



South  
Derbyshire  
District Council

# Swadlincote Conservation Area MANAGEMENT PLAN



# DRAFT

January 2015

South Derbyshire Changing for the better

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This Conservation Area Management Plan has been written by Mel Morris and edited by the planning officers at South Derbyshire District Council

This document should be read in conjunction with the following documents:

Swadlincote Conservation Area Character Statement October 2014

Swadlincote Masterplan 2012 & Swadlincote Town Centre Vision and Strategy 2012

([http://www.south-derbys.gov.uk/planning\\_and\\_building\\_control/conservation\\_and\\_heritage/character\\_statements/default.asp](http://www.south-derbys.gov.uk/planning_and_building_control/conservation_and_heritage/character_statements/default.asp))

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([http://www.south-derbys.gov.uk/planning\\_and\\_building\\_control/conservation\\_and\\_heritage/character\\_statements/default.asp](http://www.south-derbys.gov.uk/planning_and_building_control/conservation_and_heritage/character_statements/default.asp) )

7. Costed Plan

## A1. INTRODUCTION

1.1 A Conservation Area Management Plan explains in detail how the special character of the town will be preserved or enhanced through recognition of threats, pro-active management and local commitment, supplemented with programmes and guidance. It complements the Conservation Area Character Statement, which defines the special characteristics that contribute towards the special architectural and historic interest of the settlement. The aim of the Conservation Area Management Plan (CAMP) is to ensure that Swadlincote Conservation Area becomes a sustainable settlement, enabling lasting investment, promoting high quality and timeless design, and creating the conditions to enable local businesses to thrive and re-invest in the historic fabric.

1.2 Conservation areas are defined in law as “areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance” (s69 Planning (Listed Buildings and Conservation Areas) Act 1990). They embrace the quality and interest of an area as a whole, rather than individual buildings within it. Local planning authorities have a statutory responsibility to designate and review them. Conservation areas can bring many benefits, including giving greater controls over demolition, minor development and tree felling.

1.3 Conservation area designation is the primary means by which the distinctive qualities of Swadlincote can be safeguarded. Designation alone, however, will not secure the preservation and enhancement of the town centre and active management is vital to ensure that Swadlincote can adapt and develop in a positive way.

## A2. PLANNING POLICY CONTEXT

2.1 National planning policy regarding conservation areas can be found in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (NPPF 2012).

2.2 The Framework (NPPF) has a large raft of policies which are relevant to Swadlincote town centre and the Conservation Area. Appendix 5 includes extracts from the main policies of the NPPF. There may be others that are relevant and which arise in individual circumstances.

2.3 To complement the NPPF the government has brought out further guidance in the form of planning practice guidance. There is a specific guide for Conserving and Enhancing the Historic Environment, co-authored with English Heritage, which is regularly updated.

2.4 Local Plan policy supplements this and is part of the Local Development Framework. Part 1 of the new Local Plan, which will replace in part the 1998 Local Plan, was submitted to the Secretary of State in August 2014 and an Examination in Public was held in November/December 2014. Chapter 8 in the Plan deals with the Built Environment and specifically Policy BNE2: Heritage Assets. Further detailed Heritage policies will be contained in Part 2 of the Local Plan.

2.5 This CAMP is a Supplementary Planning Document (SPD). The role of a SPD is not to introduce new policies, but rather to provide guidance on local planning matters that are consistent with national and local planning policy.

2.6 This SPD is intended to provide guidance to the public and developers when

considering proposals in or on the edge of the Conservation Area. We will also use it as a material planning consideration in the determination of relevant planning and advertisement applications. It complements other guidance documents and SPDs:

- Better Design for South Derbyshire Guidance
- Historic South Derbyshire
- Swadlincote Town Centre Vision and Strategy 2012
- Swadlincote Town Centre Masterplan
- Display of Advertisements
- Housing Design and Layout
- Industrial and Office Design and Layout
- Trees and Development

A number of the documents above will be reviewed and then combined within a new Design SPD to support the strategic design policy in the Local Plan Part 1.

### A3. SUMMARY OF SPECIAL INTEREST

3.1 The Swadlincote Conservation Area Character Statement published in its final form in January 2015 provides a detailed understanding of the significance and special qualities of the Conservation Area.

3.2 In the 19th century Swadlincote became an internationally recognised centre of glazed pipe and sanitary ware production. In the 1820s the industrial development of the coal and clay industries was still at an early stage but by the late 19th century Swadlincote had become the foremost area for the production of salt-glazed sewerage pipes. Swadlincote's heyday was relatively late, and short, compared to most towns. It was still described as a village in directories as late as 1857, finally earning the description of 'small market town' by 1870.

3.3 Swadlincote's origins are as an introspective mining and clayware centre that grew up around pits and factories but by 1900 it had become a bustling commercial centre with numerous small shops. It still retains numerous local independent shops and a high degree of survival of traditional shopfronts, most still in use for shops.

3.4 The historic buildings constructed predominantly during the late 19th and early 20th centuries, were of smooth red brick and terracotta. There are a number of high quality and architecturally distinctive buildings within the town centre, built to high design standards using the new technologies and materials of their day (e.g. terracotta and cast-iron).

3.5 There are two important groups of industrial buildings: the former Woodward's (Hepworths) Pipeworks at Coppice Side and Sharpe's Pottery. They span a long history of development of the two main strands of the local pottery industry. The most striking landmarks associated with the industries are the tall, distinctive 19th century brick industrial chimney stacks and bottle kiln.

### A4. PUBLIC CONSULTATION

4.1 The Conservation Area Management Plan (CAMP) is subject to a phase of public consultation which will take place from the end of January to mid March 2015. This draft Plan will be updated to reflect the comments and any objections received during public



consultation. The CAMP will be presented to the Environment and Development Services Committee on 9th April 2015.

4.2 Public consultation will include circulation of a letter and leaflet to all of the properties within the Conservation Area (tenants and landlords) and to key stakeholders; for example, the Chamber of Trade, Derbyshire County Council, Heritage Lottery Fund, the National Forest.

4.3 There will be a day-long question and answer session available for all in the Town Hall. Public consultation will be managed through an open questionnaire to be either filled-in by hand or on the Council's website.

## A5. HISTORY OF INITIATIVES AND GRANT SCHEMES

5.1 Since 2000 Swadlincote has received 14 years of partnership schemes, where public funding from two or more organisations have provided support for repair and restoration work for small businesses and residents within the town. £1.75 million of the £6 million of the regenerative investment in the town centre has been generated through the partnership funded grant projects. Despite these achievements, the point has yet to be reached where such improvements will continue unaided, driven by the snowball of market forces.

The schemes and grant budgets have been as follows:

- 2001 – 2006 English Heritage and SDDC – Heritage Economic Regeneration Scheme (£228,205)
- 2006/07 EH, SDDC and Derbyshire County Council – HERS (£60,000)
- Swadlincote Partnership Scheme in a Conservation Area (PSiCA) – 2007-2010 £100,000 p.a.
- Swadlincote Partnership Scheme in a Conservation Area (PSiCA) – 2010-2013 £30,000 p.a.
- Swadlincote Grant Scheme (2013-2015) – Joint South Derbyshire District Council and Derbyshire County Council Scheme £20,000 p.a.

5.2 The District Council and its funding partners have funded major public realm works to the town centre, of approximately £3.1 million. The success of the schemes was acknowledged in 2009 when South Derbyshire District Council received the English Heritage East Midlands award for its sustained commitment to partnership schemes and interpretation and use of Sharpe's Pottery. The newly designed and re-paved West Street project was also shortlisted as a finalist in the Urban Design Group's national award for best public sector project.

5.3 Funding partners have included Derbyshire County Council, English Heritage and East Midlands Development Agency, Derbyshire Economic Partnership (DEP), Morrison's and Sainsbury's (contributing with Section 106 Developer Contributions) and Department of Communities & Local Government (DCLG) Growth Point Funding.

5.4 The sums of money allocated for properties and the public realm are of course only a small proportion of the overall capital and revenue sums spent on the historic fabric. All partnership schemes rely on the goodwill and commitment of the private sector, householders, shopkeepers and local business to create a strong local economy and restore and maintain the fabric. Actual capital sums spent on the historic fabric of the town have therefore been much greater than can be practically calculated.

## 5.5 Other Grants

### 5.5.1 Ernest Hall Way Business Grants

2009-2011 - The Council Economic Regeneration Unit secured DEP funding for business support grants with the aim of improving the appearance and security of business premises facing Ernest Hall Way. The 50% grants encouraged private owners to tidy up the rear of their premises and included: signage, painting, landscaping, wall and other boundary improvements. The budget over 2 years was £34,000, £11,000 in 2009/10 and £23,000 in 2010/11.

### 5.5.2 Sharpes Pottery

The Council continues to support Sharpe's Pottery Trust with an annual revenue contribution of £25,000 and funds the Tourist Information Centre located there to the tune of £50,000 annually. Sharpe's Pottery received £1 million in Heritage Grant funding from the Heritage Lottery Fund, has received HLF funding for exhibitions and provides space for the Magic Attic local history archive.

2009-2010 - SDDC also secured a DEP grant of £265,000 for further development of the visitor attractions including an extension to house a revamped café, new play area, restoration work to the kiln, a Project Manager and new museum displays. Match funding came from a number of sources including Landfill Tax, Derbyshire County Council and the National Forest Company.

## A6. MASTERPLAN & REGENERATION STRATEGY

6.1 A town centre Vision and Strategy was produced in 2001 and this was recently updated and adopted by the Council in 2012. This updated vision reflects the considerable work that has been done to regenerate the town centre since 2001. It set out the following core principles:

- Comprehensive - single project cannot regenerate a town centre
- Incremental – small projects make a difference
- Self-help and public / private partnership
- Identifying and capitalizing on existing assets
- Recognising the wider value of historic buildings and landmarks
- Improvements and initiatives must be synonymous with quality
- Changing community attitudes and public perceptions
- Action-orientated – frequent, visible changes

6.2 The Vision and Strategy 2012 also included three themed masterplans along with an overall masterplan for the town. These masterplans highlight key regeneration sites and recommend new nodes of activity and landmarks connected by strong and direct pedestrian routes to create a town centre that is vibrant, compact and easy and enjoyable to move around.

This Conservation Area Management Plan is part of this framework, adopts the same principles and is complementary.

6.3 One of the major achievements in the town centre has been the creation of the visitor centre with tourist information centre and museum at the former Sharpe's Pottery. This and the Swadlincote Town Centre Masterplan public realm works are major high impact improvements that are helping the Council to realise this vision.

## PART B - ISSUES

### B1. CONDITION OF EXISTING BUILDINGS AND STRUCTURES

The prosperity and vitality of Swadlincote Town Centre is intimately linked to the nationally precarious health of the small-scale retail industry.

New national retailers have been successfully attracted to the town, but generally not to the High Street. There are exceptions such as Peacocks, who have recently taken over the former Woolworths store. National retailers have naturally preferred the larger modern format units on the fringes of the town centre as at The Pipeworks and Belmont Street. Resulting vacancies on the High Street have been filled by independent retailers, small chains, charity shops and start-ups. With more limited resources than the nationals, and a tough climate nationally in terms of consumer spending, their ability to invest in the improvement of their (often historic) premises is more constrained. This is evident from a quick inspection of the buildings above street level. This means that the heritage is still at risk.

Several historic buildings are vacant and at risk. These include: 8 & 8a West Street, Bank House (Midland Road), 8 Midland Road, 47-51 Alexandra Road and 4 High Street.



#### B1.1 Under-use of first floors

1.1.1 Swadlincote, like many small town centres, has historically had a sustainable mix of uses with local industry on the doorstep and residential uses within the town centre, between buildings or over shop premises, as well as terraced houses close by. As the need for living over-the-shop to serve the retail premises has reduced over the last century, and the local population has become more dispersed, the need for chapels, schools and facilities for a large town centre residential population has reduced. Many of the first floors of the shops within the town centre are vacant or under-used.

1.1.2 It is encouraging that some of the first floors are in active use as offices or for independent small businesses, but there is a distinct shortage of housing / flats within the town centre and many of the first floors could benefit from residential use. An assessment of the town centre reveals only 11 flats (residential uses) on High Street and Ernest Hall Way out of some 70+ properties. In addition to providing a viable reason to maintain properties, it leads to a safer environment at night, both factors which make it sustainable.

1.1.3 The result of this under-use is that first floors are not maintained to the same high degree as those in active use, which can lead to leaking gutters, damage to plasterwork from slipped slates or loose flashings, lack of maintenance and decoration of joinery at first floor level, which in itself leads to decay.

1.1.4 Where there are absentee landlords and unused or underused upper floors, there is often a complete lack of interest in the buildings.

## B1.2 Loss of Building Details

1.2.1 Besides demolition and poor redevelopment, there has been considerable damage arising from disfigurement of many older buildings. This damage is in part a symptom of the town's declining economic fortunes and poor self-image for an extended period following the Second World War, accompanied by the slow attrition of the coal and clay industries which were its economic mainstays.

