

London Borough of Sutton

Wallington Green Conservation Area Management Plan

Planning, Transport and Highways Service

Environment and Leisure

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Introduction

Background

- 1.1 The Wallington Green Conservation Area, as shown on Plan 1, was designated in 1971.
- 1.2 The designation of conservation areas places a statutory duty¹ on local planning authorities to review conservation boundaries and to define and record the area's special interest, character and appearance. Accordingly, the Council prepared and approved a draft Character Appraisal in July 2006.
- 1.3 Public consultation was carried out for four weeks on the draft Character Appraisal between September and October 2006. Leaflets, summarizing the consultation issues, were distributed to all residents and businesses within the Wallington Green area. The document was also sent to the Greater London Authority, Government Office for London, and English Heritage. A

¹ The Town & Country Planning Act 1990 and the Planning (Listed Buildings & Conservation Areas) Act 1990

legal notice, advertising the consultation was placed in the Sutton Guardian and an article was placed in the Council's Borough wide magazine, the Sutton Scene, advertising the consultation over the Character Appraisal and inviting people to make comments. The document was placed in Sutton and Wallington Libraries and was also posted on the Council's website.

- 1.4 Over 40 comments were made on the draft Character Appraisal. Whilst some of these sought minor changes to the Appraisal some raised issues about the historical origins and importance of the area. None of the respondents raised issues about the future management/possible enhancement of the area.
- 1.5 The Council approved the revised Character Appraisal in January 2007 and this document should be read in conjunction with it.

The Need for and Scope of a Management Plan

- 1.6 The Management Plan is based on the understanding of the character of the area and seeks to address the issues identified in the Appraisal.
- 1.7 The Council considers that historic areas make a significant contribution towards the fabric of the Borough. They are important to an area's cultural inheritance, economic well-being and quality of life. However, it is important to recognise that these areas are not static and are subject to change. The aim of the Management Plan therefore is to ensure that change is managed in a way that maintains and enhances the area's special qualities.

- 1.8** In order to achieve this, the Management Plan expands on the historic environment policies in the Sutton Unitary Development Plan (UDP) and policies in draft Urban Design SPD to be applied specifically in the Wallington Green area.
- 1.9** The Council carried out significant public realm enhancements in this area a few years ago. These enhancements included re-landscaping the Green, construction of new paths and the erection of heritage style lamp columns. In view of this work already carried out by the Council this Management Plan does not set out a public realm enhancement scheme. However it is recognised that the public realm along the retail frontage requires enhancement although much of this is in the private ownership of the individual retail units.

Policy Context

- 1.10** The Development Plan for Sutton used to determine planning applications is currently the Mayor's London Plan and the adopted Sutton Unitary Development Plan (UDP). The Mayor's London Plan seeks to ensure the protection and enhancement of historic assets based on an understanding of their special character. One of the objectives of the UDP is to safeguard and improve the heritage of the Borough.
- 1.11** Planning applications for development within the Conservation Area will be determined against Policy 4B.10 'London's Built Heritage'; 4B.11 'Heritage Conservation'; and 4B.12 'Historic Conservation led Regeneration' of the London Plan and Policies G/BE2 and BE35 of

the Unitary Development Plan (copied in Appendix 1). Any proposed development will be assessed against the range of criteria in Policy BE35, which seek to ensure that the special visual, historic and architectural qualities of the area are either preserved or enhanced. All development must relate to its immediate environment and its context in terms of scale, density, form, materials and detailing. Applicants for planning permission must provide a "Design and Access Statement" to justify the design decisions that have been made and to show how the proposals relate to the context.

Status of the Document

- 1.12** Consultation on the draft Management Plan ran for a 6-week period from 05 June 2007 to 17 July 2007. As well as placing the draft Management Plan on the website and in the Wallington and Sutton Libraries the Council notified all residents/businesses in the Conservation Area by way of a leaflet.
- 1.13** Following the public consultation the views expressed were considered in revising the final draft for approval.
- 1.14** The Management Plan was approved by the Council's Executive, through delegated decision DEL/80/07, on the 20 September 2007 for the purposes of Development Control and informing the Core Planning Strategy and Site Development DPDs.
- 1.15** This Management Plan will be a material consideration in the assessment of planning applications.



Issues Arising out of the Conservation Area Appraisal

- 2.1** The Character Appraisal identifies a range of issues which are affecting the success of the Conservation Area including:
- The noise from the traffic on Acre Lane and Manor Road is a distraction on the Green;
 - The Guide Hall building is uninspiring in its architecture and materials and does not relate well to its surroundings.
 - Furthermore, the tarmac to the front does not soften its appearance;
 - Furthermore, the tarmac to the front does not soften its appearance;
 - Unsympathetic alterations to shop fronts have resulted in a parade which is bold, brash, out of keeping, and are not part of the original architectural language;
 - The plethora of projecting illuminated box signs, particularly on Croydon Road, add to the negative impact on

- this part of the Conservation Area;
- Greenview House, on Manor Road, is out of keeping in the area and makes a negative contribution to the shopping frontage; and
 - No 20 Manor Road also makes a negative contribution due to the unsympathetic treatment of the front staircase, boundary and the creation of a car park to the front of the property.

- 2.2** None of the comments received on the consultation over the Character Appraisal sought improvements to the area or raised issues that need to be addressed in the Management Plan.



THREE

Management Guidelines

3.1 As can be seen from the Character Appraisal there have been a significant number of developments that have a negative impact on the Conservation Area. It is thought that this is largely due to a lack of consideration of the architecture or little understanding of the features of the Conservation Area.

3.2 This Section of the Management Plan therefore expands on how the Council will apply planning policy in order to maintain and enhance the special character of the Conservation Area. The character of the area is described in detail in the Wallington Green Character Appraisal (2007), which should be read in conjunction with this document.

Listed Buildings

3.3 There are 14 listed buildings within the conservation Area to the west of Manor Road. Map 2 shows the location of these properties. The Character Appraisal indicates that all the listed buildings are relatively well maintained and make a positive contribution to the area.

Guidelines WG1

Listed Buildings

The Council will continue to

ensure the preservation of the listed buildings within the Wallington Green Conservation Area.

3.4 When considering applications for listed building consent the Council will apply the provisions of Policy BE23 'Protection and Preservation of Listed Buildings' and will only grant consent for substantial or total demolition of a listed building in exceptional circumstances.

3.5 Nos. 18-20 Manor Road, whilst not listed, are sandwiched between other Listed Properties and the unsympathetic alterations to these properties have a negative impact on the Conservation Area and the appreciation of the setting of the Listed Buildings.

Guidelines WG2

Protecting the Setting of Listed Buildings

The Council will ensure the protection of the setting of the listed buildings within the Wallington Green Conservation Area.

3.6 The Council will apply the provisions of Policy BE26 'Control over Development within the Setting of a Listed Building' which indicates that the Council will not grant permission for development which would adversely affect the setting or important views of a listed building.

3.7 The Council will approach the owners of Nos. 18-20 Manor Road with a view to discussing appropriate improvements to the front of their properties in order to enhance the Conservation Area.

