

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 Head of Law	
Class	Part 1	Date: 18.09.2019

1. Purpose

- 1.1 This report proposes additions to the Council's existing Local List of special local historic, architectural, or social and cultural interest to the borough of Lewisham, and seeks the Mayor and Cabinet's approval to carry out public consultation in line with the SCI on the proposed new additions to the Local List.

2 Summary

- 2.1 Lewisham's Local List is a list of buildings that are considered to be of local special interest to Lewisham 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. The remaining have been nominated 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 proposed new additions to the Local List as laid out in Appendix 1
 - b) Approve a six week period of public consultation for the proposed new additions to the Local List.
 - c) Note the legal and financial implications set out in Section 9 and 10.

4. Background

- 4.1 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.
- 4.2 Selection criteria for assessing buildings proposed for addition to the list were adopted in 2009 (see Appendix 5). These require that new additions demonstrate local significance in any one of the following areas: architecture, history, age or rarity. Although not a key consideration, if a building is significant for social and cultural reasons as a historic building, the selection criteria specifically mentions social and cultural interest as a consideration.
- 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 in 2017 by Mayor and Cabinet for two new structures: No.7 and No.8 Gasholders in Bell Green. This version is available on the Council's website [here](#).
- 4.4 Officers have commenced a review of the existing Local List, the first phase of which (subject of this report) is to assess and consult upon the nominations for inclusion that have been received between 2014 and the present. Much of the nominations are historic, and have been awaiting inclusion to the Local List until such review was carried out. 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.
- 4.5 The Council has received a number of nominations from local residents, local amenity groups such as the Lee Forum and Deptford Folk, as well as Councillors, and Officers since the last review of the Local List in 2014. The nominations were for buildings and structures which people consider to be important to the character of their area, for instance as cherished local landmarks or simply the good quality building stock which gives the borough and specific places its distinctiveness.
- 4.6 Officers have assessed these nominations against the adopted selection criteria and the nominations proposed here are only those which they consider meet the criteria, based on the information that has been provided about them. A brief summary setting out of how these nominations meet the adopted criteria is provided. It is considered that all of those which are proposed here meet the criteria for adoption, and are of special interest to the

built heritage and cultural identity of Lewisham, and should therefore be included on the Council's Local List.

- 4.7 In order to focus resources where they will be of most benefit in this phase of work, Officers have assessed only those nominations that fall outside of conservation areas. 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.
- 4.8 It is possible that more information will come to light in the future about some of the nominations which did not meet the criteria on this occasion, in which case these will be re-assessed in a future phase of work. Understanding of the buildings that are on the Local List is likely to evolve as more information about them emerges, and there will similarly be opportunities to enhance the entries on the list with new information.

5. The Local List

- 5.1 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.
- 5.2 Local Lists are not statutory, but are identified in the NPPF's Annex 2: Glossary as a way of local authorities identifying heritage assets. 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.
- 5.3 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.
- 5.4 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.
- 5.5 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.

5.6 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

5.7 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.

6. Consultation Process

6.1 The consultation process for Local Development Framework documents such as the revision of the existing Local List is set out in the Statement of Community Involvement. It is a legal requirement to undertake the consultation stated in the SCI. The consultation process will run for six weeks and will involve:

- The document will be made available on the Council's website as well as in a number of convenient locations including Planning reception, local libraries and local cafes if agreeable.
- Notification of the revised Local List and its exhibition will be published in the press.
- Consulting all addresses which are included in the revised list
- Consulting all local, and national amenity societies such as; the Lee Forum, Brockley Society, the Deptford Societies, Forest Hill, and

Sydenham Societies, and Historic England, the Victorian Society, and the Twentieth Century Society.

- Accompanying the Local List additions, a questionnaire with specific questions will be asked to understand consultees' thoughts, opinions and feelings towards the additions

6.2 After the consultation period, all representations received will be taken into consideration and a final revised Local List will be reported for adoption to Mayor and Cabinet.

7 Programme for Adoption of the Local List

7.1 Subject to the above recommendations being agreed, comments from the public consultation exercise will be taken into consideration and the list of proposed nominations amended accordingly.

7.2 A report detailing the outcome of the consultation, accompanied by the Local List (revised as necessary) will be brought to Mayor & Cabinet in due course for consideration whether to adopt the proposed nominations or not.

7.3 If adopted, the Local List will be published on the Council's website. The Local List will also become part of the Local Development Framework portfolio.

7.4 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.

7.5 The revised Local List will be available on the Council's website.

8.0 Law and Policy Context

8.1 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, and Core Strategy Policies, as well as in Historic England's best practice guidance.

Lewisham Corporate Strategy

8.2 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)

- 8.3 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).
- 8.4 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.
- 8.5 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.
- 8.6 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.

- 8.7 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.
- 8.8 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
- 8.9 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. The National Planning Practice Guidance paragraph 039 Reference ID: 18a-039-20140306 identifies that:

'Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally [designated heritage assets](#). In some areas, local authorities identify some non-designated heritage assets as 'locally listed' .

Lewisham Core Strategy

- 8.10 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.

- 8.11 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,

8.12 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 Plan

- 8.13 Lewisham's Development Management 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 DMP policy 30, and DM policy 37.
- 8.14 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.'
- 8.15 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'.

- 8.16 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

- 8.17 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

- 8.18 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

- 8.19 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.
- 8.20 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.
- 8.21 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'.

9 Financial Implications

- 9.1 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.

10 Legal Implications

- 10.1 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.
- 10.4 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.
- 10.6 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.
- 10.7 Officers have had due regard to the public sector equality duty under section 149 of the Act and the impact of going out to consultation on the proposed Local List at Appendix 1. Officers conclude that there is no impact.

11. Crime and Disorder Implications

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

12. Equalities Implications

- 12.1 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.
- 12.2 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.

- 12.3 The consultation process will be in accordance with the Council's Statement of Community Involvement.

13. 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 proposed new additions to the Local List as laid out in Appendix 1
- b) Approve a six week period of public consultation for the proposed new additions to the Local List.
- c) Note the legal and financial implications set out in Section 9 and 10.

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
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: Map of proposed and existing buildings to the Local List

Appendix 3: The existing Local List

Appendix 4: Criteria for locally listed buildings

Appendix 5: Historic England's Advice Note for 'Local Heritage Listing, May 2016