

MAYOR & CABINET

Report Title	Proposed Deptford High Street and St Paul's Church Conservation Area Appraisal, boundary changes and Article 4 Direction		
Key Decision	YES		Item No.
Wards	Evelyn, New Cross, Brockley		
Contributors	Interim Head of Planning and Head of law		
Class	Part 1	Date: May 8 2019	

1. Purpose

- 1.1 The report seeks approval to carry out public consultation on the merging of two existing adjacent conservation areas – Deptford High Street and St Paul's Church; on the introduction of a non-immediate Article 4 Direction; and on a new draft Conservation Area Appraisal (CAA) document.

2 Summary

- 2.1 This report details the need for boundary changes, an Article 4 Direction and a new conservation area appraisal for two of the borough's earliest conservation areas: Deptford High Street and St Paul's, which lie immediately adjacent to each other. It sets out the work that has been undertaken to review the areas' significance, propose new boundaries (including merging the two existing conservation areas as one) and the drafting of a new Conservation Area Appraisal (CAA) document. The review work has provided an enhanced level of understanding of the area's history and architectural importance, and the CAA makes this understanding more accessible, pinpoints areas of particular vulnerability and/or need for targeted action; and provides clarity on how new development may be incorporated in a sensitive manner. The report also describes how the public have been involved in formulating the documents, and how further statutory consultation will take place.
- 2.2 The CAA appended to this report is a consultation draft. Comments received during public consultation will be considered and the appraisal will be amended appropriately. It is anticipated that a revised version will be brought back to Mayor and Cabinet in Autumn 2019/20.
- 2.3 The CAA will then be recommended for adoption as a Supplementary Planning Document (SPD) and will form part of the Council's Suite of Development Plan Documents. It will be used to inform development proposals and decision making on planning applications within the Conservation Area.

2.4 The draft Article 4 Direction, if made, will remove specified permitted development rights to single dwelling properties in order to preserve the special character of the conservation area.

3. Law and Policy Context

3.1 The Appraisal, if adopted, will be a supplementary planning document. The role of SPDs is to provide further details on the policies and proposals contained in Lewisham's development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design and conservation. Supplementary planning documents are not part of the development plan but are a material consideration in planning decisions.

3.2 The National Planning Policy Guidance states at Paragraph 28 that SPDs 'should not add unnecessarily to the financial burdens on development'. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing Supplementary Planning Documents.

3.3 The SPD will play a role in delivering the Council's Corporate Priorities 2018-22 at all stages of its development. Through early engagement with local residents in producing the draft, a 6 week period of statutory public consultation, and by using the SPD to help the Council apply its policies appropriately and secure high quality development the proposal will help deliver the following Priorities

- Open Lewisham - Lewisham is a welcoming place of safety for all, where we celebrate the diversity that strengthens us.
- Tackling the housing crisis - Everyone has a decent home that is secure and affordable.
- Building an inclusive local economy - Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
- Making Lewisham greener - Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.
- Building safer communities - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

3.4 Lewisham's Core Strategy Policy 16, states that '*the Council will continue to review its conservation areas, designating new ones and preparing associated management plans and policies to conserve their character*'.

It continues '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.....’

- 3.5 Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 states that the local planning authority shall, from time to time, determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance; and shall designate those areas as conservation areas.
- 3.6 Under Section 71 of the Planning (Listed Building and Conservation Areas) Act 1990 the local planning authority has a duty from time to time to formulate and publish proposals for the preservation and enhancement of conservation areas.
- 3.7 The National Planning Policy Framework (NPPF) identifies the protection of the historic environment as one of the key elements of its drive for sustainable development. Paragraph 185 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.
- 3.8 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.
- 3.9 Policy 7.4 Local Character, London Plan (July 2011) requires Boroughs to consider the different characters of their areas to identify landscapes, buildings and places where that character should be sustained, protected and enhanced through managed change.
- 3.10 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.