1.2.2 For a time, Swadlincote's association with the polluting, smoky conditions created by its traditional industries prejudiced local sentiment against the conservation of its physical remains. It was not seen as a worthy environment for quality development, and redevelopment was invariably of a low standard showing no regard for the historic townscape. It is only in the past fifteen years or so that pride in the area's industrial past has resulted in any significant commitment to its historic fabric.

1.2.3 Some of the most important and architecturally distinguished buildings have lost major architectural features, many of them terracotta scrolled pediments and parapet details.

1.2.4 Many of the elevations in Swadlincote are of local brick, or on occasion of terracotta, which are dominant characteristics of the town centre. These surfaces, which are so characteristic of the town centre, can be damaged or disfigured by painting or rendering, which is then not easily reversed without damaging the surface of the masonry. A number of properties along High Street and at the junction with Midland Road and Belmont Street have been painted. For this reason, the local authority is proposing to introduce controls to require anyone considering painting their building, to submit a planning application. In general, the painting of previously unpainted surfaces will not be approved. Painting is discussed in detail in Appendix 2 – the proposed Article 4 (1) Direction.



Midland Road - loss of terracotta parapet and plaster details

1.2.5 The changes to boundary treatments, with the loss of original railings and replacement of brick walls with concrete, artificial stone and other alien materials is perhaps the most damaging of these alterations, as they are difficult to reinstate on a piecemeal basis.

## B1.3 Demolition of Boundary Walls

1.3.1 Loss of boundary walls along the alleys leading off High Street and streets linking High Street and West Street with the remainder of the Conservation Area (Hill Street, Coppice Side, Church Street, Midland Road and Belmont Street), in particular, is a major threat



to the character of the Conservation Area. Many walls have not been seen as particularly special, probably because they are of relatively low quality stock bricks with local clay copings, which were once 'two-a-penny', but these walls knit together the streets, providing important enclosure to the frontages where there are more spacious settings between buildings, define many of the 'passages' / jitties, and provide unity to private terraced frontages. Through an Article 4 Direction (see Appendix 2), it is proposed to introduce a requirement for planning permission for the alteration or demolition of boundary walls, to prevent any further piecemeal loss of these walls.



Left and right - boundary walls with salt-glazed or blue clay copings are locally distinctive - demolition would remove an important part of the heritage of the town



## B2. PUBLIC REALM AND LANDSCAPE

### B2.1 General

2.1.1 The town centre has undergone a large number of changes. Since the creation of the Civic Way from the 1950s and the pedestrianisation of High Street in 1983-85, there have been several major developments in the town centre, including the restoration of Sharpe's Pottery site in 2003 and the development of the Hepworths (Pipeworks) site in 2005-2011.

2.1.2 Both of these more recent developments have changed the public focus of Swadlincote to extend activity and pedestrian movement into the southern side of the town, in areas which were historically outside the public domain, but which nevertheless contain elements of high industrial heritage value.

2.1.3 The Conservation Area has benefitted from two phases of public realm works, supported by a combination of external funding and Section 106 monies, and delivering key elements of the Masterplan. A 75,000 sq ft Morrisons superstore has been constructed immediately adjacent to the High Street and numerous individual buildings have been enhanced, such as the public houses, the Sir Nigel Gresley and The Empire (former cinema). Adjacent to the Conservation Area in the town centre there has been further public and private investment including refurbishment of the bus station, a new health centre and residential apartments and a major extension of the Sainsbury's superstore to 90,000sqft. Most notably, The Pipeworks has recently been completed – a 110,000sqft mixed use development including retail units, cinema, food & drink outlets and housing.

2.1.4 As a result of many of these alterations to the infrastructure, there is a new focus of public interface. The backs of buildings and industrial premises are now exposed to public view - areas which were historically of low status.

2.1.5 Works to preserve the character of the Conservation Area and enhance the town centre therefore have two strands:

- (1) to reinforce the historic character of the main shopping streets and areas which were historically designed with a public face
- (2) to enhance the areas which have been historically undeveloped but are now open to public view



The Delph - high quality, traditional materials have been used in a contemporary way to enhance the character of the conservation area and provide larger public space

2.1.6 Maintaining an attractive public realm can help to reinforce the historic development pattern and the hierarchy of spaces. The District Council will work with the highway authority (Derbyshire County Council), the Chamber of Trade, statutory undertakers and private individuals to ensure that the quality of the streetscape quality respects conservation significance and will build on the design principles and palette of materials adopted for the town centre in recent years.

2.1.7 In recent years there has been a concerted effort and successful campaign to remove street clutter: accumulations of bollards, lighting columns, litter bins and road signs. This has freed up public spaces to encourage more activity and events within the town centre. Manual for Streets 2 (pub. Sep. 2010) identifies visual street clutter as an issue for many towns and villages and urges a more coordinated approach between the various bodies involved. The aim is



Ernest Hall Way - much remains to be done to improve the interface of public and private space

to both reduce the amount of clutter and co-ordinate the design of new street furniture.

2.1.8 Historic street signs and directional markers add to the character of a conservation area and should be retained. New signs are distinctly different and include the use of carved granite panels laid in the entrance to passages.

## B2.2 Spaces - Reinforcing Historic Character

2.2.1 The town centre streets of The Delph, High Street and West Street form the main focus of shopping activity in the town centre. These areas have historically had a number of enhancement schemes. The most recent schemes, funded with public money from the two local authorities and English Heritage, comprise the restoration of traditional paving materials to the town centre (The Delph and West Street) and high quality bespoke design details and street furniture. The simple schemes, smooth surfaces and extensive areas of public open space belie the complex management and integrated approach to design / traffic management / liaison with traders, retailers and special interest groups. Good public realm design is inclusive, integrated, future-proof and seamless.

2.2.2 Works to the public realm in Swadlincote have re-introduced traditional paving materials and have set the pattern for surfacing throughout the Conservation Area and in private yards and alleys. The simple palette of materials, dominated by the use of blue clay wire-cut bricks and durable pink granite kerbs and grey granite gulleys, will be adopted throughout the Conservation Area. The 2006 Town Centre Masterplan (Plan 1 - Appendix 1) illustrates how this pattern of traditional native materials will be adopted for the whole of the town centre.

2.2.3 Many of the works identified in the Masterplan have been implemented, as opportunities have arisen, such as the Phase 1 Civic Way wall and restoration of passages with blue brick and granite kerbs and the Phase 2 re-paving of West Street, Ernest Hall Way and the creation of the new Delph public square.

2.2.4 In conjunction with re-paving, much work has been done behind the scenes to integrate services, traffic management and the practical requirements of managing a bustling town centre. Utility companies will be required to consider the implications of altering services or digging service trenches. The District Council has taken an immediate approach to requiring any making good to any of the public realm and maintenance of this management standard will continue.

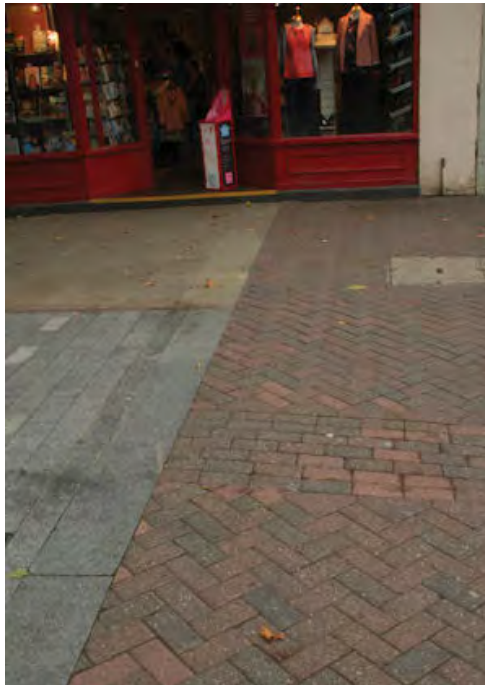
2.2.5 In addition to the physical alterations to the historic environment, the Economic Development and Community Services teams along with Geraud Markets, has increased the concentration of market stalls and events at The Delph and along High Street. This concentration of activity brings people into the town centre, increases footfall overall and creates a buzz of activity. The changes that have taken place in Swadlincote in the last few years have been life affirming.

2.2.6 There is still a great deal to be done, and the earlier phase of 1980s pedestrianisation is showing considerable signs of wear and tear, but as the design has been considered as a whole, in the Masterplan, the principles that have been adopted for the first phases of public realm works can and should continue along High Street without compromising the high design standards, as funds become available.

2.2.7 Priorities for preserving and enhancing the historic environment are:

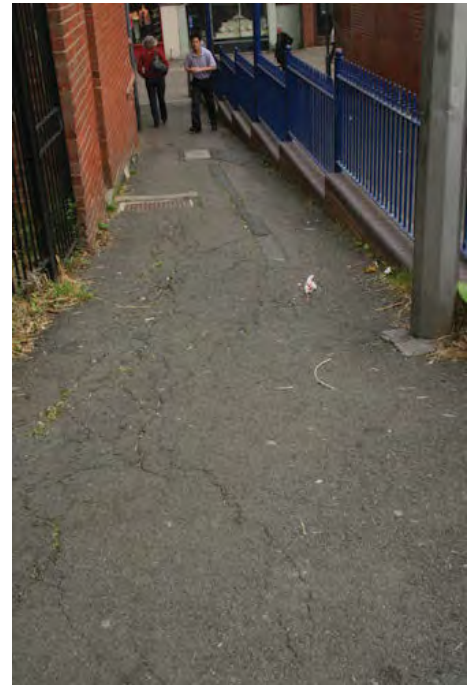


- High Street – re-paving using the adopted palette for the town centre
- Extending the traditional paving materials along Rink Passage, Midland Road, Market Street and Belmont Street, introducing better enclosure along these streets and better integrating these streets into the main shopping area



Left - High Street. Junction of the pedestrianisation scheme of the 1980s (seamless red brick laid in a herringbone pattern was a particular favourite throughout the UK) and the most recent sandstone and granite paving scheme, which reinforces historic character, street patterns - road and pavement lines.

Right - Rink Passage, a major public route, still finished in uneven and cracked tarmac



## B2.3 Street Lighting

2.3.1 Swadlincote has benefitted from a series of comprehensive public realm works and there is now great consistency in the treatment of street lighting, with a contemporary approach and high quality, unobtrusive fittings, most of which are to a standardised pattern - WRTL Arc (Sideroad) lamps. Many of the street lights have been positioned on buildings, with wayleave agreements, although these are voluntary, and these have removed the clutter of columns from the streets. There is now a consistent standard of lighting unit, which should be adopted for replacement fittings when existing lamps reach the end of their life. There are a few exceptions, where lighting columns remain from previous phases of lighting campaigns, and in places lighting columns are still necessary, where there are no tall buildings. Where columns are required in the historic core, they should be replaced either during a re-ordering or when they reach the end of their life with the standard pattern – painted in RAL 7043. Historically these lamps have been high pressure sodium lamps, but these are gradually being replaced with LED lamps and as they are replaced a pattern that is as close to the existing as possible will be adopted.

2.3.2 In view of the recent technical advances in lighting, designs should allow for different bulb fittings and wherever possible should be future-proof.

## B2.4 Overhead Wiring

Overhead telephone wiring is still evident along West Street where the frontages are more broken. Opportunities to underground cabling should be explored as projects allow.



## B2.5 Trees

2.5.1 Swadlincote is located in the heart of the National Forest and there is a great opportunity for the town centre to reflect the forest context. Many trees have already been planted in and around the town centre and the Swadlincote Gateways project aimed to introduce tree planting to create green gateways to the town. Trees therefore play an important role in enhancing the town's National Forest identity.

2.5.2 All trees in Conservation Areas are protected if they have a stem diameter of 75 millimetres measured at 1.5 metres from ground level. In general, it is an offence under the Town and Country Planning Act 1990 for anyone to undertake work to a tree in a conservation area without giving the Council six weeks written prior notice. The notice period is for the Council to decide if the tree(s) should be protected from proposed work by a TPO.

2.5.3 Street trees were introduced as part of the pedestrianisation scheme in the 1980s and more recently as part of the enhancement of the Delph. They serve a variety of purposes; they are aesthetically pleasing, they provide habitat for birds and insects, reduce heating and cooling costs to adjacent buildings, they help with reducing surface water run-off, and sequester carbon. The London Plane trees are particularly good at this.

2.5.4 Traditionally, avenues within urban areas were lined with lime and sycamore but this is now rare. Trees can be appropriate in public spaces, to enhance the rhythm of the historic urban environment, and to use trees for shading on sunny, hot days, where this can benefit the public, but they should be carefully and selectively introduced, as street trees that are removed over time are in practice rarely replaced in the same location. London Plane is one of the more resilient species that is encouraged. The recent landscaping scheme at The Delph has introduced pleached hornbeam to create a strong visual rhythm which reinforces the edge of the space. This will require regular pruning to maintain the shape and size.



