

Heritage Statement is for Unit 1,13 St Nicholas Shopping Centre, St Nicholas Way, Sutton, SM1 1AY.

Unit 1, 13 St Nicholas Shopping Centre, St Nicholas Way, Sutton, SM1 1AY proposing new shopfront, shutters and shop signage.

1 Introduction

Proposals have been made for new shopfront, shutters and shop signage. The site is Unit 1, 13 St Nicholas Shopping Centre, St Nicholas Way, Sutton, SM1 1AY. The property is within the Sutton Town Centre Conservation Area therefore in order to maintain the existing street scene it is essential to preserve as many of the existing features of the commercial units as possible.

The current proposal does respect the Sutton Town Centre Conservation Area aspect of the neighborhood.

The area also has a historical value within a conservation area and the site being on a site of high archaeological potential.

RELEVANT PLANNING

In 2019 the then government replaced the existing *Planning Policy Guidelines Nos.15 and 16* (PPG15 and PPG16) with a combined *Planning Policy Statement No.5* (PPS5). This reiterated the fact that it is the responsibility of owners to understand the value of each 'heritage asset' and to produce sufficient relevant information to inform the planning making process about any impact that their proposals could have upon them. Two years later, PPS5 was in turn replaced by the next government's *National Planning Policy Framework*.

2. Planning Guidance

2.1 National Planning Policy Framework Guidelines

Government guidelines regarding listed buildings and conservation areas have changed twice in two years. In March 2010 the long-lasting *Planning Policy Guidelines Nos.15 and 16* (PPG15 and PPG16) – relating respectively to archaeology and buildings – were amalgamated into a new set of guidelines - *Planning Policy Statement No.5* (PPS5).¹ This introduced a new term in planning legislation – the ‘heritage asset’.

This was identified in the guidance as:

*‘A building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment’.*²

Parts of PPS5 were incorporated and regurgitated into a new *precis* of planning guidance published in June 2019 – the *National Planning Policy Framework* (NPPF) – which replaced all other separate Planning Policy Guidelines and Planning Policy Statements. Because of the generalised nature of the new document there has been considerable confusion as to the guidance within it, but in essence, excepting the over-arching concept of presumption in favour of ‘sustainable development’, the heritage aspects have changed little.

Much of the existing advice outlined in the earlier guidelines is still deemed to be of relevance and this is summarised best in a guidance note to planning inspectors issued by the Planning Inspectorate, which states that *‘The Framework [i.e. the NPPF] largely carries forward existing planning policies and protections in a significantly more streamlined and accessible form’.*

The main relevant paragraph in the NPPF (largely based on policies HE6- HE8 of PPS5) states that local planning authorities should require applicants:

‘...to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposals on their significance’.

The *National Planning Policy Framework*, as a general rule, recommends approval of development unless *‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits’.*

3. Heritage Impact Assessments

3.1 General Introduction

The purpose of a heritage impact assessment (HIA) is to meet the relevant guidance given in the NPPF. This outlines the need to inform the planning decisions when considering proposals that have the potential to have some impact on the character or setting of a heritage asset. It is not concerned with other planning issues.

The nature of the heritage assets and the potential impact upon them through development are both very varied. The heritage assets include both designated heritage assets – such as listed buildings, scheduled ancient monuments and conservation area – and non-designated heritage assets, a rather uncomfortable and sometimes subjective category that includes locally listed buildings, field systems and views.

The degree of impact a proposed development could have on such assets is variable and can sometimes be positive rather than negative. The wide range of possible impacts can include loss of historic fabric, loss of historic character, damage to historic setting, and damage to significant views.

Under the requirements of the NPPF, the still current advice in the notes that accompanied PPS5, and of other useful relevant guidance, such as English Heritage's *Conservation Principles* and *Informed Conservation*, it is necessary to assess the significance of the designated and non-designated heritage assets involved, to understand the nature and extent of the proposed developments, and then to make an objective judgement on the impact that the proposals may have.

This report is designed, under the guidance of the NPPF, to assess whether the proposed development will have any impact on the *setting* of these heritage assets and, if so, the degree of such impact. In particular, it is designed to test whether or not any would suffer undue harm to the setting of these heritage assets as outlined in the NPPF.

3.2 Definition of Setting

The latest English Heritage guidance on the setting of heritage assets points out that:

'Setting is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of a heritage asset. This depends on a wide range of physical elements within, as well as perceptual and associational attributes, pertaining to the heritage asset's surroundings'.

Setting, as a concept, was clearly defined in PPS5 and in the accompanying Guidance notes – repeated in the Glossary of the *Planning Practice Guidance* for the NPPF which define it as:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.

The English Heritage guidance states that setting is not confined entirely to visible elements and views but includes other aspects including environmental considerations and historical relationships between assets:

'The extent and importance of setting is often expressed by references to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration; by spatial associations and by our understanding of the historic relationship between places'.

3.3 Definition of Significance

In the glossary of the recently issued (June 2019) new *Planning Practice Guidance* to the NPPF, significance is defined as:

'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.

3.4 Definition of Harm

Whilst there is no strict definition of what constitutes harm in the NPPF, it has been defined in case law. Specifically, the manner in which the significance of a heritage asset could be harmed was summarised in the case of *Bedford Borough Council v Secretary of State for Communities and Local Government*, [2012] EWHC 4344 (Admin)(also known as Podington):

'Significance may be harmed through alteration of the asset, i.e. physical harm, or development within its setting, i.e. non-physical or indirect harm. Significance may be lost through destruction of the asset, or, in a very extreme case, development within its setting'.

