

FORMER PUBLIC CONVENIENCES
ADJACENT TO 375 MALDEN ROAD
WORCESTER PARK, KT4 7NT

HERITAGE STATEMENT



Ref: 2011.783 | 29 September 2021

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HS1 LISTING DESCRIPTION

REVISION SCHEDULE					
Rev	Date	Details	Prepared by	Reviewed by	Approved by
1	29/09/2021	Draft for Review	Paul Clarke Director		Client
2	01/10/2021	For Submission			Paul Clarke Director



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1.0 INTRODUCTION.

- 1.1. This Heritage Statement has been produced by **heritage** unlimited to support a planning application by K B Architectural Services for the redevelopment of a former public convenience adjacent to 375 Malden Road, Worcester Park.
- 1.2. It is proposed to demolish the former public convenience and develop a two bed dwelling.
- 1.3. Pre-application was submitted, and this planning application takes into consideration comments made by the Council's planning officer in their response.
- 1.4. As the proposed development is adjacent to a listed building – The Plough Inn – and located within Old Malden Conservation Area, a Heritage Statement is required to support the planning application. Paragraph 194 of the National Planning Policy Framework (2021) (NPPF) requires a Heritage Statement to support planning applications affecting heritage assets. The purpose of a Heritage Statement is to identify the significance of any heritage asset affected by the proposed development and assess the impact that the proposed development will have upon the identified significances complete with justification for the proposed development. The Heritage Statement also assesses the proposed works in accordance with the statutory tests provided in the Planning (Listed Buildings and Conservation Areas Act) 1990.
- 1.5. The Planning Policy Guidance (PPG) provides a definition on what is meant by the conservation and enhancement of the historic environment and defines conservation as an active process of maintenance and managing change. The PPG acknowledges that sympathetic changes will need to be made from time to time to ensure heritage assets remain used and valued as neglect and decay to a heritage asset are best addressed through ensuring that they remain in active use that is consistent with their conservation.
- 1.6. This Heritage Statement should be read in conjunction with architectural plans and other supporting documents, which form this planning application.
- 1.7. This report has been compiled by Paul Clarke BA (Hons) Arch Cons and is based upon desk-based research and a site visit carried out in August 2021.



2.0 SITE LOCATION AND CONTEXT

- 2.1. The site is located to southeast to the junction of the B284, Church Road and the A2043, Malden Road, and is at the northwest end of nos.375-391 (odd) Malden Road, an inter-war development of semi-detached dwellings.
- 2.2. To the west of the site is The Plough Inn, a public house which dates from the 15th century with later additions. The Plough Inn is situated in its own grounds, comprising of lawned areas, mature planting, and a large, tarmacked car park situated to the east side of the pub and accessed from Malden Road and Church Road. To the east of The Plough Inn at the south corner is the enclosed development site.
- 2.3. The development site comprises of a single storey building, constructed from brick with a plain clay tiled hipped roof. The windows and entrances have been boarded over to prevent access. The building has been externally vandalised with graffiti. Planting is overgrown and plant growth on the building is evident. These elements would suggest the site has been neglected for several years.
- 2.4. Historic maps show the former public convenience was constructed in the early 1950s.
- 2.5. The southwest and northwest boundaries of the site are delineated with high close boarded fence and mature planting. The southwest boundary abuts the car park of The Plough Inn, and the southeast boundary of the site abuts no.375 Malden Road. The northwest boundary of the site abuts car park's access road from Malden Road.
- 2.6. The southern boundary of the car park abuts the gardens of residential developments and is formed with a 2m high closed boarded fence and mature planting.
- 2.7. To the northeast elevation of the site, there is a small piece of land which originally formed a green space but is now all overgrown. The boundary between this space and the public footpath is defined by a low brick wall, which is in a state of disrepair and overgrown planting. Two paths lead from the pavement to entrances of the public toilets, which are in the gable (northwest and southeast) elevations of the building.
- 2.8. The north side of Malden Road is characterised by an inter-war Arts and Craft styled linear building with the ground floor providing shops and the first floor providing residential accommodation. The shop fronts are modern whilst the first floor retains vertical timbers and herringbone brick infill. Some properties have oriel windows.
- 2.9. The inter-war properties to the southeast of the site (nos.375-391 (odd) Malden Road)

are formed of two characters.

- 2.10. Nos.375-381 (odd) have English bond brickwork to the ground floor and white painted render to the first floor. The roofs are hipped and covered with plain clay tiles. The gable elevations have a single story, half plan deep garage with brick detailing to match the house and a plain clay tiled hipped roof abutting the gable elevation. However, nos. 375 and 381 are an exception as these properties are shown on historic maps without a side addition. No.381 appears to have recently a garage to the gable, formed with a low pitch roof covered with a corrugated sheeting material. No.375 appears to have had a garage added post construction with the formation of a single storey flat roof garage.
- 2.11. Further detailing of these properties are contributed to by recessed arched entrances with a pronounced key stone, which have, in large, been infilled with a door to create an enclosed porch; a two storey polygonal bay window to the front elevation, topped with a gable; a two brick pronounced string course; central chimney stacks to the front and rear roof pitches remain in situ.
- 2.12. The boundary of these properties with Malden Road is defined by a low brick wall and brick piers to define the opening for vehicle access from Malden Road. Mature planting also contributes to the character of the boundary. The front gardens to the properties have hard standing for vehicles.
- 2.13. The character of nos.383-389 (odd) Malden Road, which make up the street scene slightly differ in character. In general, these properties have recessed entrances; stretcher bond brickwork to the ground floor elevations; polygonal bay windows to ground and first floors, with a flat roof; timberwork to the first floor elevations with nos.383-385 having curved braces and nos.387-389 having straight braces; hipped plain clay tile roofs with large dormers to the gable elevations, except for no.381 which has developed a second storey; integrated garage; low brick garden wall with piers and mature planting; vehicle access from Malden Road and hard standing front garden to accommodate vehicle parking.
- 2.14. No.391 is a detached dwelling and was developed after nos.375-389 and appears to be a post-war development. Of interest, it appears nos.393 and 395 were built in situ with the inter-war development of nos.383-389.

2.15. No.391 is formed at the junction of Fullbrooks Avenue and Malden Road and as identified above, the property is of post war construction. The principal elevation fronts Malden Road and is characterised with stretcher bond to the ground floor, timber box framing with rendered infill panels to the first floor. A polygonal bay window to the ground and first floor with vertical tiles to the space between the head of the ground floor window and the cill of the first floor window. The intergrade garage is characterised by a slightly protruding gabled entrance. The gablet roof is covered with plain clay tiles and two external chimney breasts are formed to the southeast elevation. In the early 21st century, a single storey wrap around addition was constructed to the southeast (side) and northwest (rear) elevations. This addition is of brick construction with a low pitched roof covered with concrete tiles.