- 3.11 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.
- 3.12 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’.
- 3.13 With regard to **Article 4 Directions**, paragraph 53 of the NPPF states;
- ‘The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities)’.
- 3.14 Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the Order”), grants planning permission for the classes of development described as Permitted Development in Schedule 2 of that Order. Article 4 of the Order states that if the Secretary of State or the local planning authority is satisfied that it is expedient that development (described in any Part, Class or paragraph in Schedule 2, other than Class K, KA or M of Part 17) should not be carried out unless permission is granted for it on an application, the Secretary of State or local planning authority may bring development into its control by making a direction under this paragraph that the permission granted by article 3 does not apply to—
- (a)all or any development of the Part, Class or paragraph in question in a specified area; or
- (b)any particular development, falling within that Part, Class or paragraph, which is specified in the direction,
- and the direction must specify that it is made under this paragraph.
- 3.15 The procedure to be followed in making an Article 4 direction is set out in Schedule 3 of the 2015 Order.

4. Recommendations

- 4.1 The Mayor and Cabinet are asked to:

- a) note the proposed boundary changes, including the merger of the two existing conservation areas into one (Appendix 1);
- b) note the content of the draft Article 4 Direction and draft Conservation Area Appraisal (appendices 2 and 3), and
- c) approve a 6 week period of public consultation on the boundary changes, Article 4 Direction and draft Conservation Area Appraisal.

5. Background

- 5.1 Deptford High Street Conservation Area was added to Historic England's Heritage at Risk Register when conservation areas began to be included in the HAR programme in 2009. This was in recognition of the poor condition of many of the buildings and spaces, and the amount of unauthorised or insensitive alterations that had taken place. In addition, the area had no adopted Conservation Area Appraisal to guide the application of DM Policy, or help management of the area.
- 5.2 Historic England and the Council invested money in the area through a Conservation Area Partnership Scheme (CAPS) which ran from 1996-2001 and which focussed on building repairs and reinstatement of architectural features, including several new timber shopfronts.
- 5.3 A draft CAA was prepared by Officers in 2014, but was not taken out to public consultation because of reduced resourcing and staff changes. An increasing level of development pressure has been experienced in the area, not always of a quality appropriate for the significance of the area, and there continues to be a high level of unauthorised works. This has continued to prove the need to promote the nature of the area's significance and provide clear guidance for both applicants and decision makers so as to halt the decline of the area's architectural interest.
- 5.4 Historic England are supportive of the Council's efforts to properly manage and enhance the area, and recognise its immense historic significance, not only to the borough but nationwide due to its intimate connection with the operation of the Royal Naval Dockyards on the Thames. They responded positively to Lewisham's application for funding in 2018 by offering an 80% grant towards the cost of undertaking a review of the condition of the area's historic fabric and the preparation of a CAA. This was considered to be an essential first phase of work which could then inform a second phase of grant funding in the future to address some of the key issues and opportunities identified by the review.
- 5.5 Lewisham issued a request for quotations in October 2018 and selected Alan Baxters Ltd, consultants on conservation and the urban environment, to carry out the work. The work used Council's existing 2014 draft CAA as a reference and used a detailed 1997 survey report on the area by the Royal Commission on Historical Monuments in England (RCHME) as a benchmark for the condition of the most historic buildings in the area. Fieldwork

commenced in December 2018 including engagement with local stakeholders and members of the public.

6 The draft Deptford High Street and St Paul's Church Conservation Area Appraisal

6.1 The new draft CAA (Appendix 3) has been drafted in line with current Historic England guidance 'Understanding Place: Conservation Area Designation, Appraisal and Management' (February 2016, updated February 2019). It sets out the historic and architectural interest and character of the area, explains why it is considered to be of special interest in the context of the borough of Lewisham, and why it warrants designation.

6.2 It also includes a Management Plan containing proposals for the future management and enhancement of the area, and a list of projects which could form the basis for a future application for funding from Historic England or elsewhere.

