

MAYOR AND CABINET		
Report Title	Additions to Lewisham's Local List	
Key Decision	Yes	Item No.
Wards	All wards	
Contributors	Executive Director for Housing, Regeneration and Environment Director of Law	
Class	Part 1	Date: 11.03.2020

1. Purpose

- 1.1 To recommend the adoption of the buildings detailed in Appendix 1 to the Council's Local List in light of responses received as part of the seven week public consultation.

2 Summary

- 2.1 This report presents the results of the public consultation for the proposal to adopt a number of buildings and structures to Lewisham's Local List. It explains how the response to the survey questions were overwhelmingly positive, with a significant majority supporting their adoption. It explains how the council has revised the local list, and made amendments in light of the responses. It concludes with a recommendation to approve the adoption of the buildings to the local list.

The Local List is a list of buildings that are considered to be of special local interest to Lewisham and which contribute to its character and local distinctiveness as a borough. The Local List has been in place since the 1970's, and has been amended a number of times since its creation, with new additions throughout the years. The buildings that are now proposed for inclusion have been nominated by local residents, Councillors and Officers, and have been assessed against the Council's adopted criteria for inclusion. The nominated buildings are historic nominations, with many nominated shortly after the most recent revision of the Local List in 2014 and others in subsequent years. They include a variety of building types such as dwelling houses, pubs, cinemas, churches, municipal buildings and buildings and structures associated with historic events or people which are of interest to the character and identity of Lewisham.

3. Recommendations

- 3.1 Mayor and Cabinet is recommended to:

- a) Note the feedback from the seven week period of public consultation for the proposed new additions to the Local List.
- b) Note the objections raised in section 6
- c) Note the legal and financial implications set out in Section 10 and 11.
- d) Resolve to adopt the additions to the Local List in Appendix 1

4. Background

4.1 Mayor and Cabinet on 18 September, 2019 resolved for the council to consult on the adoption of additions to the Local List. That Officer's Report is included here in Appendix 2. This report details responses from the consultation, and the changes made to the proposed additions as a result of the representations made.

4.2 The London Borough of Lewisham has maintained a list of buildings that are of architectural or historic interest since 1973, known as the 'Local List'. The buildings which are on the Local List do not meet the criteria for statutory listing, but are valued for their contribution to the historic understanding and identity of the borough. They comply with Lewisham's adopted selection criteria for local listing.

Selection criteria for assessing buildings nominated to the list were adopted in 2009 (see Appendix 8). These require that additions to the Local List demonstrate local significance in any one of the following areas: architecture, history (including social and cultural interest), age or rarity.

4.3 The original Local List has been updated several times with single additions or groups of buildings added as a result of wider reviews. The most recent full Local List review was carried out in February 2014. Since then, only one further addition was made to the Local List: No.7 and No.8 Gasholders in Bell Green was added to the Local List in 2017. This version is available on the Council's website [here](#).

4.4 The current proposal forms the first phase of a review of the borough's Local List and comprised assessing and consulting upon the nominations for inclusion that were received between 2014 and August 2019. It forms a key part of the Planning Department's programme of proactive conservation work, and addresses Lewisham's Core Strategy Policy 16, which states that, "The Council will ensure that the value and significance of the borough's heritage assets...such as locally listed buildings...will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage (now Historic England's) best practice." It also provides opportunity for officers to engage in a pro-active and positive way with local residents and Councillors. A second phase will be carried out in the future which will involve inviting new nominations to the list.

4.5 The nominations currently being considered were received from local residents, local amenity groups such as the Lee Forum and Deptford Folk, as

well as Councillors, and Officers. The nominations were for buildings and structures which people considered to be important to the character of their area, for instance as cherished local landmarks or simply good quality building stock which gives the borough and specific places its distinctiveness.