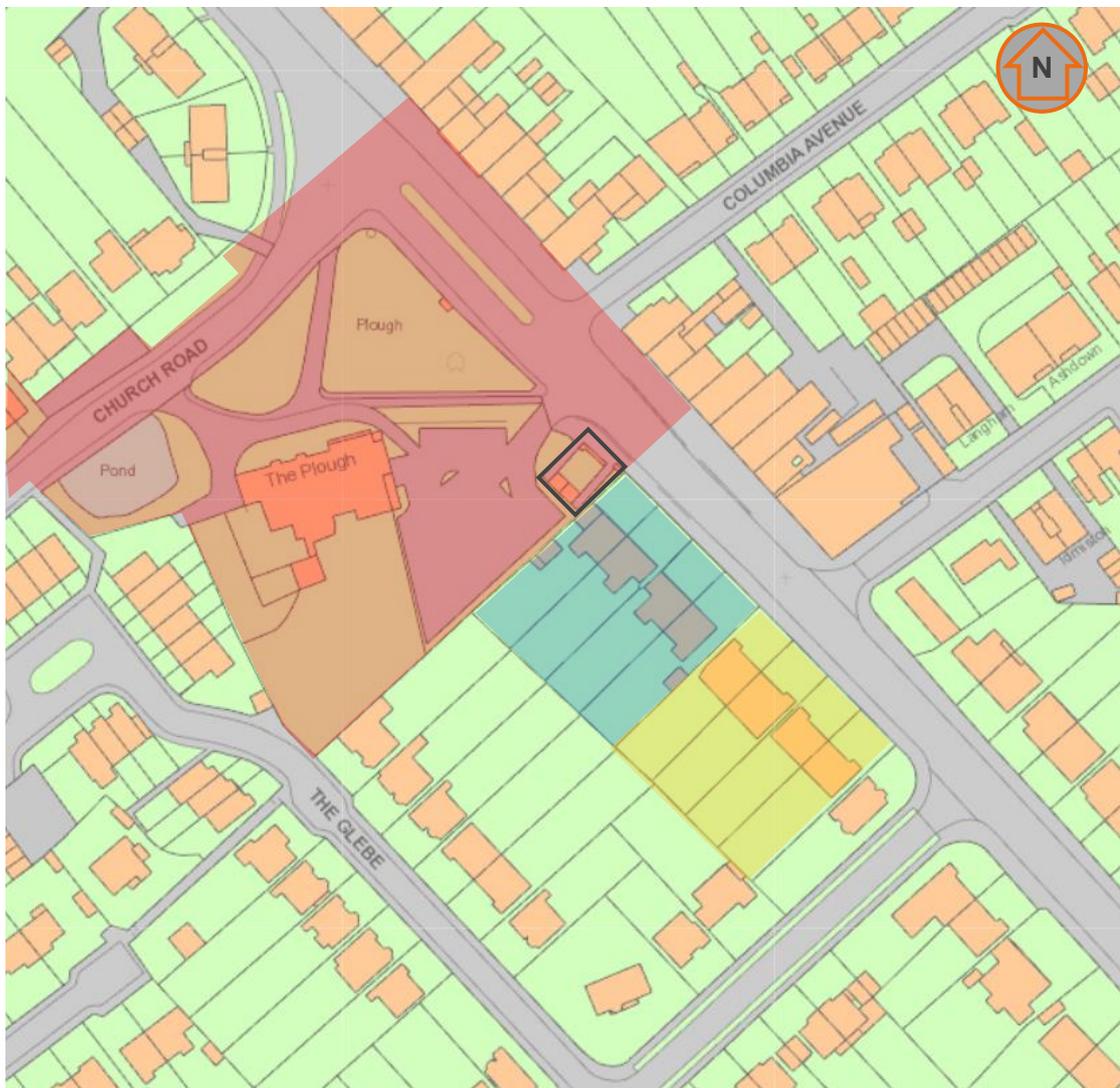


Fig.1: Location of the former public conveniences – grey box. Blue overlay denotes nos.375-381 and the yellow overlay denotes nos.383-389. The red overly denotes the conservation area.



Fig.2: Northeast elevation of the former public toilets and the dilapidated boundary wall.



Fig.3: View from the car park of The Plough Inn showing the southwest boundary of the site.



Fig.4: View looking east from the site's southwest boundary towards The Plough Inn. Note the modern crown roof wrap around addition.



Fig.5: North side of Malden Road, opposite the site's northeast boundary.



Fig.6: View looking southwest from the north side of Malden Road showing no.375 in context with the development site to the right.

3.0 HERITAGE ASSETS

- 3.1. The National Planning Policy Framework requires all heritage assets affected by the proposed development are identified and their significance, which includes setting, is described. The level of harm the proposed works will have to the identified heritage assets also needs to be determined within the context of a Heritage Statement.
- 3.2. As identified above, the site is located within Old Malden Conservation Area and adjacent to The Plough Inn, a grade II listed public house.

Old Malden Conservation Area

- 3.3. Old Malden Conservation Area is a relatively small conservation area designated in 1971 and is characterised by two distinct areas – St John’s and Plough Green. These areas are separated by inter-war and post-war developments.
- 3.4. Old Malden dates from the Saxon period, and means cross on the hill, which derives from the Old English words, mael (cross) and dune (hill). The settlement is recorded in the Domesday Book (1086) as *Meldone*.
- 3.5. Character Area A – St John’s, covers the medieval village centre located next to the Hogsmill River. The character of the area is formed with meadows and mature trees with the Hogswell River meandering through. To the eastern side of the area is the grade II listed Church of St John the Baptist, which dates from the Saxon era but has extensive 17th and 19th century alterations and additions, and the 18th century manor house also, grade II listed.
- 3.6. Character Area B – Plough Green, which is located to the east end of Church Road. This area includes The Plough Inn, a 15th century building with 18th and 20th century additions, which have in effect enclosed the original 15th century fabric to the centre. To the north of the area is a group of late 19th century cottages and the original village pond is retained as is the village green, known as Plough Green.
- 3.7. To the southeast corner of the Character Area B is a 1950s public convenience originally developed and maintained by the local authority. The building was closed since before 2007 and has since been sold.
- 3.8. The environs of the conservation area has been significantly developed in the 20th century to meet housing and commercial requirements.

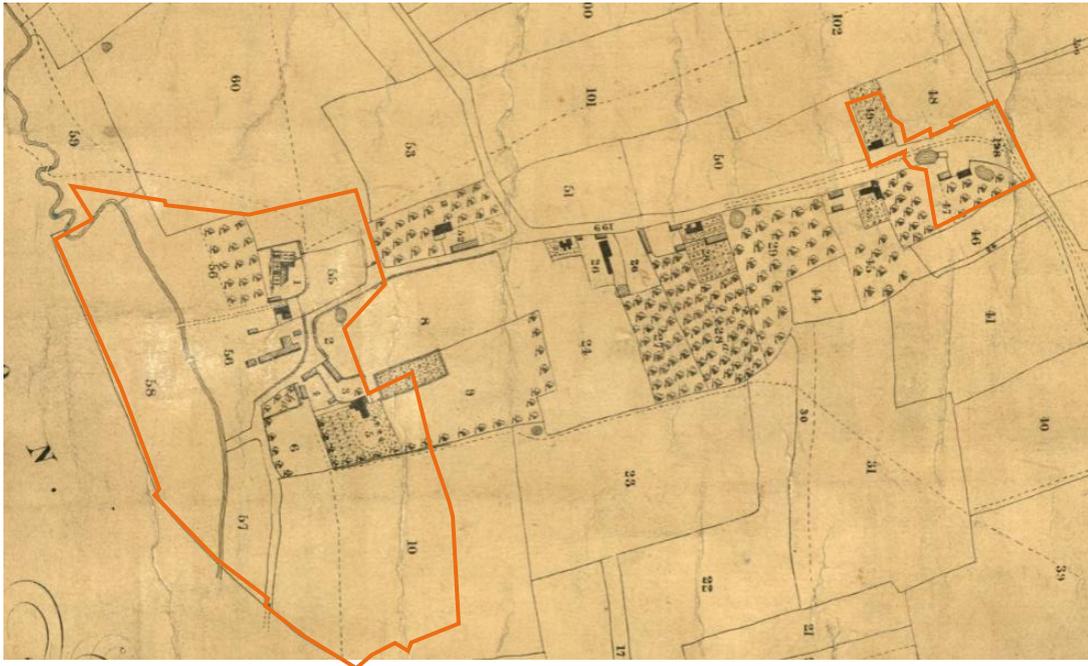


Fig.7: 1839 Tithe map overlaid with the boundaries of Old Malden Conservation Area.

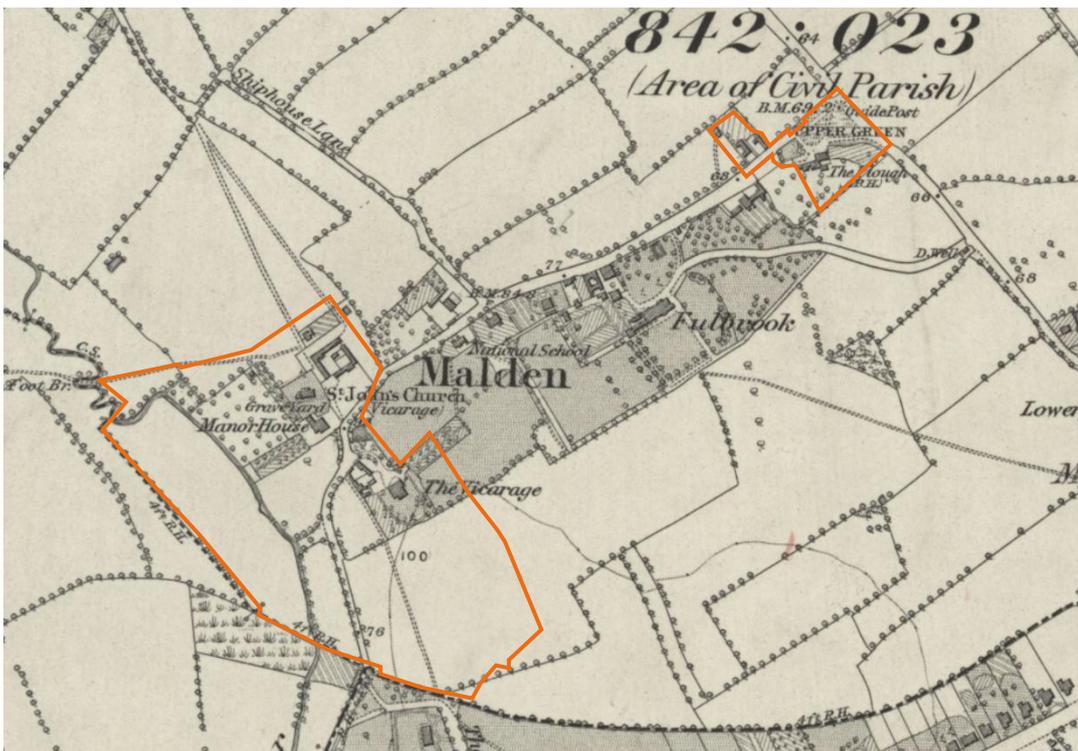


Fig.8: Ordnance Survey map, published in 1871, overlaid with the boundaries of Old Malden Conservation Area.

