

Item No. 8.	Classification: Open	Date: 30 April 2014	Meeting Name: Planning Sub-Committee A
Report title:		Rye Lane Peckham and Shad Thames Conservation Area Management Plans	
Ward(s) or groups affected:		The Lane, Peckham and Riverside	
From:		Head of Development Management	

RECOMMENDATION

1. That members of the planning sub-committee note the public consultation responses and subsequent amendments made to the Rye Lane Peckham and Shad Thames area conservation management plans detailed in the report; and consider adoption of the Rye Lane Peckham and Shad Thames conservation area management plans (Appendices 1 and 2) following a period of consultation commencing in November 2013.

BACKGROUND INFORMATION

2. The Rye Lane Peckham conservation area management plan covers the entire conservation area, which is focused upon the busy commercial streets of Rye Lane and Peckham High Street. These streets reflect the characteristics of the different periods of the area's growth. The conservation area is largely characterised by a mixture of 18th century to mid 20th century buildings. The pattern of development of each is broadly characterised by different phases of the area's commercial and retail growth. Unlike neighbouring conservation areas there is no predominate architectural style or palette of materials. The character of the conservation area is attributed to the eclectic architectural styles and materials.
3. The boundary of the Shad Thames Area conservation management plan has been adjusted beyond that of the conservation area to take in the wider appreciation of the area from the main streets and has been extended beyond that purely defined by the Tower Bridge conservation area. It has been enlarged to include the northern flank of Tooley Street to the south and the buildings fronting onto Shad Thames to the east. This takes in a small part of the St Saviour's Dock conservation area to the east and encompasses the wider setting of the conservation area and follows best conservation practice rather than adhering to the strict limitations and confines of the originally designated conservation areas. The Tower Bridge conservation area lies immediately east of Tower Bridge and east of Tower Bridge Road. It is bounded by the major city routes of Tooley Street and Tower Bridge Road on the south and west sides, and by the river and St. Saviours Dock on the north and east. Part of Tooley Street, to the west of the crossroads with Tower Bridge Road is also included. The Tower Bridge conservation area is characterised by an extraordinarily tight sense of enclosure, which dramatically cuts it off from its surroundings. However, its location right on the southern bank of the Thames in the centre of the city gives it a very particular and unique situation. Tower Bridge itself provides a remarkable

approach to the conservation area, even though most of the links into it are glimpsed through the narrowest of streets.

4. On the 25 November 2013 the Peckham and Nunhead Community Council considered an IDM from the cabinet member for regeneration and corporate strategy authorising a 12 week public consultation with the: community council, local residents, local businesses and other stakeholders on the draft Rye Lane Peckham conservation management plan. The community council was asked to provide comment. On the 29 January 2014 the Bermondsey and Rotherhithe Community Council considered a comparable IDM on the draft Shad Thames management plan.
5. 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 Rye Lane Peckham and Tower Bridge conservation area appraisals assisted in identify positive and negative aspects of the conversation areas, opportunities for beneficial change and the need for additional protection and restraint. The management plans 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.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

6. The main issue to be considered is whether to adopt the Rye Lane Peckham and Shad Thames Conservation Management Plans.

Planning policy

7. Core Strategy 2011 (April)
Strategic Policy 12 Design and Conservation.

Southwark Plan 2007 (July)

Saved Policy 3.15 Conservation of the historic environment

Saved Policy 3.16 Conservation areas

Saved Policy 3.18 Setting of listed buildings, conservation areas and World heritage sites

Saved Policy 3.19 Archaeology

London Plan 2011 consolidated with revised early minor alterations October 2013

Policy 7.9 Heritage-led regeneration

Policy 7.8 Heritage assets and archaeology

The National Planning Policy Framework (March 2012) (NPPF)

Consultation responses

Results of public consultation Rye Lane Peckham CMP

8. In total, three email responses were received and four feedback forms were completed at the public meeting held on the 23 January 2014, all wrote in favour of the principle of the CMP.

9. One email response asked how the council; intends to enable local residents, institutions and groups to develop and deliver public realm and heritage programmes. As part of the proposed Peckham townscape heritage initiative (THI); due to commence in summer 2014, a heritage regeneration partnership will be established, providing a link between the council, stakeholders and community groups and delivery of the scheme. The respondent also advised that they would like to get involve with the heritage programmes as a local resident. We will retain all the details of those who have expressed an interest in getting involved to contact them when the THI scheme and complimentary initiatives begin later this year. The final point raised was a suggestion that Rye Lane could benefit from the Department of Energy and Climate Change funds that have been made available. This is a source of grant funding that can be explored as part of the Peckham THI.
10. Another email response received welcomed however the Rye Lane Conservation Area Management recognised the creativity sector's contribution to Peckham's economy, reputation and cultural wellbeing. However, where they felt the CMP was not so strong was in mitigating potential threats to the creative sector and heritage assets, in relation to new building developments just outside of the conservaton area. Particularly, proposals for a 20 storey building on the Morrison's car park site and redevelopment of the Peckham car park. These proposed development outside the conservation area and the CMP boundaries and will need to comply with policies set out in the emerging Peckham and Nunhead Area Action Plan and the Core Strategy (2011).
11. The third email response welcomed the wide overall coverage of the CMP and considered that it would stimulate much need integrated working across a wide variety of topics in the town centre. They considered that the annual review was important but queried the mechanism for this. It is envisaged the THI officer will lead on the annual review with input from other council departments and the Heritage Regeneration Partnership. The respondent suggested that text on page two paragraph one required simplifying. The CMP has been amended to read the 'council is committed to working with the community including business groups, residents and voluntary groups to deliver improvements to the historic townscape and will develop a framework to involve all these stakeholders in this work.' Under User and Users Section 3 Practical Initiatives, the following re-wording was suggested 'building on existing heritage work by local groups, open to anyone to anyone living or interested in area, to explore ways of sharing knowledge about the area. The CMP has also been amended to take into account this suggested rewording. The respondent also highlights the large intrusive adverts obstructing the pavements in Rye Lane and queries whether the CMP provisions are adequate. There is legislation that the council can apply to control advertisement. The council could apply to the Secretary of State for the conservation area to become an area of Special Control of Advertisements. The council will need to demonstrate that they consider that it's historic, architectural and cultural features are so significant that a stricter degree of advertisement control is justified in order to conserve visual amenity within that area.
12. The responses completed on the feedback forms were all in favour of the CMP. One response was supportive of the five year life of the plan and proposed annual review. They requested that a Peckham Town Trail is published at some stage partly covering the conservation area and the English Heritage study conducted on the Peckham town centre in 2009. The idea of a Peckham Town Trail, is suggested under the Practical Initiatives section of the CMP and could be