- 4.6 Officers assessed these nominations against the adopted selection criteria, and the nominations proposed for consultation were only those which Officers considered to meet the criteria, based on the information that had been provided about them, and some further research carried out by Officers. A brief summary setting out of how these nominations met the adopted criteria is provided as a description on each proposed nomination. A shortlist of those which met the selection criteria was drawn up, and this was taken out to consultation.
- 4.7 In order to focus resources where they will be of most benefit in this phase of work, Officers assessed only those nominations that fell outside of conservation areas unless they possessed particular interest which wasn't already recognised as being part of the special interest of the conservation area. This is because buildings in conservation areas already benefit from protection in the planning system from demolition and certain alterations by the removal of a range of permitted development rights.

5.0 Consultation Process

- 5.1 Following the Mayor and Cabinets approval in September 2019, the public consultation was carried out in accordance with the Council's adopted Statement of Community Involvement (SCI), and took place during the period from 07 November 2018 to 23 December 2018 (6 weeks and 3 days).
- 5.2 A consultation letter including a link to the online questionnaire was sent to all residents and stakeholders of the proposed buildings by post. Letters were also sent by email to all of the relevant local amenity groups, the national amenity groups including; The Georgian Group, The Victorian Society and, the Twentieth Century Society, and Historic England. The proposed Local List additions were published on the Council's online consultation platform, as well as a questionnaire with specific questions to understand consultees' thoughts, opinions and feelings towards the additions.
- 5.3 The consultation letter and online consultation platform outlined the proposals for adoption to the Local List, with a map of where they were located, and a short summary of why the buildings were being considered for local listing. Information as to how the local listing of buildings and structures could affect residents and stakeholders was also included.
- 5.4 Stakeholders were asked three questions and given the opportunity to provide further comment and information. The questions were as follows:
- Do you own or occupy one of the buildings proposed to be added to the Local List?
 - Do you have any comments?

- If you have any specific questions or concerns regarding one of the buildings proposed to be added to the Local List, please write them below and provide your preferred contact details.

6.0 Responses to the consultation

6.1 The Council sent 125 letters to residents and the owners of the proposed buildings, as well as to external local (18) and national amenity groups (4). Notices were also posted locally on the doorways etc to buildings of more than 5 address points. In total, 65 responses were received to the online consultation platform, and 13 written responses separate to the online consultation, making the total 73 responses.

6.2 Comments received

Historic England responded to note that they did not need to be consulted as local listing is decided purely on local criteria. They do however, support the Council in maintaining and improving the existing local list. The Deptford Society, Forest Hill Society, Friends of Mountsfield Park, Grove Park Youth Club, Grove Park Residents Group, The South East Branch of CAMRA, and the Sydenham Society all wrote in with their support of the additions to the Local List.

In terms of local residents, stakeholders and building owners the support for the additions was altogether very positive with only 4 objections. Overall the support from both local amenity groups and local residents was very high amongst those who responded. There were a number of clarifications, and corrections as well which are set out in the tables in Appendix 3. They also include a considered response as to how these have been addressed, including actions for amendments to the descriptions and the local list itself where appropriate.

6.3 The objections received were for the Catford Police Station, 87 Old Road boundary walls, 27 Longton Avenue, and for the Pillar/post boxes. The subsequent response and actions from Officers are included below at Table 1.

Table 1: Objections received

Site	Consultation comment	Officer response
Catford Police Station	Response on behalf of building owner: Catford Police Station has for some time been identified on MPS's list of disposal sites, and is scheduled to be marketed for sale in 2020 / 2021. In most instances, the MPS disposals deliver residential development, including affordable housing, in accordance with the aims	Objection noted. Officers have reviewed the concerns relating to local listing being 'unhelpful' to a planned site disposal. Design officers have reviewed the site and consider that development could still come forward with the existing building retained and that this could deliver a good scheme. There is

