

<p>Cabinet 6 November 2013</p>	
<p>Report of: Aman Dalvi, Corporate Director Development and Renewal</p>	<p>Classification: Unrestricted</p>
<p>Review of and Additions to the Local List</p>	

Lead Member	Cllr Rabina Khan, Cabinet Member for Culture
Originating Officer(s)	Andrew Hargreaves, Borough Conservation Officer
Wards Affected	All wards
Community Plan Theme	A Great Place To Live
Key Decision	Yes

1. INTRODUCTION/SUMMARY

- 1.1 Tower Hamlets is a Borough which is particularly rich in heritage assets. It is a diverse Borough with historical assets that fully reflect that diversity.
- 1.2 The Local list is a list of buildings considered to be of local interest. It is largely composed of those buildings considered for statutory listing in 1973, but felt to be of less than national importance. Since this time a number of buildings have been added but the list has not been comprehensively reviewed.
- 1.3 The report recommends, in light of the forthcoming Centenary of the outbreak of World War I, that the Council goes out to public consultation with a view to adding the War Memorials contained within Appendix 1 to its Local List. As part of that consultation process, the Council would request information with regard to any monuments that have been omitted from Appendix 1.
- 1.4 The report further recommends that the existing local list is reviewed with a view to removing a limited number of buildings where they no longer exist or have been added to the statutory list. The buildings proposed to be removed from the List are contained in Appendix 2.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Agree to proceed with public consultation with regard to the addition of War Memorials to the Local List as set out in Appendix 1.
2. Agree to proceed with public consultation on the removal of selected existing entries on the local list as set out in Appendix 2.

3. Authorise the Corporate Director of Development and Renewal, after consultation with the Lead Member for Housing, Development and Renewal, to make the necessary and appropriate minor amendments to the draft lists, prior to public consultation.

1. REASONS FOR THE DECISIONS

- 1.1 The selected course is considered to be a sensible and achievable means of (i) contributing towards the aims of the Council's Community Plan by helping the Borough achieve its aim of being a great place to live, (ii) move forward the Council's Conservation Strategy which seeks to 'Increase the protection available to locally important heritage resources' and (iii) be a positive step towards complying with the National Planning Policy Framework which advises Local Planning Authorities to set out a 'positive strategy for the conservation and enjoyment of the historic environment.'

2. ALTERNATIVE OPTIONS

- 2.1 Several alternative courses of action have been considered ranging from keeping the existing local list to a full survey of the Borough.
- 2.2 Relying on the existing local list is not considered an appropriate option as there are a number of buildings which may no longer exist or which may have been added to the statutory list. Not updating the list would therefore create uncertainty for the local community, building owners and applicants for planning permission.
- 2.3 A full survey of the borough is not considered necessary at this stage given the strength of the Council's Conservation Strategy, the extent of the borough's Conservation Areas and the detailed records of statutory heritage assets. War Memorials are a notable omission from the local list and therefore are being proposed for inclusion.
- 2.4 The proposed course of action is considered to a sensible and achievable means of the Borough meeting national, regional and local policy objectives.

3. DETAILS OF REPORT

- 3.1 The Local List is a list of buildings considered to be of special local interest; buildings which contribute to locally distinctive character and add value to the townscape.

Policy Context

- 3.2 The contents of this report are consistent with the Council's policy framework and relevant national and regional policy:

National Planning Policy Framework (NPPF) and Heritage Assets

- 3.3 The NPPF advises Local Planning Authorities (LPAs) to set out 'a positive strategy for the conservation and enjoyment of the historic environment' in their Local Plan. Emphasis is placed on 'sustaining and enhancing the significance of heritage assets' and recognising that heritage assets are an 'irreplaceable resource' and should be conserved 'in a manner appropriate to their significance'.

- 3.4 Heritage assets are defined in the NPPF as buildings, monuments, and sites “having a degree of significance meriting consideration in planning decisions, because of its heritage interest”. This definition includes undesignated assets identified by the local planning authority (including locally listed buildings). It notes that they merit consideration in planning matters and notes that the LPA should take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset concerned.