explored and developed through the complimentary initiatives strand of the Peckham THI.

Results of public consultation Shad Thames CMP

13. In total, six email responses and one letter were received, all wrote in favour of the principle of the CMP.
14. One letter was received and they wrote in support. However, they expressed a concern about the impact of visitors and the new development on the area. They suggested that more engagement between residents and developers would benefit the area. An email response received urged the implementation of further restrictions on vehicle flow and parking and of people gathering outside licensed premises in such close proximity to residential properties. A second email wrote in relation with problems with commercial premises in relation to waste, noise and smoking. They also raised an issue in relations to the cobbles and the difficulty walking on them and wondered if there was an alternative surface, which maintained the character. They would also like to see more references to the areas history and displays. Surface treatment and displays were also highlighted in a third response. A number of suggestions were made in relation to amendments to the text of the CMP. For example the 'general approach' section amended to highlight the need for constructive working between the community and council. The respondent also considered that displays on the pedestrian ways added character, should not be discouraged and appropriate surface treatment could overcome any issues and traffic movement was again a concern. Finally they were of the view that developers should be encouraged to design buildings that did not require scaffolding, or introduce measures to existing building to avoid the need for scaffolding for maintenance; unfortunately controls such as these would be beyond the remit of the planning department. A fourth response, whilst they supported the CMP hoped that the enhancement of the character of the area did not stifle local businesses.
15. A fifth email response suggested local 'Saturday' markets and an extension the area covered by the CMP, eastwards to include Mill Street and Dock End. The current area of the CMP has been suggested by the local residents; however alterations to the boundary would form part of the annual review of the CMP following adoption. The final respondent wrote in relation to Potters Field Park and pressures on it as a result of development within the area; however the park is outside the area currently covered by the CMP.

Conclusion on planning issues

16. 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.
17. Paragraph 126 of the National Planning Policy Framework 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 Plans comply with the requirements of the National Planning Policy Framework.

18. 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 plans incorporate these components and provides both a general approach and practical initiatives for the preservation and enhancement of the conservation area.

Community impact statement

19. The draft conservation management plans were 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.
20. The consultation will sought the views of the Peckham and Nunhead and Bermondsey and Rotherhithe Community Councils, 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 were placed on the council’s website.
21. Equalities analysis’ have been prepared for both the Rye Lane Peckham and Shad Thames Management Plans.

Resource implications

22. Notifying the public of the Rye Lane Peckham and Shad Thames Conservation Management Plans has not resulted in resource implications for the staffing of the chief executive’s department.

23. the cost of publishing the conservation management plans 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

24. The recommendation in the report is that the planning committee adopts the two management plans relating firstly to Rye Lane Peckham and secondly to the Shad Thames conservation.
25. In respect of both management plans, there has been a period of consultation with the relevant community council, local residents, local businesses and other stakeholders to obtain their views in relation to the draft management plan. This report sets out the results of the respective public consultations.
26. 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.
27. 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 public consultation in the area to which it relates and this obligation has therefore been discharged.
28. 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. Para 21 of the report refers to the consideration of equality issues.
29. 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 Plans are not considered likely to conflict with human rights.
30. The decision to agree the adoption of the two management plans falls to the planning committee in accordance with para 3, Part 3F of the council's constitution.

Strategic Director, Finance and Corporate Services

31. The strategic director of finance was consulted on the proposed conservation management plans presented to the Peckham and Nunhead, and Bermondsey and Rotherhithe Community Council's and the planning committee and noted the resource implications under paragraphs 22 and 23 and 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

32. The strategic director of environment and leisure was consulted on the proposed conservation management plans presented to the Peckham and Nunhead, and Bermondsey and Rotherhithe Community Council's and the planning committee and reported that 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Adopted Rye Lane Peckham Conservation Area Appraisal	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
Adopted Tower Bridge Conservation Area Appraisal	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
IDM to Peckham and Nunhead Community Council (25/11/13)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
IDM to Bermondsey and Rotherhithe Community Council (29/01/14)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
Equalities Analysis (Rye Lane Peckham)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289
Equalities Analysis (Shad Thames)	Chief executive's Dept. 160 Tooley Street London, SE1 2QH	Tracy Chapman Tel: 0207 525 2289

APPENDICES

No.	Title
Appendix 1	Rye Lane Peckham Conservation Area Management Plan
Appendix 2	Shad Thames Conservation Management Plan
Appendix 3	Map of the Rye Lane Peckham Conservation Area
Appendix 4	Map of the Shad Thames Conservation Management Plan Area

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Tracy Chapman, Team Leader Design and Conservation	
Version	Final	
Dated	4 April 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, Finance and Corporate Services	Yes	Yes
Strategic Director of Environment and Leisure	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	16 April 2014	