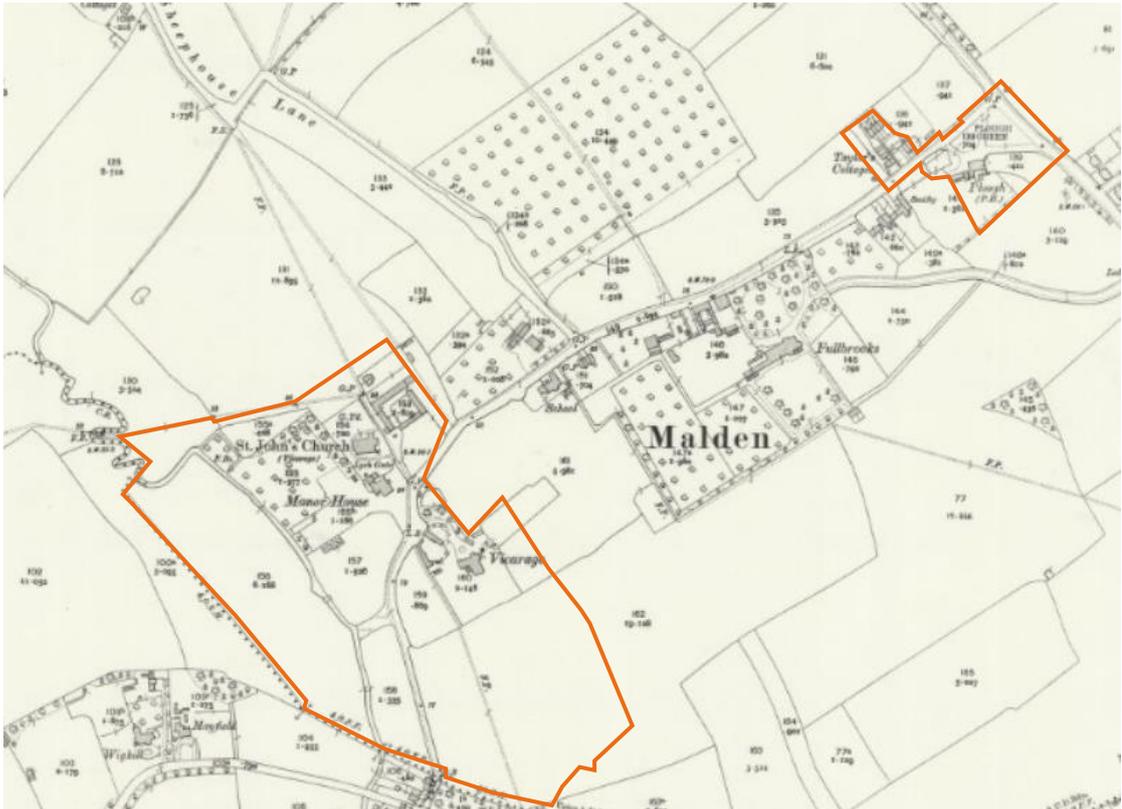


Fig.9: Ordnance Survey map, published in 1913, overlaid with the boundaries of Old Malden Conservation Area.

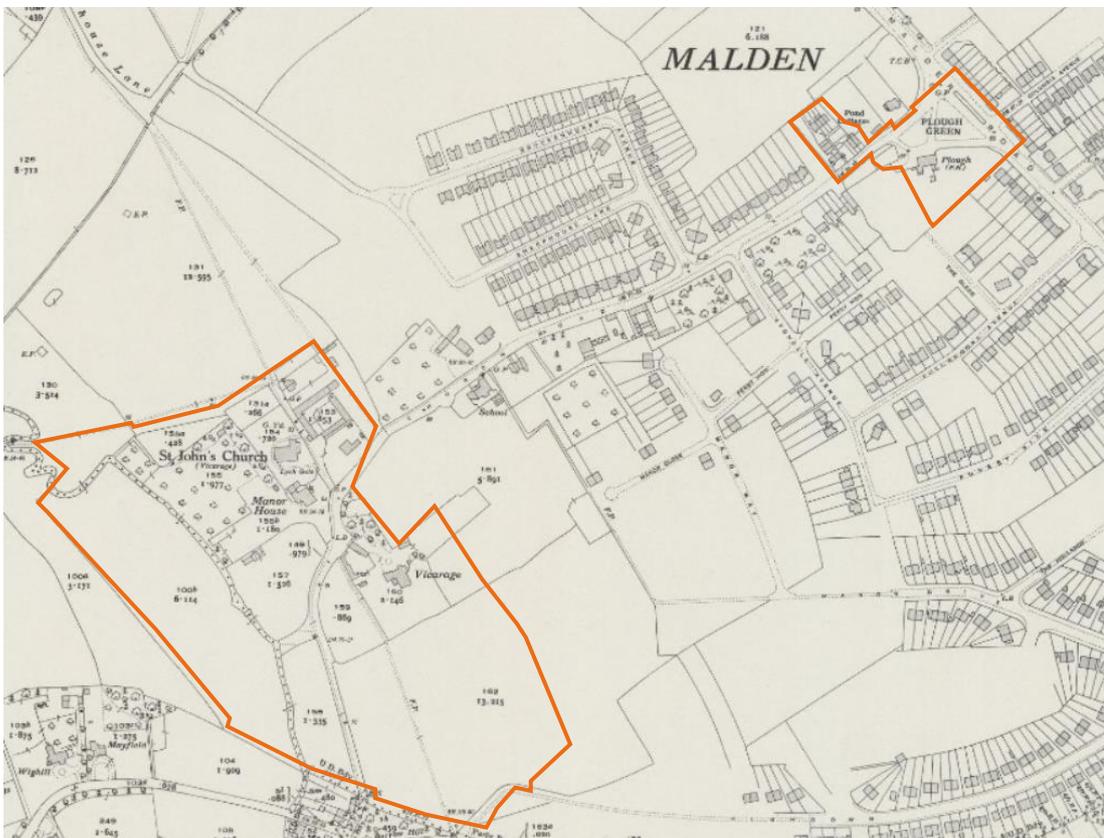


Fig.10: Ordnance Survey map, published in 1935, overlaid with the boundaries of Old Malden Conservation Area. Modern development to meet inter-war housing needs is evident on what was previously agricultural land.

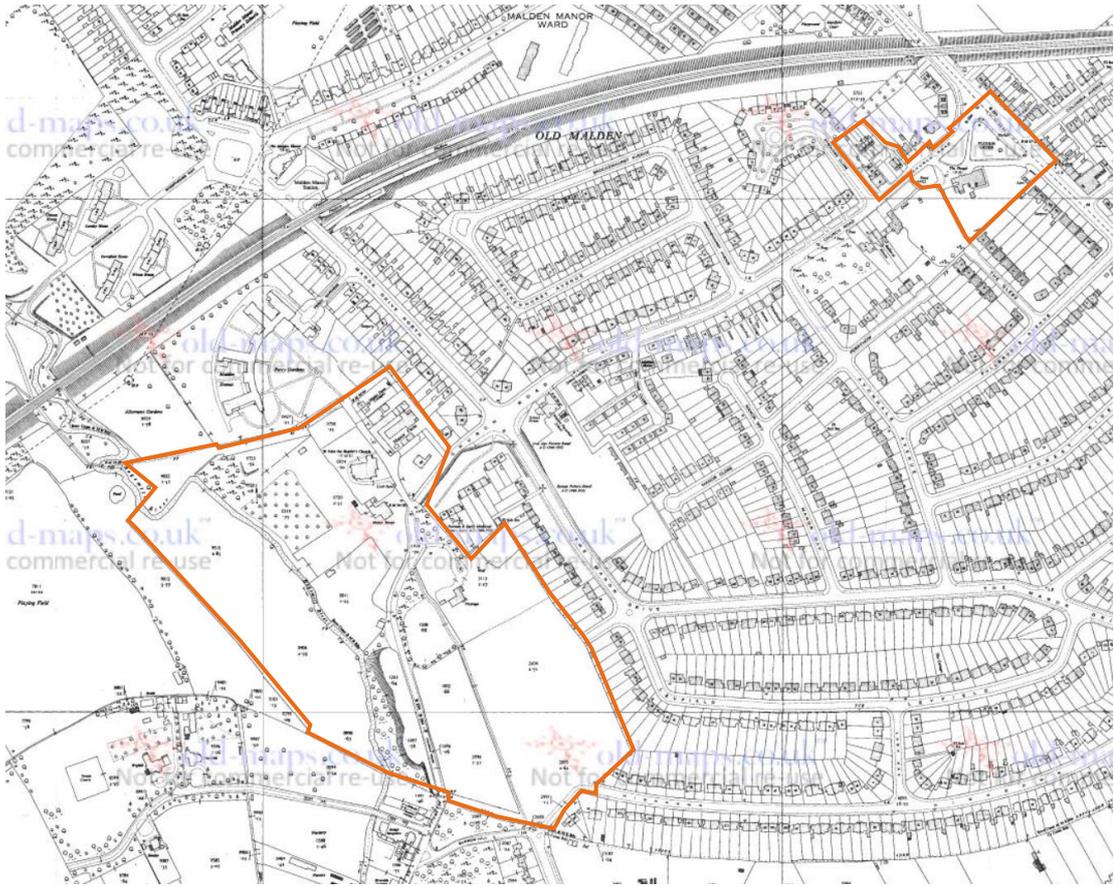


Fig.11: Ordnance Survey map, published in 1955, overlaid with the boundaries of Old Malden Conservation Area. The area between the two boundaries of the conservation area has been further developed with post-war housing.