Locally Listed Buildings

3.8 The Character Appraisal identified that whilst currently no buildings or

structures within the Conservation Area are identified on the Local List, the original wall and garden house of the former Loraine House, dating from the 18th Century, is of merit and should be added to the Local List to provide additional protection. A map showing the location of these structures is included as Appendix 3. Accordingly:

GUIDELINE WG3

Locally Listed Buildings

The Council will add the original wall and garden house of the former Loraine House to the Local List.

3.9 The Council has carried out consultation on the proposed inclusion of these structures on the local list. The Council consulted with the owners of the structures, the Conservation Area Advisory Consultation Group and local Ward Councillors. There were no objections raised to the inclusion of the garden house and wall and therefore their inclusion on the local list was approved at Strategic Planning Group on 04 September 2007.

3.10 As the structures have been added to the local list future applications regarding alteration/demolition of the structures will be assessed against the provisions of UDP Policies BE29 'Protection of Locally Listed Buildings' and BE30 'Presumption Against Demolition'.

Shopfronts

3.11 The Character Appraisal has identified that the retail area is characterised by a variety of poorly designed shopfronts with most of the originals having been replaced with aluminium or other materials. The retail frontage is

also negatively affected by the plethora of projecting illuminated box signs and small canopies.

3.12 Shopfronts are an important element in terms of creating an identity for an area. Well-designed shopfronts increase attractiveness, which may encourage investment and help regenerate the area. Therefore:

GUIDELINE WG4

Shopfronts

The Council will ensure that shopfronts are well designed and should be sympathetic with the original buildings and the setting of the Conservation Area.

3.13 The Council will apply the provisions of UDP Policy BE21 'Shopfronts' when considering applications for new shopfronts. The Council expects new shopfronts to be designed to a high standard, sympathetic with the original buildings and the street scene.

3.14 When determining applications for new shopfronts or advertising the Council will also have regard to the detailed design guidance on elements that make a successful shopfront that are set out in the Council's Urban Design Supplementary Planning Guidance.

3.15 When considering applications the Council will also have regard to English Heritage's publication 'Shopfronts Guidance Leaflet' (1990).

Public Realm

3.16 The public realm is defined as being those parts of an area (whether publicly or privately owned) that are available without charge for everyone to use or see,

including streets squares or parks. A successful public realm should have a clear identity and create vibrant and attractive spaces.

3.17 The Character Appraisal has identified that whilst the public realm of Wallington Green is of a high standard, the pavement of the retail frontage along Croydon Road/Manor Road is not. Particularly along Manor Road, retailers privately own a significant proportion of the pavement in front of their retail unit. Consequently, there is an inconsistent use of paving materials and levels. Furthermore the use of metal bollards around the private pavement in front of the gun shop significantly detracts from the area.

3.18 The creation and retention of an attractive public realm is important to ensure the enhancement of the Conservation Area and therefore:

GUIDELINE WG5
The Public Realm
The Council will discuss with owners of the shops along Croydon Road and Manor Road the need to implement enhancements to the public realm, including on that part of the pavement that is privately owned.

3.19 UDP Policy BE6 identifies the importance of a high standard of design and quality in the public realm. The Policy expects the design and environmental improvement of public spaces to be of a high standard of design and quality, using materials appropriate to the local context. Of particular importance to this Conservation Area is the provision within the Policy that paving should be co-ordinated.

3.20 The Council has also produced a Supplementary Planning Guidance Document on Planning Obligations. Section 7 of this SPD sets out how developments will be expected to make provision for environmental improvements as a necessary part of the development and the nature/extent of planning obligations sought for off-site works. The Council will have regard to this SPD when considering applications for development within the Conservation Area, particularly commercial developments.

The Green

3.21 The Character Appraisal identifies that the Green is the historic core of the Conservation Area and is an integral part of the Conservation Area. Consequently:

GUIDELINE WG6
Open Spaces
The Council will continue to ensure that Wallington Green is managed to its currently high standard as it is a high profile area.

Trees

3.22 The Character Appraisal indicates that the mature trees on the Green make an important contribution to the character of the Conservation Area. Consequently:

GUIDELINE WG7
Trees
The Council will consider the use of Tree Preservation Orders wherever appropriate where a tree of high amenity value is considered to be under threat. Trees of high amenity value include those within and outside the area where they contribute to the setting and character of the Conservation Area.

3.23 Trees within the Conservation Area over a certain size are protected by law and it is therefore advisable to consult the Tree Officer when proposing any lopping or felling.

3.24 Ill considered works to trees may not only lead to the loss of the trees themselves but also have a detrimental effect on the setting. The Council will continue to provide free professional advice on all tree matters as required.

Enforcement

3.25 Unauthorised work to a listed building is a criminal offence and could result in a fine or imprisonment. Likewise, unauthorised substantial or complete demolition of a building within a Conservation Area is also illegal. It is therefore essential to obtain Conservation Area or Listed Building Consent before work begins.

3.26 A key part of the success of this Management Plan, in terms of enhancing the Wallington Green Conservation Area, will be to ensure that appropriate enforcement action is undertaken where required. Therefore:

GUIDELINE WG8

Enforcement

Wherever practicable the Council will take steps to deal with the effects of unauthorised development in order to protect the special character and appearance of the area.

3.27 Unfortunately, due to limited resources, the Council is reliant on members of the public to bring breaches of control to the Council's attention. Complaints about unauthorised development must be made in writing to

Enforcement, Development Services at 24 Denmark Road, Carshalton, SM5 2JG, giving as much information as possible. It should be noted that the Council cannot consider anonymous complaints.

Conservation Area Leaflet

3.28 From public consultation carried out over other Character Appraisals many residents stated that they are not clear about planning restrictions in Conservation Areas.

3.29 Certain minor works and alterations to dwellings, that are not Listed, can normally be carried out without planning permission from the Council. This is called 'permitted development'. However, the cumulative effect of even relatively small changes can lead to the gradual detrimental change to the character of the area and therefore designation as a Conservation Area brings with it additional statutory protection. These additional controls include significantly reduced 'permitted development rights' for alterations and extensions to dwelling houses. Appendix 2 sets out the current statutory planning controls for development in Conservation Areas.

3.30 Given residents' concerns and the complexity of legislation the Council will produce a Conservation Area Guidance Leaflet for residents and businesses within Conservation Areas setting out both the rights and responsibilities of living in such an area.

GUIDELINE WG9**Guidance Leaflet**

The Council will prepare a Conservation Area Guidance Leaflet and will circulate this to all residents and businesses in the Conservation Area.

- 3.31** The Guidance Leaflet will include advice on the following issues:
- The benefits of living in a Conservation Area;
 - The effects of designation;
 - A checklist of what requires planning permission;
 - Guidance and advice on alterations, repairs and maintenance within Conservation Areas; and
 - Guidance on attractive and appropriate shopfront design.
- 3.32** The Leaflet will be prepared by Autumn 2007. It is anticipated that the printing and distribution costs will be in the region of £200.