Some street trees are in poor health

2.5.5 Along High Street, in the 1980s, trees were planted in clusters of short rows and are of different

species, which when they reach maturity vary in eventual height and spread. The London Plane trees are young mature, at approximately 50% of mature size. However, the London Plane located outside the newsagents (35-29 High Street) is leaning and removal is recommended. Turkish Hazel trees are a little further advanced and are a particularly attractive feature. Flowering Cherry trees have been heavily pruned and are of a low quality and Whitebeam trees provide further variety and are in fair condition. Some of the more



London Plane - planted close to buildings and now asymmetric

mature Silver Birch trees are in good condition. Many trees were planted without envisaging their eventual spread when they reached maturity, and have grown since the 1980s to such an extent that in some instances the London plane trees are touching the buildings and are having to be regularly pruned, which is resulting in an asymmetrical shape. Inevitably, they contribute to leaf litter in the gutters and more regular requirement for maintenance. London plane trees can grow up to 30 metres in height with a spread that is slightly less than this. At this rate of growth, with clay soils, it will be important to monitor whether there is any impact on buildings.

2.5.6 Where planted close together, over-crowded trees can shade ground floor shops and first floor glazed shopfronts. This can be beneficial, in enhancing dwell time in front of shops, but also reduce the visibility of first floor shopfronts.

2.5.7 In the future maintenance of the Conservation Area, a pragmatic approach will be required and specimens that are diseased or unhealthy may need to be removed. Occasionally, street trees may require one of several options to manage their proximity to building, e.g. crown lifting or formative pruning. Because street trees are only a relatively recent introduction, the occasional removal of trees can be sustainable, provided that this is off-set with replacement trees planted in other areas.

2.5.8 It will be important in the future that trees are planted in places where they soften the exposed backs of the more unsightly areas and where there is a lack of visual continuity or enclosure. This will, in most instances, be located on private land in places that were not designed to be seen: the south side of High Street, facing Ernest Hall Way, and the north side of High Street, facing Civic Way. Here, screening from tree-planting will be positively encouraged to enhance back gardens or yards, filter sound, reduce air pollution, and provide greater opportunities for green corridors across the town.

2.5.9 In back gardens, the range of trees can be increased in variety to reintroduce varieties of apple, a typical tree of South Derbyshire, and other resilient trees and shrubs, tolerant of atmospheric pollution, to increase cover for birds.

2.5.10 Along Civic Way, the model of tree-planting established at the car park behind the eastern end of the town, with London Plane and an enclosed brick boundary wall and clay coping will be promoted as the pattern for the remainder of Civic Way.

2.5.11 A recently published guide to trees in hard landscapes provides a very important understanding of the issues and management best practice - <http://www.tdag.org.uk/trees-in-hard-landscapes.html>

## B2.6 Diana Princess of Wales Memorial Garden

2.6.1 The garden at the corner of West Street, Grove Street and Market Street is a public open space, which in spirit and size is a 'pocket park'. It is pivotal in the Conservation Area because the trees are a focal point and it is one of the few green, public open spaces. This area of land was historically used as a clay hearth as part of Sharpe's Pottery and was opened as a garden to celebrate the wedding of Prince Charles and Lady Diana in 1981. Princess Diana later visited the town and garden in 1991 and floral tributes were impulsively left there





following her death in 1997. A plaque was placed in the garden and it is now recognised as a memorial garden to her.

2.6.2 The public has shown a clear attachment to the site. However, the trees are overgrown and shade the space and the structures are of poor design and quality and in poor condition. There is nothing about the landscaping scheme that relates to the historic character of Swadlincote or evokes any particular local meaning or association. The site is bereft of any colour. Re-landscaping of the site currently forms one of the proposals contained within the HLF Townscape Heritage bid. The site will be designed with creative input from local people to create a pleasant space to stop and dwell.

## B3 SHOPFRONTS, SIGNS AND SECURITY SHUTTERS

### B3.1 Shopfronts

3.1.1 The Conservation Area encompasses the whole of the shopping centre of Swadlincote. There have been a number of successive partnership grant schemes which have repaired properties and the town centre has benefitted from the restoration of a large number of traditional Victorian and Edwardian shopfronts, with the co-operation and financial contribution of the owners and tenants. Progress has been slow and piecemeal but sustained and effective; the benefits to the town centre from many years of investment are being felt – comprehensive restoration of shopfronts in the town centre is one of its major success stories and this has created a vibrant and interesting town centre where shopping is becoming an increasingly enjoyable experience. Shopfronts are being more regularly maintained and painted and there is a noticeable pride in the frontage.



3.1.2 Currently, within Swadlincote, planning permission is not required for a number of works including the painting of shopfronts or stall-risers, or the painting of facades of buildings, even where they are in a conservation area. On a number of occasions

traditional shopfronts have changed hands and garish colours have been introduced and brickwork has been painted.

3.1.3 Traditional stall-risers in Swadlincote were treated with particularly distinctive local glazed bricks. On a number of occasions these glazed brick stall risers have been painted. This is not easily reversible and is undesirable.

3.1.4 The local authority is proposing to introduce a requirement for planning permission to control the painting of certain shopfronts and the external painting of traditional buildings in the Conservation Area. Following this, it is proposed to introduce a Local Development Order which would introduce a palette of recommended colours - 64 main colours and 23 accent colours that would be appropriate for traditional shopfronts, based on Edwardian and Victorian colours.

3.1.5 This is a two-phase process. The first phase involves removing permitted development rights by introducing an Article 4 (1) Direction. The second phase, which would follow this, is the introduction of a Local Development Order, which would enable shopkeepers and retailers to re-paint their shops with any of the colours on the approved list without applying for planning permission. Both of these measures are subject to widespread public consultation to ensure that there is support. Further details of the Article 4 (1) Direction and LDO are included in section 3.2 and Appendix 2 and 3.

3.1.6 In addition, there have been some alterations to shopfronts which have been highly visible and out of keeping with the special character of the town centre, which we have sought to enhance through grant schemes.

3.1.7 The planning authority recognises that much could be done to assist with the design of new shopfronts and a Shopfront Design Guide will be produced in 2015/ 2016. The shop front guidance will advise applicants of appropriate principles of shop front design, the importance of the streetscape and how the building that incorporates the shop premises should relate to the streetscape and its setting. Advice will be given on integrating disabled access, security, lighting and canopies.

## B3.2 Shop Signs & Advertisements

3.2.1 Supplementary Planning Guidance on the Display of Advertisements, has been produced, which can be viewed on the website. Signs and advertisements are controlled by the Town and Country Planning (Control of Advertisement Regulations) 1992.

3.2.2 Although many of the shopfronts have small and discreet fascia signs, there has been a tendency to add overblown 'lightbox' or box-fascia signs to the facades. Many of these are unnecessarily bulky and made from plastic or vinyl, not painted timber. Of particular concern is the number of large box fascias along High Street and at The Delph. The planning authority relies on the goodwill of people to preserve the character of traditional shops by maintaining the existing timber fascia and using this for new signs. However, many large and non-illuminated fascia signs are permitted development. In many cases the use of etched or frosted vinyl lettering to glass, with subtle graphics, will be an effective way of advertising businesses whilst minimising the disruption to the original cornice. However, garish window stickers, in bright colours that prevent light from filtering through the shop window, will be discouraged.

3.2.3 There are a wide variety of modern styles and types of lettering that may be appro-

ropriate in the town centre, e.g. flat cut letters, in polished titanium or aluminium composite, or 3-D built-up letters in brushed or polished steel. Lettering can reinforce the quality of the products within the retail unit. There are nevertheless a large number of fascia signs which are still out of scale and proportion with the building.

3.2.4 Signs and their illumination should always be designed for the specific building, with corporate branding adapted to suit different types of building and location. Hanging signs should be limited to one hanging sign on each shopfront elevation. Internally illuminated box signs will not be acceptable within Swadlincote Conservation Area. Any external illumination of signs should be discreet and relatively subdued.

3.2.5 Most advertisements require specific consent for which an application is made to the Council, but some categories have deemed consent. The Advertisement Regulations are complex. To avoid unnecessary costs and abortive work, it is always advisable to check with the Council first before altering shop signs. This would avoid the need for serving a discontinuance notice requiring the removal of a sign if it is considered to be detrimental to the character of the Conservation Area.

3.2.6 There are a few instances where advertisement signs have been erected which have not complied with the regulations. These are being investigated.

3.2.7 Regular monitoring and enforcement of regulations is required to maintain the high standards of design adopted over advertisements in the town centre on grant-aided projects and to prevent piecemeal alterations having an incrementally damaging impact. The Enforcement Officer, Planning Officer and Conservation Officer will all need to be vigilant to monitor alterations and to protect the investment made in the town centre and the character of the Conservation Area.

### 3.2.8 Monitoring

Retail uses change regularly with consequent demand for immediate re-branding. Alterations to the shopfronts within the town centre will need to be monitored and recorded photographically to ensure the regulations are enforced diligently. A 6-monthly cycle is achievable with digital photography.

### 3.2.9 Special Control

The option of introducing “An area of special control” to control advertisements has been considered as part of the development of this Management Plan. However, it is considered that the additional level of extra control is negligible, as the commercial properties lie largely within the conservation area, which has its own set of controls.







**3.2.10 Historic painted signs**  
Hand-painted signs on masonry are a common detail of South Derbyshire and there are several surviving examples in Swadlincote. These faded ephemeral features provide evidence of the former use and are of particular interest to local people. We will encourage their retention in considering proposals for new advertisements with changes of tenure.

### B3.3 Steel roller shutters

**3.3.1** Planning permission is required for external roller shutters in the conservation area. Steel roller shutters are normally required where there is a very high risk of theft or damage. However, roller shutters inhibit activity and are not an attractive addition to the high street. They have a deadening effect, as there is no light in the shop window display, and create the impression of a town with problems. Well-lit shopfronts help with creating a safe night-time or dusk environment.

**3.3.2** The activities promoted in the town centre Masterplan extend the activity in the town centre out of normal shopping hours and natural surveillance is therefore increasing in the public areas. There are also potentially more opportunities for specialist markets or events on Sundays.

**3.3.3** In order to create an attractive environment and encourage greater use of the shopping streets outside normal shopping hours, roller shutters should be avoided. In the pedestrianised zones along High Street and West Street there is very little evidence that roller shutters are required, with only a few examples. The local planning authority will resist roller shutters where they damage the character of the conservation area. Internal shutters should always be the first choice, particularly where there are recessed shop doorways and curved shop windows, which are more difficult to protect without having a significant impact on the traditional shopfront.



## PART C IMPLEMENTATION

This part of the Management Plan is all encompassing - it involves not just the commitment of the local authority but also sets out our aspirations for the involvement of property owners and their professional advisers in managing and maintaining Swadlincote's valuable heritage. In this part we describe how we will address the issues identified in Part B and put these into practice. It provides guidance for professional advisers and developers as well as the general public, residents, shopkeepers, retail outlets and property owners.

### C1. FRAMEWORK FOR DESIGN STANDARDS - DEVELOPMENT AND DESIGN IN THE TOWN CENTRE

#### C1.1 Target Sites

Swadlincote Town Centre Vision and Strategy 2012 is one of a raft of documents that underpin design guidance for new development in the town centre. This identifies key sites for redevelopment / potential investment opportunities. These are more extensive than identified in the Conservation Area Character Statement (see para.1.2 below). Appendix 1 (Plan 2) has full details. They include land that is highlighted in the Conservation Area Character Statement which straddles the Conservation Area boundary, at the Civic Centre (Area 2), and land which lies wholly within the Conservation Area at:

- the Leisure Centre (Area 3)
- between Midland Road and Belmont Street (Area 5)
- The Delph (Area 6)
- Ernest Hall Way (Area 7)
- Rink Drive (Area 8)
- Sharpe's Estate (Area 9)
- Land Between West Street and Market Street (Area 10)
- land at Mid High Street (Area 11)

Redevelopment of all of these areas will have an impact on the character of the conservation area and / or its setting.

#### C1.2 Target Buildings

A list of smaller sites and individual buildings were also identified as a priority for redevelopment in the Conservation Area Character Statement:

- 4-6 West Street (Area 10)
- 1-15 West Street (Area 6)
- 43 High Street (Area 11)
- 47 High Street (Area 11)
- 31 Market Street
- Former Covered Market, Midland Road (Area 2)
- Derbyshire County Council Library (Area 2)



The Delph & West Street - Nos. 1-15 West Street is a high priority for redevelopment

### C1.3 Design Briefs

Each site identified above, within the Conservation Area, will be accompanied by a Design Brief with key design principles. Better Design for South Derbyshire (2010) expects that all proposed development in the District follows a logical design process.

### C1.4 Setting

Sites beyond the Conservation Area boundary still have the potential to affect the setting of the Conservation Area and this will need to be considered in any redevelopment proposal. Although sites to the north of Civic Way have less potential to affect the setting of the Conservation Area, this could change over time. Here, reinforcement of the enclosure and high quality design to the edge of the road / back of the pavement and landscaping will be important if Civic Way is to be successful in having its own streetscape character.

### C1.5 Design in Context

1.5.1 As one of the distinctive characteristics of Swadlincote is the variety of bold individual buildings, it is important that new development should not be stifled by the historic setting. Pastiche of local building styles will be discouraged and high quality modern architecture will be actively encouraged along with the creation of new landmarks. Along High Street, the steady rhythm of the built up frontage, the enclosure of the street, punctuated by “passages” and the strong horizontal eaves lines of the existing building heights should be respected in any new development.

