

<b>Item No.</b> 12.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Heritage Supplementary Planning Document (SPD)	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Helen Dennis, Climate Emergency and Sustainable Development.	

## **FOREWORD – COUNCILLOR HELEN DENNIS, CABINET MEMBER FOR CLIMATE EMERGENCY AND SUSTAINABLE DEVELOPMENT**

The immensely rich and varied architecture, archaeology and history of Southwark is of national and international significance, ranging from prehistoric flint scatters, through Shakespearean playhouses, to the vast industrial Tate Modern. Our historic environment is an important and essential community benefit, contributing many tangible and intangible benefits to wellbeing, culture, and the sense of place and identity.

At the same time, Southwark also has some of the highest regeneration activity experienced anywhere in London. We recognise that Southwark’s unique historic environment is a finite and non-renewable resource, and requires sustainable management based upon best practice, clear principles, consistent policies and sound guidance. Our aim is to find a balance between our commitment to the historic environment and to sustainable development.

The purpose of this document is to show how the development decisions the council make are considered, and are consistent with national and local policy and guidance. Policies within the Southwark Plan protect the historic environment from harm and ensure that heritage-led development conserves or enhances heritage places and their settings.

Southwark Council have produced this Supplementary Planning Document (SPD) to set out our approach to the management of heritage assets and to show how we protect and celebrate our common humanity in harmony with the economic and social needs and aspirations of the people who live, work and visit Southwark now, and in future generations. History is not just about the past, it is an essential and unstoppable process and all of us are living histories, creating new history every day. History can help us to understand and engage with our contemporary places and cultures and nurture a sense of belonging and identification for everyone.

We hope that this document will provide clear guidance to help manage change in the historic environment through the planning system. We hope it will set out our commitment to Southwark’s unique heritage and celebrate new history in the making, but above all provide helpful and clear advice on how to approach these matters and find sustainable outcomes.

## **RECOMMENDATIONS**

That Cabinet:

1. Agree that the Heritage Supplementary Planning Document (SPD) be adopted (Appendix A).
2. Notes the Equalities Impact Assessment (Appendix B) and Consultation Report (Appendix C)

## **BACKGROUND INFORMATION**

3. The Heritage SPD provides guidance on how to apply the relevant policies of the Southwark Plan and the emerging New Southwark Plan concerning the historic environment. It gives guidance on how to conform to the additional national and local legislature and policies, within which the council must operate.
4. The aim of the Heritage SPD is help people to understand heritage matters and provide advice on conservation, preservation and enhancement of the historic environment.
5. It is designed for a wide readership, including applicants, owners, residents, planners, community groups and developers.
6. This document is a Supplementary Planning Document (SPD), which means that it is supplementary to the saved policies of the Southwark Plan and the emerging New Southwark Plan. SPDs contain non-statutory guidance that expands on development plan policies. SPDs can be a material consideration in planning decisions but are not part of the Plan.

## **KEY ISSUES FOR CONSIDERATION**

### **Climate Change**

7. As a result of the UK Government passing legislation to become Carbon Neutral by 2050, Southwark issued a Climate Emergency and made a pledge to do all it can to become carbon neutral by 2030.
8. Southwark's heritage assets have already released the carbon generated during construction, which means it is vital that we prioritise re-using our heritage assets, which will help towards reducing any present or future emissions.
9. Adapting and retrofitting our heritage assets will help to continue the longevity of these buildings. This could be done by restoring the existing use or changing the use through alterations.

## **Southwark's Heritage Assets – Listed Buildings, Local List, Conservation Areas, Archaeology and Nature.**

10. Southwark has approximately 1,000 heritage assets ranging from houses, schools, offices, railings, walls, gates, tombstones and monuments. These can be statutory designated heritage assets such as Listed Buildings, Conservation Areas or Scheduled Ancient Monuments (SAM), or locally designated heritage assets such as the Local list.
11. Under the Planning (Listed Buildings and Conservation Areas) Act 1990, a listed building is a building of special architectural or historic interest that is included on the national list of historically important buildings. The Government puts together this list with advice from Historic England.
12. Only a very small percentage of Southwark's buildings are listed. This fact alone makes every listed building special. The purpose of listing is to make sure that the special interest of these buildings is taken into account in decisions affecting their future. In order to protect Southwark's built heritage, special planning controls apply to listed buildings.
13. Southwark Council has a duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate as conservation areas those 'areas of special architectural or historic interest, the character of which is desirable to preserve or enhance.' It is the overall character of an area, rather than the individual buildings, which is important when designating a conservation area. The main purpose of designating a conservation area is to preserve and enhance the character and appearance of the area. The emphasis of planning control in conservation areas is not preventing development, but managing change that will harmonise with the special architectural or historic qualities of the area and protect open spaces and the wider setting of the conservation area.
14. A locally listed building is a building, structure or feature which is not listed but is important in the local context owing to its special architectural or historic interest or its townscape or group value. The protection of local heritage is important because it enhances the value of Southwark's built environment, but also maintains a sense of local distinctiveness which can assist with regeneration and place-making.
15. Archaeology is the study of people and past activities from the below-ground evidence that they leave behind, normally this takes the form of buried layers and deposits (stratigraphy), finds (artefacts) and features (pits, post-holes, ditches, wells, etc.). Southwark contains some of the most important urban archaeological sites in Britain, with sites dating from Mesolithic times (8,500 BC to 2,000 BC) in a pre-urban landscape to buried deposits relating to modern London as a world city. Archaeology is finite and non-renewable, and the council works hard to preserve this fragile resource.

