

<b>Mayor and Cabinet</b>		
<b>Report Title:</b>	Catford Town Centre Framework	
<b>Key decision:</b>	Yes	
<b>Ward:</b>	Rushey Green	
<b>Contributors:</b>	SGM Capital Programmes	
<b>Class:</b>	Part 1	Date: 14 <sup>th</sup> July 2021

## **1. Purpose of paper**

- 1.1. This paper seeks endorsement by Mayor and Cabinet of the Catford Town Centre Framework (attached as Appendix 1) and of the Consultation Statement (attached as Appendix 2) following an extensive programme of community engagement over the last four years and specifically the most recent consultation during winter 2020 and spring 2021.
- 1.2. The Catford Town Centre Framework (CTCF) contains guiding principles for the future evolution and growth of Catford town centre and the immediate vicinity. The Framework Plan will support, accords with and will energise the Council's post-pandemic recovery plans by providing a route to achieving inclusive regeneration. It will also support elected Members, partners, Officers, landowners and other stakeholders to shape investment in Catford town centre, based on a set of principles and high-level aspirations that residents have been consulted on and largely endorsed. The Framework Plan also sets out guidance for a number of key regeneration sites in terms of layout, scale and massing, and potential uses. Each key site plays a part in greening Catford, sustaining business and leisure activities in Catford, providing good homes in Catford and improving safety and connectivity of places and spaces in Catford. The Framework Plan will be a material consideration in the determination of planning applications across the town centre. Other stakeholders – including developers and the public will use this document when preparing and considering proposals in the area.
- 1.3. Members are minded to note that the CTCF will not comprise part of the Council's statutory development plan and therefore not carry the full weight as a Development Plan Document (DPD) or Supplementary Planning Document (SPD). However, as a document endorsed by the Council after extensive review and engagement it will be a material consideration for planning decisions. The key development principles and parameters in the CTCF are consistent with the Site Allocations in Lewisham's Draft Local Plan and, subject to the formal adoption of the Local Plan, will be reflected in the statutory development plan.

## **2. Recommendations**

Mayor and Cabinet is recommended to:

- 2.1. Note the content of the report and changes made to the draft Catford Town Centre Framework as a result of the 12th November 2020 - 5th February 2021 period of public consultation;
- 2.2. Formally approve the Catford Town Centre Framework as part of the evidence base for the LB Lewisham Local Plan;
- 2.3. Authorise the Executive Director of Housing, Regeneration and Public Realm, in consultation with the Executive Director for Corporate Services and with the Cabinet Member for Housing and Planning, to undertake all steps to progress work needed to report back to Mayor and Cabinet on potential delivery mechanisms for Council-owned sites – including potential partnership approaches and approaches to funding and phasing;
- 2.4. Authorise the Executive Director of Housing, Regeneration and Public Realm, in consultation with the Executive Director for Corporate Services and with the Cabinet Member for Housing and Planning, to undertake all steps to progress work needed to report back to Mayor and Cabinet on a strategy for Civic Accommodation/the Catford Campus;
- 2.5. Authorise the Executive Director of Housing, Regeneration and Public Realm, in consultation with the Executive Director for Corporate Services and with relevant Cabinet Members to continue to bid for external funding opportunities where they arise to support essential investment in Catford and enable the delivery of the aims of the Framework Plan (within the current delegation framework); and
- 2.6. Authorise the continued development of the scheme to re-align the South Circular road, in order to enable the delivery of the aims of the Framework Plan, including working with TfL to reach agreement on matters of technical detail and with TfL and DfT in relation to funding.

### **3. Background**

- 3.1. Full background information, detailing the previous key decisions made by the Mayor & Cabinet to take a Masterplan Framework approach in Catford, and to re-align the South Circular road through the town centre can be found in the November 7th 2016 Mayor & Cabinet report, the July 19th 2017 Mayor & Cabinet report, the 28th February 2018 Mayor & Cabinet report.
- 3.2. After the road re-alignment approval by Mayor & Cabinet in July 2017, a masterplan brief was prepared for Catford Town Centre. This set the fundamental purpose, objectives, requirements and scope of the study, which was endorsed by Mayor & Cabinet in February 2018.
- 3.3. In July 2018 Architects Studio Egret West (SEW), supported by Carl Turner Architects (renamed Turner Works), Greengage Environmental Consultants and Civic Engineers, were appointed to develop the Catford Town Centre Framework study.