FOUR

Monitoring

- 4.1** In accordance with English Heritage's "Guidance on the Management of Conservation Areas" and in order to assess the impact of the Management Plan on the preservation and enhancement of the Conservation Area, the Council has established a set of monitoring indicators.
- 4.2** The monitoring indicators are based on those contained in the English Heritage State of Environment Reports.
- 4.3** The success of the Conservation Area and the Management Plan will be monitored and comprehensively reviewed every five years. The monitoring will also include periodic photographic surveys and recording details of architectural change.

Indicator	Measurement	2007 Level
Heritage Assets	No. of listed buildings	14
	No. of Locally Listed Buildings	1
	No. of Unlisted Buildings of Merit	None
	No. of trees protected through TPOs	0
Heritage at Risk	% of buildings identified as needing urgent works	None
Enhancing the Environment	No. of Enhancement Schemes Implemented	N/A**

**A public realm enhancement scheme has already been implemented in the Conservation Area. The Character Appraisal identified that the quality of the public realm is generally good and therefore a public realm enhancement plan is not being proposed. Therefore this indicator is not applicable.



Sutton UDP Policy Context

Conservation Areas

Policy G/BE2 - Conservation Areas and Areas of Special Local Character

THE COUNCIL WILL DESIGNATE AREAS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST AS CONSERVATION AREAS AND OTHER AREAS WITH FEATURES OF TOWNSCAPE OR ARCHITECTURAL VALUE AS AREAS OF SPECIAL LOCAL CHARACTER AND WILL SEEK TO PRESERVE OR ENHANCE THE CHARACTER AND APPEARANCE OF SUCH AREAS.

Reasoned Justification for Policy G/BE2

Several areas of the Borough merit particular consideration either because of their historic significance or their attractiveness and townscape interest. The Council has a statutory duty to designate, safeguard and improve areas of special architectural or historic interest in the Borough. Furthermore, PPG15 cites the vital importance of such areas for maintaining and enhancing quality of life in residential areas. Therefore, the Council will give particular emphasis to carefully control the impact of development on the character and appearance of areas recognised for their special architectural, historic or townscape value and, wherever possible, to identify new areas.

Accordingly and further to Policy G/SD4, Policy G/BE2 seeks to designate, preserve and, where possible, enhance the appearance of Conservation Areas and Areas of Special Local Character, in order to ensure that development proposals and other works respect the character and appearance of designated areas in terms of density, layout, scale, built form, materials and landscaping.

Policy BE35-Development in Conservation Areas

WITHIN THE CONSERVATION AREAS, THE COUNCIL WILL:

- (i) FAVOURABLY CONSIDER DEVELOPMENT PROPOSALS THAT HAVE SPECIAL REGARD TO THE DESIGN POLICIES IN THE PLAN AND THE PARTICULAR TOWNSCAPE, LANDSCAPE AND ARCHITECTURAL CHARACTERISTICS OF THE CONSERVATION AREA;**
- (ii) WHERE APPROPRIATE, REQUIRE APPLICATIONS FOR NEW DEVELOPMENT TO CONTAIN SUFFICIENT INFORMATION FOR THE COUNCIL TO DETERMINE HOW A NEW DEVELOPMENT WILL BE INTEGRATED INTO ITS SETTING SO AS TO PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA;**
- (iii) OPPOSE PROPOSALS FOR DEMOLITION, WHERE THE LOSS OF SUCH BUILDINGS WOULD ADVERSELY AFFECT THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA;**
- (iv) WHEN CONSIDERING APPLICATIONS FOR CHANGES OF USE, EITHER TEMPORARY OR PERMANENT, HAVE SPECIAL REGARD TO THE CONTRIBUTION OF THE EXISTING AND PROPOSED USE TO THE VIABILITY AND HISTORIC CHARACTER OR APPEARANCE OF THE AREA;**
- (v) OPPOSE THE LOSS OF TREES AND ENCOURAGE THE RETENTION OF LANDSCAPE OR OTHER FEATURES THAT MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF THE AREA;**
- (vi) ENSURE THAT ANY WORKS AFFECTING CONSERVATION AREAS ARE OF A DESIGN WHICH IS**

**COMPATIBLE WITH THE CHARACTER OF THE AREA AND RETAIN OR ENHANCE ITS SPECIAL QUALITIES;
(vii) EXERCISE STRICT CONTROL OVER ADVERTISING MATTER AND TAKE ENFORCEMENT ACTION TO REMOVE ANY UNAUTHORISED ADVERTISEMENT MATERIAL;
(viii) REQUIRE CAREFUL DETAILING OF STATUTORY AUTHORITY DEVELOPMENTS AND UTILITIES SUCH AS ELECTRICITY SUB-STATIONS AND TELEPHONE KIOSKS TO ENSURE COMPATIBILITY WITH THE SURROUNDING AREA.**

Reasoned Justification for Policy BE35
PPG1 emphasises that local planning authorities should carefully consider the impact of development on existing buildings and the character of Conservation Areas. The Council has a duty under the 1990 Act to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Accordingly, proposals for development within Conservation Areas will be carefully controlled to ensure that the special visual, historic and architectural qualities of the Conservation Area is either preserved or enhanced. Therefore, to be acceptable development proposals will need to accord with the general design policies of the Plan and be designed so as to preserve or enhance the character and appearance of the Area. In considering whether applications are acceptable, the Council will give careful consideration to whether the layout, proportion, materials, colour, detailing, texture are in harmony with, or complementary to, the predominant townscape, landscape and architectural characteristics of the Area. The Council will also expect development proposals to reflect the importance of designated parks or gardens that may contribute to the special interest of an Area. Whilst the Council accepts that some buildings are out of character with Conservation Areas, this will not be regarded as a precedent for allowing other development which is similarly out of character.

In order to ensure a high standard of design is achieved and that new development respects the character and appearance of the Conservation Area, the Council will

normally seek a more detailed explanation of development proposals. Therefore, where appropriate, applications for development within Conservation Areas will usually be required to include detailed information sufficient enough to enable the Council to appropriately assess the application in the context of the surrounding Area. Proposed elevations and the relationship to surrounding buildings as well as reasoned design statements should be submitted with proposals in accordance with Policy BE3. To properly and fully assess the potential impact of proposals on the Conservation Area, the Council will not normally accept outline applications and, where necessary, will consider using its powers under Article 3 of the Town and Country Planning (General Development Procedure Order) 1995.

In addition to the visual quality, the character of the Conservation Area is taken from familiar buildings, particularly their individual and group contributions to the Area. Such buildings help to contribute to the Area's uniqueness and inspire the feeling of the specialness of the Area. The Council has strict statutory controls over the total or substantial demolition of unlisted buildings in Conservation Areas. Therefore, under Policy BE35 and where the principle of demolition is deemed to apply, the Council will oppose the demolition of buildings that make a positive contribution to the existing character or appearance of the Area.

The Council considers that land use mix and intensity of development constitute important parts of the special architectural or historic character of Conservation Areas. Therefore, applications for temporary or permanent changes of use or the sub-division of buildings will be carefully considered. Applications will generally be permitted where, in the Council's opinion, proposals are consistent with maintaining the viability and historic character or appearance of Conservation Areas.