1.5.2 The standing examples of 1960s and 1970s flat-roofed, box-like buildings within the town centre (e.g. 1-15 West Street, 4-6 West Street and 47 High Street) will not be accepted as setting the benchmark or precedent for poor quality replacement buildings.



1.5.3 New development should consider the quality of the local traditional materials as a benchmark for the standard of materials to be adopted for new development in the Conservation Area. The use of traditional materials, colours and textures in new and exciting ways, making use of local suppliers, local materials, skilled craftspeople, and traditional trades will all be actively encouraged.

1.5.4 New development and redevelopment of existing buildings should respect the existing building lines or reinstate them where historical map evidence exists. This is particularly important along streets such as High Street, West Street and Market Street, where there are continuous frontages.

## C1.6 Views and Landmarks

1.6.1 The principal landmarks within the town, the industrial chimney stacks and bottle kilns, are designated listed buildings, in recognition of their special architectural or historic interest. This protection alone, however, does not automatically safeguard these structures and their setting. They reflect the industrial development of the town and are the most potent and coherent reminders of its industrial history and sense of place. New development will need to consider the impact and wider setting of each of these landmarks, as part of glimpsed views as well as the panoramic setting of the town, and how they not only appear in current views, but how they could be enhanced in new views.

1.6.2 Redevelopment proposals which block or detrimentally affect views of the key local landmarks should not be approved unless there are over-riding public benefits arising from the proposed development.

## C1.7 Improving Access

1.7.1 Barriers to access can affect all levels of society and are both physical and intellectual.

1.7.2 When considering alterations to historic buildings in the Conservation Area, opportunities to improve the accessibility of the structure to all sections of the community should be addressed. The re-paving works on West Street and The Delph successfully raised pavement levels to create flush, level entrance thresholds to shops and businesses.

1.7.3 Whilst there can be a conflict between the retention of historic fabric and improving accessibility, with careful design and a holistic consideration of the building and its setting, it is usually possible to improve accessibility. English Heritage has produced *Easy Access to Historic Properties*, which provides further guidance.

1.7.4 Future public realm works will continue to 'de-clutter' the environment and remove superfluous or redundant bollards, signs, road markings, street furniture and lighting columns. This was one of the key aspirations of the town centre Masterplan 2006 and the re-design of West Street and the Delph public square.

## C1.8 Shopfronts

1.8.1 On new buildings the shop front design should be integral to an overall contemporary design approach, where the proportions, scale, materials and decoration of the surrounding buildings are respected. Pastiche traditional shopfronts will be discouraged

if the development is otherwise contemporary.

1.8.2 A Shopfront Design Guide will be produced in 2015/2016, which will provide advice on contemporary shopfronts, with exemplars.

## C2 ENHANCING NEW PUBLIC SPACES

2.1 In addition to the enhancement of the High Street, there are several projects in the Conservation Area which are located in new public spaces, which are aspirations of the Town Centre Masterplan, Economic Development Strategy and Town Centre Vision and Strategy 2012.

### C2.2 Ernest Hall Way

2.2.1 Ernest Hall Way is a modern back street, originally intended only as a service road to access the properties fronting High Street. Since the development of Morrison's supermarket and the remainder of the Woodward's Pipeworks site, Ernest Hall Way has recently become a much more public space and a pavement was constructed along the western half of this street as part of the town centre re-paving works in 2010. Views of the backs of buildings along the south side of High Street have become exposed. A long range of these rear elevations have been altered with



flat-roofed extensions. The view of the town centre from Morrisons is dominated by an unsightly rear boundary to several High Street properties comprising poorly designed rear extensions, disused and overgrown yards and gardens, and fencing of rusty corrugated iron, barbed wire and other ramshackle materials. This does not encourage visitors to Morrisons to explore the town centre. The west end of High Street, however, retains more of its historic character and the backs of these properties share small, pitched-roof extensions in traditional materials and some restored perpendicular boundary walls. There are two pedestrian links between the two, via a number of steps down to street level, provided in two separate locations. The links could be strengthened as part of the enhancement of the area.

2.2.2 The enhancement of this area will comprise one or more of the following:

- Continue the reinstatement of traditional boundary walls, in brick with bespoke clay copings
- Introduce tree planting and soft landscaping behind Nos. 30-76 High Street to soften the views, disguise the flat-roofed extensions and rear yards of High Street properties and restore the historic character of former garden spaces
- Introduce a new pavement in traditional materials to create a safe public walkway along the remaining eastern stretch of Ernest Hall Way, continuing the style set along the western half
- Increase activity in the form of single storey retail units fronting Ernest Hall Way
- Redevelop buildings that are an eyesore

## C2.3 Woodward Passage (link between the Sharpe's Pottery and Woodward's Pipeworks sites)

2.3.1 The aspiration to interconnect the two former pottery sites has arisen in recent decades, as a result of the change in pedestrian movement around the southern half of the town. Encouraging pedestrian movement throughout the whole of the Conservation Area, and particularly in these commercial areas, is important to inviting exploration, curiosity and enjoyment.

2.3.2 The first part of the link has been secured through the redevelopment of the Pipeworks site and the reminder of the link will be actively encouraged.

2.3.3 The broad and well-paved footway currently ends at a much narrower pedestrian footpath that crosses it at right angles, linking the town to a residential area lying southwards and it is an anticlimax. The creation of a physical break in the side alley would open up a view to the listed Sharpe's Pottery buildings and the landmarks, which would provide the much-needed focal point at the end of the pedestrian route, and would also enable the significance of the heritage asset to be better revealed. Ultimately, the footpath would continue to Sharpe's Pottery, creating a direct pedestrian link between two key areas of the town and two landmark chimneys.

## C2.4 Civic Way

2.4.1 To the north side of High Street are large areas of car parking, both private and local authority. These spaces are exposed to view from Civic Way, with multiple entrances. A recent scheme of restoration of copings to boundary walls and tree-planting (a row of London plane) has been a simple but effective way of screening the open car parks. This pattern of boundary enhancement is a simple but exemplary way of screening these open spaces and softening this approach into the town centre. This pattern will be adopted wherever feasible and will be encouraged for any new schemes along this section of Civic Way between Church Street and Midland Road.

2.4.2 Links between the local authority car park which services the eastern end of High Street and High Street have been comprehensively improved by the reinstatement of blue-brick pavements to "passages". Further enhancement of the buildings in this area, and redevelopment of the large monolithic buildings, is desirable as a long-term objective. Opportunities to bring back in to use and/or repave and name additional passages (locally known as jitties) is also desirable.

## C3 PLANNING MEASURES & STATUTORY POWERS

### C3.1 General

The Local Planning Authority has certain powers under the Planning Acts to take action in conservation areas, many of which are rarely used or used in exceptional circumstances. On occasion, one of these powers may be needed to protect the historic environment where there is a significant threat. These include:

- Withdrawal of Permitted Development Rights (Article 4 Direction)
- Local Development Order

- Amenity of Land Notice
- Urgent Works Notice (Unlisted Buildings)
- Compulsory Purchase Order
- Planning Enforcement Notice

### C3.2 Article 4 Direction – removal of permitted development rights

3.2.1 There is recognition that existing planning policies have not fully ensured the protection and preservation of the overall character of Swadlincote Conservation Area.

3.2.2 Under the Town and Country Planning (General Permitted Development) Order 1995, as amended, permitted development rights can be limited in conservation areas through the imposition of an Article 4 Direction. This would remove permitted development rights from specific properties.

3.2.3 The need for an Article 4 Direction has been identified in Part B Issues and the committee report and justification is set out in Appendix 2. This clearly sets out the need to protect and preserve those traditional and historic elements of the environment, which are special to the character of Swadlincote. It will introduce control over:

- Loss of building details and painting of brickwork
- Extensions to the back of buildings which are in prominent view
- Demolition and alteration of boundary walls
- Painting of shopfronts

Listed buildings are not included as alterations to them are already controlled under separate legislation.

3.2.4 The proposed Article 4 Direction is specifically aimed at both residential properties and commercial properties. Most fall within terraced rows, with one or two exceptions. It is the rhythm of repeated elevations, unified roof finishes and consistent boundary treatments which are the most important elements of the design of terraced rows, particularly in oblique views along the streets.

3.2.5 The buildings that are included within the proposed Article 4 Direction all in some way make a contribution to the local character of the place because they share common traditional characteristics such as traditional roof materials and eaves details, boundary treatments, door surrounds and chimney stacks. Many of the commercial properties have original or restored Victorian shopfronts, but not all. It is proposed to include all of the traditional commercial buildings, where there is potential to restore shopfronts, as there is a continual process of enhancement in Swadlincote, and many more opportunities for restoring shopfronts and continuing the excellent work of town centre regeneration.

3.2.6 The proposed Article 4 Direction will cover the retail/commercial centre of the town, including the buildings along High Street, West Street, The Delph, Belmont Street and Midland Road, and residential properties along Church Street. Most of the buildings along the High Street are shops, but there are a mixture of tenancies and a number of office and residential uses.

3.2.7 Public Consultation on the proposed Article 4 Direction is being carried out at the same time as the CAMP. The CAMP and the Article 4 Direction go hand-in-hand and underpin the District Council's bid for HLF Townscape Heritage funding. The timescale for adoption of an Article 4 Direction is included in the Action Plan.

3.2.8 Full details of the threats to the character of the Conservation Area are included in the photographic schedule in Appendix 2 showing ‘before’ and ‘after’ alterations.

3.2.9 In order to enforce the Article 4 Direction, regular checks and an updated photographic record of the buildings in the Conservation Area will need to be undertaken. This is included in the Costed Plan (Appendix 7).

### C3.3 Local Development Order

3.3.1 Local Development Orders (“LDOs”) give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need to make a planning application, creating certainty and saving time and money for those involved.

3.3.2 Following the introduction of the Article 4 Direction, it is proposed to introduce a Local Development Order (LDO) specifically for colours, which would be subject to a separate phase of consultation. This effectively would restore permitted development rights specifically for the exterior painting of buildings that are already painted, but limited to a pre-approved palette of colours. This colour palette provides a wide choice, based on known Victorian and Edwardian colours, and avoids strident colours. The details of this colour palette are included in Appendix 3.

### C3.4 Amenity of Land Notice (Section 215)

Local authorities have the power to serve a section 215 notice on the owner (or occupier) of any land or building where the condition is adversely affecting the amenity of the area. The notice requires the person responsible to clean up the site or building, or the authority may carry out works and reclaim the costs. This can be particularly affective at addresses which have ongoing amenity issues within conservation areas.

### C3.5 Urgent Works Notice

If the condition of a historic building is at imminent risk, the Act enables the Local Planning Authority to carry out urgent works following notice to the owner. These powers can be used in respect of unoccupied parts of both listed and unlisted buildings in conservation areas. In the case of the latter, this can only be employed by agreement of the Secretary of State, advised by English Heritage. The powers are used to address emergency repairs to ensure the building is weather tight and safe from collapse.

### C3.6 Compulsory Purchase Order

This provides local authorities with the power to compulsorily purchase land or buildings that are required to secure development and are normally used as part of a wider regeneration scheme.

### C3.7 Development Control & Enforcement

3.7.1 Consideration of Article 4 Directions illustrates the extent to which development controls are already available where buildings are not single dwellings. It is important, therefore, that development management standards are reviewed to ensure that they are applied consistently to non-dwellings and to buildings subject to an Article 4 Direction. This is particularly the case in the interpretation of what constitutes material change and is, therefore, subject to planning permission. Both regular enforcement and a considered



approach to development control within the Conservation Area are required to ensure that there is consistency to advice and decision-making.

3.7.2 A 'baseline' survey of all buildings in the Conservation Area was established in 2005. This photographic survey has established a point in time against which changes can be monitored. This must be regularly updated, especially where there are known changes, to ensure that there is a consistent process of monitoring.

## C4 PROPERTY MAINTENANCE PLAN

One of the key issues to emerge within the CAMP is the need to address the maintenance of the historic fabric of the town centre.

The Council has identified the following medium and long term maintenance objectives:

We will:

1. Conserve the historic fabric of significance, retain and repair original fabric, wherever possible
2. Create sufficient safeguards to maintain the fabric in good condition
3. Reinstate selective elements of fabric to "restore" some of the lost detail and Victorian and Edwardian shopfronts. This will be based on physical and documentary evidence.
4. Maintain alleys and public footpaths and street furniture

There are two aspects to the maintenance of the historic environment in Swadlincote:

- Maintenance of Historic Buildings, and
- Maintenance of the Public Realm

### C4.1 Historic Buildings

4.1.1 All property owners or occupiers who receive grant-aid in the future for historic building repair and restoration will be required to produce and agree to a costed maintenance plan for their building. This will be a condition of grant under the Townscape Heritage and the TH Officer will need to approve this before paying the last 10% of the grant.