	<p>of the London Plan. The London Plan seeks to maximise the delivery of housing and affordable housing. This is also a key aim of the Mayor for London. The receipts from MPS disposals will be used to support operational policing in London. As such, the receipts from the disposals are important to service delivery. Our client consider the proposed Local Listing to be unhelpful, as it may frustrate potential interest in and delivery of development at the site. We therefore request that the property is removed from the list of potential sites to be included.</p>	<p>no indication at this point that local listing would affect delivery of a development on the site. The building is therefore recommended to be adopted by M&C.</p>
<p>27 Longton Avenue</p>	<p>Refers to and copies part of the heritage statement submitted with planning application: It is the considered view of this assessment then, that 27 Longton Avenue has no interest as a domestic building of the period, both in the context of the wider designs and influences of the period and in terms of the local context. Consequently, does not have the kind of architectural quality consistent with any regional or local designation. The house displays none of the characteristics that a non-designated heritage asset should possess and in conclusion, is not a building of any merit. It's loss, therefore, would not result in any harms to the wider, highly varied townscape of Longton Avenue and in fact would give the opportunity for a new layer of</p>	<p>Objection noted, however Officers have do not agree with the assessment of the heritage statement referenced (DC/16/096614), and following significant local objection including from C20 society that the application was refused and later dismissed on appeal because of the recognized value of this building. The Twentieth Century society, experts in the field of twentieth century architecture also consider the building to be of significant local interest. Further following 19 individual comments of support in the online consultation, it is in the public interest to locally list this building as a non-designated heritage asset.</p>

	architectural interest on the road in the form of new dwellings	
87 Old Road Boundary Walls	<p>An objection was received from the Council's housing delivery team explaining that:</p> <ul style="list-style-type: none"> - a design for this site has already been agreed in principle for this site that creates genuinely affordable housing, and it is not possible to retain the boundary wall as it compromises the number of housing numbers that can be delivered 	<p>Through the consultation process officers were made aware that designs are currently being prepared by the council to deliver genuinely affordable housing on the site. Design officers therefore reviewed the site and considered the implications of retaining the wall to create a successful urban development. The council's design team concluded that trying to ensure natural surveillance and positive street frontage (essential good urban design principles) whilst retaining the wall would be difficult to achieve given the size and nature of the site. Having considered the wall in this context and as the evidence for its age is not definitive, it is proposed to remove this from the proposed additions. It has been agreed that the historic fabric could be retained and reused on site as the fabric has been identified as being of interest due to its age and rarity. The building at no.87 Old Road is still recommended to be included, however recommend that the boundary wall is removed in light of the comments received.</p>
Pillar box, Woodyates Road	<p>Response from Royal Mail's heritage team:</p> <ul style="list-style-type: none"> - There are three postboxes on the proposed list, none of which are particularly rare or important from a national heritage view and one is actually a modern era box that there are thousands off nationally which I would be surprised if it met any 	<p>Agreed, with some research it is apparent that the borough features a high number of these specific post boxes, and without any further specific information as to how these structures meet local list criteria, they should not be included.</p>

	<p>criteria for inclusion in the list. If it did then most of the boxes in the area would also meet that criteria. The particular modern era box is our number.</p> <ul style="list-style-type: none"> - This is an Elizabeth 2nd cipher cast iron A type pillar box made by Machan Engineering in Scotland. We would suggest that this is NOT included on the local list 	<p>Remove from Local List following advice from Royal Mail that this is a very modern and common Pillar Box.</p>
<p>Pillar Box on Leahurst Road (corner with Darmody Road)</p>	<p>Royal Mail:</p> <ul style="list-style-type: none"> -There are three postboxes on the proposed list, none of which are particularly rare or important from a national heritage view and one is actually a modern era box that there are thousands off nationally which I would be surprised if it met any criteria for inclusion in the list. If it did then most of the boxes in the area would also meet that criteria -None of the three are in any way rare/heritage rich boxes on a national level but appreciate you may take a different view on a local level. All three are shown as category D (Least rare) boxes by the Letter Box Study Group who are the eminent experts in all things postboxes -It would be helpful if you include the additional details of Box Number, Type and Marker in the details of your listing -We have no objection per say in the proposal to list <p>Local response:</p> <ul style="list-style-type: none"> -If these post boxes are added to the local list, then so should all of the others in the borough 	<p>Agreed, with some research it is apparent that the borough features a high number of these specific post boxes, and without any further specific information as to how these structures meet local list criteria, they should not be included.</p> <p>Agreed</p> <p>Noted</p> <p>Noted</p> <p>Agreed, it is clear that these boxes are very common throughout the borough. The purpose of the local list is to</p>

