

Item No. 19.	Classification: Open	Date: 29 January 2014	Meeting Name: Bermondsey and Rotherhithe Community Council
Report title:		Shad Thames Conservation Areas Management Plan	
Ward(s) or groups affected:		Riverside	
From:		Head of Development Management	

RECOMMENDATIONS

1. That the Bermondsey and Rotherhithe Community Council provides comment on the draft Shad Thames conservation areas management plan, (Appendix 1).
2. That the community council notes the equalities analysis (Appendix 3).

BACKGROUND INFORMATION

3. Part 3H of the Southwark Constitution delegates the consultative power, to community councils, to comment to planning committee on proposals for the designation of conservation areas.
4. The council has two designated conservation areas in the area shown edged on the plan attached to this report at Appendix 2. They are the Tower Bridge conservation area (designated 7 February 1978 and extended 12 December 1985) and the St Saviour's Dock conservation area (designated 1 April 1978 and extended 5 February 1980 and 12 December 1985). These streets reflect the characteristics of the different periods of the area's growth. The conservation areas are characterised by the 18th century development of wharves and warehouses downstream of London Bridge, when the intense congestion of the City's Legal Quays forced a relaxation of their Elizabethan monopoly over imported goods. The warehouses were linked at high level by iron gangways over the narrow streets, giving the area the distinctive, canyon-like character that still, to a notable extent prevails.
5. The area proposed to be covered by the conservation area management plan runs up to the river walk at its northern edge and is bounded by Tower Bridge Road and Potters Fields to the west, Tooley Street to the south and the St Saviours Dock basin to the east (Appendix 2). The management plan area includes the Tower Bridge conservation area, a portion of the St Saviours Dock conservation area and a small undesignated area to the north of Tooley Street.
6. The council has published adopted conservation area appraisals for both conservation areas. The Tower Bridge conservation area and St Saviours Dock conservation area appraisals were adopted in July 2003. In accordance with the National Planning Policy Framework (NPPF), a conservation area appraisal identifies the key elements that contribute to the special historic and architectural

character of the area, and describes opportunities for its preservation and enhancement.

7. A management plan is usually produced following the adoption of an appraisal. An appraisal reviews a conservation area and is used to help local authorities develop a management plan. The adopted conservation area appraisals mentioned above assisted in identify positive and negative aspects of the conversation area, opportunities for beneficial change and the need for additional protection and restraint. The management plan sets out the way in which development pressure and neglect will be managed to ensure the conservation area retains the qualities which led to its designation.
8. The cabinet member for regeneration and corporate strategy has agreed the proposal to consult with the Bermondsey and Rotherhithe community council, local residents, local businesses and other stakeholders for a minimum of 12 weeks to obtain their views in relation to the draft Shad Thames conservation areas management plan.

KEY ISSUES FOR CONSIDERATION

9. During the process of preparing the management plan an audit was undertaken of all the properties and public realm within the boundaries of the conservation area in order to identify the extent of threats. The following threats were identified:
 - Issues of intensification that affect those who use and visit the area;
 - Lack of communal identity and knowledge of this historic area;
 - Poor quality and inconsistent public realm: street lighting, street furniture and redundant signage posts;
 - Obtrusive advertisements including illuminated advertisements on buildings; and
 - Street clutter: refuse and recycling bins and structures extending onto the footway.
10. English Heritage consider good management and maintenance to be crucial for the long-term care of heritage assets. Poor management and maintenance puts heritage at risk. The management plan is informed by and builds upon the threats and heritage needs identified in the appraisal. The management plan will provide the structure and procedures required to address the issues identified and achieve the stated objectives.

Policy implications

11. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to draw up and publish proposals for the preservation and enhancement of conservation areas in their district. There is also a requirement under section 71 of the Act for local authorities to consult the local community on any management proposals for conservation areas within their area.
12. Paragraph 126 of the NPPF 2012 provides that: 'Local planning authorities should 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.'

The management plan complies with the requirements of the NPPF.

13. English Heritage has published guidance on conservation area appraisals, 'Understanding Place: Conservation Area Designation, Appraisal and Management 2011'. This document sets out the components for a conservation area management plan and provides a framework to ensure conservation areas retain the qualities which gave rise to their designation as a conservation area. The management plan incorporates these components and provides both a general approach and practical initiatives for the preservation and enhancement of the conservation area.