6.3 If adopted, it will be used by the Council when assessing proposals for alteration or demolition of buildings, and of any new development within the area or outside its boundaries which might affect its setting. It will be used

- As a tool to understand the area's special interest, and not as a tool to prevent development
- As an explanation to owners, businesses and inhabitants of the reasons for designation
- As educational and informative documents created with the local community, expressing what the community particularly values about the area
- To give greater understanding and articulation of its character which can be used to develop a robust policy framework for planning decisions
- To inform those considering investment in the area in guiding the scale, form and content of new development
- To underpin the accompanying management plan by providing the analysis of what is positive and negative, what could benefit from enhancement, and the need for additional protection and restraint, including the use of Article 4 directions.

6.4 The Appraisal includes a description of elements recommended in Historic England's guidance on character appraisals which includes the following:

- History of the Area
- Spatial Character of the Area
- Architectural Character of the Area
- Views and landmarks
- Open Spaces
- Locally important buildings and elements which make a positive contribution

- Assessment of condition

The Management Plan contains information concerning proactive approaches to the areas conservation including a review of the boundary; use of Article 4 Directions; guidance on alterations to buildings or demolitions within the CA; identification of public realm and traffic issues; the contribution of open space, opportunities for enhancement and a list of projects which could be carried out with funding in the future.

Summary of the Architectural and Historic Interest of the Area

- 6.5 The two existing CAs combined making up the proposed Deptford High Street and St Paul's Church Conservation Area will be one of the most distinctive in London. The tangible spirit of place springs from a blend of the unique history, the vitality of the historic retail and market character, and the scale, grain and texture of its buildings and townscape. Because of development pressure and the changing nature of shopping, this special interest is fragile and vulnerable.
- 6.6 The historic interest rests in its origins as a settlement centred on a widening of the former Roman Road to Canterbury (now A2) known as the Broadway, and the High Street, which developed to connect the Broadway to a riverside settlement and the internationally significant former Royal Naval dockyard. Deptford evolved as a town quite separate from London, and one that in the early 18th century was larger than most cities in England. Post-war redevelopment has created a new sense of physical distinctness from the surrounding townscape.
- 6.7 The architectural interest rests largely in the survival of dozens of modest pre-1800 buildings, of types once common in London but now very rare. Many are hidden behind later or altered frontages and are little understood, but their existence, character and historic fabric is of the highest significance in contributing to the Conservation Area's special interest. This, and later development creates a townscape of modest scale, dense grain and with a lively variety of building height and diversity of historic roof forms. The enclosed nature of the High Street screens later post-war development in the surrounding area and long views along streets are largely unharmed by modern taller buildings. The jumble of signage and shop fronts, especially surviving historic examples, help to define the specific retail character of the High Street and Broadway.
- 6.8 There are also identifiable social and cultural aspects which contribute to the area's character. The continued vitality of the High Street as a bustling retail centre, characterised by an unusually high proportion of small independent retailers and the popular markets, is central to the distinctive character of the Conservation Area. The shops and market serve a wide range of communities; and the interaction and cultural and social energy of these communities strengthen the character of the area.
- 6.9 6 distinct character area's have been identified

- The retail High Street – itself divided by the railway with more consistent townscape to the north and market activity to the south
- Large scale commercial architecture on the Broadway, more typical of London’s historic arterial routes.
- The early eighteenth century grade II and II* listed terraces on Albury Street, of exceptional interest due to their age, design and survival.
- The curving lane and group of diminutive cottages on Tanner’s Hill, including grade II listed very rare examples of ordinary pre 1800 London houses.
- The backland areas with rear extensions, yards and boundary walls,
- St Paul’s Church, a building of exceptional architectural and historic interest, a landmark within the Conservation Area and beyond and one of only two Grade I listed buildings in the London Borough of Lewisham; and the green spaces around it

