as is dealt with in this report.
- 4. Consultation undertaken**
- 4.1 A public consultation exercise was undertaken on the draft assessments during February and March 2008. The full details and results of the consultations undertaken into both the draft character assessment and the proposed Conservation Area boundary alterations, are set out in the Statement of Community involvement (Appendix 2 to this report). This Statement of Community involvement sets out comments received in response to the consultation exercise, and officer responses to each comment that has been made. Finally the document indicates recommendations for specific changes, where it is felt that changes are warranted.
- 5. The Draft Character Appraisal**
- 5.1 The Conservation and Design Advisory Panel considered and agreed at their meeting of 26th September 2007 the draft texts for the purposes of public consultation for Wimbledon North Conservation Area, comprising Part 1 and Introduction, and the sub area appraisal for Sub-Area 6, "Wimbledon House".

- 2.4 The assessments are not intended to be detailed historical accounts of the areas concerned but once approved will be used as planning tools for use mainly as an internal working document for development control and policy formulation purposes. It is not intended that the document will be widely distributed, copies will be however circulated to all Merton libraries, the Local Studies and Heritage Centres and be made available to planning applicants, developers or other researchers on request for a small charge to cover printing and administrative costs. Electronic versions will also be available for download free from Merton's website.
- 5.2 It is recommended that boundary alterations should be made. The reasons behind the proposed revisions to the boundary are set out in the character appraisal documents.
- 5.3 It is recommended that the following buildings, identified in this and previously approved sub-area appraisal document be included in the non-statutory local list:-

**Sub Area 1**

- St Mary's Garden Hall, 30 St Mary's Road
- Steeple Court, 36 St Mary's Road
- Surviving remnant of the western boundary wall to Elizabethan Manor House, now forming part of western boundary to No.2 Arthur Road.

**Sub Area 2**

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### **Sub Area 6**

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- 14 Marryat Road
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- Boundary fronting the highway at No.40 Parkside, and rear of 29 and 31 Parkside Gardens, fronting Parkside.
- Walls fronting the highway at 3 Marryat Road

## **6. Timetable**

- 6.1 The use of this Conservation Area Character Assessment, in terms of dealing with proposals affecting the area, will be immediate, upon approval by the Cabinet. Conservation Area boundary alterations will become operative when they are publicised. This should happen within 2 to 3 weeks of approval by the Cabinet.

## **7. Financial, resource and property implications**

- 7.1 In terms of the future programme of work for Conservation Area Character Assessments, it is envisaged that the commitments to Character Assessment work will not be achieved through existing financial and staffing resources. If funding should become available, then consideration could be given to employing additional staff to assist with this work.

## **8. Legal and statutory implications**

- 8.1 Character Assessments for Conservation Areas will be treated as material considerations in the determination of planning applications. The proposed boundary alterations to the Conservation Area is in accordance with the duty imposed by Section 69 Planning (Listed Buildings and Conservation Areas) Act 1990 to review designations of conservation areas and to make further designations.
- 8.2 The fact that a building is included on the Local List does not afford it any statutory protection. However the existence of the List, and the UDP policies relating to it, will constitute a material consideration for the Council in exercising its powers, although the weight given to such considerations will depend on the individual circumstances.
- 8.3 In some cases buildings which are considered for inclusion on the Local List have been the subject of alterations or extension, and this factor is taken into consideration when assessing their merit. Such changes can sometimes be carried out without the need to seek planning permission.

8.4 The designation of a conservation area has the following significant affects:

- (i) It gives the Local Authority control over non-residential buildings by requiring that conservation area consent be sought when demolition of all or part of a building is envisaged. In the case of buildings that make a significant contribution to the character of a conservation area there is now a presumption in favour of their preservation.
- (ii) It requires that the Council's permission should be obtained before felling or lopping of any tree;
- (iii) It has the effect of reducing the size of an extension to a non-terraced dwelling which can be carried out without the need to seek planning permission;
- (iv) It requires that planning permission should be sought for any addition or alteration to a roof of a dwelling.

## **9. Human rights, equalities and community cohesion implications**

9.1 Extension consultation has taken place with all affected residents as per Appendix 2.

## **10. Risk management and health and safety implications**

10.1 Standard procedures are in place to minimise the risk of affected residents not being informed about the changes.

## **11. Appendices – the following documents are to be published with this report and form part of the report**

11.1 Appendix 1: Recommended versions of the Draft Character Assessment documents for the Wimbledon North Conservation Area comprising the updated version of the Introduction and Part 1 and sub-area appraisal for sub-area 6 "Wimbledon House" (to be viewed in the Members Resources Room, at Merton Link, or on the Council's website).

11.2 Appendix 2: Statement of Community involvement (public access as per Appendix 1)

11.3 Appendix 3: Maps showing the recommended boundary changes

## **12. Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report**

12.1 Planning Policy Guidance Notes no.12 and no.15

12.2 "Protecting Our Historic Environment: Making the System Work Better" (DCMS July 2003).