Local Policy

- 3.5 Relevant Council Policy includes:

- Policy SP12 (b) of Council’s Core Strategy states that the Council will ‘Improve, enhance and develop a network of sustainable, connected and well designed spaces through: (b) Retaining and respecting the features that contribute to each places’ heritage, character and local distinctiveness.’
- Policy SP10 of the Council’s Core Strategy (Creating distinct and durable places): Part 2 seeks to protect and enhance the boroughs heritage assets and their setting and Part 3 seeks to enable the creation of locally distinctive neighbourhoods.
- Policy DM27 of the Council’s Managing Development Document (Heritage and the historic environment) provides further detail to ensure that the borough’s historic assets are protected and enhanced and ensures their setting contributes to a sense of place.
- The Conservation Strategy, the Councils Strategic Vision for the Boroughs heritage, takes a proactive approach to protect and enhance Tower Hamlets’ heritage to ensure that it can be appreciated and enjoyed by current and future generations. Specifically Objective 6.3 of the Council’s adopted Conservation Strategy aims to increase the protection available to locally important heritage resources. Objective 6.3 of the Conservation Strategy aims to increase the protection available to locally important heritage resources.

National Guidance with regards to Local Lists

- 3.6 The English Heritage Good Practice Guide for Local Heritage Listing states that local listing is “a means for a community and a local authority to jointly identify heritage assets that are valued as distinctive elements of the local historic environment. It provides clarity on the location of assets and what it is about them that is significant, guaranteeing that strategic local planning properly takes account of the desirability of their conservation.”

The effects of Local Listing

- 3.7 With regard to the level of protection afforded by local listing, the English Heritage Good Practice Guide states that “Locally listing a heritage asset does not bring additional consent requirements over and above those

required for planning permission. It can, however, help to influence planning decisions in a way that conserves and enhances local character. Under the NPPF the conservation and contribution of locally listed heritage assets will be a material consideration in planning decisions that directly affect them or their setting. Local heritage assets within conservation areas also benefit from the general control over demolition afforded by the Planning (Listed Buildings and Conservation Areas) Act 1990.”

- 3.8 Placing a building on the Local List places no statutory responsibility on the property owner, in terms of maintenance, repair or re-instatement of features.

War Memorials

- 3.9 Next year will be the centenary of the start of World War I and will focus public interest on the ‘War to end all wars’. It is a good opportunity for the Borough to assess, catalogue and where necessary protect its war related heritage. The Borough contains many War Memorials within its open spaces, public buildings, churches, schools and other buildings. They range in size from the magnificent Mercantile Marine Memorial at Tower Hill (Grade II listed) to the surviving street corner war memorial plaques which were once an evocative feature of the East End. Some of the memorials are very well known, others within private buildings are much less well known. Most were built to commemorate the fallen of World War I, many subsequently altered to incorporate inscriptions relating to World War II but there are monuments to other wars including that to the Falklands War at Tower Hill. There are also monuments to specific events such as that to The Last V2 Attack, the Bethnal Green Underground Station Disaster along with those to individual war heroes such as that to Private SF Godley VC at Godley VC House.
- 3.10 Several War Memorials within the Borough are protected by their statutorily listed status including that within the graveyard of St Anne’s Limehouse and the monument in Poplar Recreation Ground to the Children of North Street School killed when a bomb fell on the school in WWI. Freestanding memorials within Conservation Areas are also protected against demolition. Many significant memorials however have no statutory designation in the planning system and there is a risk they could be lost.
- 3.11 The list of War Memorials omits those fixed to listed buildings which are part of the listed fabric of the building concerned. These are not recommended for local listing as they are already afforded protection by virtue of the listed status of the host building.
- 3.12 It should be noted that local listing would, in the case of War Memorials fixed to buildings or other structures, apply only to the monument and not the host building. The aim being to ensure that, should the host building be demolished the plaque or monument would be accommodated within the new building or be moved to a replacement facility should that be considered a more suitable option.

The Existing Local List and the Need for Review

- 3.13 The Council's existing Local List is comprised largely of buildings which were considered for listing in 1973, when the Borough's Statutory List was prepared. This has been added to over the years but no comprehensive review has been undertaken since adoption and it contains a limited number of buildings which have been demolished or added to the statutory list. The existing Local List entries proposed for removal are set out in Appendix 2.

Consultation

- 3.14 In considering the inclusion of war memorials and the review of the existing local list a wide and inclusive consultation to gain the views of Tower Hamlets' many communities will be undertaken. This will include details of the consultation on the website and notices within East End Life. Care will also be taken to consult owners of those buildings and structures to be locally listed.