Need for Article 4 Direction and programme for its introduction

6.10 The proposed Article 4 Directions seeks to remove permitted development (pd) rights from single family dwellings. The area is predominantly made up of retail/commercial premises with flats above. Most of the single family dwellings are either listed buildings (i.e. on Albury Street) and so do not have these pd rights, or of modern construction (e.g. Lamerton Street) where changes under pd are considered unlikely to harm the character of the conservation area. An Article 4 Direction is already in place at Sylva Cottages (nos 2-12 Brookmill Road) and these houses are well preserved. Key groups of properties that do currently have the benefit of full permitted development rights and where the introduction of a Direction is considered justified are:

- Nos. 1-9 (odd), Nos. 12-16 (even) and No. 20 Watson’s Street;
- Nos. 11- 17 Tanners Hill.

In each location, the houses form part of uniform or coherent small groups that have survived the surrounding postwar redevelopment and make a positive contribution to the CA, and in the case of Tanners Hill to the setting of the listed buildings adjacent. Preserving the integrity of each group from incremental changes that would erode the uniformity, remove historic fabric and detailing, or obscure the original form is considered important to the contribution each group makes to the CA.

6.11 These buildings are in generally good condition and there has been relatively little harmful alteration to their external faces or roofscapes. Development that has eroded the special character chiefly comprises painting of brickwork and loss of timber window joinery and replacement with non-traditional windows.

6.12 It is considered better practice to introduce smaller directions more often than attempting to cover everything in one large direction. At this stage it is considered expedient on the basis of existing and likely change to remove pd rights only for those items which appear to be frequently or likely to be

undertaken, and monitor the situation as regards other items of pd. A copy of the proposed Article 4 direction is attached as Appendix 2 to this report.

- 6.13 The fee for minor applications such as those required by the Article 4 Direction is £172.00.
- 6.14 An Article 4 direction does not apply to development permitted by Prior Approval where such approval was given before the direction came into force, or development permitted under schedule 2 in an emergency.
- 6.15 Article 4 Directions can be made either as non-immediate or immediate directions.
- a) A non-immediate direction may be served if the LPA is satisfied that it is expedient that development (described in any Part, Class or paragraph in Schedule 2, other than Class K or M of Part 17), should not be carried out unless permission is granted for it on an application. This direction comes into force once the direction has been confirmed by the LPA.
- b) An immediate Direction would come into force on the serving of the statutory notices but would lapse six months after being made unless it is confirmed by the LPA. To be able to use an immediate direction the LPA have to establish that to continue to allow the PD rights would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area.
- 6.16 Section 107 as applied by Section 108 of the Town and Country Planning Act 1990 provides for property owners to claim compensation where permitted development rights have been withdrawn and planning permission for the development formerly permitted by those rights is refused or is granted subject to conditions other than those that would have applied to that PD right. The compensation payable comes within two heads, abortive expenditure and any other loss or damage directly attributable to the loss of PD rights, which can include any depreciation in the value of the land.
- 6.17 A person who makes a planning application for a development which would have been permitted development in the absence of the Article 4 direction has a right to claim compensation if that planning permission is refused or granted subject to conditions. However, compensation can only be claimed if the planning application is made within a period of 12 months following the initial notification of an intention to adopt an Article 4 direction. Therefore if the local planning authority gives 12 months' notice before the Article 4 Direction comes into force, no compensation is payable.
- 6.18 It is proposed that an Article 4 direction without immediate effect is made under Schedule 3 and that 12 months' notice of the introduction of an Article 4 Direction will be given. The Council will not, therefore, be liable for any compensation as a result.
- 6.19 Officers consider that given the existing window replacement and painting of brickwork on Watson's Street there is a risk that others might be more likely to undertake similar work, harming their character and that of the CA (should the

boundary change that would lead to the inclusion of this small group be adopted) and so an Article 4 Direction should be considered to allow control of this. At Tanners Hill the need to protect the setting of the important group of listed buildings could be addressed effectively by the introduction of an Article 4 Direction on the adjacent 4 houses. It is therefore considered expedient on the basis of existing and possible future change to consult on removing PD rights from the houses in the two groups listed above.