The Plough Inn

- 3.9. The Plough Inn was designated a grade II listed building in 1951 and the listing description was amended in 1983. As identified above, the building dates to the 15th century with later additions and alterations. Changes to the building's form and its curtilage are evident with map regression. Changes to the curtilage include residential development to the southwest and the development of the public convenience to the east of the public house.
- 3.10. The 1839 Tithe map records The Plough Inn (Plot 47) as a public house and occupied by Thomas Allen, the landowner is recorded as The Warden and Scholars of Merton Collage. Plot 46 is recorded as Part of Home Farm Meadow and the landowner and occupier is recorded as Thomas Weeding who lived at the property shown on Plot 49, where nos.28-30 Church Road (even) are situated today.

- 3.11. The Plough Inn is rendered (painted cream, with grey plinth) to the front (north) elevation and to each gable elevation is a single storey addition. The west (right side) gable addition is also rendered (painted grey) while the east (left side) gable addition is clad with weatherboarding and also painted grey. The north (front) elevation faces Plough Green, and a post and rope fence enclose an area of hardstanding to the front of the two storey element of the elevation. A road leading to a large tarmacked car park from Church Road runs between the north elevation of The Plough Inn and south side of Plough Green.
- 3.12. The single storey addition to the east (left side) gable wraps around the building to the south (rear) elevation. The roof of this addition is flat and concealed behind a mono pitch covered with plain clay tiles.
- 3.13. The east elevation is partly clad with grey painted weatherboarding where it returns from the north elevation. The remainder of the east elevation is rendered, and painted cream as is the south elevation of this single storey addition. This wrap around addition and the addition to the west gable appear to date from the early 1950s (see historic maps below). As such, the historic form of the building is now largely hidden from views looking north, west and east by the 20th century additions.



Fig.12: 1839 Tithe map showing the then boundary of The Plough Public Inn (Plot 47). Orange arrow denotes location of the former public conveniences, and the blue arrow identifies The Plough Inn as a rectangular plan form. The structure to the left may have been a stable.

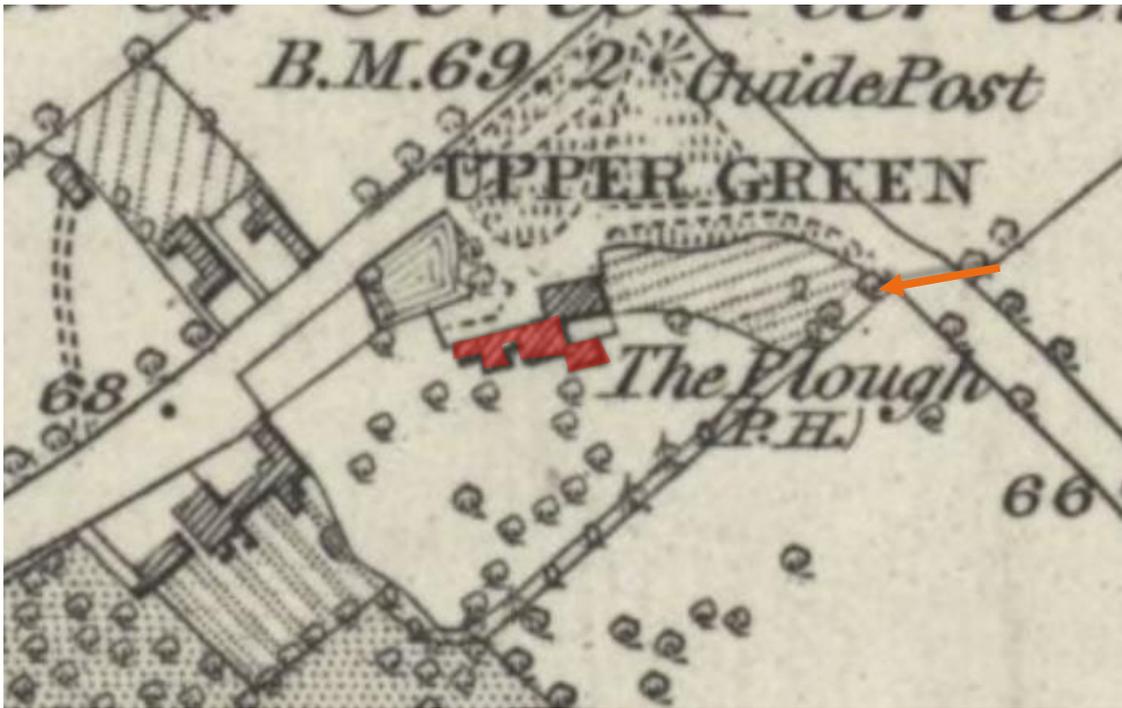


Fig.13: 1871 Published Ordnance Survey map showing The Plough Inn has been significantly extended – denoted by red overlay. Orange arrow denotes location of the former public conveniences.

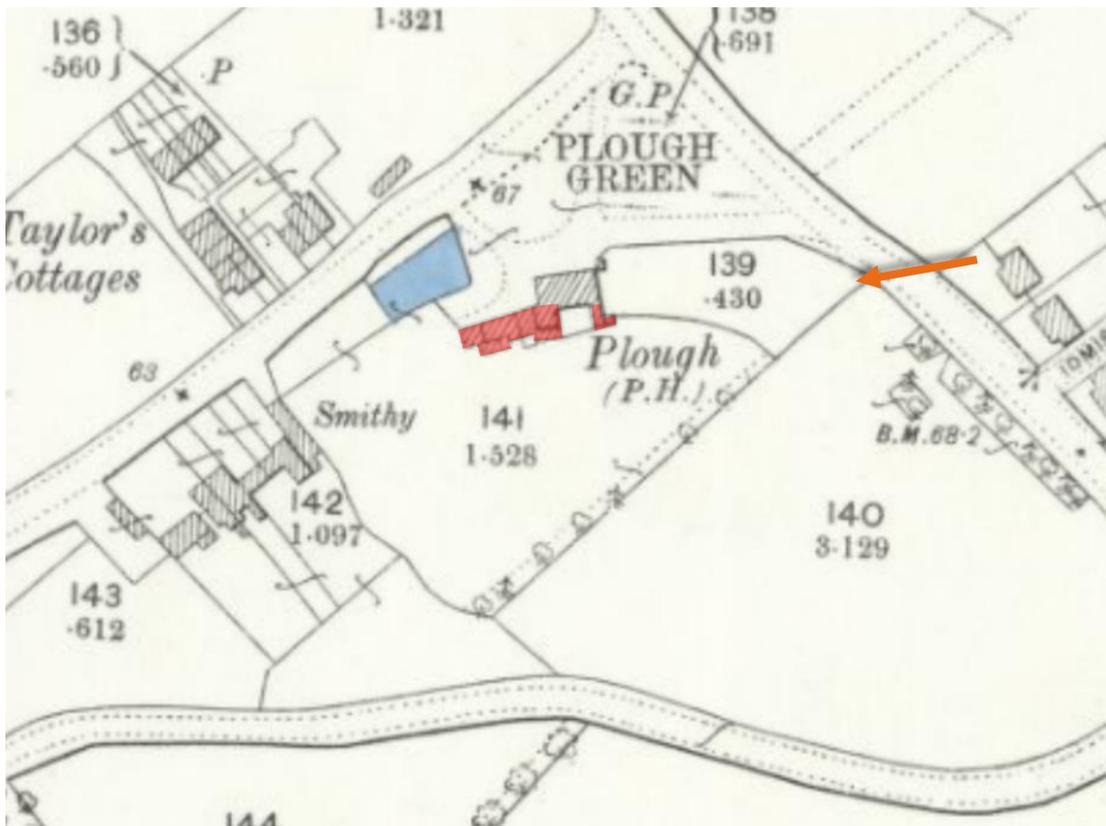


Fig.14: 1897 Published Ordnance Survey map overlaid to show changes to the plan form since the 1871 Ordnance Survey map.