4.1.2 For the maintenance of historic buildings within the Conservation Area a detailed Maintenance Guide has been produced (Appendix 4). This guide will be circulated to property owners in the Conservation Area (see paragraph 5.1.1). The guide incorporates step-by-step notes on how to carry out an inspection and how to plan a cyclical programme of inspections. It also provides detailed advice on the appropriate repair of the specific details and building materials found within the Conservation Area, as well as a list of sources for materials and where to go for further advice.

#### 4.1.3 Cyclical Maintenance

Lack of maintenance is one of the main reasons why old buildings deteriorate. Maintenance essentially means preventing rainwater getting in where it can cause harm.

4.1.4 There are a number of cyclical tasks required which will enable on-going monitoring and the opportunity to identify and deal swiftly with any defects. For example, clearing out gutters and decorating at high level are the kind of tasks which can help in identifying issues early on.

4.1.5 In addition to these cyclical tasks, the life of certain products and materials ranges from 10 to 50+ years. Comprehensive repair of roofs and walls, for example, will need to be carried out as part of envisaged long-term maintenance and repair, in a cycle of 50-100 years.

4.1.6 The following table sets out the types of typical regular checks and maintenance tasks that will be needed for groups of buildings in the town centre, with specific reference to their particular circumstances. Such planned maintenance will be a requirement for properties receiving Townscape Heritage grant – see paragraph 5.1.1.

**TABLE OF PLANNED MAINTENANCE**

Address of property	Building Element	Maintenance Task	Frequency	March April	Sep / Oct
<b>Nos. 1-9 Church Street</b>	Clay ridges	Inspect butt-jointed clay ridges & re-point any gaps (i) Re-bed clay ridge tiles (ii)	(i) Annual (ii) As necessary	✓	
	Slate roofs	Inspect for slipped, cracked, displaced and broken slates. Replace to match, to the same dimensions and head-lap, using "tingles".	Annual	✓	
	Guttering	Check falls of all guttering and any areas of sag, and re-alignment levels with rise and fall brackets	Annual	✓	
	Chimneys	Check leadwork for any displaced flashings or wear (i) Reinstate any slipped flashings (ii)	(i) Annual (ii) Immediately	✓	
<b>Nos.6-28 High Street</b>	1 Slate roofs	Abutments - stepped roofs with abutments in a variety of finishes (a weak point) – some mortared flaunchings, some without flashings	Annual	✓	
	2 Guttering (ogee) and rainwater pipes	Properties share multiple rainwater pipe outlets and these have a history of problems. Missing cast iron hoppers replaced with swan-necked outlets with insufficient capacity for multiple roofs. Rwps need rationalising and larger capacity cast-iron hoppers to be supplied & shared. Replace all damaged cast-iron ogee gutters with new Re-point damaged brickwork (i) Clean out all gutters and re-connect any open joints (ii)	Comprehensive repair (i) Annual (ii) Twice Yearly  Check overflow and damaged rwps in Autumn during heavy rainfall	✓	✓
	3 Chimney stacks	Multiple chimneys, with lead apron flashings and lead back gutters need regular inspection	Annual	✓	
	4 First floor shopfronts (Nos. 26-28)	Inspect timber for signs of wet rot, missing flashings to cornices, loss of putty.	Annual	✓	

Address of property	Building Element	Maintenance Task	Frequency	March April	Sep / Oct
Nos. 25-35 West Street	Staffordshire blue clay tiles roofs	Slipped or disturbed tiles at eaves – signs that battens might be failing or that tilting fillet is inadequate. Localised repair	Annual	✓	
	Ridges	Inspect ridges with binoculars and check for displaced mortar on roof surface, in gutters or on the ground (i). Re-point / re-bed ridges as necessary (ii)	(i) Annual (ii) As and when necessary	✓	
	Chimneys	Check mortar launching to stacks for signs of cracks or water damage. Repair launching to abutments and to chimney cappings	Annual	✓	
	Guttering	Check fall of guttering, alignment any signs of sag / overflow. Re-align levels if necessary and adjust or supplement rise and fall brackets. Shared rainwater pipe – check capacity in heavy rain	Twice yearly Check overflow and damaged rwrps in Autumn during heavy rainfall	✓	✓
	Render	Check for any signs of cracking of masonry or loss of adhesion	Annual	✓	
	Sliding Sashes	Ease sashes and check all opening mechanisms and security of locks (i) Sash windows - removing staff beads and parting beads, re-cord sashes with existing weights, ease sashes	(i) Annual (ii) As and when necessary	✓	
Nos. 20-24 West Street	Roof gutters	Inspect condition of leadwork to parapet gutter behind front parapet wall & flashings. Dress back clips, re-fix wedges and make good mortar fillets (ii). Check fall for any signs of ponding. Make temporary repairs to any cracks or splits, using flashband or similar. Undertake permanent repair to leadwork within 6 months. Clean out leaf litter or debris & snow. Debris must be removed from the roof and not simply flushed down rainwater pipes (ii).	Twice yearly Immediate action required (ii)	✓	✓
	Parapet wall	Check coping to parapet wall to make sure there are no open joints. Re-point in the spring	Annual	✓	



## C4.2 Maintenance of the Public Realm

The type of general maintenance that may require an immediate response would involve, typically, mortaring broken flagstones and paving, removing graffiti, cleaning out gulleys, removal of fly-tipping and pruning back vegetation.

Public sector land ownership is illustrated on Plan 3 in Appendix 1.

### 4.2.1 Maintenance of trees

Derbyshire County Council maintains trees in the highway, with a few exceptions;

SDDC has signed a cultivation licence to maintain trees in the highway for the two rows of pleached trees on the Delph and the two trees on West Street.

SDDC also maintains trees on land that the Council owns – notably, parts of Civic Way, areas in front of the Council Offices, Library, Leisure Centre and the trees in front of Grove House, Midland Road, at the junction with Civic Way (see land ownership plan - Appendix 1).

### 4.2.2 Maintenance of public realm - paths & litter

Most pavements and paths fall within the adopted highway, but the District Council has historically offered to repair the block paving and flagstones on the town centre pedestrianised streets, including High Street, The Delph, West Street and Market Street.

Litter- the District Council collects litter and grits the pavements.

### 4.2.3 Maintenance of Street Furniture (bollards, fingerpost signs, benches and bins)

The District Council is responsible for maintaining street furniture, with the exception of street lighting columns or street signs.

### 4.2.4 Maintenance of Street Lighting

Derbyshire County Council is responsible for street lighting and servicing street lighting. However, the District Council is responsible for the replacement of all new architectural lighting on the Delph and West Street and the electricity supply boxes and underground pop-up power for the market /events.

The main priority for any new lighting is to de-clutter and wherever possible mount new or replacement light fittings on buildings, rather than poles. Where this is not feasible, poles should be painted in RAL 7043 within the central core of the Conservation Area; West Street including all areas around Sharpe's Pottery, Market Street, The Delph, High Street, Midland Road, the top of Belmont Street and Church Street.

## C5. Complementary Initiatives - Community Engagement

An increased understanding of the relative importance of the town centre can be, and has already been, achieved through widespread improvements to intellectual access. Although a number of these proposals are currently being driven by the Townscape Heritage (HLF), this approach has been a priority in Swadlincote for many years.

The town has been successful in establishing its own small registered museum at Sharpe's (funded in part by the HLF) and programme of community activities. Volunteers have established, own and maintain a significant and well-known local resource archive called 'The Magic Attic'.

The proposed further improvements to intellectual access are identified below.

Community engagement initiatives are under development and will take place throughout the life of the CAMP. Property owners are invited to comment on these proposals and any specific training needs.

### C5.1 Advice to Property Owners

5.1.1 Whilst grants can have an immediate effect on the quality of the environment, there is evidence that some properties which have received grant-aid are not being properly maintained. Any future grant schemes will need to ensure that owners are fully aware of the implications of maintaining an historic building, with the provision of a costed maintenance plan being a condition of Townscape Heritage grant. The guidance attached to this Plan (Appendix 4 – Maintenance Guide - How to Maintain and Repair your Old Building) will be widely circulated to property owners within the Conservation Area and made available to their advisers. It will be available to download from the District Council website. It has been approved by Building Control and will be promoted by the District Council.

#### 5.1.2 Building Maintenance Days

Under the Townscape Heritage, demonstrations and events related to building maintenance will be offered to both property owners and building contractors. Examples of possible subjects include the 'Repair and Maintenance of Sash Windows'. Events may be planned to link with Society for the Preservation of Ancient Buildings (SPAB) Building Maintenance Week, held in November each year, which highlights the benefits of regular gutter clearing.

5.1.3 **Traditional Skills Days** – aimed at building owners/ occupiers, apprentices and young people interested in a career in the building trade. These 'one-off' days will be linked to milestones in the capital grants projects and further linked to school/ educational/ public engagement activities. This may involve the Burton and South Derbyshire College / Chameleon School of Construction Ltd.

### C5.2 Education and Interpretation

5.2.1 Educational and Interpretation activities will be developed over the next 3- 5 years, during the life of the Townscape Heritage programme / CAMP. These will involve property owners, local schools and colleges, and local construction assessment centres and the general public.

5.2.2 Swadlincote has an established network of local organisations which deliver public engagement activities linked to the heritage of the town including Sharpe's Pottery

Museum, People Express Arts, The Magic Attic, South Derbyshire Environmental Education Project and Derbyshire County Council (Library Service and Environmental Studies). These organisations work together through Swadlincote Cultural Partnership and have been consulted on the type of activities that they could deliver. Public and school consultation on the Townscape scheme was carried out between June and October 2014.

5.2.3 An Activity Plan is being prepared for the Townscape Heritage. The following interpretation and education initiatives are proposed:

**Pop up' heritage / information displays (mobile display)** – including 'hands on' artefacts like bricks! This mobile display will showcase the Townscape Heritage project and variations of it can be taken to general public events, libraries, supermarkets etc. as well as being used at the Townscape Heritage events and school activities.

**Interpretation trail** - This element of the project will help us to publicise interesting and significant facts about town centre buildings and their occupants. There will be a self-guided trail and there will be a competition to choose which buildings/ features/ people to celebrate, using motifs and methods unique to Swadlincote linking with its history. This project would be run by the Environmental Education Project team in conjunction with schools, the public library service, Sharpe's Pottery and the Magic Attic.

**School Engagement Days - Building Restoration/ Repair** - There will be day or half day sessions for pupils of primary and secondary age groups. This will include sessions looking at the buildings included in the scheme and assessing their restoration/ maintenance needs and or their perceived value to the Town. This may include links to the Grant Committee depending on the role determined for that committee and the form that the grant assessment takes. Sessions may also include School Visits to local industries associated with the materials of the town (e.g. brick makers, Hanson Redbank, clay extraction works,) within a 10-15 mile radius of Swadlincote.

Other education activities linked to the scheme may include research sessions with the Magic Attic and practical sessions looking at factors which affect the style or practical design of buildings and their maintenance -for example water - or assessing how buildings are used and how that might change over time.

**Princess Diana Memorial Garden** – Under the Townscape Heritage scheme, this garden is proposed for enhancement.

Consultation has taken place to determine how local people would like to see it developed and has established that schools and / or the public would like to be involved in designing or making features for the garden.

### C5.3 Enhancing Local Construction skills and crafts

5.3.1 The use of locally available natural materials and local craftsmen has produced the distinct building styles that form Swadlincote's character. However, different working practices within the construction industry have resulted in a shortage of craft skills nationwide. One of the main issues to arise from the assessment of the Conservation Area is the need to maintain buildings and to ensure a legacy of skilled contractors in building conservation. In the long term, it is envisaged that local contractors will be better equipped to maintain and repair the town's historic buildings.

5.3.2 The Townscape Heritage will investigate the possibility of Burton and South Derbyshire College and / or Chameleon Construction Ltd. providing support for apprenticeships at advanced and higher levels in local construction industries, which are currently not available with specialist heritage skills. e.g. L3 NVQ Diploma Heritage Skills (Construction) Brick Worker, L3 NVQ Diploma Heritage Skills (Construction) Wood Occupations.

5.3.3 An affordable and effective way of achieving this would be to use Townscape Heritage funding to up-skill an existing trainer within the colleges – priorities would be for Carpentry and Brickwork - by arranging for them to be trained by a skilled craftsperson or to attend a specific course. All trainers need to be qualified to NVQ Level 3 in each separate discipline to ensure that they can meet the assessor's role for the various bodies. The trainers would be able to offer either young people aged 16-19 or apprentices over the age of 19, local qualifications in traditional building construction. The Townscape Heritage Project Officer and Community Partnership Officer would work with the Colleges and contact construction companies and SMEs direct to offer enhanced training for existing staff or those willing to take on apprenticeships.

5.3.4 An apprentice Bricklayer would need to develop skills in learning about the use of lime mortars, how to properly gauge mortars with traditional hydrated lime and hydraulic lime mixes and appropriate sands, brick bonds and types of traditional construction and how to construct a segmental arch. An apprentice Carpenter would need to develop skills in construction of sash windows, traditional joint construction, selection of timber.

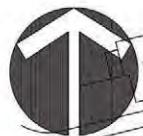
5.3.5 Conditions of grant-aid for Critical Buildings and others in the scheme will require suitably qualified trades. Priority may be given to local building firms / contracting companies who have apprentices on the specialist programme.