		<p>highlight buildings and structures that meet the criteria for designation. It is felt that after consultation that these boxes do not fit the criteria for inclusion as they are very common throughout.</p> <p>Remove from Local List following advice from Royal Mail and local consultation that this is a very common Pillar Box in Lewisham.</p>
<p>Pillar Box on Lee Church Street (and corner of Boone Street)</p>	<p>Royal Mail:</p> <ul style="list-style-type: none"> -There are three postboxes on the proposed list, none of which are particularly rare or important from a national heritage view and one is actually a modern era box that there are thousands off nationally which I would be surprised if it met any criteria for inclusion in the list. If it did then most of the boxes in the area would also meet that criteria -None of the three are in any way rare/heritage rich boxes on a national level but appreciate you may take a different view on a local level. All three are shown as category D (Least rare) boxes by the Letter Box Study Group who are the eminent experts in all things postboxes -It would be helpful if you include the additional details of Box Number, Type and Marker in the details of your listing -We have no objection per say in the proposal to list <p>Local response:</p> <ul style="list-style-type: none"> -If these post boxes are added to the local list, then so should all of the others in the borough 	<p>Agreed, with some research it is apparent that the borough features a high number of these specific post boxes, and without any further specific information as to how these structures meet local list criteria, they should not be included.</p> <p>Agreed</p> <p>Noted</p> <p>Noted</p> <p>Agreed, it is clear that these boxes are very common throughout the borough. The purpose of the local list is to</p>

		<p>highlight buildings and structures that meet the criteria for designation. It is felt that after consultation that these boxes do not fit the criteria for inclusion as they are very common throughout.</p> <p>Remove from Local List following advice from Royal Mail and local consultation that this is a very common Pillar Box in Lewisham.</p>
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- 6.4 As a result of the information provided by the Royal Mail’s heritage team, it is recommended to remove the Pillar boxes on Woodyates Road, Leahurst Road, and Lee Church Street from the proposed list of additions. These structures are recommended not to be included on the Local List.
- 6.5 As a result of the positive pre-application discussions that have taken place regarding the demolition of the boundary wall on the site adjacent to 87 Old Road (as above) in relation to the development on this site, it is recommended that the boundary wall is removed from the local listing of 87 Old Road.
- 6.6 The Catford Police Station, and 27 Longton Road are still recommended to be included on the Local List as they are still considered to strongly contribute to their local townscape, and are clearly able to be retained as part of any future development.
- 6.5 The remaining comments were all recommendations and revisions to the list descriptions. A summary of Officers response, corrections, and actions is included as Appendix 3. A further copy of all responses is included as Appendix 4 and 5.

7. The Local List

- 7.1 A Local List is one of the tools used to conserve and enhance the historic environment. It sets out information for identified non-designated heritage assets within a local planning authority’s area and helps to provide clarity on the nature and extent of their significance so that this can be considered when assessing the impact of development proposals on the historic environment generally and on these assets specifically. Assets on the Local List can be buildings, structures or features.
- 7.2 Local Lists are not statutory, but the NPPF’s Annex 2: Glossary identifies them as heritage assets: A building monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing) Historic England provides guidance on preparing and maintaining Local Lists in their 2016 advice note *Local Heritage Listing* (Appendix 5). The

guidance and procedures from this document have been followed closely and is deciphered throughout this report. The July 2019 revision to the National Planning Practice Guidance states 'It is important that all non-designated heritage assets are clearly identified as such. In this context, it can be helpful if local planning authorities keep a local list of non-designated heritage assets, incorporating any such assets which are identified by neighbourhood planning bodies. (Advice on local lists can be found on Historic England's website). 'They should also ensure that up to date information about non-designated heritage assets is included in the local historic environment record' (para 40).