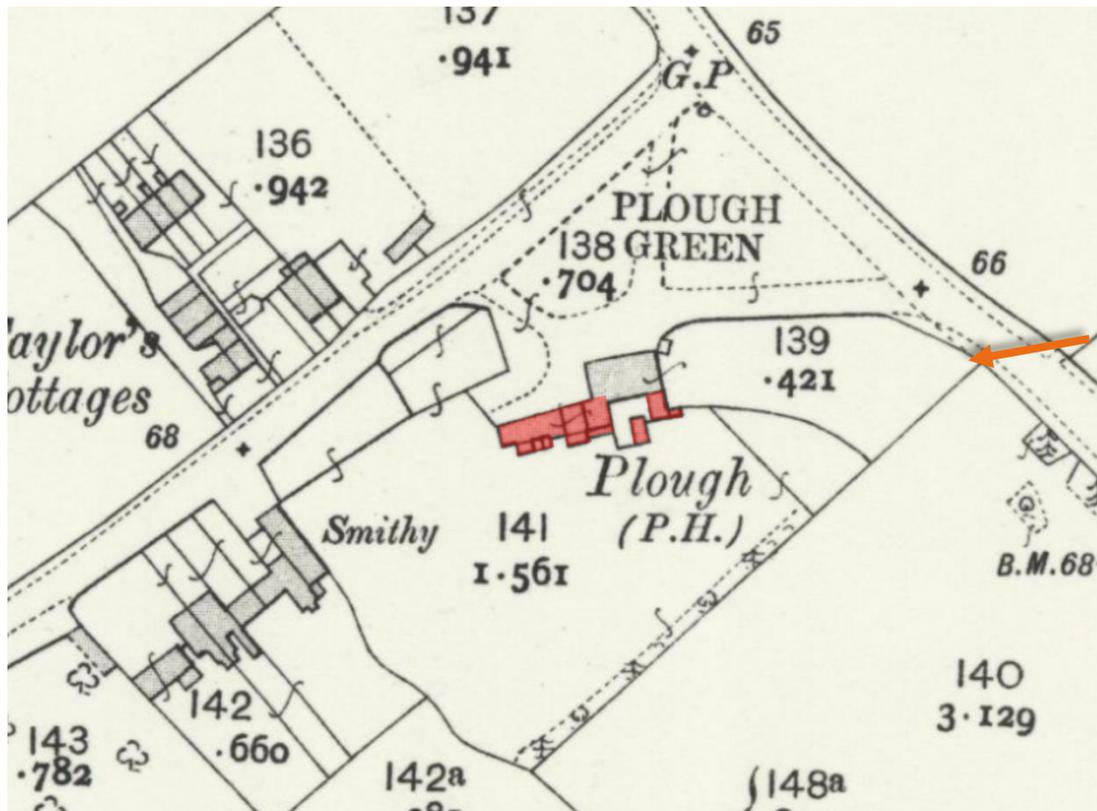


Fig.15: 1913 Published Ordnance Survey map overlaid to show changes to the plan form since the 1897 Ordnance Survey map.

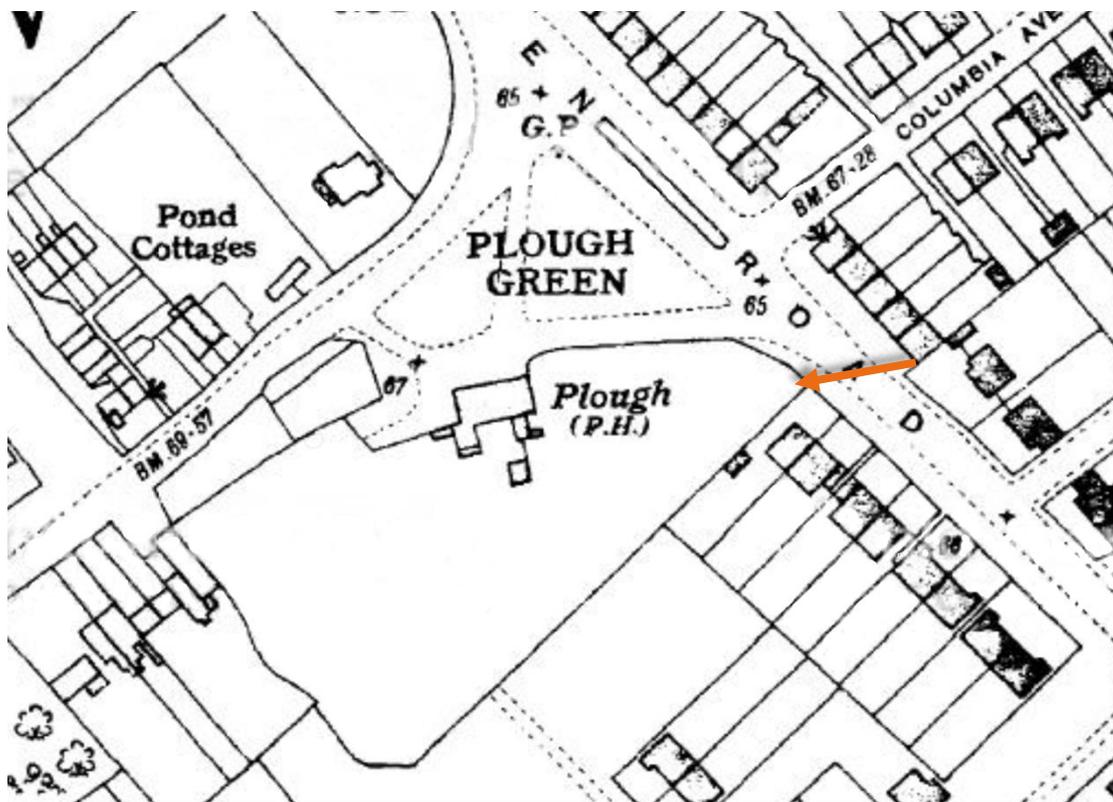


Fig.16: 1935 Published Ordnance Survey map. Comparison of this map with the 1913 Ordnance Survey map (Fig.15) show changes to the plan with the removal of additions to the left side redevelopment to the rear and right side.

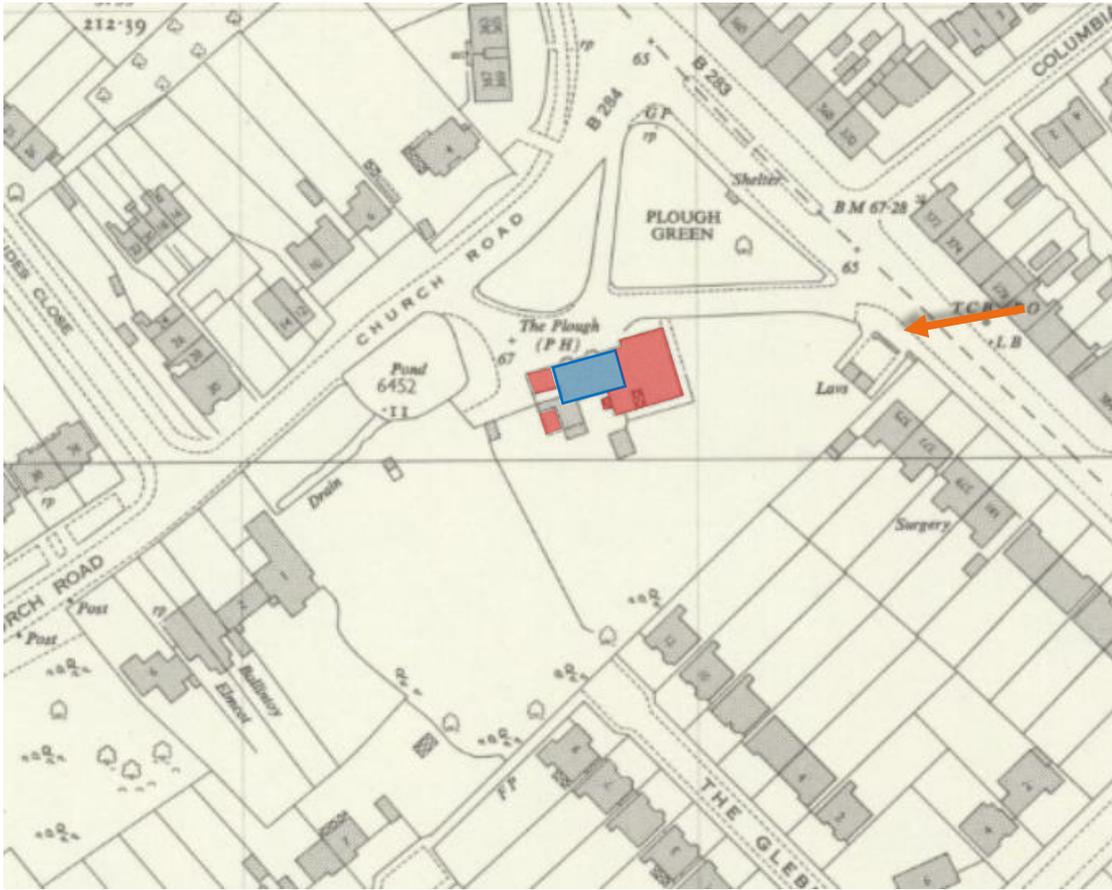


Fig.17: 1955 Published Ordnance Survey map shows significant changes to the plan form to The Plough Inn. The blue overlay shows the historic core of the building as shown on the maps above and the red overlay denotes 20th century additions. The public conveniences have now been constructed. The environs of The Plough Inn have been further developed.