Trees and other landscape features form part of the physical landscape and visual amenity of the Area and make a valuable contribution to the overall appearance of Conservation Areas. Within Conservation Areas the Council has additional control to

protect trees above a certain size which are not already protected by a Tree Preservation Order. Therefore, except for those trees which are exempt from this protection (including small, dead, dying or dangerous trees) the Council will oppose the loss of significant trees and encourage the retention of other notable features such as railings, walls and other landscape features.

When replacing street furniture, street lighting and undertaking other highway works such as street paving and cycle lanes, the Council will seek to ensure that appropriate designs and materials are used to preserve or enhance the Conservation Area (see also Policy BE6). Similarly, any such works should seek to ensure that their physical obstruction of the townscape is minimised, their distribution avoids clutter and that they are appropriately integrated into the townscape.

All outdoor advertisements can have a substantial impact on the appearance of the Conservation Area. Temporary advertising can be particularly harmful to the image of the area. In this respect all applications for advertisements will be assessed in strict accordance with the Council's Shopfronts and Advertisement Policies BE21 and BE22 and related Supplementary Planning Guidance and a very restrictive approach to other advertising matter will be adopted.

Due to the permitted development rights of some public utility companies and statutory undertakers, the Council has limited control over features such as telephone kiosks. However, where the Council can intervene it will expect that proposals have special regard to the use of traditional building forms and materials, which respect and compliment the character and appearance of the Area (see Policy PNR13).

For the avoidance of doubt, where Conservation Areas fall within sustainable locations (as defined by Policies BE14 and HSG6) the overriding policy intention will be to preserve the special architectural or historic interest of these areas, although the Council will also have regard to the need to accommodate well-designed higher density development in sustainable locations. A brief description of all Conservation Areas

is set out in Appendix 2, Schedule 2.1. The Council's Supplementary Planning Guidance on good urban design practice will provide further guidance on the character and appearance of designated Conservation Areas in sustainable locations.

Shopfronts

To ensure well designed shopfronts in Sutton Town Centre, District and Local Centres and other shops in dispersed locations and in furtherance of Policy G/BE1:

Policy BE21 - Shopfronts

PROPOSALS FOR NEW SHOPFRONTS SHOULD BE DESIGNED TO A HIGH STANDARD AND BE SYMPATHETIC WITH THE ORIGINAL BUILDINGS AND THE STREET SCENE IN TERMS OF SCALE, SITING AND DESIGN.

Reasoned Justification for Policy BE21
Shopfronts have the potential to add interest, variety and colour to the street scene and to enhance individual buildings. This Policy intends to establish good design principles for new shopfronts and to protect and improve the general quality of shopfront design. It is recognised that well designed shopfronts increase the attractiveness of shopping areas and in turn encourage spending and investment.

PPG6 encourages shopfront designs that take account of the character of the local area. Therefore, when considering proposals for the development, or alteration to shopfronts, the Council will expect shopfronts to be designed so as to respect the building's original structural framework and neighbouring properties. Shopfronts should therefore not be designed in isolation but be conceived as part of the whole building into which it is fitted and respect scale, proportion, character and features of the building. The Council's Supplementary Planning Guidance on the Design of Shopfronts and Advertisements sets out good practice for applicants. Alterations to existing shopfronts provide an opportunity for improved access for disabled people. Therefore in applying Policy BE21, the Council will also have regard to Policy BE9 on Improving Access

for Disabled People and, where appropriate, will impose conditions when granting planning permission.

Advertisements

To ensure control of advertisements within the Borough and in furtherance of Policy G/BE1:

Policy BE22 - Advertisements

THE COUNCIL WILL OPPOSE PROPOSALS FOR ADVERTISEMENTS THAT ARE DETRIMENTAL TO THE VISUAL QUALITY OF THE BOROUGH OR DO NOT MEET PUBLIC SAFETY REQUIREMENTS.

Reasoned Justification for Policy BE22
Advertisements affect the character of buildings and have an impact on the street scene. In shopping areas it is important that advertisements are well designed because they add to the attractiveness and quality of buildings. Attention should be paid to lettering and the design of fascia advertisements should reflect the design of the shopfront and the building above. It is important to ensure that advertisements are in harmony with the built environment and that the amenity of the building or the neighbourhood is not harmed.

PPG19 advises that in assessing the impact of advertisements the Council is expected to have regard to the effects upon the safe use and operation of any form of traffic or transport on land. Proposals for advertisements should therefore not prejudice public safety. The Council will exercise firm control over proposals for advertisements in Conservation Areas and around Listed Buildings and will apply Policies BE26, BE29 and BE35 accordingly.

Proposals for advertisement hoardings will only be considered acceptable around building sites or other vacant sites. The size and number of such hoardings should reflect the scale and characteristics of the area. Any additional signage not within shopping areas should have regard to townscape and the context of the surroundings. A large number of signs can create clutter and can be a hazard to visually impaired people if proper care and attention is not given to their siting. Advertising boards are often hazardous to general highway safety. Free-standing illuminated signs are not usually acceptable within residential areas.

In considering proposals for the development of, or alteration to, shopfronts, the Council will have regard to its Supplementary Planning Guidance on the Design of Shopfronts and Advertisements.

Listed Buildings

There are more than 160 buildings and structures within the Borough which are included on the Secretary of State's Statutory List of Buildings of Special Architectural or Historic Interest. Whilst the List is essentially complete, from time to time buildings deemed worthy of inclusion will be forwarded by the Council to the Department of National Heritage for consideration. The Council has a statutory duty to protect all buildings on the Statutory List (set out in Appendix 2, Schedule 2.1) and will use all the powers available to ensure this responsibility is properly discharged.

Policy BE23 - Protection and Preservation of Listed Buildings

THE COUNCIL WILL EXERCISE A PRESUMPTION IN FAVOUR OF PROTECTING AND PRESERVING LISTED BUILDINGS. CONSENT FOR SUBSTANTIAL OR TOTAL DEMOLITION OF A LISTED BUILDING WILL BE GRANTED ONLY IN THE MOST EXCEPTIONAL CIRCUMSTANCES AND ONLY WHEN THE APPLICANT HAS PROVIDED THE COUNCIL WITH CLEAR AND CONVINCING EVIDENCE TO JUSTIFY WHY CONSENT SHOULD BE GRANTED. THE COUNCIL WILL EXPECT SUCH EVIDENCE TO ADDRESS:

- (i) THE STRUCTURAL CONDITION OF THE BUILDING, AND THE COST OF REPAIRING AND MAINTAINING IT IN RELATION TO ITS IMPORTANCE;**
- (ii) THE IMPORTANCE OF THE BUILDING IN TERMS OF ITS INTRINSIC ARCHITECTURAL AND HISTORIC INTEREST AND RARITY;**
- (iii) THAT EVERY POSSIBLE EFFORT HAS BEEN MADE, WITHOUT SUCCESS, TO SUSTAIN THE EXISTING USES OR FIND COMPATIBLE ALTERNATIVE USES; AND,**
- (iv) THE ARCHITECTURAL MERITS OF PROPOSED REPLACEMENT BUILDINGS.**