12.3 "Review of Heritage Protection: The Way Forward", (DCMS June 2004)

12.4 Guidance on Conservation Area Appraisals, English Heritage (Feb 2006)

12.5 Reports to and minutes of CADAP meeting 26th September 2007

## **13. Contacts**

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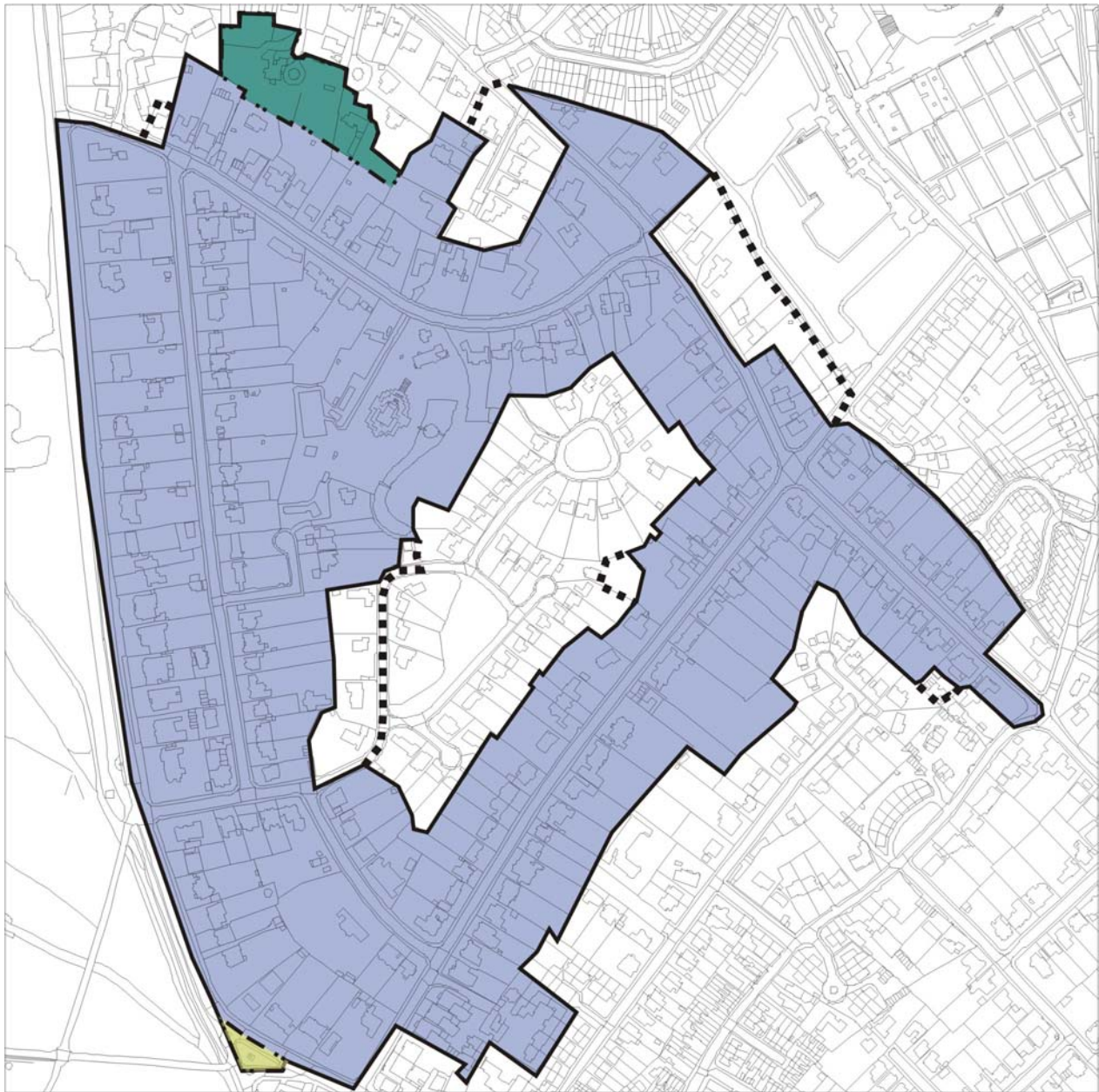


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#### **14. Useful links**

- 14.1 Merton Council's Web site: <http://www.merton.gov.uk>
- 14.2 Readers should note the terms of the legal information (disclaimer) regarding information on Merton Council's and third party linked websites.
- 14.3 <http://www.merton.gov.uk/legal.htm>
- 14.4 This disclaimer also applies to any links provided here.

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**Key:**

Existing Conservation Area



Suggested additions to the Conservation Area



Area transferred to Bathgate Road Conservation Area



Area transferred to Wimbledon Village Conservation Area



**Map of the 'Wimbledon House' Sub-Area**

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