- 3.4. On 16<sup>th</sup> September 2020, the draft Catford Town Centre Framework was presented to Mayor & Cabinet. The vision was endorsed and approval was granted to release the document for a further period of non-statutory public consultation.
- 3.5. The latest phase of public consultation on the draft Framework Plan concluded in February 2021. The appendices of this report contain documents pertaining to the finalisation of the Catford Town Centre Framework.

#### **4. Policy Context**

- 4.1. The Catford Town Centre Framework contributes to the implementation of the Council's Corporate Priorities as detailed in the "Corporate Strategy 2018-2022" document which are:
  - 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.
  - Giving children and young people the best start in life: Every child has access to an outstanding and inspiring education and is given the support they need to keep them safe, well and able to achieve their full potential.
  - Building an inclusive local economy: Everyone can access high quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
  - Delivering and defending health, social care and support: Ensuring everyone receives the health, mental health, social care and support services they need.
  - 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 fear of crime.
- 4.2. Lewisham's new Local Plan will build on the existing growth strategy contained within the Core Strategy 2011, which identifies a growth corridor extending from New Cross and Deptford to Catford. Lewisham's new Local Plan proposes a strengthened focus on Lewisham's places, to ensure that development is positively managed with communities over the long-term for the benefit of all.
- 4.3. Lewisham Council declared a climate emergency in 2019, committing to reach a target of carbon zero by 2030. Change and growth must be positively managed, to build green infrastructure and harness opportunities for walking and cycling alongside more sustainable forms of development in the borough.
- 4.4. The Framework also directly supports the Mayor's framework and principles that respond to the Pandemic – with the pillars on which the framework has been formed responding directly to the four key recovery principles – An

economically sound future, A healthy and well future, A greener future and a future we all have a part in.

- 4.5. The Catford Town Centre Framework will form part of the evidence base for the new Lewisham Local Plan's place-making approach. The process of plan making involves significant information gathering and specialist studies at the front end of the process. This information is then used to set policy options and preferred approaches for the plan going forward. Local plans are required to meet prescribed 'tests of soundness' as set out in the NPPF. This includes that they must be 'justified' by evidence. The evidence base will be published alongside the submission Local Plan and be subject to scrutiny through the independent examination process. The Catford Town Centre Framework will form part of this evidence base along with other Area Frameworks.

## 5. What is the Catford Town Centre Framework?

- 5.1 The purpose of the Catford Town Centre Framework is to provide area and site specific guidance on the application of policies within the Lewisham Local Plan; to inform discussions with developers and designers on detailed plans for sites located within the Catford Town Centre study area; to help justify investment in new homes and job creation as well as showing how existing character and communities can be supported; to inform bids for regeneration initiatives; and to enable strategic public realm and transport infrastructure improvements.
- 5.2 It consists of an area framework for land within the Catford town centre policy boundary. The document is structured in chapters. Chapters 1 and 2 of the document establish the strategic characteristics and opportunities of the town centre and the influence of extensive public engagement reflected in the vision and principles for Catford. Chapter 3 illustrates more detailed guidance for a number of significant key regeneration sites in the town centre. Chapter 4 identifies potential timeframes and funding opportunities for individual projects contained within the study, and sets out an indicative outline implementation programme for change over the short, medium and long term in Catford.
- 5.3 The Framework has 8 overarching objectives for Catford:
1. Improving the public realm to create better places for people
  2. Enhancing the sense of arrival at the stations
  3. Establishing a verdant public realm and a sequence of welcoming public spaces
  4. Unveiling the culverted river and improving connections to nearby communities and nature
  5. Strengthening the civic and cultural offer and evening economy of the town centre
  6. Framing the new public spaces and creating distinctive streetscapes
  7. Making the back of Catford Broadway a high quality place with workspace and public yards
  8. Providing new homes on key opportunity sites