16. The natural environment, like the historic environment, makes a positive contribution to community life by boosting wellbeing, increasing mutual understanding and cohesion and encouraging a stronger sense of place. Natural assets include geology, soil, air, water and all living things and their ecosystems, as well as natural processes and functions. It is this 'natural capital' that makes human life possible.

### **Heritage Crime**

17. Southwark's heritage assets are of national importance. It is only right that the Council should act to protect them from criminal damage and to enforce against unauthorised works that harm their special character.
18. It is an offence for anyone to carry out works that require ancient scheduled monument consent or listed building consent without the consent being first obtained. It is similarly an offence to demolish a building within a conservation area without express planning permission.

### **Consultation**

19. Consultation for the Heritage SPD began on Monday 11<sup>th</sup> January 2021 and was due to close on Monday 5<sup>th</sup> April 2021. As a result of the New Southwark Plan Examination in Public, the consultation period for the Heritage SPD was extended to Monday 10 May 2021.
20. Comments were provided via the Consultation Hub, or written responses sent to the Planning Policy Inbox ([planning.policy@southwark.gov.uk](mailto:planning.policy@southwark.gov.uk)).
21. Notifications of the consultation were sent out via MySouthwark to all statutory consultees that have signed up for this service. The link to the consultation hub was included in this notification.
22. Advertisement of the consultation was published on the council's social media pages in order for the consultation to reach a wider audience.
23. The consultation was presented at Southwark's Conservation Advisory Group (CAAG) on Tuesday 23 January 2021 by a Design and Conservation team leader.
24. A public consultation event was held on 16<sup>th</sup> February 2021 where an overview of the document was given by the previous Cabinet Member for Climate Emergency, Planning and Transport, Councillor Johnson Situ, and was followed by a presentation by the Group Manager of the Design and Conservation team and a Q&A session.
25. All documents relating to this consultation were also made available on the Southwark website.
26. The key themes to come out of the consultation were;

- a. Need to expand upon guidance in chapter six, 'Historic Environment in a Changing Climate'
  - b. Additional clarifications to be provided in chapter seven, 'Introduction to Built Heritage Assets' in order to make guidance clearer and consistent
  - c. Summaries requested of external guidance documents such as those from Historic England
27. Chapter six, 'Historic Environment in a Changing Climate' has been added to, with updated information and further diagrams provided. Additional clarifications have been provided within chapter seven, 'Introductions to Built Heritage Assets' and guidance updated with any national or regional policy changes to ensure consistency. The SPD was not considered the place to provide extensive summaries of external guidance as the document would become overly lengthy, however, any relevant external guidance has been linked to and signposted.
28. Full consultation responses and how they have been dealt with can be found in the Consultation Report (Appendix C).

### **Community impact statement and equalities**

29. The Heritage SPD is intended to be inclusive and accessible. Planning has a key role to play in supporting the council to promote equality and value diversity. We want to involve as many people as possible from as many communities as possible in the planning process. This aligns with our Public Sector Equality Duty.

### **Health impact statement**

30. Not applicable

### **Climate change implications**

31. The Heritage SPD sets out guidance for in chapter six, 'Historic Environment in a Changing Climate' on appropriate considerations for applicants to consider for the adaptation and retrofitting of heritage assets. The guidance will assist the delivery of schemes with lower carbon emissions as they progress through the planning system. New guidance within the SPD supports the delivery of the council's Climate Change Strategy.

### **Financial implications**

32. There are no immediate financial implications arising from this report.
33. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

## Legal implications

34. This report is being brought before the Cabinet Member for Climate Emergency and Sustainable Development under Part 3D of the Constitution. Under paragraph 7 of Part 3D individual cabinet members have the power to agree significant policy issues in relation to their area of responsibility. The Cabinet Member for Climate Emergency and Sustainable Development therefore has the power to agree the draft of the Heritage SPD which would include sending it out for consultation. It should be noted however that final approval of the SPD resides with full Cabinet under Part 3C of the Constitution paragraph 21 which states that only full Cabinet has the power to adopt supplementary planning documents taking account of comments from the planning committee.
35. The National Planning Policy Framework states that SPD's add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites or on particular issues and are capable of being a material consideration in planning decisions but are not part of the development plan.
36. The Town and Country Planning (Local Planning) England Regulations 2012 states at regulation 12 that a local planning authority must undertake a process of public participation before it can adopt a SPD. Part of that process involves consulting with relevant persons, setting out the main issues raised by those persons and then explaining how those issues have been addressed in the SPD. This report is the first step towards beginning the public participation process and will help to inform further drafts of the SPD.
37. SPD's are not subject to independent examination in the same way that other planning documents are however as stated above there is still a process of consultation that must be undertaken in respect of such documents. Section 19(3) of the Planning and Compulsory Purchase Act 2004 specifically requires local planning authorities to comply with their adopted Statement of Community Involvement ("SCI"). The Council's SCI provides for a period of 6 weeks informal and then 6 weeks formal consultation which occurred from 11 January to 10 May 2021.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

## APPENDICES

No.	Title
Appendix A	Heritage Supplementary Planning Document (October 2021)
Appendix B	Equalities Impact Assessment
Appendix C	Consultation Report

## AUDIT TRAIL

<b>Lead Officer</b>	Juliet Seymour, Head of Building Control, Policy, Transport, Design and the Built Environment	
<b>Report Author</b>	Gemma Williams, Planning Officer Athena Hylton Thompson, Graduate Planner	
<b>Version</b>	Final	
<b>Dated</b>	7 October 2021	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Departmental Finance Manager	Yes	Yes
Cabinet Member	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		7 October 2021