- 7.3 Local listing is intended to formally identify and highlight heritage assets which are of local interest in order to ensure that their significance is given due consideration when change is proposed.
- 7.4 Placing a building on the Local List places no statutory responsibility on the property owner, in terms of maintenance, repair or re-instatement of features.
- 7.5 As a non-statutory planning tool, the Local List does not afford any legal protection against demolition or alteration unlike buildings and sites that are Statutorily Listed. However the fact that a building or feature is on a Local List means that its conservation as a heritage asset is a material consideration when determining planning applications. The decision maker must adopt "a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. Buildings on the Local List are identified as Non-designated Heritage Assets.
- 7.6 Officers advise that the continual development of the Council's Local List will be beneficial as:
 - A way for local communities to identify and celebrate historic buildings and structures which enrich and enliven their area
 - a sound, consistent and accountable way of identifying local heritage assets to the benefit of good strategic planning for the borough and to the benefit of owners and developers wishing to fully understand local development opportunities and constraints
 - It complements statutory national designations in building a full sense of place and history for localities and communities.
 - The process may also identify overlooked assets of high significance, which may warrant consideration for designation at the national level
 - It improves access to clear, comprehensive and current information about the historic environment at the local level through resources such as Historic Environment Records (HERs) which can speed up the planning process
 - Educational and informative document created with the local community, expressing what the community particularly values about the place they live and work in
 - Assistance in the development of the Councils Local Plan, and other policy and guidance documents
- 7.7 The Local List should be read by:
 - Householders.

- Design professionals, in drawing up proposals.
- Development management officers, as a material consideration in assessing the suitability of applications.
- Statutory and non-statutory consultees and the public in commenting on planning applications.
- The Council, in determining planning applications and in upholding decisions at planning appeals.

8 Programme for Adoption of the additions to the Local List

- 8.1 If adopted, the additions to the Local List (inclusive of the new additions) will be published on the Council's website. The Local List will also become part of the Local Development Framework portfolio.
- 8.2 The adoption will be advertised in the London Gazette and a local paper. All those previously addressed, as well as all land and building owners will be advised in writing of the new adoption and they will be added to the Local Land Charges Register for these properties.

9.0 Policy Context

- 9.1 Policies and guidance for managing local heritage assets are currently provided in the National Planning Policy Framework, National Planning Practice Guidance, the London Plan, the emerging draft London Plan, and in the Council's adopted Development Management Local Plan and Core Strategy, as well as in Historic England's best practice guidance.

Lewisham Corporate Strategy

- 9.2 The Local List will continue to play a role in delivering the Council's Corporate Strategy 2018-2020 at all stages of its development. Through early engagement with local residents in producing the draft new additions to the list, public consultation, and by using the Local List to help the Council apply its policies appropriately and secure high quality development the proposal will help deliver the following Priorities:
1. Open Lewisham – Lewisham is a welcoming place of safety for all, where we celebrate the diversity that strengthens us
 2. Tackling the housing crisis – everyone has a decent home that is secure and affordable
 3. Building an inclusive local economy – everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy
 4. Making Lewisham greener – everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment
 5. Building safer communities – every resident feels safe and secure living here as we work together towards a borough free from the fear of crime

National Planning Policy Framework (NPPF)

- 9.3 The National Planning Policy Framework (NPPF) defines ‘heritage asset’ in its glossary very widely, as follows: ‘ A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest’. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
- 9.4 Paragraph 184 of the NPPF further defines heritage assets as a range of sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. It goes on to explain that these assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 9.5 Paragraph 185 of the NPPF requires Local planning authorities to set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - the desirability of new development making a positive contribution to local character and distinctiveness; and
 - Opportunities to draw on the contribution made by the historic environment to the character of a place.
- 9.6 Paragraph 187 of the NPPF requires Local planning authorities to have up to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.
- 9.7 Paragraph 190 of the NPPF requires Local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