5.4 The vision and principles have been organised thematically, and acknowledge responses from public consultation. This input has centred the Framework on three critical themes:

- **A green town centre** - The ambition for Catford to be the greenest town centre in London is hugely supported. A 'stepping stone' approach to bringing nature in will be prioritised to create a cleaner, healthier and a more sustainable town centre for the benefit of people, urban wildlife and ecology. Public space is vital as we have all learnt through the pandemic. A variety of space will be created in and around the places we gather - the train stations, Catford Broadway, the riverside and a new heart for the town centre. Planting on streets and in public spaces will enhance biodiversity providing new habitats for birds, insects and other species creating 'green stepping-stones' from natural spaces around the town centre including the River Pool linear park and Ladywell Fields. Green space also helps to cool the urban environment, improve air quality, noise pollution and also support sustainable drainage reducing the risk of flooding and providing resilience against climate change.
- **A vibrant town centre** - Affordable workspace and more flexible retail space will encourage and nurture local employment opportunities, start-ups and growing businesses as well as provide new space for existing businesses. A reorganised Old Town Hall and Civic Suite for Lewisham Council's offices will provide an opportunity to celebrate the Grade II listed Broadway Theatre and create public space around this important heritage building. Catford will remain the civic heart of the borough and there is an opportunity to introduce educational institutes, leisure uses, new public space and entertainment and performance venues.
- **An accessible town centre** - New residential neighbourhoods will be created in and around the town centre with affordable homes. Safe and attractive cycling routes will stitch into surrounding neighbourhoods. More and safer crossing points on the realigned South Circular Road will help Catford become more pedestrian-orientated and a new network of routes will improve the connectivity across the town centre. Improvements around the stations will create a sense of arrival in Catford with a generous pavement to walk to and from the town centre.

5.5 Whilst the Framework Plan will not constitute statutory planning policy, it does reflect and support the Local Plan and will help the Council in guiding priorities and change in the town centre, utilising these main 'pillars'. It presents an overarching vision for the future of Catford and establishes a set of guiding principles to achieve this vision. It defines spatial strategies and identifies and illustrates a variety of projects, large and small, with the potential to cumulatively achieve strategic objectives for the area over time.

## 6. The consultation process for the Catford Town Centre Framework

- 6.1 Four years of extensive community engagement has informed the draft Framework Plan with over 3,000 comments and ideas from local people shaping the vision. Lewisham Council has worked closely with the local community and local stakeholders in the area to shape a shared vision for Catford town centre.
- 6.2 On behalf of the Council, Team Catford has led community engagement and consultation on the draft Framework Plan. Team Catford's approach has been carefully considered to ensure it is effective for the diverse community of Catford. Before the COVID-19 pandemic, community events and drop-in sessions have been organised to seek local views and Team Catford attended local assemblies, community group meetings as well as numerous local fetes and festivals to help ensure everyone has a chance to share views. A pop-up engagement space in the town centre provided an informal way of discussing the regeneration with local people who wouldn't usually participate in community consultation. Regular distribution of a community newsletter to all households in Rushey Green and Catford south as well as extensive digital communications has allowed thousands of local people to participate. Feedback has been gathered online, via feedback forms, Freepost, by email and through conversations on the phone and in-person at events. All comments and ideas captured for all to see on the Commonplace websites.
- 6.3 The development of the draft Framework Plan has been supported by three phases of community engagement.
- Mar 2017 'Gathering ideas'- Team Catford led a comprehensive public engagement programme to raise awareness of the prospect of change for the town centre and gather early ideas to help the appointed architects to develop a draft Framework Plan to respond to community needs.
- With almost 2,000 comments shared between March 2017 and June 2018, these early ideas were instrumental in the design process and helped inform the Ten Strategic Principles that the architects established as part of the draft Framework Plan.
- Sep 2018 'Shaping Catford's Future': A six-week consultation period took place in Catford Cornucopia an 'urban room' on Catford Broadway – to introduce the public to the Framework Plan team and provide further opportunities to share insights and aspirations for the town centre.
- May 2019 'Early ideas on the CTCF' Team Catford supported the Framework Plan team to seek feedback from the local community on key areas including public space, civic space, public amenities and new homes.. At events, a collection of exhibition boards and a model that was assembled to illustrate how 3,100 - 3,500 new homes could be distributed across town centre sites, showing the resulting building densities and heights.