Reasoned Justification for Policy BE23

The Council considers that listed buildings make a very important contribution to the townscape and heritage of the Borough. Their preservation and protection is of great importance to the Council. When considering any proposals affecting or likely to affect listed buildings, the Council will refer to PPG15 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Under the 1990 Act, the Council has control over the proposed demolition of all listed buildings and structures. Buildings and structures are listed because of their special architectural and/or historic interest. As such, there will be a general presumption that all listed buildings and structures will be preserved. However, there may be a few exceptional cases where consent may be granted for the

demolition or partial demolition of a listed building. The Council's decision in respect of applications for listed building consent is subject to the direction of English Heritage and applications for total demolition require the authorisation of the Secretary of State. To ensure the preservation of listed buildings, the Council will seek the co-operation of owners in the undertaking of regular, careful maintenance work and will co-ordinate the provision of technical advice when requested. Where repairs are necessary, the Council will make available grants as resources permit. Where repairs are not undertaken and the building is falling into disrepair with evidence of neglect, the Council will consider exercising its powers under the Listed Buildings Act to remedy the situation.

The responsibility for undertaking routine maintenance of a listed building rests with the building's owner. Regular maintenance is essential to ensure buildings stay watertight and generally weatherproof. The early detection of potential problems, such as wet or dry rot, is vital so that the problem can be quickly arrested. Routine maintenance can often pick up such problems at an early stage and save the owner considerable expense. To assist owners in their responsibility, the Council will offer technical advice when necessary or will procure specialist advice from officers of English Heritage.

From time to time, the Council will be in a position to offer grant assistance to listed building owners to undertake sympathetic repairs. However, grant assistance is unlikely to be available for routine maintenance works. The availability of grant assistance will be entirely dependent on the Council's financial resources at the time of application. The Council will also direct potential grant applicants to whatever sources of external funding may be available at the time, for example from English Heritage.

There are situations when basic routine maintenance has not been carried out and the building or structure is clearly falling into disrepair. In the first instance, the Council will make a concerted effort to contact the building owner and to discuss the need to take appropriate action. However, if

discussions fail, the problem suddenly becomes more urgent or tracing the owner is difficult, the Council is under a statutory duty to consider a more formal course of action in the interests of preserving the building or structure. In such cases, the Council will consider serving a Repairs Notice; undertaking the works itself and placing a charge on the property; or as a last resort and in exceptional circumstances consider compulsorily purchasing the property in question. The only circumstances in which a compulsory purchase might be contemplated will be when a back-to-back deal with a building preservation trust or similar can be put in place.

Policy BE24 - Change of Use of Listed Buildings

THE COUNCIL WILL ADOPT A FLEXIBLE APPROACH TOWARD THE CHANGE OF USE OF A LISTED BUILDING, PROVIDED THAT THIS IS THE ONLY COURSE OF ACTION LIKELY TO SECURE THE BUILDING'S SURVIVAL. HOWEVER, ALTERNATIVE USES WILL ONLY BE ACCEPTABLE WHERE THEY ARE COMPATIBLE WITH THE FABRIC, INTERIOR AND SETTING OF THE LISTED BUILDING, DO NOT REQUIRE LARGE-SCALE WORKS OF ALTERATION OR EXTENSION AND DO NOT MATERIALLY HARM THE CHARACTER OF THE LISTED BUILDING.

Reasoned Justification for Policy BE24

The most appropriate and suitable use for a listed building is the use for which it was originally intended. Keeping a listed building in active use is one of the best ways of ensuring continuing maintenance and upkeep. Wherever possible, the Council will encourage the original use to continue or for the original use to be re-instated.

The Council accepts that some buildings and structures were originally designed for uses that are no longer required. If such buildings are left empty they can become neglected leading to the decay of the building's fabric. This in turn may lead to the loss of architectural or historic features.

In these circumstances a change of use may be the only viable alternative. However, a change of use will only be regarded as acceptable if it is linked to the preservation of the building in question and if it can be undertaken without considerable alteration or loss of character.

Although consistency with other land use policies in this Plan will generally be sought, the Council will be flexible if the re-use brings the building back into a sensitive economic use. When assessing the most appropriate re-use of a listed building or structure under Policy BE24, the Council will have regard to the implications arising from compliance with other statutory requirements. As an example, compliance with fire regulations can adversely affect the character of a listed building if external fire escapes are required. Similarly, floor strengthening may be required to take account of building regulation requirements for office floor loadings. Where such requirements are likely to adversely affect the character of the listed building or structure, then a change of use is unlikely to be consented to.

Policy BE25 - Alterations and Extensions to Listed Buildings

WHEN CONSIDERING APPLICATIONS INVOLVING THE ALTERATION OR EXTENSION OF A LISTED BUILDING, THE COUNCIL WILL HAVE SPECIAL REGARD TO THE DESIRABILITY OF PRESERVING THE BUILDING, ITS SETTING OR ANY FEATURES OF ARCHITECTURAL OR HISTORIC INTEREST WHICH IT POSSESSES. SUCH WORKS WILL ONLY BE PERMITTED WHERE THEY WILL NOT ADVERSELY AFFECT THE SPECIAL HISTORIC OR ARCHITECTURAL INTEREST OF THE BUILDING CONCERNED.

Reasoned Justification for Policy BE25

The special architectural or historic interest of a building can be irreparably damaged by insensitive alterations (including partial demolition) or extension. When preparing proposals for such works, architects and designers should be aware that the Council places very great importance on preserving

the original fabric of a listed building or structure. All original internal and external decorative features shall be retained where they are of architectural or historic interest. Such features may include:

- windows
- shopfronts
- doors
- panelling
- window boxes and shutters
- staircases
- decorative metalwork
- tiles
- plasterwork
- chimneys
- fireplaces

If any features are removed during building works, conditions may be attached to the listed building consent governing where and how they are stored on or off site and that they are properly re-instated after building works have finished. Where features are not salvageable, the Council will require them to be reproduced as an exact copy or to an agreed alternative sympathetic design.

Policy BE26 - Control over Development within the Setting of a Listed Building

THE COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR DEVELOPMENT WHICH WOULD ADVERSELY AFFECT THE SETTING OR IMPORTANT VIEWS OF A LISTED BUILDING.

Reasoned Justification for Policy BE26
Local Authorities are required under the 1990 Act to have special regard to development which affects the setting of a listed building. The Council believes the setting of a listed building or structure is of great importance and is often an essential part of the building's character. Therefore when considering applications for planning permission which may affect a listed building, the Council will have special regard for the desirability of preserving the setting of the building. Inappropriate or insensitive development proposals likely to adversely affect the setting of a listed building or an important view of a listed building will not be permitted. English Heritage will be consulted on such applications.

Policy BE27 - Level of Detail required for Listed Building Consent Applications

THE COUNCIL WILL REQUIRE APPLICATIONS FOR LISTED BUILDING CONSENT TO INCLUDE A FULL ASSESSMENT OF THE LIKELY IMPACT OF THE PROPOSAL ON THE SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF THE BUILDING AND ON ITS SETTING, INCLUDING A STATEMENT WHICH SEEKS TO JUSTIFY THE NEED FOR WORKS WHICH WOULD AFFECT THE CHARACTER OF THE LISTED BUILDING.