Boundary Changes

6.20 The review of the area found a number of small areas which are recommended for inclusion in the conservation area as they relate closely to its historic and/or architectural character. Four areas were also identified where the character does not relate and these are proposed for removal. The proposed changes are shown on the boundary map (Appendix 1) and are as follow:

1. Merging of St Paul's Conservation Area with Deptford High Street
2. Addition of the following areas:
 - The granite setted carriageway on Comet Street
 - Douglas Way and the Albany
 - Nos. 490 – 508 (even) New Cross Road and 20 and 22 Tanner's Hill
 - Nos. 2-16 (even) Deptford Bridge and Chesham House, Nos. 1a and 2a Brookmill Road
 - Nos. 1– 24 Watson's Street and 465-481 New Cross Road,
3. Minor changes around the edges to rationalise the way that the boundary relates to rear plot boundaries and the street.
4. Removal of four areas, the largest of which is:
 - 1-30 Admiralty Close (1 - 5 odd), 1-12 Lady Florence Courtyard, Reginald Square

It is also recommended that part of the existing conservation area, Nos. 446-458 New Cross Road (even) and No. 1a Florence Road, relates closely in historic or architectural terms to a number of mid 19th century grand and more modest streets just to the west of the Conservation Area. The Appraisal advises that this area be reconsidered for a new conservation area to comprise the area containing New Cross Road Nos. 409-457 (odd numbers) and Nos. 392- 458 (even numbers) and parts of Alpha Road, Florence Road and Mornington Road, and the part that is within the existing conservation area be re-designated to fall within the new one. This is not being undertaken at this time but will be considered in future as part of the wider Conservation Area review programme.

7 Public Consultation Programme

- 7.1 The consultation process for SPDs 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:
- A public event to be held in or near to the conservation area where people will be able to meet officers to discuss the CAA and management proposals;
 - 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 SPD and its exhibition will be published in the press;
 - Consultation with all addresses located within the proposed area by post, as well as those immediately adjacent;
 - Consultation with local and national amenity societies such as The Deptford Society, Lewisham Local History Society, Historic England, the Victorian Society, and the Twentieth Century Society.
 - A questionnaire will be provided with all consultation methods to elicit responses on the CAA and management proposals
- 7.2 If an Article 4 direction is made, it will also have to follow the statutory consultation procedures as set out within Schedule 3, section 1 of the 2015 Order.
- 7.3 A Screening Assessment will be carried out to determine whether a Strategic Environmental Assessment (SEA) is required for the draft Deptford High Street and St Paul's Church Conservation Area Appraisal SPD, in line with the Strategic Environmental Assessment Directive (Directive 2001/42/EC), transposed into law by the Environmental Assessment of Plans and Programmes Regulations (the 'SEA Regulations') 2004. The prescribed statutory consultation bodies Environment Agency, Historic England and Natural England will be consulted and a final determination will be published by the council having regard to representations received.

8 Programme for adoption of the SPD

- 8.1 Comments from the public consultation exercise will be taken into consideration and the CAA amended accordingly. Comments on the SEA Screening Assessment will also be incorporated in the SPD.
- 8.2 A report detailing the outcome of the consultation, accompanied by the Appraisal and Article 4 Direction (revised as necessary) will be brought to Mayor & Cabinet in Autumn 2019/20.
- 8.3 The character appraisal will be published as a number of hard copies as well as on the Council's website. The SPD, if adopted, will become part of the council's suite of Development Plan Documents. .
- 8.4 The consultation will be advertised in The News Shopper. All street properties within the Conservation Area will be advised in writing of the proposed designation and Article 4 Direction. The proposed designation will be added to the Local Land Charges Register for these properties.