# ACTION PLAN

ACTION	TIMESCALE	RESPONSIBILITY
<u>General</u>		
Swadlincote Conservation Area Management Plan SPD Public Consultation	End of January – mid March 2015	Nicola Sworowski (Planning Policy)
CAMP Adoption	April 2015	Planning Policy
Proactive Enforcement of Advertisement Regulations	Ongoing	Development Control Enforcement (Planning)
Securing high quality design for new development	Ongoing	Urban Design Officer & Conservation Officer
Promoting Regeneration	Ongoing	Economic Development (Mike Roylance) & Conservation Officer
<u>Additional Control</u>		
Article 4 (1) Direction	January – September 2015	T Sylvester (Planning Committee)
LDO Painting in the town centre	April – September 2015	T Sylvester (Planning Committee)
<u>Produce Further Guidance</u>		
SPG Shopfront Design Guide	2015 / 2016	Planning Policy & Conservation Officer
New Design SPD	2015/2016	Richard Shaw
<u>Deliver TH programme - March 2015-2018</u>		
Co-ordinate Action Plan for Target Buildings & Monitor	March 2015- 2018	TH Project Officer
Community Activities (Education & Interpretation)	2015 - 2018	Kate Allies
Training – liaison with colleges and trainers	2015 - 2018	Ian Hey
Building Maintenance Day	Oct 2016 (annually)	TH Project Officer
Public Realm Improvements to Diana Garden	2015-2018	Richard Shaw & Zoe Sewter
Programme Tree work (Town Centre)	January - February 2015 - 2018	Zoe Sewter & Martin Buckley & DCC
<u>Phase 3 Swadlincote Masterplan Public Realm work</u>		
3a Rink Passage 3b Market Street 3c High Street	2020 onwards	SDDC subject to additional funding
Ernest Hall Way boundaries	2017-2020	Richard Shaw / Conservation Officer
Woodward Passage	2017-2025	Richard Shaw / Conservation Officer

## APPENDIX 1 – PLANS

















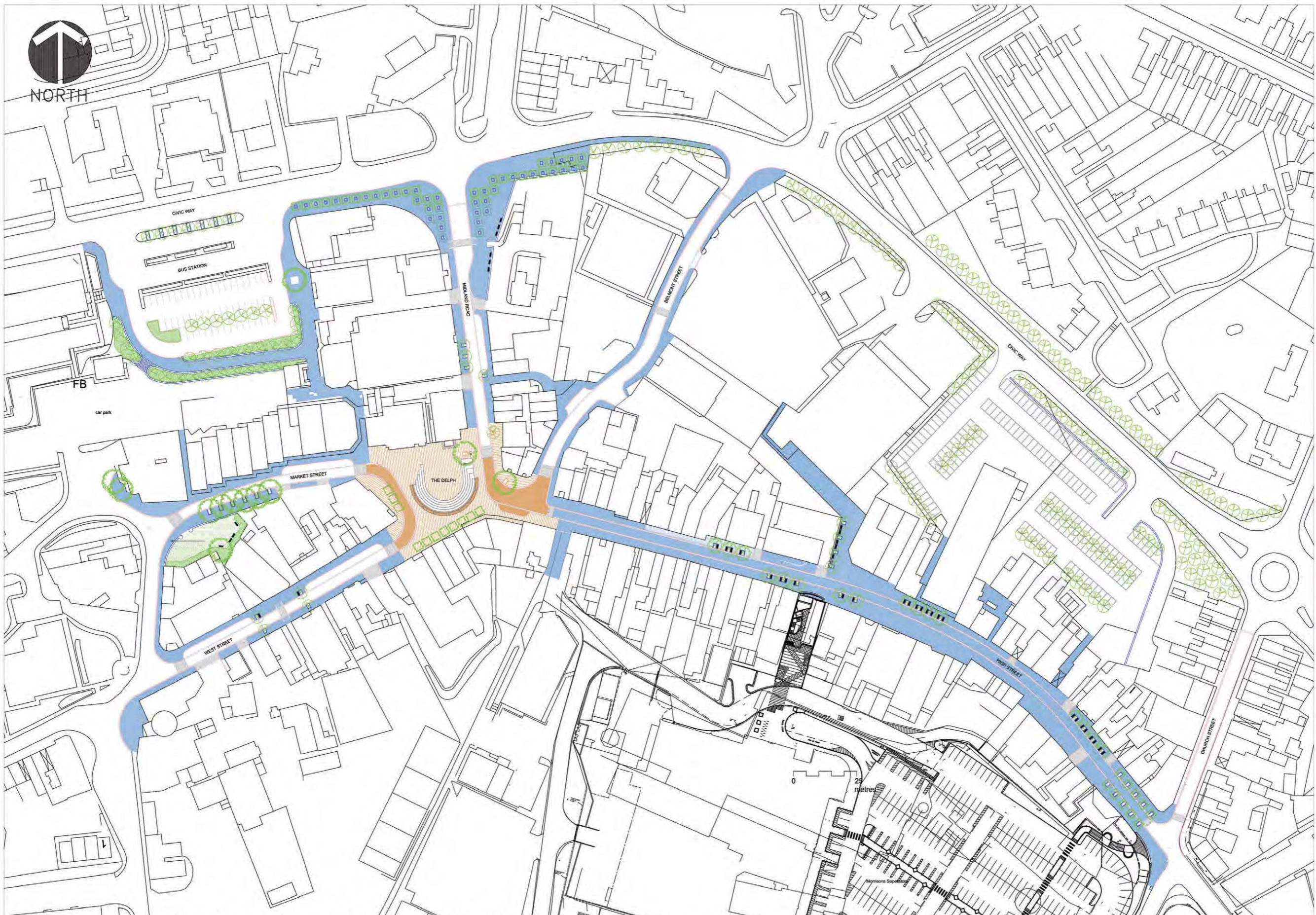
NORTH

Drawn: rsw Date: Apr 05 Scale: 1:500 @ A0  
 Status: Preliminary Presentation Tender Construction As Built  
 Date: 15.4.05

Revision:  
 Rev 1 - Kerb radii amended to fit road between Market St and West St  
 Proposed kerb crossing point amended according to Design amended  
 Rev 2 - Minor alignment amendments 19.5.05

- KEY:**
-  Blue wire-drifted clay paving with 150mm wide pink granite bullnose kerb (150mm upstand) and 300mm wide dark grey granite flush channel kerb
  -  Black macadam carriageway with 125mm upstand pink granite kerb and dark grey granite finished channel kerb
  -  Disabled parking layby surfaced in black macadam with 125mm upstand pink granite kerb. Parking bays marked out in white line road paint
  -  Yorkstone flag paving with yorkstone radial steps. Stone block seating with tactile paving to top of steps
  -  Light grey granite block paving to raised pedestrian crossing points to provide colour contrast to carriageway and footway
  -  200 x 200 cropped yorkstone set carriageway with 125mm high pink granite kerbing (flush kerb at disabled crossing points)
  -  Light grey granite surfaced pedestrian crossing point flush with carriageway with tactile ramp and pink granite kerb return
  -  Existing trees to be retained
  -  Proposed planted tree planting (Advanced Nursery Stock)
  -  Proposed tree planting (Advanced Nursery Stock)
  -  Existing trees replaced with new semi-mature trees
  -  Electro-hydraulic timed access bollards to High Street pedestrian zone

NOTE: Refer to 1:200 layout drawings for further details - Dig No GA.2.02 - 06



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# PLAN 1 - 2006 TOWN CENTRE MASTERPLAN

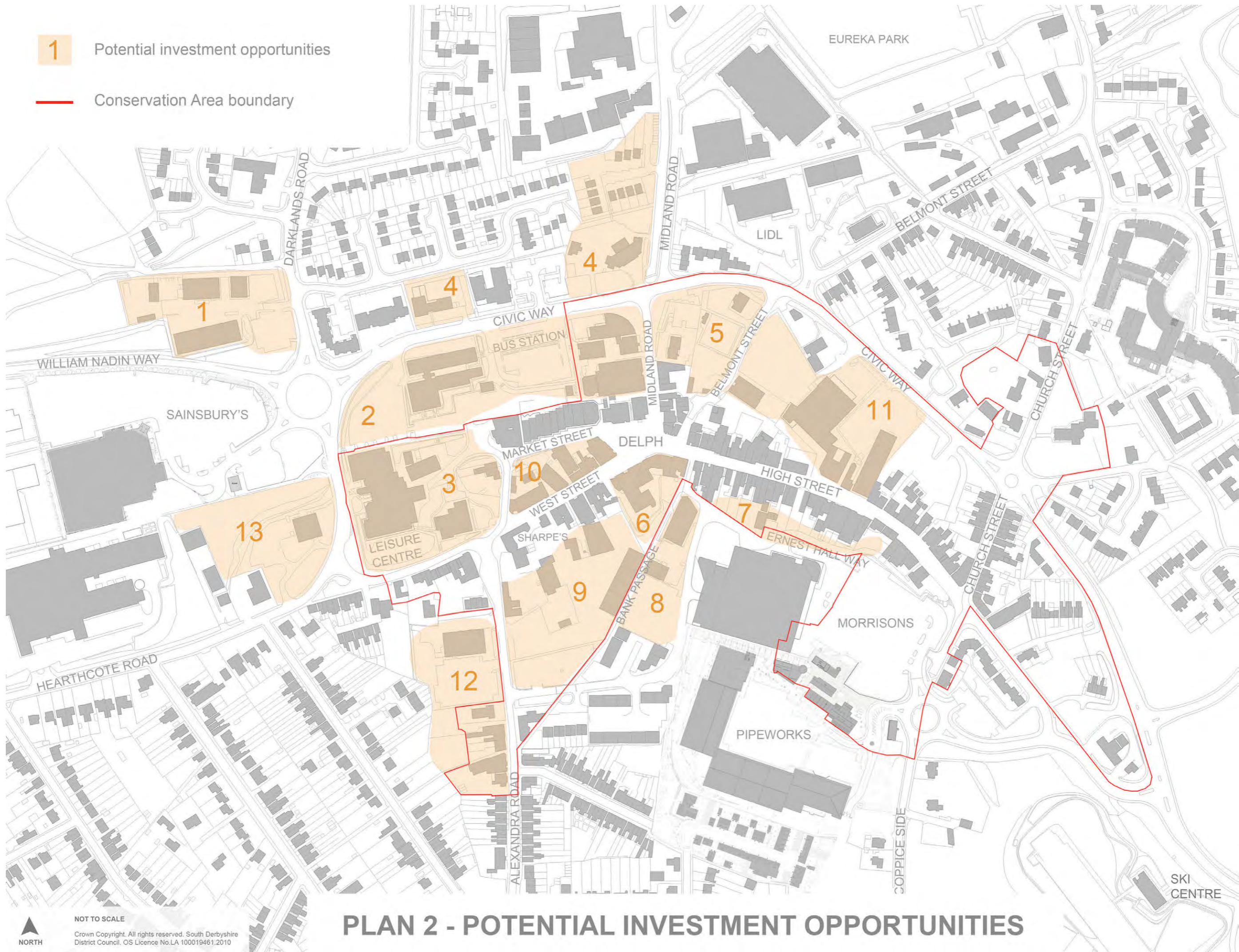
Client: South Derbyshire District Council  
 Project: Swadincote Town Centre Study  
 Drawing Title: Town Centre General Arrangement  
 Project No: L7003 Drawing No: GA.2.01 Revision: 02

Martin Woolley Landscape Architect  
 The Assembly Rooms, 29 Market Place, Geddis D.B. 1ED  
 Tel: +44 (0)1677 426618 Email: msw@martinwoolley.com