Reasoned Justification for Policy BE27

Most listed buildings are complex structures because of their age and/or architectural detail. As such, it is very important that the Council has all the information needed to understand the impact any proposal may have on both the structure and the integrity of the building concerned. For this reason, applicants will be required to submit a significantly greater level of detail as part of their application documentation than is normally the case for a planning application. Therefore in applying Policy BE27, except in the most straightforward of cases, applications will need to include the following:

- an assessment of the special historic and archaeological interest of the building, based on its history and development and an understanding of its structure;
- measured floorplans and elevations of the existing building;
- scaled plans and elevations for the proposed works;
- before and after sections showing the constructional detail;
- a full structural and condition survey;
- measured drawings of all architectural detailing likely to be affected, including all joinery works;
- measured drawings of all windows and doors likely to be affected;
- a full schedule of works including a condition survey of all windows and doors, where necessary;
- a full schedule of materials to be used; and,

- a statement demonstrating how the proposals will affect the listed building and why consent should be granted.

Locally Listed Buildings

There are a large number of individual buildings or groups of buildings throughout the Borough which, although not of sufficient quality to warrant Statutory Listing, significantly contribute to the townscape of the area by their historical or architectural interest. The Local List does not have any statutory base, but supplements the statutory list, and the Council will seek to protect these locally listed buildings. Therefore in accordance with Policy G/BE3:

Policy BE28 - Maintenance of Local List

THE COUNCIL WILL IDENTIFY BUILDINGS AND STRUCTURES WHICH ARE OF LOCAL ARCHITECTURAL OR HISTORICAL MERIT FOR INCLUSION ON THE LOCAL LIST.

Reasoned Justification for Policy BE28

When considering the designation of buildings for inclusion on the Local List, the Council will consider whether the building or structure remains substantially unaltered and retains the majority of its original features and, additionally, whether it complies with one or more of the following listing criteria:

- is of historical interest by local, economic or social significance, well known historical events, people or designers;
- is a fine example of work by local architects or builders of esteem;
- is of local community interest;
- is important to the setting of nearby buildings and open spaces; or
- is important in relation to the townscape view.

The Council will keep the Local List under review and add further buildings as and when appropriate. A schedule of locally listed buildings, setting out their listing criteria is set out in Appendix 2, Schedule 2.1.

Although inclusion on the Local List lacks the protection afforded by Statutory Listing, the Council will encourage owners to retain buildings and particular architectural features, as their loss would be detrimental to the appearance, character and townscape quality of the Borough.

Policy BE29 - Protection of Locally Listed Buildings

THE COUNCIL WILL SEEK TO SAFEGUARD AND ENCOURAGE THE PRESERVATION OF THE CHARACTER, APPEARANCE AND SETTING OF LOCALLY LISTED BUILDINGS AND STRUCTURES AND WILL PROMOTE THEIR STATUS FOR INCLUSION ON THE NATIONAL LIST. PROPOSALS FOR DEVELOPMENT WHICH ADVERSELY AFFECTS LOCALLY LISTED BUILDINGS AND STRUCTURES WILL BE RESISTED.

Reasoned Justification for Policy BE29

The Council considers that it is important to safeguard and encourage the preservation of the character and appearance of buildings on the Local List and, where appropriate, will promote their status to achieve national listing.

Development proposals which involve the alteration and addition to a Locally Listed Building, should respect and reflect the scale, design, materials, colour and other character aspects of the building concerned. Alterations, including, additions and changes of use, should also contribute towards the character or setting of Locally Listed Buildings. For purposes of applying Policy BE29, the Council may relax planning standards and building regulations where it would assist in the preservation of Locally Listed Buildings. In accordance with PPG15, the Council considers that advertisements fixed to a Locally Listed Building and legitimately used for commercial purposes should be un-illuminated, of a modest nature and complementary to the character of the building.

Planning applications should be supported by sufficient details of the proposed development and/or alterations to allow

proper consideration of the effects on the Locally Listed Buildings.

Consideration will be given to the use of Building Preservation Notices to prevent the demolition of buildings on the Local List. Therefore:

Policy BE30 - Presumption Against Demolition

THE COUNCIL WILL SEEK TO OPPOSE THE DEMOLITION OF LOCALLY LISTED BUILDINGS AND STRUCTURES. WHERE THERE ARE COMPELLING REASONS FOR DEMOLITION, THE COUNCIL WILL SEEK TO ENSURE THAT THE PROPOSED REPLACEMENT BUILDING CLOSELY REFLECTS THE SCALE, CHARACTER AND DETAILED DESIGN FEATURES OF THE ORIGINAL BUILDING.

Reasoned Justification for Policy BE30

The Council has control over the demolition of buildings in Conservation Areas and PPG15 includes a presumption in favour of the preservation of unlisted buildings which make a significant contribution to the character and appearance of a Conservation Area. As the majority of buildings on the Local List are not within a Conservation Area, the Council's powers to control demolition are more limited. However, the Council will endeavour to protect these buildings from detrimental alterations by seeking to ensure that replacement development is of a high design standard.



Advice on Existing Planning Controls in Conservation Areas

Planning Permission and Conservation Area Consent

Applications for consent to totally or substantially demolish any building within a Conservation Area must be made to Sutton Council. Generally there is a presumption in favour of retaining buildings which make a contribution to the character or appearance of a Conservation Area.

Planning permission is required for a range of development proposals in Conservation Areas that might normally be considered permitted development elsewhere. These changes include proposals for:

- Extensions in excess of a maximum of 10% of the volume of the 'original house' or 50 cubic metres (whichever is the greater);
- Buildings or structures in the garden or land around the house with a volume of more than 10 cubic metres (any building or buildings below 10m³ will still be counted against the cubic capacity above);
- Roof alterations or additions;
- The installation, alteration or replacement of satellite antennae on a chimney, or on a building

which exceeds 15m in height, or on a roof slope facing the highway; and

- The cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, timber, plastic or tiles.

The other permitted development criteria also apply (for example for porches, fences and gates). Before undertaking work on your property it is advised to contact the planning department on 0208 770 6200.

Urgent Works and Repair Notices

There is no specific duty on owners of buildings, not even if it is listed, to maintain or repair their property. However, the Council has the following powers to secure the full repair or urgent preservation of a listed building or notable building within a Conservation Area, where the building has deteriorated to the extent where its preservation may be at risk.

Urgent Works

(Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

These powers can be used only in respect of an unoccupied building. Their use should be restricted to emergency repairs such as keeping the building wind and weather proof.

Repair Notices

(Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

If the local planning authority (LPA) considers that a listed building is not being properly preserved it may serve a repairs notice on the owner specifying the works necessary for the reasonable preservation of the building.

These powers are not restricted to urgent works or unoccupied buildings but should generally be used where the LPA considers that protracted failure to keep

the buildings in reasonable repair places the buildings at risk.

If the works are not done by the owner, the Council can then arrange for the works to be carried out by its own contractors, and may reclaim the cost from the owner.