9 Financial Implications

- 9.1 The CA survey work and drafting of the CAA was carried out by consultants: 80% of the cost of this was met by Historic England, and 20% (£7k) by the Council from the Planning budget. The costs of printing, publishing and consulting on the draft appraisal will be met from the Planning budget. There would be no direct financial implications arising if the Conservation Area Appraisal were to be adopted.
- 9.2 There would be no direct financial implications arising were an Article 4 Direction made.

10 Legal Implications

- 10.1 Section 69 of the Planning (Listed Buildings & Conservation Areas) Act 1990 requires the Council from time to time to determine which parts of the borough are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. They should designate those areas as conservation areas and review this designation periodically. Section 71 of the same Act places a duty on local planning authorities to from time to time formulate and publish proposals for the preservation and enhancement of their conservation areas; to hold a public meeting to canvas views; and to take into consideration the views expressed at that time.
- 10.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the main steps in the procedure for the production and adoption of supplementary planning documents.
- 10.3 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 certain functions proposed here are by law the responsibility of the Council, and therefore they are an executive function.
- 10.4 The Equality Act 2010 introduced a public sector equality 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.
- 10.5 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.

10.6 It should be noted that it is not an absolute requirement to eliminate unlawful discrimination, harassment, victimization or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not; rather it is a duty to have due regard to the need to achieve these goals.

10.7 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in each circumstance.

10.8 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

10.9 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty: A guide for public authorities
4. Objectives and the equality duty. A guide for public authorities

1. Equality Information and the Equality Duty: A Guide for public authorities

10.10 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

11. Crime and Disorder Implications

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

12 Equalities Implications

12.1 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a public sector equality duty which covers the following nine protected characteristics: age; disability; gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation

12.2 The Council must in the exercise of its functions, have regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation 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.

12.3 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.

12.4 The proposed Conservation Area Designation, proposed introduction of Article 4 and draft CAA do not have any direct equalities implications. The consultation process will be in line with the Council's Statement of Community Involvement in identifying hard to reach groups which are relevant in the local context.

13 Environmental Implications

13.1 We have considered the need to prepare a Habitats Regulation Assessment (HRA). An earlier HRA report that considered the policies in the 2011 Core Strategy concluded that no options have been found to have a likely

significant effect on any designated European sites. As this proposed SPD gives effect to the policy in the Core Strategy and does not introduce new policy, there is no need to prepare another HRA in this instance.

We have, however, prepared a screening report to identify if a Strategic Environmental Assessment will be required and we will consult three statutory bodies Environment Agency, Natural England and Historic England at the same time as the SPD goes out for public consultation. The results of this consultation will be reported back to Mayor and Cabinet at the same time as the CAA.

Background documents and originator

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning & Compulsory Purchase Act 2004	May 2004	2 nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No
Localism Act 2011	November 2011	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No
National Planning Policy Framework (NPPF)	June 2018	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No
Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)	March 2012	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No
Town and Country Planning (General Permitted Development) (England) Order 2015	March 2015	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No
The London Plan (and current draft London Plan 2018)	March 2016	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No
The Core Strategy	June 2011	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No
Lewisham Development Management Plan	November 2014	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No

Statement of Community Involvement	July 2006	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No
Conservation Area Designation, Appraisal and Management Historic England Advice Note 1	February 2016 (updated February 2019)	2nd Floor Civic Suite	Strategic Planning Team	Joanna Ecclestone	No

If you have any queries about this report please contact David Syme, Strategic Planning Manager, 2nd floor Civic Suite, Catford Road, Catford, SE6 4RU, telephone 020 8314 7400.

Appendix 1: Proposed Conservation Area Boundary map

Appendix 2: Draft Article 4 direction

Appendix 3: Draft Deptford High Street and St Paul's Church Conservation Area Appraisal

Appendix 4: SEA screening report