Fig.18: 1972 Published Ordnance Survey map shows part of The Plough Inn's land has been developed for housing (yellow overlay). Further development to The Plough Inn has been carried out including buildings to the rear. A car park has also been formed.

4.0 PLANNING POLICIES

- 4.1. As identified in above, the proposed works affect a designated heritage asset, therefore, works which affect the character or the setting of a designated heritage asset should be assessed against the relevant legislation and policies contained in the NPPF and policies contained in the local plan.

Legislation

- 4.2. The legislative framework for the preservation and enhancement of listed buildings and conservation areas are set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. Historic England, defines preservation in this context, as not harming the interest in the building, as opposed to keeping it utterly unchanged.
- 4.3. In May 2017 a Court of Appeal judgement emphasised the relative importance of sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in making planning decisions in relation to development that affects listed buildings and conservation areas.
- 4.4. These sections of the Act provide the statutory tests against which planning permission affecting a designated heritage assets should be assessed by the Local Planning Authority.
- 4.5. As the proposed development is located near to a listed building and within a conservation area, the development needs to satisfy the statutory tests provided by sections and 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.6. Section 66(1) relates to planning permission and states, *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.
- 4.7. Section 72(1) provides the statutory test against which planning permission affecting conservation areas, as designated heritage assets should be assessed by the Local Planning Authority. The section states, *'In the exercise, with respect to any buildings or other land in a conservation area, of any... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'*.

- 4.8. As a minimum, the test provided in both sections requires the development to preserve setting of a listed building and the character or appearance of the conservation area.
- 4.9. Historic England defines preservation in this context as not harming the interest in the building, as opposed to keeping it utterly unchanged.

National Planning Policy Framework (2021)

- 4.10. As well as addressing the requirements of the abovementioned Act, there is a need to carry out a balancing exercise of judging harm against other planning considerations as required under the National Planning Policy Framework (2021) (NPPF).
- 4.11. The NPPF sets out the Government's planning policies for England and how these are to be applied. The guiding principle of the document is a presumption in favour of sustainable development and the protection and enhancement of the historic environment is embedded in this approach.
- 4.12. Sustainable development is defined as meeting the needs of the present without compromising the needs of the future. Paragraph 8 of the NPPF breaks down this definition into three objectives; economic, social and environmental. Within the environmental objective, sustainable development needs to contribute *to 'protecting and enhancing our natural, built and historic environment'*.
- 4.13. Paragraph 20 of the NPPF contains Strategic Policies, which provide an overall strategy for the pattern, scale and quality of development and make sufficient provision for the conservation and enhancement of the natural, built and historic environment.
- 4.14. Section 16 of the NPPF contains policies relating to conserving and enhancing the historic environment. Within this section (paragraph 200), the Local Planning Authority requires the applicant to describe the significance of any affected heritage asset including any contribution made by their setting as part of an application.
- 4.15. Significance is defined in Annex 2 of the NPPF, as the value of a heritage asset to this and future generations because of its archaeological, architectural, artistic or historical interest. Significance also derives not only from the asset's physical presence but also from its setting. Setting of a heritage asset is the surroundings in which the heritage asset is experienced, the extent of which is not fixed and can change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to significance of an asset.

- 4.16. Impact from a proposed development to the significance of a designated heritage asset needs to be evaluated, NPPF paragraph 199, states, *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*. NPPF paragraph 200 identifies that alteration, destruction, or development within the setting of a designated heritage asset can result in harm to, or loss of, the significance of the asset and that such loss requires a clear and convincing justification. Substantial harm to or loss of a grade II listed building should be exceptional and substantial harm or loss of grade I and grade II* listed buildings should be wholly exceptional.
- 4.17. NPPF Paragraphs 201 and 202 define the levels of harm as substantial or less than substantial. The Planning Practice Guidance (PPG) provides useful guidance on assessing harm in relation to these definitions and gives the following example, 'In determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting'. The PPG quantifies substantial harm (NPPF paragraph 201) as total destruction while partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all. Anything less than total destruction needs to be evaluated on its own merits, for example, the removal of elements to an asset which themselves impact on its significance may therefore not be harmful to the asset. The PPG advises works that 'are moderate or minor in scale are likely to cause less than substantial harm (NPPF paragraph 202) or no harm at all'. However, it is important to consider each development in its own context as the PPG also identifies that minor works have the potential to cause substantial harm to the significance of an asset.
- 4.18. Paragraphs 201 and 202 refer to *'public benefit'* as a means to outweigh the loss of or harm to a designated heritage asset. The PPG identifies that public benefit may follow many developments and as such this benefit could be anything that delivers economic, social or environmental progress which are the dimensions to sustainable development defined by NPPF Paragraph 8. The PPG states, *'Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to public at large and should not just be a private benefit. However, benefits do not always have*

to be visible or accessible to the public in order to be genuine public benefit'. Public benefits may include heritage benefits such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting.
- Reducing or removing risk to heritage asset.
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

4.19. The three points above relate to NPPF Paragraph 197, which requires the Local Planning Authority to take these points into account when determining applications. Although, there is no defined list of public benefits, examples of public benefit for a designated heritage asset may include:

- The restoration of a listed building.
- The improved setting of a listed building.
- The enhancement of a conservation area.

4.20. Paragraph 203 refers to non-designated heritage assets which should be taken into account when determining a planning application. The paragraph states *'in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss to the significance of the heritage asset.'*

Local Planning Policies

4.21. As well as legislation and national planning policies relating to the historic environment, the local planning authority have planning policies relevant to development affecting the historic environment. These policies are in the Core Strategy (2012) and include:

- Policy CS 8 Character, Design and Heritage
- Policy DM 10 Design Requirements for New Developments (including House Extensions)
- Policy DM 11 Design Approach
- Policy DM 12 Development in Conservation Areas and Affecting Heritage Assets

London Plan (2021)

4.22. Also relevant to the application are policies contained in the London Plan (2021) and include Policy HC1 Heritage conservation and growth:

- A. Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.
- B. Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London's heritage in regenerative change by:
 - 1) setting out a clear vision that recognises and embeds the role of heritage in place-making
 - 2) utilising the heritage significance of a site or area in the planning and design process
 - 3) integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place
 - 4) delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.
- C. Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and

their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

- D. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- E. Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and reuse.

5.0 ASSESSING SIGNIFICANCE

- 5.1. Significance of a heritage asset is defined by the NPPF as the value of a heritage asset placed on it by current and future generations because of its heritage interest. This interest may be archaeological; architectural; artistic or historical. The setting of a heritage asset also contributes to its significance and is defined by the NPPF as the surrounding in which a heritage asset is experienced. In comparison, Historic England's Conservation Principles (2008) uses evidential; aesthetic; historical and communal values to define significance. These different set of values have been combined for the purpose of this report.
- 5.2. Part 4 of British Standard 7913:2013 *Guide to Conservation of Historic Buildings* provides information on heritage values and significance. In context, this document states, *'A wide range of factors can contribute to the significance of a historic building. As well as physical components, significance includes factors such as immediate and wider setting, use and association (e.g. with a particular event, family, community or artist and those involved in design and construction)'*.
- 5.3. Identifying the values of an asset allow us to understand the degree of significance and inform us of the potential impact the proposed works will have the heritage asset and its setting. These values may be tangible, the physical fabric of the building, capable of being touched, or visual such as its landscape. Also, the value may be intangible through a past event or an association with a person.
- **Evidential (archaeological) value** relates to physical aspects of the site which provide evidence from the past. This can be with built form or below ground archaeology.
 - **Historical value** is the extent to which the asset is associated with or illustrative of historic events or people.
 - **Aesthetic (architectural/artistic) value** includes design, visual, landscape and architectural qualities.
 - **Communal value** includes social, commemorative or spiritual value, local identity and the meaning of place for people.

5.4. The assessment of significance considers the importance of each heritage asset and the magnitude of impact in order to appraise the potential impact of the proposed redevelopment. The importance of a heritage asset is determined by its statutory designation and is the sum of its evidential, historical, aesthetic and communal values as identified above. Also contributing to an asset's importance is its setting, which is an integral part of an asset's significance. Taking these criteria into account, each identified asset can be assigned a level of importance in accordance with a four-point scale (see Table 1).

Level of Significance	Definition of Heritage Asset
High	Remains of inscribed international importance, such as World Heritage Sites Grade I and II* listed buildings Grade I and II* Registered Parks and Gardens Registered Battlefields Scheduled Monuments Non-designated archaeological assets of schedulable quality and importance
Medium	Grade II listed buildings Grade II listed Registered Parks and Gardens Conservation Areas Non-designated buildings which contribute to regional importance
Low	Locally listed buildings Parks and gardens of some local interest Non-designated buildings, monuments or sites of local importance or of modest quality including those historic townscapes with historic integrity
No Significance	Assets identified as being of no archaeological, architectural, artistic, or historic value Assets whose values are compromised by poor preservation or survival or of contextual associations to justify inclusion into a higher grade.