Protection of Trees in the Conservation Area

All the trees in a Conservation Area over a certain size are automatically protected by law. Additionally, some may be specifically covered by Tree Preservation Orders (TPOs) which means that formal permission is required from the Council to fell or lop them. Failure to comply with legislation can result in prosecution.

Anyone wishing to carry out works to a tree in a conservation area which is not already protected by a TPO must give notice of their intentions to the Council and the Council has six weeks in which to decide whether or not to serve a TPO on that tree. The decision will be based on the contribution the tree makes to the conservation area, the species and the health of the tree. If a TPO is served a formal application will be required for the proposed works. A magistrate may impose a fine of up to £20,000 for the unauthorised removal of a protected tree.

Where the loss of a tree is unavoidable the Council will encourage, and, may require in certain circumstances, the replanting of a new tree with a species that is native or traditional in the area.

It is always advisable to contact the Council's Tree Officer before starting work on 0208 770 6200.



Contacts and Further Information

Contacts

Development Control Issues

Advice over the implications of the Article 4 Direction, pre-application advice and planning application forms can be obtained from the Planning Department at 24 Denmark Road, Carshalton tel: 020 8770 6200 or by email at developmentcontrol@sutton.gov.uk

Planning Policy Issues

For advice over the draft Management Plan or planning policy issues regarding the Conservation Area please contact Sally Blomfield, Principal Planner, Strategic Planning on 020 8770 6253 or by email at sally.blomfield@sutton.gov.uk

Street lighting/Signs

Please contact Paul Dillon, Street Lighting Manager on 020 8770 5000

Trees and Hedges in the public realm

Please contact Mark Dalzell, Parks Manager on 020 8770 5000

Other tree issues

Please contact the Council's tree officer on 020 8770 6200.

Further Information

Government Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990;

PPG15 Planning and the Historic Environment (1994).

Local Authority Guidance

Sutton Unitary Development Plan (2003);

Draft Residential Extensions Design Guide (2006).

English Heritage Guidance

Guidance on Conservation Area Appraisal (2005);

Guidance on the Management of Conservation Areas (2005);

Power of Place: the Future of the Historic Environment (2000);

Shopfronts Guidance Leaflet (1990);

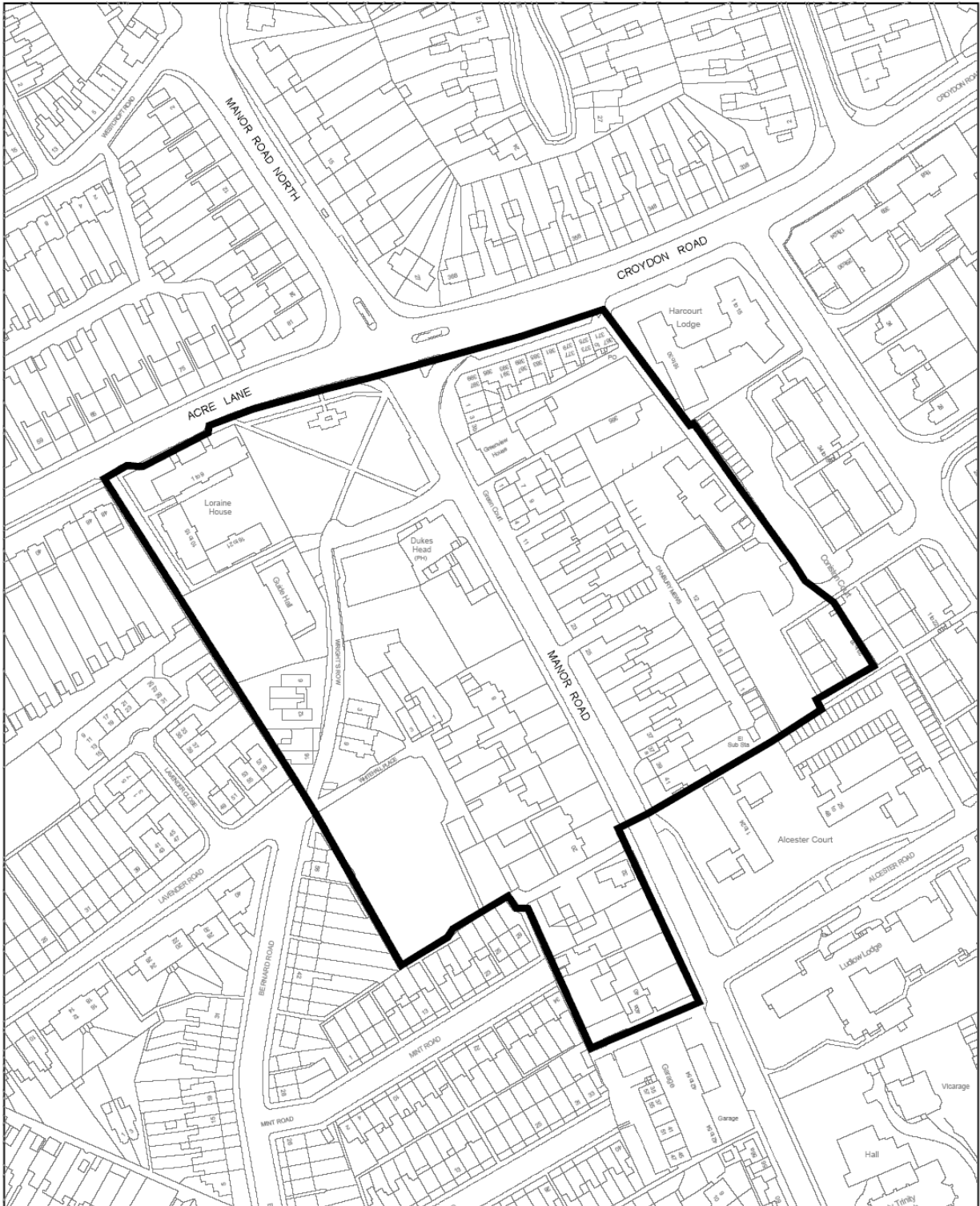
Streets for All: A Guide to the Management of London's Street.