- 9.8 Paragraph 192 of the NPPF requires that in determining applications Local planning authorities should take account of:
- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. the desirability of new development
- 9.9 Paragraph 197 of the NPPF provides guidance for taking account of the effect of development proposals on non-designated assets, which includes buildings that have been locally listed by Local Planning Authorities.

Lewisham Core Strategy

- 9.10 Lewisham's Core Strategy para 6.77 states that the historic environment is another vital part of creating a sense of place. Heritage assets are a valuable resource contributing to regeneration objectives by attracting business investment, preserving a sense of place and history, and reinforcing civic pride. New development will need to ensure that conservation areas and other heritage assets will continue to be preserved and enhanced.

It continues to explain that the Council will prepare conservation area character appraisals and a supplementary planning document to provide advice and guidance for those who may want to undertake work in these areas.

- 9.11 Core Strategy Policy 15 (High Quality design for Lewisham) states that 'for all development, the Council will:
- a. apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character
 - f. ensure any development conserves and enhances the borough's heritage assets, and the significance of their settings,
- 9.12 Core Strategy Policy 16, states that 'the Council will ensure that the value and significance of the borough's heritage assets, such as conservation areas, will continue to be monitored, reviewed, enhanced and conserved according to the requirements of government planning policy guidance, the London Plan policies, local policy and English Heritage best practice'.

'The Council will work with its partners, including local communities, to ensure that the borough's heritage assets and those yet to be identified will be valued positively and considered as central to the regeneration of the borough.....'

The surrounding text in para 7.162 goes on to explain the value of non-designated and designated heritage assets to the borough. It explains that *‘the historic environment is also an important asset of the local economy, by providing high quality attractive environments with the potential for tourism. The Core Strategy seeks to regenerate Lewisham by the development of a number of large sites. Historic assets existing within these areas create opportunities to inspire high quality and innovative design and to create new places with heritage assets at their centre’.*

Para 7.163 further explains that *‘Lewisham is one of London’s greenest boroughs and the care and management of the built historic environment and its natural heritage and ecology are among the Council’s highest cultural priorities.’*

Lewisham Development Management Local Plan

9.13 Lewisham’s Development Management Local Plan policies include a number of policies where heritage assets and their settings will be considered as part of the DM process. Most important to the Local List are DM policy 30, DM policy 35 and DM policy 37.

9.14 DM Policy 30 explains that *‘the retention and refurbishment of existing buildings that make a positive contribution to the environment will be encouraged and should influence the character of new development and the development of a sense of place. Their value and significance as a heritage asset will be assessed as part of any development proposal.’*

9.15 DM Policy 35 explains that *‘The Council will seek the preservation of historic street furniture and other non-designated heritage assets that are of value to the local street scene’.*

9.16 And DM Policy 37 which specifically relates to non-designated heritage assets, and defines non-designated heritage as *‘Non-designated heritage assets comprise locally listed buildings and structures, areas of special local character, groups of buildings of townscape merit and areas of archaeological priority identified by the Council for their contribution to the borough’s local character and distinctiveness.’*

It goes on to explain that *‘this policy seeks to ensure that the value and significance of the borough’s non-designated heritage assets are protected so that they may continue to contribute to the richness of the borough’s historic environment and inform the future development and regeneration of the borough.’*

A. General Principles:

1. The Council will protect the local distinctiveness of the borough by sustaining and enhancing the significance of non-designated heritage assets
2. Development proposals affecting non-designated heritage assets should be accompanied by a heritage statement proportionate to

the significance of the asset and which justifies the changes to the asset.