- 6.4 In parallel to Team Catford's ongoing engagement, the Council team has held stakeholder meetings with other public bodies to share progress updates to Transport for London and the Greater London Authority. Stakeholder meetings with key landowners in the area commenced in August 2018 and included 1:1 meetings between each stakeholder and Studio Egret West and the Council officers. The draft Catford Town Centre Framework document went through a process of internal consultation within the Planning team and was presented to Mayor and Cabinet at the end of this process in September 2020.
- 6.5 The final stage of consultation, led by Team Catford, ran from Friday 12<sup>th</sup> November 2020 until Friday 5<sup>th</sup> February 2021.
- 6.6 In light of the COVID-19 pandemic, the approach for holding a period of non-statutory public consultation on the draft Town Centre Framework document comprised a range of events and media appropriate to the Government restrictions.
- 6.7 The final consultation stage on the draft Framework Plan comprised of the following:
- The full draft Framework Plan was made available for download from the Council's website supported by summaries of the key aspects on teamcatford.com and Commonplace websites. This was shared widely with the local media, blogs and via email news and social media.
  - 10 consultation events were held on Zoom by Team Catford and the project team between 10<sup>th</sup> December 2020 and 4<sup>th</sup> February 2021, on mid-week early evenings and weekend mornings. Approximately 231 people attended in total.
- 6.8 Publicity for the final consultation included a window display in the shopping centre and posters advertising the online events around the town centre. Communications continued through Team Catford and Council established channels, including publicity of the final consultation in the quarterly print newsletter Catford Conservations distributed to 18,000 households in Rushey Green and Catford South in November 2020 as well as Lewisham Life, distributed to all households in the borough.
- 6.9 Stakeholders and key consultees that have engaged with Team Catford over the years were informed of the non-statutory final consultation by email. 6.10 A full description of the consultation strategy is contained in Appendix 2 Consultation Statement. More information on the previous engagement activities and findings can be found in the SCI annex of the 16<sup>th</sup> September 2020 Mayor & Cabinet paper.

## **7. Summary of the final engagement responses and main issues raised in the final non-statutory consultation**

- 7.1 During the final stage of consultation on the draft Catford Town Centre Framework a total of 910 responses were shared through a variety of channels

including the digital consultation hub, Commonplace; by email to [hello@teamcatford.com](mailto:hello@teamcatford.com); through social media channels; and during the Zoom consultation sessions. All of the individual responses received and the Team Catford responses to them are recorded in the Consultation Log (Appendix 3).

7.2 There is positivity around the vision and support for the three themes – a green, vibrant and accessible Catford - with many respondents urging the Council to be bolder with the green town centre ambition.

7.3 General issues raised, by topic and number of responses, are listed below:

Issue A: Building heights – 111 responses raised concerns over height of buildings and number of homes being proposed in Catford. The Framework Plan sets out indicative height ranges for buildings on the key regeneration heights from 5 to 20 storeys. Many respondents commented on the prospect of a 20-storey building, rather than the indicative height ranges explored through the Framework Plan. Comments indicate a lack of understanding of the role of a Framework Plan (as compared to a planning application).

Issue B: Getting around – 94 responses were shared on the topic of transport and movement. Many welcomed the priority given to walking and cycling, however some asked for more specificity in the Framework Plan, stating that segregated cycling provision and new key links should be enabled and safeguarded and measures that improve general safety as well as disabled access are crucial. Some respondents were concerned that changes to traffic flows due to any restricted vehicle access would impact on existing residents.