Next Steps

- 3.15 Pending approval at Cabinet on 6 November, the draft list of War Memorials and review of the existing local list would go out to public consultation for six weeks in December/January. Cabinet would be asked to approve the additions to the list in March 2014.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1. This report notes the intention to review the Local List of buildings considered to be of specific local interest with a view to adding or removing buildings as necessary. It also specifically requests approval for the addition of the War Memorials detailed in Appendix 1, and the removal of a limited number of buildings from the existing list which have either been demolished or added to the statutory list, detailed in Appendix 2.
- 4.2 There are no specific financial implications arising directly from this report. All officer time involved in reviewing and updating the Local List is being financed from within existing budgetary provision, as will be the costs of consultation.
- 4.3 Placing a building on the Local List does not place any statutory responsibility on the property owner in terms of maintenance, repair or reinstatement of features (paragraph 3.8). The listing does ensure however that the plaque or monument be accommodated or moved to a replacement location if redevelopment of the existing site takes place (paragraph 3.12). This will apply equally to monuments and memorials located on council owned sites or buildings and therefore plans for the retention of these memorials will need to be included within any future development proposals for these council sites.

5. LEGAL COMMENTS

- 5.1 The NPPF advises Local Authorities to set out a 'positive strategy for the conservation and enjoyment of the historic environment' in their Local Plan. Local Heritage listing is one of the mechanisms to deliver this requirement.
- 5.2 This report seeks approval to consult on the addition of war memorials to the Council's Local List. Any changes and consultation on the Local List should be informed by the recent English Heritage Good Practice Guide for Local Heritage Listing and the report makes it clear that a full and inclusive consultation will be carried out. The report further notes that a review of the current Local List has been undertaken and this should follow the same process of consultation and approval.
- 5.3 The Local List forms informs the Council's Local Plan and its planning decision making, and to this extent it is considered appropriate to follow the same decision making process in respect of Supplementary Planning Documents, which is to seek approval from Cabinet for consultation and adoption.
- 5.4 Before approving the Local List, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 In considering the review of the local list a wide and inclusive consultation to gain the views of Tower Hamlets' many communities will be undertaken. This will include details of the consultation on the website, notices within East End Life, the offer of a translation service, and the consultation of Tower Hamlets Equalities Forums. Care will also be taken to consult owners of those buildings and structures to be locally listed.
- 6.2 The consultation process will also allow residents to consider the War Memorials proposed for local listing and possibly identify other Memorials which are not presently known about. The process will seek the views of people from a wide range of groups.
- 6.3 Locally listed status is dependent upon the character of the historic environment rather than upon the communities that inhabit it. It is dependent upon whether the structure or building identified is locally distinctive and of special local townscape interest.
- 6.4 The Council's Conservation Strategy notes that Tower Hamlets' heritage is an irreplaceable legacy and that it is the foundation of Tower Hamlets' distinctive character. It makes a significant contribution to the Borough's sense of place and contributes to economic regeneration and sustainability, social inclusion and community development, recreation and quality of life. The overall aim of the Conservation Strategy is to protect and enhance

Tower Hamlets' heritage, and to ensure it can be appreciated and enjoyed by everyone, current and future generations.

- 6.5 The proposed review of the local list offers the potential to ensure the borough heritage is protected for all to enjoy, and would be in line with the aims of this Strategy.
- 6.6 Protecting and enhancing the borough's heritage contributes to building a sense of place and history which can be shared by the borough's diverse communities, therefore strengthening good relations between people from different backgrounds.
- 6.7 The review of the local list is consistent with the Council's Core Strategy which which was subject to a full Equalities Analysis.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 The proposal to amend the Local List aligns with the Core Strategy Strategic Objective 22 that seeks to protect, celebrate and improve access to our historical and heritage assets by placing these at the heart of the Big Spatial Vision of 'reinventing the hamlets'. This is one of a number of objectives under the 'Designing a high quality city' chapter which together seek to improve the built and natural environment of the borough.
- 7.2 The Core Strategy Spatial Policies have been informed and shaped by a Sustainability Appraisal and Strategic Environmental Assessment.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The review of the Local List is included within the Planning & Building Control Service Plan. This sets out the work programme of the Planning & Building Control service and is subject to the Council's risk management procedures.

9. CRIME AND DISORDER REDUCTION IMPLICATION

- 9.1 The review of the Local List complements the Core Strategy Strategic Objective of 'Creating safe and attractive streets and places'.

10. EFFICIENCY STATEMENT

- 10.1 The review of the Local List will provide greater certainty for the local community, building owners and applicants for planning permission. It will contribute to the efficiency of the planning application process.
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Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- 1. Draft List of War Memorials.
- 2. List of existing entries proposed to be removed.

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- Officer Contact: Andrew Hargreaves, Borough Conservation Officer
- Background Documents: None.

Officer contact details for documents:

- Not relevant.