Community impact statement

14. The draft management plan will be consulted on in accordance with the statement of community involvement. The statement of community involvement, adopted in January 2008, sets out how and when the council will involve the community in the alteration and development of town planning documents and applications for planning permission. Although the statement of community involvement does not require the council to consult on the designation of a conservation area, an extension to an existing one, an appraisal or management plan, the council proposes to follow a similar procedure here as a matter of good practice.
15. The consultation will seek the views of the Bermondsey and Rotherhithe community council, local residents, businesses and other local interest groups over the contents of the management plan. Notification of the consultation on the management plan and supporting documents will be placed on the council's website.
16. An equalities analysis has been prepared for the Shad Thames conservation areas management plan (Appendix 3).

Resource implications

17. Notifying the public of the management plan will not result in resource implications for the staffing of the chief executive's department.
18. The cost of publishing the management plan can be met within the chief executive department's revenue budget. The cover price of the document will be fixed to cover production costs.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of legal services

19. The Bermondsey and Rotherhithe community council is being asked to comment in relation to the draft Shad Thames conservation areas management plan (Appendix 1) and the associated equalities analysis (Appendix 3).
20. Under Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990, every local planning authority must determine which parts of its area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and designate those areas as conservation areas.
21. Under Section 71 of the same Act, the local planning authority must also from time to time formulate and publish proposals for the preservation and enhancement of such areas. These proposals must be submitted for consideration at a public meeting in the area to which it relates.
22. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary those subject to the equality duty, which includes the council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; (ii) advance equality of opportunity between people who share a protected characteristic and those who do not; and (iii) foster good relations between people who share a protected characteristic and those who do not.
23. The Human Rights Act 1998 imposed a duty on the council as a public authority to apply the European Convention on Human Rights; as a result the council must not act in a way which is incompatible with these rights. The most important rights for planning purposes are Article 8 (respect for home); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property). The management plan is deemed unlikely to conflict with human rights but this will be kept under review as part of the development control process.
24. The draft Shad Thames conservation areas management plan and equalities analysis are brought before the community council in accordance with Part 3H, paragraph 2, of the Southwark constitution 2012/13, under the sub-heading "Consultative/non-decision making." which requires the community council to comment to planning committee on the adoption of conservation area appraisals and also designations of conservation areas.

Strategic director of finance and corporate services

25. The resource implications in paragraphs 16 and 17 above are noted. It is recognised that the cost of publishing the plan can be met from existing planning budgets and that production costs will be met from the proceeds of sales of the document.

Strategic director of environment and leisure

26. The production of a management plan is supported since it will help ensure a consistent approach to the management and maintenance of the public realm. This is in line with the principles of the adopted Southwark streetscape design manual. Any recommendations within the plan will need to be managed within existing budgets unless new external funding can be found. It is particularly important to consider robust future maintenance arrangements are put in place for any new areas of street greening.

REASONS FOR URGENCY

27. The consultation period will end before the next meeting of the Bermondsey and Rotherhithe community council. The results of the consultation process are due to go to the Planning Committee in March for consideration.

REASONS FOR LATENESS

28. The initial report has been amended due to new information received following consultation with officers.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Tower Bridge Conservation Area Appraisal (Adopted July 2003) St Saviours Dock Conservation Area Appraisal (Adopted July 2003) http://www.southwark.gov.uk/info/511/conservation_areas/2100/conservation_area_appraisals	Chief executive's dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289

APPENDICES

No.	Title
Appendix 1	Shad Thames conservation areas management plan
Appendix 2	Map of the Shad Thames conservation areas management plan
Appendix 3	Equalities analysis

AUDIT TRAIL

Lead Officer	Gary Rice, Head of development management	
Report Author	Michael Tsoukaris, Group manager, design and conservation	
Version	Final	
Dated	15 January 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of legal services	Yes	Yes
Strategic director of finance and corporate services	Yes	Yes
Strategic director of environment and leisure	Yes	Yes
Cabinet member	Yes	No
Date final report sent to Constitutional Team	16 January 2014	