1 Potential investment opportunities

— Conservation Area boundary



NOT TO SCALE

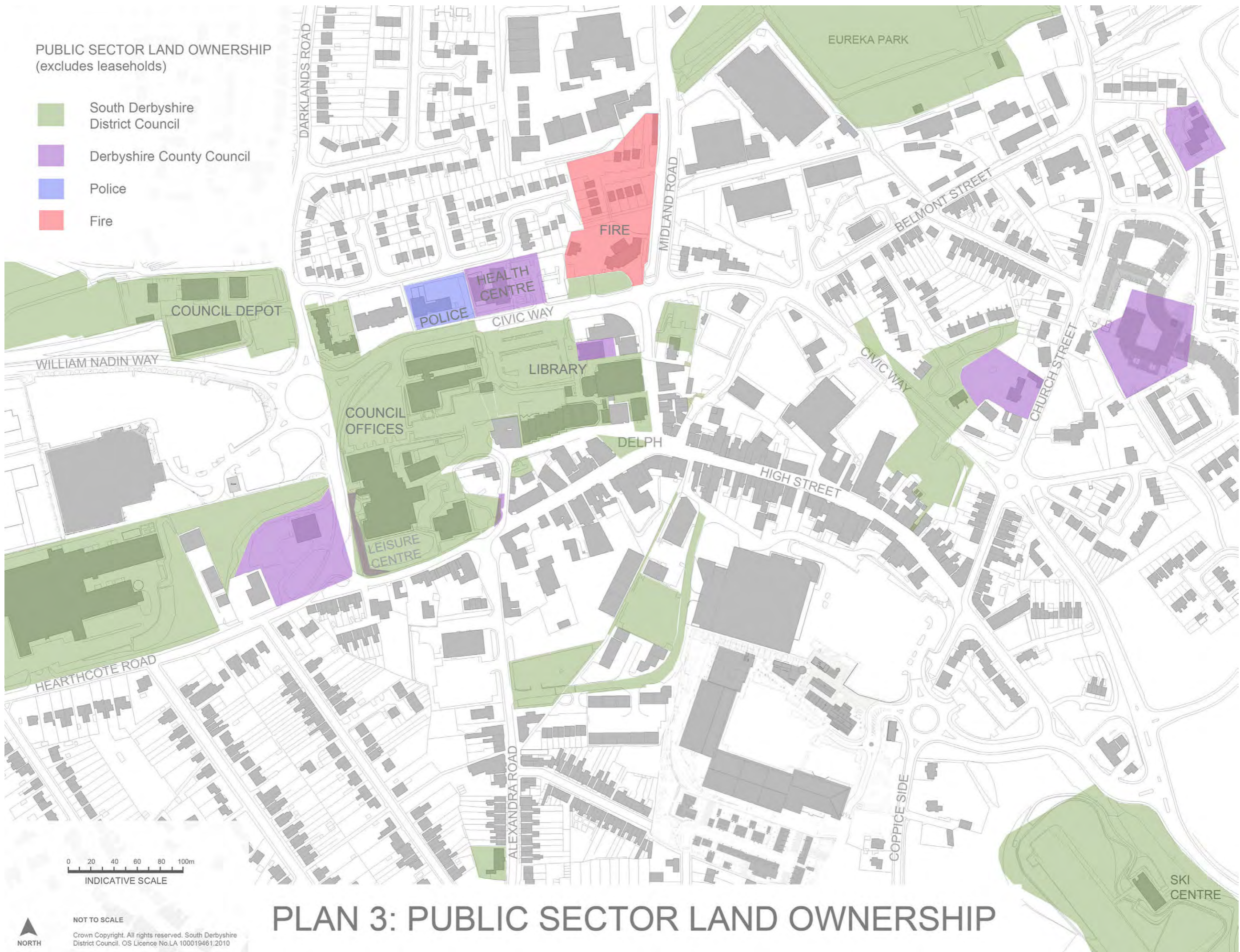
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# PLAN 2 - POTENTIAL INVESTMENT OPPORTUNITIES



PUBLIC SECTOR LAND OWNERSHIP  
(excludes leaseholds)

- South Derbyshire District Council
- Derbyshire County Council
- Police
- Fire



# PLAN 3: PUBLIC SECTOR LAND OWNERSHIP

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APPENDIX 2 – PROPOSED SWADLINCOTE ARTICLE 4  
DIRECTION

## JUSTIFICATION FOR ARTICLE 4 (1) DIRECTION - EXAMPLES from 2005 and 2014



Changes to paint colours can dramatically affect the appearance of a traditional shopfront. The shop unit and elevations at 71 High Street (above), photographed in 2005 and 2014, were restored with grant-aid from the local partnership scheme. The change from an estate agency to a tattoo parlour required a change of image - the black with pink highlights is a bold contemporary twist. Although not included in the palette of approved colours, the requirement for planning permission for this colour scheme would have involved an assessment of whether this would be a positive step in the conservation area.

The shop at 20 High Street (below) was also restored with grant assistance. Left - the shop in 2005 and right - the shop in 2014. Planning permission is currently not required for a change to the colour scheme. If the Article 4 had been in place, the present hot pink colour scheme is unlikely to have been approved.



More damaging than the colour scheme, which is reversible, is the painting of the glazed brick stall-riser, which was installed with grant aid. Removal of paint from glazed bricks and joints could damage the face of the bricks. Currently planning permission is not required for painting masonry.







2005 - left and 2014 - right. A willingness on the part of the shopowner at 71 High Street has transformed the shopfront and improved its street presence. The main shopfront has been restored with a new mullion and recessed doorway with a hand-painted fascia, but it is the change to the colour scheme and internal lighting which has had the greatest impact.



The comprehensive restoration of No. 49 High Street (left) involved rebuilding the chimney stack, reinstating sash windows and installing a new shopfront with glazed brick stall-riser. Photographs from 2005 and 2014. Re-painting and changes to the advertisements could easily affect the character of this restored building.

Restoration of the Edwardian shopfront at 18 High Street (right - 2014 and far right - 2005) also involved extensive works to remodel the entrance doorway to the flats and restore the arched stone decorative doorcase. As planning permission is not needed for painting, this could easily be disfigured by painting.







The repair and restoration of the Edwardian shopfront at Nos. 56-58 High Street involved the cohesive painting of the shops to restore the simple character. In removing the large “detached” fascia panel, this has enhanced the character of the shopfront. Above - 2014 and right - 2005. Painting could easily alter this restored appearance by creating a disjointed shopfront.



Left - 2005. Enhancement work to 51-53 High Street, grant-aided under the Partnership scheme, involved reinstating sash windows to the first floor (right - 2014). Repainting these windows a dark colour or painting the restored brickwork could make a significant difference to the character of the area.

Right and far right - 2014 and 2005. The painting of brickwork does not need planning permission but can make a significant difference to the appearance of the conservation area.







Before and after - No.5 High Street in 2005 (left) and in 2014 (right)  
 Although the paint scheme has unified the shopfront, the rather dramatic yellow advertisements inside the glass are permitted development.

Boundary walls behind retail units are particularly vulnerable to alteration. The walls behind shops on the south side of High Street (below) were reinstated and restored with grant-aid. This important work could easily be undone by small-scale demolition. An Article 4 Direction would require planning permission to be submitted for alteration and demolition.



Passages leading from the High Street, between the buildings, are often lined with simple brick walls disguising yards. Demolition of these walls would lead to significant loss of enclosure and local character.







Above left - salt-glazed, bull-nosed copings to dwellings at Church Street are a rare survival and salt-glazed saddleback copings have been restored (above right) at 12-16 Coppice Side under the recent partnership scheme. At present, sections of these walls could be removed without planning permission.



Left - Ernest Hall Way. The back walls of properties fronting High Street have largely lost their boundaries. Future plans to potentially restore boundary walls to this frontage, to provide enclosure to the frontages, need a degree of protection so that they cannot be demolished without applying for planning permission.

Right - the replacement of Welsh slate roofs with concrete tiles is a major loss to historic character. This example on Church Street stands out in a uniform roofscape. Alterations like this, to domestic properties, are currently permitted development.



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<b>REPORT TO:</b>	<b>PLANNING COMMITTEE</b>	<b>AGENDA ITEM:</b>
<b>DATE OF MEETING:</b>	<b>20 JANUARY 2015</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY AND PLANNING SERVICES</b>	
<b>MEMBERS' CONTACT POINT:</b>	<b>Nicola Sworowski (ext 5983)</b>	
<b>SUBJECT:</b>	<b>Town and Country Planning (General Permitted Development) Order 1995 (as amended) Article 4 Direction affecting Swadlincote Town Centre (under guidance contained in National Planning Practice Guidance)</b>	
<b>WARD AFFECTED:</b>	<b>Swadlincote</b>	<b>TERMS OF REFERENCE: PO1</b>

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## **1.0 Recommendations**

1.1 The Committee is requested to authorise the following in respect of Swadlincote town centre:

- Serve an Article 4 Direction (based on the Schedule and Plan appended to the end of this report, allowing for minor correction of addresses where necessary) to remove permitted development rights that (among other things) would allow for exterior painting of buildings, demolition and erection of walls, replacement of windows and doors, and changes to roofs within part of the Conservation Area without the need for express planning permission; and
- That authority for confirmation of the Direction is delegated to the Planning Services Manager in accordance with paragraph 3.47 of this Report.

## **2.0 Purpose of Report**

2.1 To seek the authorisation of the Committee to proceed with the Article 4 Direction in the interests of the local amenity of the area which would otherwise be harmed by extension or alteration of buildings or creation of boundary treatments as could currently take place without express planning permission. Also to advise the Committee of likely future intentions with respect of affording owners and occupiers a degree of flexibility back for the alteration of buildings.

## **3.0 Detail**



## Overview

- 3.1 Swadlincote Town Centre has seen major investments and enormous improvements over the past decade. It is essential to continue to build on these investments and further grow and improve. In February 2014 the Council was successful in being awarded a round 1 grant from the Heritage Lottery Fund (HLF). This is an important step towards being awarded the full grant of £413,900 subject to a successful round 2 bid. This grant would be combined with funding from both the District and County Councils of over £50,000, volunteer time of £2,600 and also private investment through the third party grants expected to be in the region of £150,000. In total this should bring in investment of over £600,000 to the Town Centre.
- 3.2 This investment is important for the town and essential if it is to grow and develop in a way that enhances and educates people about its special historic character and attractive green spaces. The Article 4 Direction sits within the Conservation Area Management Plan and this document is a key requirement for the HLF second round bid.
- 3.3 Many Conservation Areas have distinctive qualities that can easily be lost through piecemeal alterations to traditional features. Many such works carried out by owners or occupiers are classified as “permitted development” under the provisions of the Town and County Planning (General Permitted Development) Order 1995 (as amended) (“the GPDO”). This means that they can be carried out without the need for express planning permission, even in Conservation Areas.
- 3.4 Permitted development for dwellings and for commercial buildings and flats varies. Alterations allowed to residential properties include changes to the size of door and window openings, and the removal of local roofing materials or designs of chimney stack and local wall finishes. Shop owners can change the colour of shopfronts and paint walls, even where brickwork was not originally painted, and can remove parts of boundary walls.
- 3.5 An Article 4 Direction enables the Council to require owners and/or occupiers of specific properties to apply for planning permission for certain alterations, where there is concern that the character of the conservation area is under threat.
- 3.6 Local Development Orders (“LDOs”) give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need to make a planning application, creating certainty and saving time and money for those involved.
- 3.7 In order to protect and preserve those traditional and historic elements of the environment within the Conservation Area, which are special to the character of Swadlincote, two actions are proposed:
  - creation of an Article 4 Direction, to remove permitted development rights from specific properties within the Area, (i.e. to withdraw a general planning permission granted by the GPDO); and

- subsequent introduction of an LDO to restore the permitted development rights allowing for the exterior painting of buildings already painted but limited to a palette of colours that would be acceptable to the Council.

Listed buildings would not be included as alterations to them are already controlled under separate legislation.

- 3.8 The proposed Article 4 Direction is specifically aimed at both residential properties and commercial properties. Within the Swadlincote Conservation Area there are 39 residential properties that are of traditional form, although only 4 retain their original sash windows. Of these residential properties, most fall within terraced rows, with one or two exceptions. It is the rhythm of repeated elevations, unified roof finishes and consistent boundary treatments which are the most important element of the design of terraced rows, particularly in oblique views along the streets.
- 3.9 The vast majority of the historic properties within the Conservation Area are in commercial and past industrial use and although these tend to have survived with many more original features intact, these are under threat from unsympathetic alterations, even where they have received grant assistance in the past. This is illustrated by Appendix A.
- 3.10 The buildings that would be included within the Article 4 Direction all in some way make a contribution to the local character of the place because they share common traditional characteristics such as traditional roof materials and eaves details, boundary treatments, door surrounds and chimney stacks. Many of the commercial properties have original or restored Victorian shopfronts, but not all. It is proposed to include all of the traditional commercial buildings, where there is potential to restore shopfronts, as there is a continual process of enhancement in Swadlincote, and many more opportunities for restoring shopfronts and continuing the excellent work of town centre regeneration.
- 3.11 An LDO would allow for sympathetic application of paint to already painted elevations of properties, allowing for contrast with a considerable range of pre-approved colours, but with sufficient control to ensure harsh or unsympathetic treatments are resisted in the wider interests of the appearance of the Conservation Area. Details of the LDO are yet to be specified and will be presented to Committee at a later date.

#### Case for the Article 4 Direction

- 3.12 An Article 4 Direction does not prevent the development to which it applies, but instead requires that planning permission is first obtained from the Council for that development. English Heritage advises that Article 4 Directions can increase the public protection both of designated and non-designated heritage assets, and help the protection of the setting of all heritage assets, including listed buildings.