3. Non-designated heritage assets may be identified during the development management process.

B. Locally listed buildings:

1. The Council will seek to retain and enhance locally listed buildings and structures and may use its powers to protect their character, significance and contribution made by their setting, where appropriate.
2. The Council will resist the demolition of locally listed buildings and expect applicants to give due consideration to retaining and incorporating them in any new development.

Para 2.288 in the policy's surrounding text goes on to explain that 'There are a number of buildings and groups of buildings of local historic, architectural or townscape interest which greatly contribute to the borough's distinctiveness and sense of place, but may not qualify as designated heritage assets. The Council has recognised their importance and value as heritage assets by adopting them as locally listed buildings and, resources permitting, has an ongoing programme of identifying new additions to the list. Buildings and structures will also be added to this list during the development process when applications for planning permission are received and buildings and structures are assessed for their heritage value.'

Para 2.290 elaborates on this further by explaining that 'In line with the requirements of the NPPF the effect of development proposals on the particular significance of such non-designated heritage assets will be taken into account. The Council wishes to encourage the retention and restoration of buildings contributing to the character of these areas and may develop supplementary planning guidance (SPD) and, if necessary, make Article 4 Directions to prevent their demolition, or development that would harm the area's particular significance. The existing list of Locally Listed Buildings will be added to when necessary or as a result of assessments arising from development proposals.'

Historic England's Advice Note 7

- 9.17 Historic England's Advice Note 7: Local Heritage Listing provides information for local planning authorities on establishing the criteria for Local Heritage Listings, while recognising the need for a flexible approach to respond to local requirements. Historic England's advice note has been used to inform the development of the proposed Local Heritage Listings.

London Plan

- 9.18 Policy 7.4 Local Character, London Plan (consolidated with amendments (March 2016) requires Boroughs to consider the different characters of their areas to identify landscapes, buildings and places, including on the Blue Ribbon Network, where that character should be sustained, protected and enhanced through managed change.

Draft London Plan

- 9.19 Policy HC1 A of the draft London Plan (2018) states that boroughs should, in consultation with Historic England and other relevant statutory organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to the heritage assets, landscapes and archaeology within their area.
- 9.20 Policy 7.8: Heritage Assets and Archaeology of the London Plan (July 2011) states that London's heritage assets and historic environment, including conservation areas and archaeological remains, should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.
- 9.21 Policy HC1, paragraph 7.1.3 of the draft London Plan (2018) states that 'Ensuring the identification and sensitive management of London's heritage assets in tandem with promotion of the highest standards of modern architecture will be essential to maintaining the blend of old and new that gives the capital its unique character'.

10 Financial Implications

- 10.1 There are no direct financial implications arising from the revision of the Local List. The survey and drafting of the Local List was carried out in house and the costs of printing, publishing and consulting on the draft appraisal will be met from the existing Planning budget.

11 Legal Implications and Human Rights

- 11.1 The Local List is a non-statutory list of buildings compiled by the Council. The Local List reinforces the Council's efforts to preserve the character and appearance of the buildings that are included on it.
- 11.2 Section 9D of the Local Government Act 2000 states that any function of the local authority which is not specified in regulations under subsection (3) is to be the responsibility of an executive of the authority under executive arrangements. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 does not specify that the functions proposed here are by law the responsibility of the Council, and therefore they are an executive function.
- 11.3 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, **have due regard** to the need to:

- Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not.
- 11.4 Officers have had due regard to the public sector equality duty under section 149 of the Act and the proposed adoption of the proposed Local List at Appendix 1. Officers conclude that there is no impact.
- 11.5 Section 6 of the Human Rights Act 1998 prohibits authorities from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:
- Article 8: Respect for your private and family life, home and correspondence
 - Protocol 1, Article 1: Right to peaceful enjoyment of your property
- 11.6 This report has outlined the consultation that has been undertaken and the opportunities for people to make representations to the Council. The report at section 7 also sets out the effect of buildings being added onto the Local List. That is the building's conservation as a heritage asset is a material consideration when determining planning applications.
- 11.7 Members need to satisfy themselves that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the council's powers and duties. Any interference with a Convention right must be necessary and proportionate. Mayor and Cabinet must therefore, carefully consider the balance to be struck between individual rights and the wider public interest of protecting buildings which have local special interest, which contribute to the character and local distinctiveness to Lewisham as a borough.