Issue C: Green town centre – 84 responses were shared on green principles including the idea to open up the river and the sentiment was positive. Planting was seen as vital to improve the character of the town centre, helping it to feel vibrant and fresh. A comprehensive plan for the green vision was requested as well as transparency on targets and evaluation. It was acknowledged that locating homes, shops and other amenities within walking distance was an important way to cut carbon emissions.

Issue D: Public realm character and amenity – The vast majority of comments welcomed the idea for more pedestrianised areas and recognised this would hugely improve the look and feel of the town centre. Respondents called for characterful spaces in Catford, with a distinct atmosphere to set it apart, and an emphasis on quality green space sufficient to accommodate the new residents.

7.4 A full overview of the issues raised is in Part 4 of the Consultation Statement (Appendix 2).

## **8. Summary of how the issues described above have been addressed in the Catford Town Centre Framework**

8.1 Below is a summary of how the above issues have been addressed.

Building heights - taller buildings will fulfil the Council's strategic aspirations to deliver new affordable homes for local people and secure significant community benefits for Catford.

It will be years, more likely decades, before the larger sites within the Framework Plan are built out. The Council must be realistic in its vision - meeting the pressing need for affordable homes both now and in the next 20 years.

Local businesses and leisure venues will be sustained by a growing community and households will have town centre amenities on their doorstep and access to nearby parks and public transport. The taller buildings have been considered as part of a comprehensive plan using townscape principles which seek to mitigate impact, provide focal points, and integrate buildings and spaces of different scales and uses. It is considered appropriate to identify a maximum (20 storeys) that might be achieved in a very limited number of locations that will be tested further as individual schemes come forward.

The Framework Plan explores how buildings could be spaced across the town centre - respecting neighbouring residential areas and following architectural best practice. In a handful of locations, it envisages buildings of up to 17 - 20 storeys and these have been carefully positioned in central locations with neighbouring buildings stepping down to reflect the height of existing buildings.

On further review of the building heights strategy, some amendments to the Framework have been made:

- On The Lanes (the existing Catford Centre and Milford Towers), the height range has been reduced from 9-12 storeys to 6-8 storeys on the Holbeach Road boundary where it meets Thomas' Lane. This suggests new buildings should be no taller than what is there today, but much improved with strong architectural standards. Milford Towers is a single, uninterrupted block that turns its back on neighbours and amendments to the Framework Plan sets bold design expectations to create individual characterful buildings of varying heights opening up allowing long views south, allowing sunlight in with and easier routes to walk and cycle through to the town centre
- On the Ravensbourne Quarter (the existing Halfords and Wickes site), the height strategy has been reconsidered to look at how new homes could be more sensitively distributed and building heights close to Catford Road have been reduced from 17-20 to 9-12, with a 'stepping up' further south into the site where taller buildings would have less impact on the character of the town.
- On the Plassy Island site the massing strategy of building height stepping down towards Sangley Road has been reflected in the plan.
- All building heights across the sites have been reviewed for consistency between text and images in the document and legibility issues in the

plans have been addressed where there were errors or insufficient distinction in definition of colour/shading.

Getting around - The suggestion for more detailing of some of the public realm aspirations was considered necessary. Some amendments have been made to the document to further safeguard and enable key elements:

- In the Stations Area Framework, the illustrative plan has been amended to show the continuation of the segregated two directional cycle track onto the Ravensbourne site. Pedestrian and cyclist priority through opened up archways and along the approaches to the stations, including more station platform access points, has been highlighted.
- A vision for Catford Bridge station forecourt has been added, illustrating the aspiration for a car-free and cycle friendly arrival area.

Green town centre – Urban greening combines a range of measures and these will be developed and refined as projects are progressed. A suggestion to be more specific about this process was raised and further information has been added to the document to clarify expectations:

- Urban Greening Factor (UGF) and Biodiversity Net Gain assessments will be required for developments
- Naturalisation of the river will require a development strategy that enhances ecology as well as public amenity value.