Table 1: Establishing the level of significance of a heritage asset (Source: Seeing the History in the View (2011)).

Assessing Setting

5.5. The primary guiding document for assessing setting is *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3 (2017)*, produced by Historic England is the primary guiding document for assessing setting.

- 5.6. Setting varies from asset to asset and cannot be generically defined. Changes to the setting of heritage assets may be positive such as replacing poor development which has compromised the assets setting. It is likely that the setting of an asset has changed over time from the dynamics of human activity and natural occurrences such as weather.
- 5.7. The importance setting makes to the contribution to the significance of the heritage asset is often related to how the heritage asset is seen in views. This can include views looking towards the heritage asset or from the heritage asset looking outwards and may include relationships between the asset and other heritage assets, natural or topographical features. Assets may also be intended to be seen from one another in designed landscapes for aesthetic reasons.
- 5.8. Historic England's Good Practice Advice 3, *The Setting of Heritage Assets* (2017), notes a staged approach to proportionate decision-taking, with relevant NPPF paragraphs along with guidance contained in the National Planning Practice Guidance (NPPG) for their implementation, providing the framework for the consideration of changes affecting the setting of heritage assets which should be assessed proportionately and based on the nature, extent and level of the heritage asset's significance.
- 5.9. The Guidance recommends a five-step approach to the assessment of the effect of development on the setting of heritage assets as follows:
- Step 1:** identify which heritage assets and their settings are affected;
 - Step 2:** assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
 - Step 3:** assess the effects of the proposed development whether beneficial or harmful, on that significance;
 - Step 4:** explore ways of maximising enhancement and avoiding or minimising harm;
 - Step 5:** make and document the decision and monitor outcomes.

Assessing Impact

- 5.10. In order to assess and quantify the level harm to the significance of a heritage asset in context with the relevant Paragraphs in the NPPF, the Planning Policy Guidance (PPG), a web-based resource provides up-to-date guidance on NPPF policies. The PPG provides useful guidance on assessing harm in relation to Paragraphs 199 and 200 of the NPPF. The PPG states, *'in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting'*.
- 5.11. In defining what constitutes substantial harm, the NPPG identifies that the impact of total destruction is obviously substantial harm while partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all. Anything less than total destruction needs to be evaluated on its own merits, for example, the removal of elements to an asset which themselves impact on its significance may therefore not be harmful to the asset.
- 5.12. The PPG advises works that *'are moderate or minor in scale are likely to cause less than substantial harm or no harm at all'*. However, it is important to consider each development in its own context as the PPG identifies that minor works have the potential to cause substantial harm to the significance of an asset. This would be so if for example the works removed an element which contributed to the assets special architectural or historic interest.
- 5.13. Table 1 identifies the significance level of a heritage asset, therefore; the next stage is to assess the level of impact the proposed development will have on the heritage asset. Table 2 provides a descriptive context of the level of change on the heritage asset in terms of its character, fabric or setting.

Change Rating	Description of Impact
High	Change to key elements affecting the significance of the asset's special architectural or historic interest are lost or destroyed, or the significance of the asset's setting is extensively changed.
Medium	Change too many key elements affecting the significance of the asset's special architectural or historic interest are significantly modified or the significance of the asset's setting is noticeably different.
Low	Change to key elements are slightly altered affecting the significance of the asset's special architectural or historic interest, or the asset's setting is slightly altered
Minimal	Change to key elements hardly affect the significance of the asset's special architectural or historic interest, or the asset's setting is hardly affected.
No change	The development does not affect asset's special architectural or historic interest or change the asset's setting.

Table 2: Factors for assessing the level of change on a heritage asset.

- 5.14. By establishing the asset's significance (Table 1) and the level of change (Table 2) to the asset from the proposed development, the impact on the significance of each asset from the proposed development can be identified. This can be Negligible, Minor, Moderate or Major. Impact from the development to an asset is considered to be significant if it is Major or Moderate.

Significance of Asset	Level of Change				
	No Change	Minimal	Low	Medium	High
High	Negligible	Minor	Moderate	Major	Major
Medium	Negligible	Minor	Minor	Moderate	Major
Low	Negligible	Negligible	Minor	Minor	Moderate
Not Significant	Negligible	Negligible	Negligible	Negligible	Negligible

Table 3: Matrix for establishing level of impact against the asset's significance (Source: Seeing the History in the View (2011)).

6.0 PROPOSED WORKS AND ASSESSMENT

Current Context

- 6.1. The development site currently comprises of a post-war public convenience, which was declared surplus to requirement at a meeting of the Malden and Coombe Neighbourhood Committee held 26 April 2007.
- 6.2. The committee paper of the above meeting identified that the public conveniences at Plough Green had been closed 18 months prior to that meeting, due to vandalism and anti-social behaviour. A new public facility had been installed at the Old Malden Library and the committee paper recommended that the public convenience at Plough Green be declared surplus to requirements, and that the Borough Valuer arrange of disposal of the site.
- 6.3. The committee paper also noted that a number of interested parties had approached the Borough Valuer, seeking to put the building to a beneficial use. Consideration had also been given to demolishing the building and redeveloping the site with a modern automated public convenience, but this was considered cost prohibitive.
- 6.4. The site is still a target for vandalism and anti-social behaviour.

Proposed Works

- 6.5. Following pre-application advice from the LPA, the design of development has been changed to take into consideration that advice. The scale and mass of the revised scheme has been reduced whilst the character takes its context from the neighbouring property (375 Malden Road), an inter-war development. As such the proposed development relates with the established context of the streetscape in terms of design and materials. In essence the proposed development will blend into the streetscape.
- 6.6. The boundary treatment to Malden Road will also be contextual with the existing form found demarking the neighbouring properties.



Fig.19: Top image shows front elevation proposed in the pre-application submission and bottom image shows the front elevation now proposed in this application which is shown in context with 375 Malden Road.

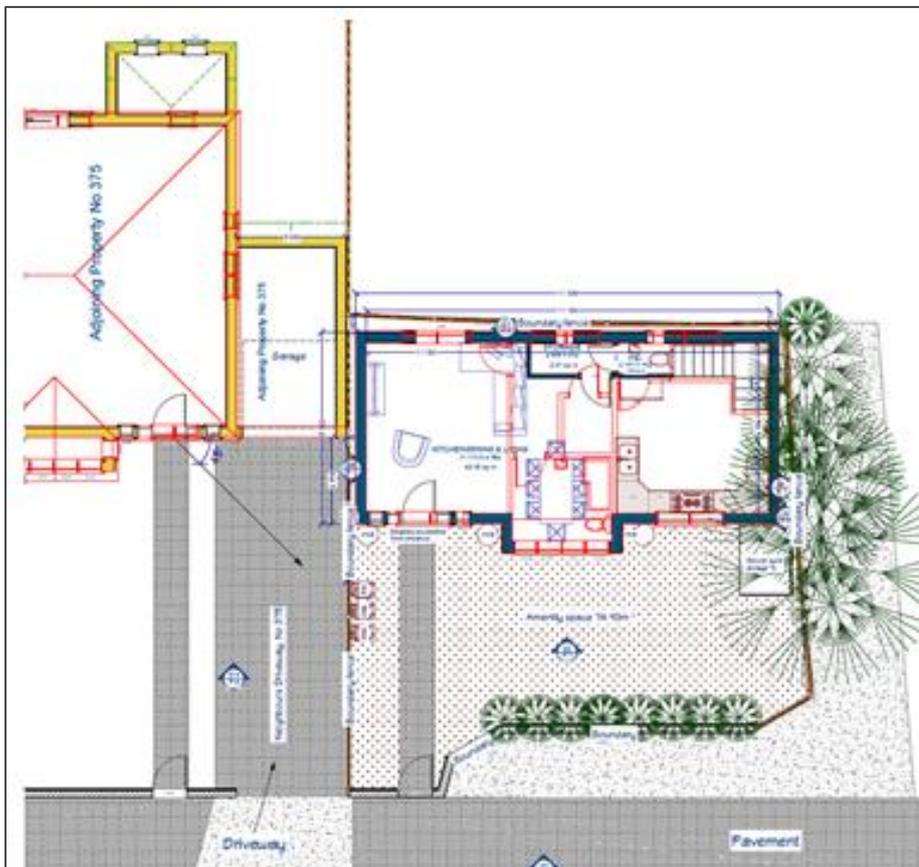
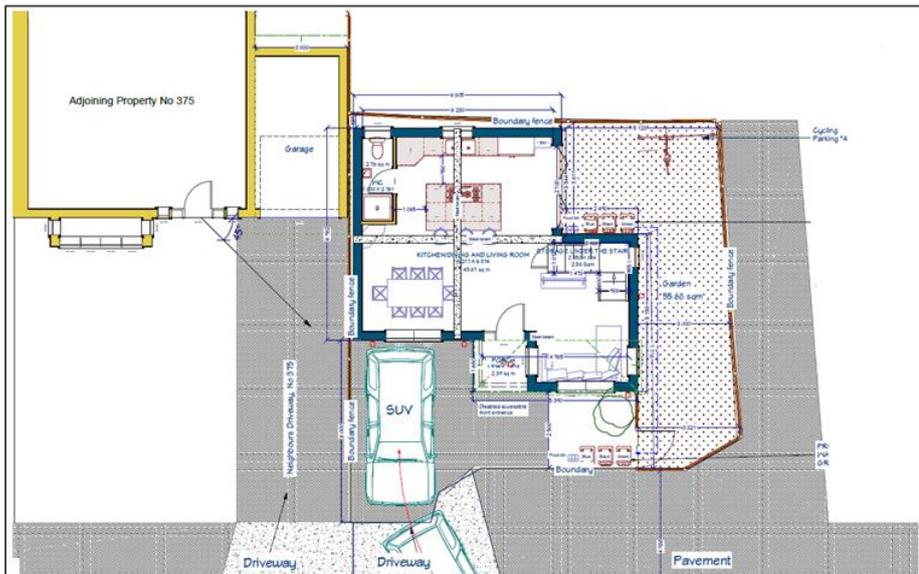


Fig.19: Top image shows the ground floor proposed in the pre-application submission and the bottom image shows the ground floor plan proposed for this planning application.