The NPPF and its accompanying Planning Practice Guidance effectively distinguish between two degrees of harm to heritage assets – *substantial* and *less than substantial*. Substantial harm is considered to be a degree of harm so serious to the significance of the heritage asset, usually involving total or partial destruction of a listed building, for example.

As the term suggests, *less than substantial harm* is not as serious and varies in its impact – but it still is an important consideration in assessing planning applications. In the Poddington case the issue related to the impact on the setting of heritage assets and it was concluded that:

'In the context of non-physical or indirect harm, the yardstick was effectively the same. One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced'.

It should also be stressed that, under the guidelines of the NPPF, 'change' does not always equate to 'harm' and can be beneficial.

History of Sutton

The London borough of Sutton is a London borough in South London, England and forms part of Outer London. It covers an area of 43 km² (17 sq mi) and is the 80th largest local authority in England by population. It borders the London Borough of Croydon to the east, the London Borough of Merton to the north and the Royal Borough of Kingston upon Thames to the north-west; it also borders the Surrey boroughs of Epsom and Ewell and Reigate and Banstead to the west and south respectively. The local authority is Sutton London Borough Council. Its principal town is the eponymous Sutton.

The London Borough of Sutton was once made up of rural villages, associated with feudal and royal estates. The "village feel" persists, and places in the borough such as Carshalton, Cheam and Belmont continue to be referred to as villages. The historic development of the borough is reflected in the number of heritage areas designated as conservation areas and as areas of special local character.

Sutton Town Centre Conservation Area

In May 2011, the council formally designated the Sutton Town Centre High Street Crossroads Conservation Area. At the same time, it also adopted a character appraisal setting out why the area was special and how it should be preserved and enhanced.

The Conservation Area centred on the area around 'The Cock Sign' in Sutton High Street. It extended as far as Trinity Square in the north, the old Police Station to the east, Sutton Station in the south and the Baptist Church to the west. The area is shown in Figure 1.

- The Conservation Area included some notable buildings, namely:
- Sutton Baptist Church, Cheam Road (then Grade II Listed)
- Trinity Church, St Nicholas Way (Grade II Listed)
- Cock and Bull Public House, High Street (Grade II)
- The Old Police Station, Carshalton Road (Grade II)
- 2 to 8 High Street (Old Bank to Rush) (Locally Listed)
- The Masonic Hall, Grove Road (Locally Listed)
- Betfred Betting Shop, corner of High Street and Grove Road (Locally Listed)
- Barclays Bank, High Street (Locally Listed)
- Shopfront of 8 Cheam Road [Akos Barbers] (Locally Listed)

However, the Conservation Area also contained some less notable buildings, such as Morrisons supermarket (31 High Street), Wonderland Nightclub (10-12 Cheam Road) and Old Inn House 99 e /Caffe Nero (1-2 Carshalton Road).

Heritage Action Zone 1.4 In April 2017 the Sutton Town Centre Heritage Action Zone partnership was launched. It involves Historic England (the national heritage body), the London Borough of Sutton, Successful Sutton Business Improvement District and the Carshalton and District History and Archaeological Society working together over a three-year period (2017 to 2020) to deliver a series of projects that will promote local heritage, which in turn will support economic growth across the town centre.

This Conservation Area Character Appraisal and Management Plan has been extensively informed by the Historic Area Assessment, as the assessment is probably the most comprehensive study of the history of Sutton Town Centre ever undertaken, along with the archaeological study

The Sutton Local Plan (adopted 2018) identifies 15 Conservation Areas within the borough including the current Sutton Town Centre High Street Crossroads Conservation Area. Policy 30, which was developed in conjunction with Historic England, states that: 'The council will: (i) expect development within a Conservation Area to conserve and, where practicable, to enhance those elements which contribute to the Conservation Area's special character or appearance. These elements may include landscaped areas, gardens, trees, hedges and boundary treatments as well as the built form. In considering development proposals, consideration will be given 3 Page 23 Agenda Item 6 to matters including height, scale, massing, materials, urban grain and layout, the public realm and views into and out of the Conservation Area. (ii) not permit the total or substantial demolition of an unlisted building which makes a positive contribution to the character and appearance of a Conservation Area and, when in exceptional circumstances demolition is required, the replacement building will be expected to make the same or more of a positive contribution to the character and appearance of the Conservation Area. (iii) expect development outside a Conservation Area but which would affect a Conservation Area to conserve and, where practicable, enhance those elements which contribute to the Conservation Area's special character or appearance.'

Current Proposal

The subject property is Unit 1,13 St Nicholas Shopping Centre, St Nicholas Way, Sutton, SM1 1AY proposing new shopfront, shutters and shop signage

The Applicant is proposing the following:

New shopfront, shutters and shop signage.

The current proposal for new shopfront, shutters and shop signage does respect the Sutton Conservation Area Design Guide.

Overall, it is considered that this element of the proposal would not have an overbearing impact or look out of character and therefore maintain a satisfactory standard of environment. The proposing new shopfront, shutters and shop signage is generally in accordance with the principles of the Sutton Conservation Area. The current proposal will use the same material as existing.

The proposal for new shopfront, shutters and shop signage would preserve the character and appearance of the conservation area.

Therefore the current proposal does accord with the Sutton Town Centre Conservation Area.