Public realm character and amenity - The Framework Plan sets out principles for each site, informing proposed priority land uses and intended character. The blocks are sized to promote a street pattern that is walkable with a massing strategy that offers opportunities to modulate the perceived scale of buildings and create a comfortable pedestrian experience. Detailed layout and design of buildings on a site will be subject to further discussion and consultation prior to submission of planning applications and planning permissions may be contingent on the provision of the necessary infrastructure to cater for additional demand arising from a scheme.

8.2 A full list of the proposed changes which have been incorporated into the appended draft Catford Town Centre Framework document is in Part 5 of the Consultation Statement (Appendix 2).

## **9. Delivery and approaches to implementation**

9.1 A key message from local people on the ambitions illustrated in the town centre vision is that care and commitment from the Council will be crucial in order to implement the strategic objectives and deliver positive change. Another consistent concern and interest from the community was about how the programme would actually be delivered. There was genuine interest and enthusiasm to see some of the early delivery projects progress – particularly around the station, the sense of arrival and the restoration of the Catford Constitutional Club. .Delivery of any framework such as this is a medium/long

term proposition and will require sustained input, focus and capacity over time. The attached Framework Plan includes a high level and indicative programme which can deliver significant and positive change over a 15-20-year period. Subject to final endorsement of the Framework Plan, the Council will seek to review delivery models to advance a broadly-based programme and leverage other key partners to advance investment plans.

- 9.2 Outline viability testing of Council-owned sites was undertaken during the drafting of the Framework Plan to assess deliverability of the overall vision and to assess the viability of a baseline scheme that could achieve the objective of delivering a high level of affordable housing, green space, commercial space and associated quality place-shaping and deliver a return on the Council's landholding in the town centre. Based on the adopted development mix and current cost estimates and values this work indicated the early phases of development were viable, giving confidence that these are capable of progressing in the short-medium term. That viability assessment was contained in the confidential appendix to the September 2020 report and is not recirculated here because no changes are proposed which fundamentally change viability. Members will also appreciate that the housing market has remained relatively buoyant, despite the pandemic.
- 9.3 There are a number of projects underway that will bring tangible improvements to Catford. These projects seek to focus investment on areas of significant community support – such as the Good Growth Fund bid for the refurbishment of the former Catford Constitutional Club to bring it back into use as a pub and local venue/community hub. In a different manner, a programme of improvements to the Catford train station approaches and links to them will improve the arrival experience and approach to the town centre and demonstrate the commitment to being both a green and accessible town centre. Further interventions are to be made to the public realm within the pedestrianised section of Holbeach Rd where it adjoins Rushey Green High Street with an aim to provide enhancements to the street environment. These early projects are drawing on a range of funding streams and can achieve tangible, early, priority improvements. Approval of the Framework Plan will, in turn, enable Catford to bid against other funding streams. In addition, the Council has taken steps despite the pandemic to enhance vitality in the Town Centre. The Council has worked closely with local partners to promote and secure agreement to the concept of a vibrant 'Public Service Hub' in Catford's former Town Hall building. This will see this key building re-occupied by a broad range of public sector tenants during 2021 ranging across Lewisham and Greenwich Hospital Trust, South London and Maudsley, Guys and St Thomas's, Department for Work and Pensions, Ingeus and Lewisham's own Youth Employment Support offer.
- 9.4 The next steps will be to develop a more detailed implementation programme and investment plan for the town centre including the preferred future delivery arrangements, governance and models. The scale of investment proposed is such that it is likely to be beyond the Council's own direct resources, so strategic options will need to be presented to Mayor and Cabinet at a future date to enable the delivery of the Framework's benefits and key outcomes. As outlined

elsewhere, through its land ownership the Council is able to manage the pace and scale of any change within the core town centre area. The recommendations set out in this paper simply enable officers to explore options and approaches that will be presented to a future Mayor and Cabinet meeting.