Impact

- 6.7. As identified in this report, it is the impact the proposed development will have to the character and appearance of the conservation area and the setting of the building that needs to be assessed.
- 6.8. Historic England guidance and the NPPF emphasises that setting is the surroundings in which a heritage asset is experienced. Setting is not fixed and may change over time from the dynamics of human activity. The NPPF requires that changes affecting the setting of heritage assets should be assessed proportionately and based on the nature, extent, and level of the heritage asset's significance.
- 6.9. Contextually, the site was part of the land associated with The Plough Inn and as such contributes to the setting of this listed building. The site is also within Old Malden Conservation Area and as such the current building due to its ongoing issues of vandalism and anti-social behaviour does not contribute positively to the setting of the listed building or the conservation area. This has been the case for well over a decade.
- 6.10. The building's viable use as public convenience from the 1950s ended in the early 21st century ,when the Council closed the building due to vandalism and anti-social behaviour and looked to dispose of the site in 2007.
- 6.11. The baseline for development of the site to have no impact to the heritage assets identified would be to replace the existing building with an identical building. However, this is not practical due to the size and its former function. Context for redeveloping sites with heritage constraints can usually look towards the established character of the conservation area and the adjacent listed building.
- 6.12. In this case, the conservation area cannot provide context due to the separation of the site with other buildings in the area. Also, The Plough Inn is a mish mash of architectural elements varying in date with modern 20th century additions encasing the historic buildings to the elevations closest to the development site.
- 6.13. If the design of the building did take its context from The Plough Inn or other buildings in the conservation area, the character of the proposed development would not harmonise with the established streetscape and would, in turn, likely be incongruous with the inter-war architectural character of the streetscape.

- 6.14. s such, the character and appearance of the development has been informed by the existing character of the streetscape, whilst the internal layout has been informed by minimum space standards.
- 6.15. In accordance with the analysis of the significance of the heritage assets in section 5, the overall level of significance for The Plough Inn is considered to be **medium** and the overall level of significance for Old Malden Conservation Area is also considered to be **medium**.
- 6.16. The impact to the setting of The Plough is considered to be **minimal** as the proposed development does not change any of the key elements affecting the significance of the asset's special architectural or historic interest, and the impact to the assets setting is negligible.
- 6.17. In addition, the new development will not restrict or detract from any views towards the listed building or further impact on the setting of the listed building which is contributed to by a large tarmacked car park and modern 20th century additions. The proposed development will therefore have **no impact** to the setting of the listed building and will consequently cause **no harm** to its significance.
- 6.18. The impact of the proposed development to the character and appearance of the conservation area is also considered the be **minimal** impact as the site is subjected to anti-social behaviour and vandalism, which is noted as the reason for the closure of the public toilets. Evidence of anti-social behaviour and vandalism today is provided by fresh graffiti and litter problems whilst the condition of the building and its boarded apertures also contribute to having a negative impact to the character and appearance of the conservation area. Therefore, redeveloping the previously developed land with a building that will contribute positively to the conservation area and harmonises with the established streetscape is considered the have **no impact** to the character or appearance of the conservation area and will consequently cause **no harm** to its significance.

7.0 JUSTIFICATION

- 7.1. Paragraph 195 of the National Planning Policy Framework (2021) advises Local Planning Authorities that the particular significance, including setting of any heritage asset is assessed. This document has concisely described the heritage asset affected by the proposed works and assessed the significance of the designated heritage asset.
- 7.2. Evaluating the current context of the site and its former use, it has been identified that the Council closed the public conveniences around 2005 due to vandalism and anti-social behaviour and that public facilities were provided elsewhere. As such, in 2007 the Council sought to dispose of the site and the site has been without a purpose for over 15 years. For this time the site has had a negative and adverse impact to the public realm and the heritage assets identified above.
- 7.3. Redevelopment of the site will also remove a blight to the neighbouring and adjacent properties, provide a sustainable use and public benefits through enhancing the setting of the listed building, sustainable and viable reuse of previously developed land and the enhancement of the conservation area by the removal of a building which has a negative impact to the character and appearance of the area.
- 7.4. With regards to the statutory tests provided by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered the proposed development satisfies the minimal requirement which is to preserve the character or appearance of the conservation area and preserve the setting of a listed building.
- 7.5. It should be remembered that Historic England defines preservation in this context as not harming the interest in the building (or heritage asset), as opposed to keeping it utterly unchanged.
- 7.6. It is considered the development would not harm the significance of the heritage assets with regards to the test provided by NPPF paragraphs 199 to 202 and therefore no public benefit is required. However, there is public benefit to be found in the proposed scheme such as, providing a positive contribution to the heritage assets by reusing an area which is a blight to these and the surrounding environs; the redevelopment will provide economic benefits with regards to employment in trades, manufacturing of construction material and the supply of these materials.

- 7.7. With regards to local policies identified in section 4 of this document, the development will satisfy Policy CS 8 as the development recognises local character and features; has regard through its design to the historic environment and in turn the development relates well and connects to its surroundings.
- 7.8. The development will satisfy Policy DM 10 through its design and with regards to Policy DM 11, this Heritage Statement provides context, understanding and an analysis of the local character of the area. The development is cohesive with the existing character of the street.
- 7.9. With regards to Policy DM 12, the design of the proposed development takes into consideration the form, scale, layout, and detailed designs of the streetscape.
- 7.10. With regards to Policy HC1 of The London Plan (2021), this document has identified and understood the historic environment and heritage assets surrounding the site and has demonstrated a clear understanding of their relationship with their surroundings. This knowledge has been used to inform the planning and design of the proposed development. Consequently, the proposed development will conserve the heritage assets that have been identified in this document.
- 7.11. In conclusion, the proposed development meets the requirements of the Planning (Listed Buildings and Conservation Area) Act 1990, the NPPF and local planning policies. It is therefore, requested that the proposed development be approved.

8.0 SOURCES

Ministry of Housing, Communities & Local Government (2021), *National Planning Policy Framework*.

Planning (Listed Buildings and Conservation Area) Act 1990

Ordnance Survey Maps (various dates) reproduced with the permission of The National Library of Scotland.

National Planning Policy Guidance (NPPG 2019)

National Design Guide (2019)

Historic England (2017) *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3 (Second Edition)*

Historic England (2008) *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*

National Heritage List for England

Old Malden Conservation Area

<https://www.kingston.gov.uk/heritage-conservation/list-conservation-areas/3>

Royal Borough of Kingston upon Thames Core Strategy (April 2012)

Daniel Lysons, 'Malden', in *The Environs of London: Volume 1, County of Surrey* (London, 1792), pp. 332-337. British History Online <http://www.british-history.ac.uk/london-environs/vol1/pp332-337> [accessed September 2021].

Spending a Penny: an Exploration of England's Public Toilets

<https://historicengland.org.uk/images-books/archive/collections/photographs/spending-a-penny/>

Malden and Coombe Neighbourhood Committee

Former Public Conveniences at Plough Green, Malden Road

<https://moderngov.kingston.gov.uk/documents/s8312/FxPlough%20Green%20Toilets.pdf>



HS1

Listing Description

Listed Building Name	THE PLOUGH INN PUBLIC HOUSE
Address	THE PLOUGH INN PUBLIC HOUSE, CHURCH ROAD
List Entry Number	1080094
Grade	II
Date First Listed	30 May 1951
Date Amended	6 October 1983
National Grid Reference	TQ 21681 66517

Listing Description

C15 and later. 2 storeys. Double pitched, tiled roof. 2 chimneys, one large chimney. 3 windows, casements, with bars. Modern entrance door, with pedimented hood on shaped brackets. 2 bay windows ground floor, one modern, one C18. The original C15 work is in the centre, showing external timber framing in 1st floor room. Modern addition on right. Front stucco. Weatherboarded gable end.