12. Crime and Disorder Implications

- 12.1 There are no direct implications relating to crime and disorder issues.

13. Equalities Implications

- 13.1 The Council's Comprehensive Equality Scheme for 2016-20 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010. It describes the Council's

commitment to equality and fairness for citizens, service users and employees through its powers to influence access to good quality housing, education, safety & security, health and leisure services.

- 13.2 When considered against the five objectives of this strategy the proposed additions to the Local List does do not have any direct implications on tackling victimisation, discrimination and harassment or on closing the gap in outcomes for all residents. However, through providing information in terms of the special interest of the buildings on the Local List, it will provide equality of access to information that, if used, will increase the likelihood of successful planning applications. The majority of the nominations were requested by local residents, who also provided supporting information. The process of consulting on the process will provide opportunities for conversations amongst residents, and may further mutual understanding within the various communities. This process was clearly driven by citizen participation and will likely see increased engagement.
- 13.3 The consultation process will be in accordance with the Council's Statement of Community Involvement.

14. Conclusion

- 13.1 A Local List is one of the tools used to conserve and enhance the historic environment. It sets out information for identified non-designated heritage assets within a local planning authority's area and helps to provide clarity on the nature and extent of their significance so that this can be considered when assessing the impact of development proposals on the historic environment generally and on these assets specifically. New and current policies continue to encourage local planning authorities to maintain and publish a list of local heritage assets. It is also a helpful and useful tool for the Council, those wishing to invest, and further develop the borough, and as a document for residents and those who work in the borough as a document which identifies and provides understanding of the boroughs history and identity.
- 13.2 The Council has received nominations from local residents, local amenity societies and Councillors, and as part of our ongoing proactive programme of work have considered these additions and are recommending adding them to the existing Local List.
- 13.3 Mayor and Cabinet is recommended to:
- a) Note the feedback from the seven week period of public consultation for the proposed new additions to the Local List.
 - b) Note the objections raised in section 6
 - c) Note the legal and financial implications set out in Section 10 and 11.
 - d) Approve the additions to the Local List in Appendix 1

Background documents and originator

Short Title Document	Date	File Location	File Reference	Contact Officer
Localism Act 2011	November 2011	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
National Planning Policy Framework (NPPF)	February 2019	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
National Planning Practice Guidance	July 2019	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)	March 2012	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
The London Plan (and current draft London Plan 2018)	March 2016	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
The Core Strategy	June 2011	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
Lewisham Development Management Plan	November 2014	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
Statement of Community Involvement	July 2006	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
Equality Act	2010	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach
Local Heritage Listing Historic England Advice Note 7	May 2016	2 nd floor Civic Suite	Strategic Planning Team	Natasha Peach

If you have any queries on this report, please contact David Syme, Strategic Planning Manager, 2nd floor Civic Suite, Catford Road, Catford, SE6 4RU

Appendix 1: Proposed additions to the Local List

Appendix 2: Mayor and Cabinet Report September 2019

Appendix 3: Proposed additions to the Local List with consultation comments

- Appendix 4: Full excel spreadsheet of comments received from online consultation
- Appendix 5: Full written comments received from individual letters sent. Please note:
This appendix contains sensitive information but can be requested in a redacted form if necessary. It has however been summarised in full in Appendix 3 with sensitive information removed.
- Appendix 6: Map of proposed and existing buildings to the Local List
- Appendix 7: The existing Local List
- Appendix 8: Criteria for locally listed buildings
- Appendix 9: Historic England's Advice Note for 'Local Heritage Listing, May 2016