## **10. Financial Implications**

- 10.1 At this stage there are no direct financial implications arising from this report as the decision relates to the adoption of a high-level vision for Catford town centre based on indicative proposals rather than seeking formal authority and a commitment to deliver specific projects.
- 10.2 Looking forward, the key financial issues for the Council are the protection and enhancement of the considerable value that the Council has embedded through extensive town centre landholdings. Such extensive and consolidated town centre landholdings are quite rare in London and this presents a significant opportunity for the Council to achieve its broader aims particularly the delivery of significant new affordable housing. The key issue for the Council going forward will be the scale of further investment that will be required to realise the full scale of development set out in the Framework.
- 10.3 The Council has – through its wholly owned property company (CRPL) – acquired and aligned significant town centre landholdings which are a major opportunity and enabler to implementation. Previous reports have set out initial outline Viability appraisals suggest that a scheme of this type would achieve an inherent and positive viability on the basis described, whilst also preserving a significant Capital investment/land value. There would be several ways in which that investment/value can be protected and enhanced. It is recommended that a full option appraisal is brought forward to a future Mayor and Cabinet meeting dealing with options for securing effective delivery over time.
- 10.4 Endorsement of Framework by the Council demonstrates a commitment to the vision for the town centre and its delivery through a mix of public and private sector investment. This will support and assist bids by the Council and other agencies for a range of external funds to support its implementation. Catford has already been successful in being a recipient of GLA Good Growth funding as well as the Getting Building Fund and it is reasonable to anticipate that further funds will emerge in response to the COVID-19 pandemic and associated economic and employment challenges. Hence an authority is sought to enable and encourage participation in other relevant bidding rounds.

## **11 Legal Implications:**

- 11.1 The report at paragraph 1.2 states that the Framework will be a material planning consideration when determining planning applications across the town centre. and at paragraph 4.4 that it will form part of the evidence base for the new Lewisham Local Plan's place-making approach. As indicated in paragraph 4.4 the evidence base will be published alongside the submission Local Plan and be

subject to scrutiny through the independent examination process. When considering an application for planning permission or permission in principle, section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990) states that the decision-maker must have regard to:

- the provisions of the development plan, so far as material to the application
- a post-examination draft neighbourhood development plan, so far as material to the application
- any considerations relating to the use of the Welsh language, so far as material to the application
- any local finance considerations, so far as material to the application
- any other material considerations

11.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) provides:

‘ If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.’

In a planning context, a material consideration is one which is relevant to the determination of the planning application. The concept of materiality for the purposes of planning decisions is wide. Case law has held that in principle any consideration which relates to the use and development of land is capable of being a planning consideration. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances.

11.3 As set out in the report, this decision will enable officers to explore options and approaches that will be presented to a future Mayor and Cabinet meeting. Legal advice will be provided on those options and approaches as is needed at that point.

11.4 In taking this decision, the Council’s public sector equality duty must be taken into account. 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 victimisation and other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not.

11.5 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation 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. It is a duty to have due regard to the need to achieve the goals listed above. 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 Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. Mayor and Cabinet 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 all the circumstances.

- 11.6 The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the 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 on the EHRC website.

## **12 Crime and disorder implications**

- 12.1 There are no crime and disorder implications arising from this report.

## **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.
- 13.2 The Catford Town Centre Framework does not have any direct equalities implications.

## **14 Environmental Implications:**

- 14.1 There are no specific environmental implications arising directly from the recommendations set out in this report.

## **15 Human Rights Implications:**

- 15.1 There are no specific human rights implications arising out of this report
- Finance Imps for this report were completed by Peter Allery the Council's Group Finance Manager on behalf of the Executive Director of Resources.
  - Legal implications were completed by Paula Young: Senior and Stephanie Fleck: Principal Lawyer on behalf of the Head of Law

## **Appendices:**

Appendix 1: Catford Town Centre Framework

Appendix 2: Consultation Statement on the Catford Town Centre Framework

Appendix 3: Consultation Log (not attached for SDSC – to be included in final report to Mayor and Cabinet)

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