Design Quality

Building in Context: New Development in Historic Areas (2001) (English Heritage/CABE)

Plan 1

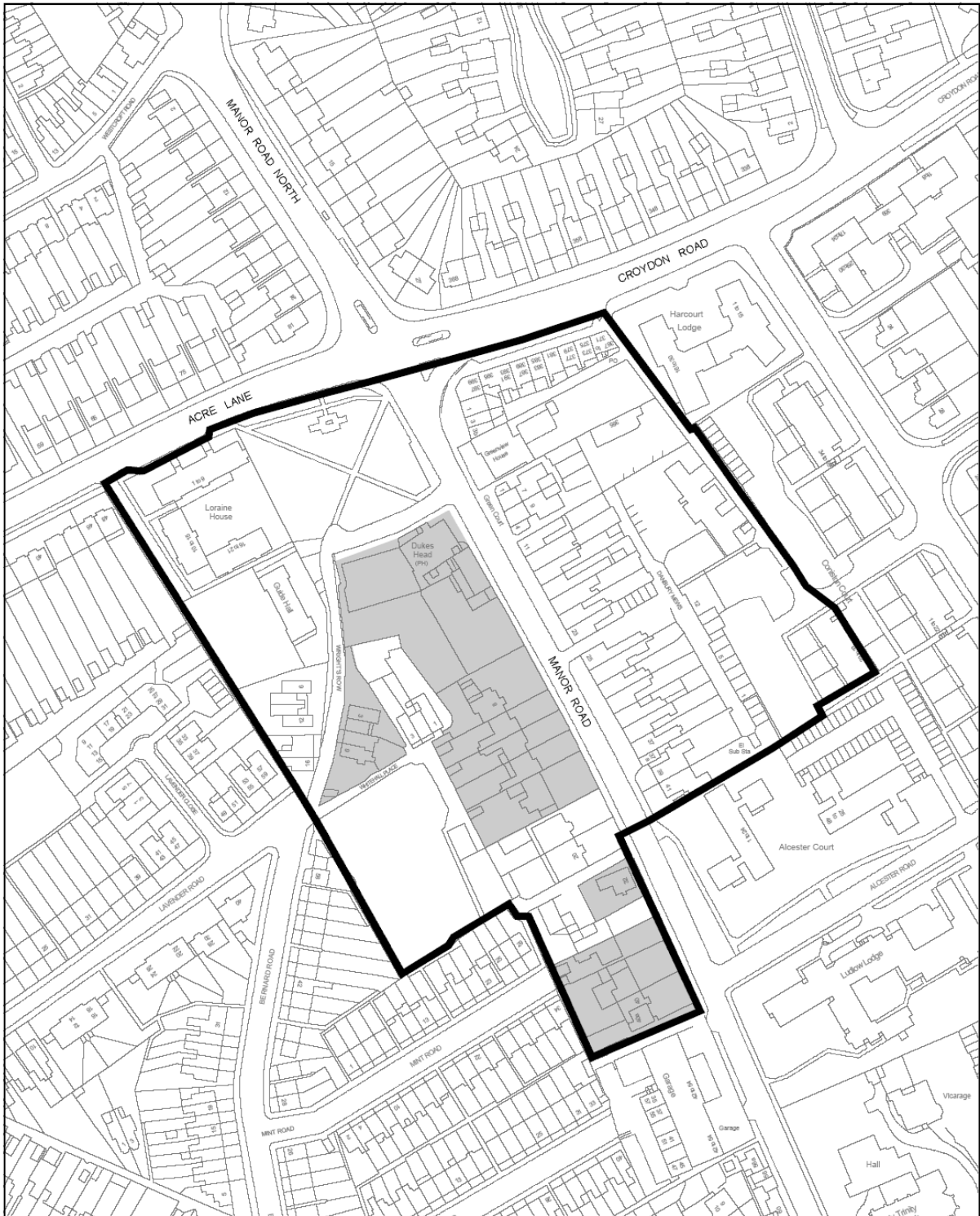
Boundary of the Conservation Area




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<p>Drawn</p>	<p>Scale Not to Scale</p>	<p>Drawing No. Plan 1</p>		
<p>Checked</p>	<p>Date September 2007</p>	<p>Revision</p>		

Plan 2

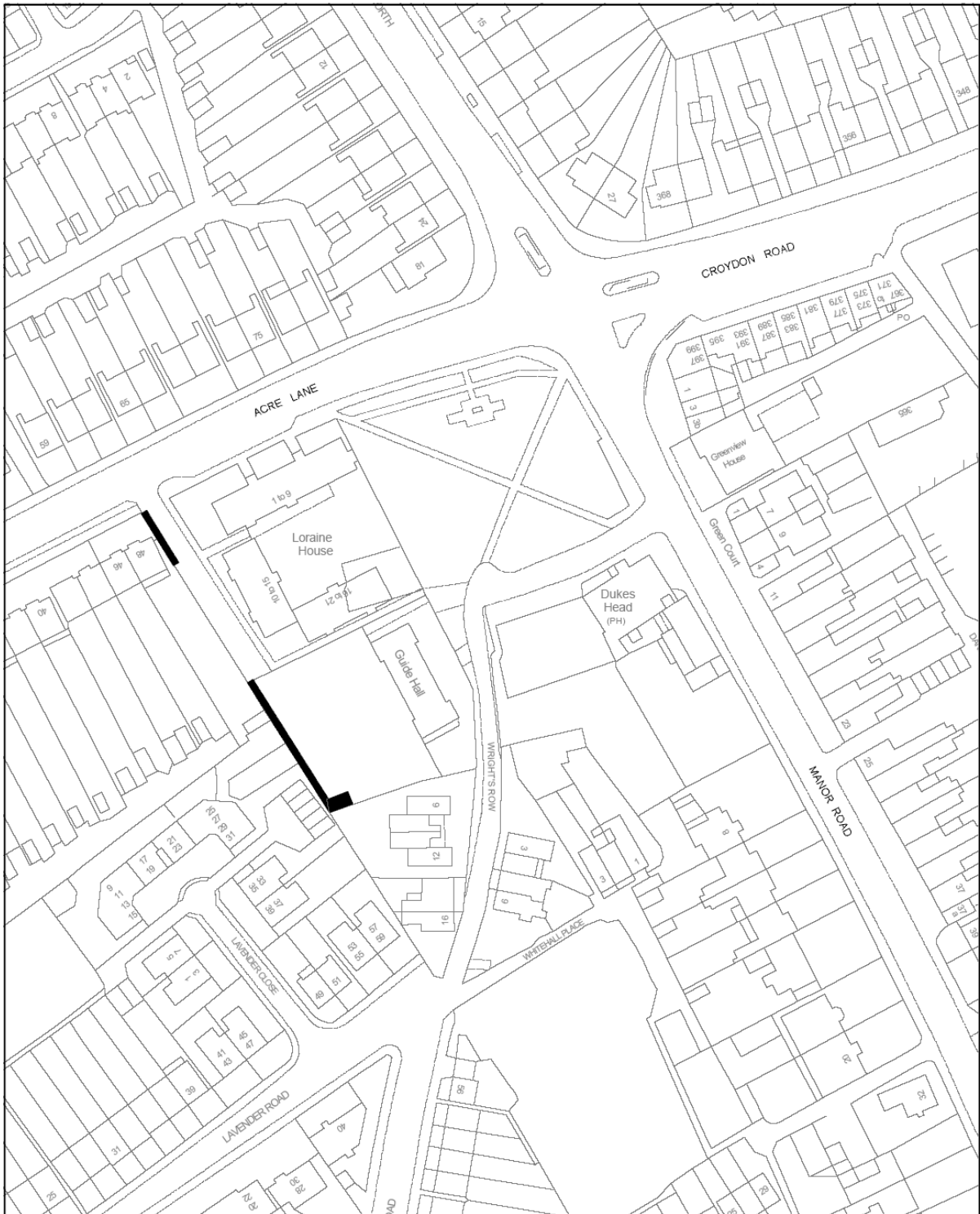
Listed Buildings




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Plan 3

Proposed Locally Listed Building



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