- 3.13 The Article 4 Direction would cover the retail/commercial centre of the town, including the buildings along High Street, West Street, The Delph, Belmont Street and Midland Road, and residential properties along Church Street. Most of the buildings along the High Street are shops, but there are a mixture of tenancies and a number of office and residential uses. The predominant building material is brick, with terracotta or stone dressings, with a few examples of painted and rendered brick. Roofing is mostly of Welsh slate, with a few examples of clay tiles. The buildings of High Street were constructed during a short timeframe during the late Victorian period and share common details and a consistent character, which unifies the street frontage. They were largely built as commercial properties and therefore retain key characteristics – broad frontages with large shop windows, a steady rhythm of identical shopfronts, repeated first floor sash windows, entrances to flats and passages between groups of buildings.
- 3.14 Victorian and Edwardian shopfronts survive and there are a large number of restored shopfronts, largely based on photographic evidence, which have replicated the Victorian details. The 19<sup>th</sup> century shopfronts have particular characteristics such as the use of glazed brick for stall risers, the use of curved glass to frame entrances, the use of encaustic tiles for recessed shop doorways, decorative spandrels, plate glass first floor shop windows and clerestory glazing.
- 3.15 Many original timber panelled doors have been retained or reinstated under arched doorcases. These generally provide access to residential accommodation above the retail units, and are separate from the shop front entrances. At first floor level many of the original timber windows survive, or have been reinstated with grant assistance. In addition to the sash and casement windows there are occasional examples of large, first floor plate glass shop windows, which reflect the commercial prosperity of the town during the last decades of the 19<sup>th</sup> century.
- 3.16 Along West Street the properties are more individual in character, larger in scale and there are a number of landmark properties. These reflect a much longer and older phase of development and redevelopment. Church Street contains a mixture of commercial and residential properties. Many of these were terraced houses, which were adapted as demand for shops grew, and these are often smaller in scale, with smaller and more intimate shopfronts than those along the High Street. Terraced houses have unified and bespoke details, such as the use of encaustic tiles, moulded terracotta and moulded stone, ornate decorative details and sash windows.
- 3.17 The NPPF states at paragraph 200 that *“the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area...”*.

- 3.18 National Planning Practice Guidance (“the NPPG”) advises that provided *“there is justification for both its purpose and extent, an Article 4 Direction can... cover an area of any geographic size, from a specific site to a local authority-wide area; remove specified permitted development rights related to operational development or change of use; and remove permitted development rights with temporary or permanent effect”*. It also advises that *“the use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area [and] the potential harm that the Direction is intended to address should be clearly identified”*. It goes on to say that *“there should be a particularly strong justification for the withdrawal of permitted development rights relating to... cases where prior approval powers are available to control permitted development [and] the installation of micro-generation equipment.”*
- 3.19 A photographic building record of all properties within the Conservation Area was undertaken by the Council in 2005. Since that record was undertaken, a number of alterations have occurred which have damaged the special character of the Conservation Area. The difference in the detail is illustrated at Appendix A. These alterations have occurred because planning permission was not required. They include painting brickwork, painting glazed brick stall-risers, and the introduction of garish colours into the streetscene. Repainting shopfronts can dramatically affect and alter the traditional appearance of an historic building, particularly if the fascia is treated differently, with the elevation becoming disjointed. In many instances these alterations can be controlled through the removal of permitted developments rights for the minor operation of painting.
- 3.20 A number of residential properties have also been altered by the removal of original sash windows, the introduction of concrete roof tiles in place of slate and the alteration of the traditional boundary walls and replacement with concrete. Now that residential properties are included in new grant initiatives, it will be important to protect the public investment in the streetscape and the historic town centre.
- 3.21 Boundary walls are particularly vulnerable in Swadlincote. These are generally built from local brick, often of stock bricks, with the locally available clay or salt-glazed copings. Salt-glazed copings are no longer manufactured. Whilst these details were once commonplace in Swadlincote, so many have been removed over the years that they are becoming a rarity. Many walls have recently been reinstated and new copings added to enhance the Conservation Area and restore enclosure where this was lost. Boundaries or enclosures within the Conservation Area do not require express planning permission for total demolition unless they are over 1 metre high on the highway frontage, or 2 metres high on any other boundary. In practice this means that most of the walls within the Conservation Area could be demolished following a prior notification for such works. This is a significant threat to the character of the Conservation Area and to the programme of reinstatement of boundaries, which the Council and funding partners have supported with grant-aid and have identified as a priority.
- 3.22 The special historic and architectural interest of the buildings and spaces in this area was recently recognized by undertaking an appraisal of the special qualities of Swadlincote town centre. The Swadlincote Conservation Area Character Statement (SCACS) was adopted in October 2014.



- 3.23 Strenuous efforts have gone into protecting the character of Swadlincote town centre and in enhancing its special interest, through grant schemes funded by local partners and property owners. The Council offers free pre-application advice on all aspects of design and conservation issues relating to the historic environment. In many instances this advice, combined with grant initiatives in partnership with the County Council and English Heritage, has led to building owners undertaking detailed restoration and enhancement. It is important that all of that investment is protected through the control of inappropriate works and works which undo or undermine the grant-aided projects and any future grant-aided work. The introduction of a requirement for planning permission to alter or demolish walls will protect the investment that has gone into the public realm and protecting this overlooked area of significance and will enable each proposal to be assessed on its own merits; with potentially more walls and copings being restored/reinstated.
- 3.24 The removal of permitted development rights does not apply to all buildings in the Conservation Area, but only to those where the special architectural or historic interest is vulnerable. The following selection criterion has been used to identify buildings that should be included within the Article 4 Direction:
- all properties that date from before circa 1930 that survive in anything like their original condition (i.e. with roofing materials and walling materials preserved); and
  - modern buildings with a traditional Victorian style shopfront design (in this case, the Direction applies to painting only).
- 3.25 In practice, therefore, most of the mid-late 20<sup>th</sup> and 21<sup>st</sup> century buildings are not included in the Article 4 Direction, unless they have been designed in such a way as to replicate historic details. For the majority of the mid-late 20<sup>th</sup> century buildings, there is no specific requirement for the retention of traditional, rich or Victorian colours. In addition these buildings tend to have larger fascias incorporated into the design, tend to be self-regulating as a result of the landlord control, and there is a much greater consistency in the treatment of elevations. A number of these sites are also included in the list of priority sites for redevelopment.
- 3.26 There are specific areas where there is not considered to be a local problem requiring additional control, such as the introduction of solar panels and satellite antennae. There is no history of solar panels being provided for the south-facing roofs of the commercial properties along High Street. Satellite antennae have been erected intermittently on a few domestic properties along Church Street, but they are generally quite discreet and small.
- 3.27 Residential terraces along Hill Street, Russell Street and Alexandra Road are generally tucked out of sight from the main views and have already been extensively altered by the removal of traditional doors and windows. As these properties have generally been excluded from grant initiatives, there has been no history of public investment. There are considered to be sufficient controls within the current provisions of the GPDO to control demolition and the larger alterations to these terraced properties.

- 3.28 Commercial properties are afforded some permitted development rights, with some also applicable to residential property. The District Council seeks to control the use of appropriate period colours to renders and stucco, painted stonework/brickwork, all joinery work to both original and new shop fronts and for picking-out, window/door joinery. It also seeks to prevent the inappropriate painting of existing un-painted brickwork.
- 3.29 Churches are also excluded from the Article 4 Direction. Emmanuel Church is grade II listed, whilst West Street Methodist Church and Hill Street Baptist Church have both received grant-aid funding for restoration works and there is not considered to be any threat to these.

#### Effect of the Article 4 Direction

- 3.30 Reference should be made to the Schedule and Plan at Appendix A. These would form part of the Direction, indicating each address affected, the type of property, the permitted development rights to be removed and the relevant Schedule, Part and Class of the GPDO. The Schedule has been established to remove as few rights as possible taking into account existing restrictions on Conservation Area properties within the GPDO, and where the execution of works would be considered to have a detrimental impact on the character and appearance of the Conservation Area.
- 3.31 For ease of reference the following quoted Parts and Classes are firstly grouped to those which apply to both residential and commercial property, before dealing with just commercial permitted development rights. The Schedule includes properties in both residential and non-residential use (for planning purposes non-residential use includes shops, estate agents, restaurants/cafes, public houses, takeaways, offices, opticians, halls and mixed use premises).
- 3.32 In order to assist readers of the following paragraphs, the specific permitted development rights to be removed are grouped into residential only, residential and commercial, and commercial only. Each section is accompanied by relevant extracts of the GPDO for ease of reference.

#### Residential Properties

**Schedule 2, Part 1 (Development Within The Curtilage Of A Dwellinghouse)**  
**Class A**

**Permitted development**

**A. The enlargement, improvement or other alteration of a dwellinghouse.**

**Development not permitted**

**A.1.** Development is not permitted by Class A if—

- (i) it would consist of or include—
  - (i) the construction or provision of a veranda, balcony or raised platform,
  - (ii) the installation, alteration or replacement of a microwave antenna,
  - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
  - (iv) an alteration to any part of the roof of the dwellinghouse.

**A.2.** In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

**Conditions**

**A.3.** Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

3.33 Doors and windows often reveal the age of a building and their loss can have a most damaging impact on the character and appearance of the individual building or a group, if it is part of a terrace.

3.34 There is a serious threat to the character of the area by the removal of original sash windows and their replacement with inappropriate designs and materials. There has been a successful, widespread campaign to reinstate sash windows along the High Street. Other prominent residential areas with terraces along Church Street and West Street have equal, if not greater, architectural interest and would have originally had sash windows. The terraces selected within the Conservation Area still retain some sash windows. The insertion of modern uPVC double glazed units requires significantly thicker frames to be inserted which appear bulky and out of character with the building, and often alter the size and pattern of the actual glass panes and the depth of the window disrupting the original proportions of the window.



**Schedule 2, Part 1 (Development Within The Curtilage Of A Dwellinghouse)**  
**Class C**

**Permitted development**

**C. Any other alteration to the roof of a dwellinghouse.**

**Development not permitted**

**C.1.** Development is not permitted by Class C if—

- (a) the alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- (c) it would consist of or include—
  - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
  - (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

3.35 With the exception of a few examples of clay tiles, the predominant roof covering material within the area is natural slate (Welsh), with this applied to almost all properties providing uniformity to the appearance of the roof-scape throughout the Conservation Area. There are a few examples of concrete roof tiles; this is not a traditional roof covering and is unsightly and detrimental to the character and appearance of the Conservation Area.

3.36 The Direction seeks to control any alteration to the roof covering of the residential properties within the area covered by the Direction, as this would have a detrimental impact on the character and appearance of the Area. The Direction also seeks to prevent any loss of the traditional chimneystacks and original chimneypots that still remain, many of which have been reinstated or repaired with grant aid (see Class G below). Chimneys are often highly decorative within Swadlincote.

**Schedule 2, Part 1 (Development Within The Curtilage Of A Dwellinghouse)**  
**Class D**

**Permitted development**

**D. The erection or construction of a porch outside any external door of a dwellinghouse.**

**Development not permitted**

**D.1.** Development is not permitted by Class D if—

- (a) the ground area (measured externally) of the structure would exceed 3 square metres;
- (b) any part of the structure would be more than 3 metres above ground level; or
- (c) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

3.37 Many of the terraced houses are set back within small front gardens and have highly decorative doorcases and inset porches. Whilst there are currently no porches attached to these frontages along Church Street, these could be significantly disfigured with porches.

**Schedule 2, Part 1 (Development Within The Curtilage Of A Dwellinghouse)**  
**Class G**

**Permitted development**

**G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.**

**Development not permitted**

**G.1** Development is not permitted by Class G if—

- (a) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or
- (b) in the case of a dwellinghouse on article 1(5) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—
  - (i) fronts a highway, and
  - (ii) forms either the principal elevation or a side elevation of the dwellinghouse.

3.38 The decorative chimneys and pots are part of the special character of the Conservation Area, often decorative with ornate pots. These sit on multiple roofs and at different levels. Many of these have been repaired or reinstated with grant aid. The town sits on hilly terrain and the loss of chimney stacks would affect the wider townscape and roofscape, as seen from a number of vantage points.

**Residential and Commercial Buildings**

**Schedule 2, Part 2 (Minor Operations)**  
**Class A**

**Permitted development**

**A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.**

**Development not permitted**

**A.1.** Development is not permitted by Class A if—

- (a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed—
  - (ii) in any other case, one metre above ground level;
- (b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed two metres above ground level;
- (c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in sub-paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater.

**Schedule 2, Part 31 (Demolition Of Buildings)**  
**Class B**

**Permitted development**

**B.** Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure.

**Development not permitted**

**B.1** Development is not permitted by Class B where the demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area).

3.39 Along Church Street, the residential properties share boundary walls and unifying details. These are all too easily lost through the partial demolition of walls to create off-street car parking or pull-ins. The proposed removal of permitted development rights for demolition of boundary walls for residential properties along Church Street seeks to protect an important characteristic of the conservation area, as recognized in the Character Appraisal. This requirement extends to those commercial properties along High Street, where the public realm has changed to reveal the backs of terraces fronting Ernest Hall Way. Many of these have been repaired and restored with grant aid.

3.40 The Direction would remove permitted development rights with regard to all types of enclosure for the traditional properties affected in the Area, ensuring that the Council can control the design and materials used for any walls, fences or other types of enclosure.

**Schedule 2, Part 2 (Minor Operations)**  
**Class C**

**Permitted development**

**C.** The painting of the exterior of any building or work.

**Development not permitted**

**C.1.** Development is not permitted by Class C where the painting is for the purpose of advertisement, announcement or direction.

**Interpretation of Class C**

**C.2.** In Class C, “painting” includes any application of colour.



**Schedule 2, Part 42 (Shops Or Catering, Financial Or Professional Services Establishments)**  
**Class A**

**Permitted development**

**A. The extension or alteration of a shop or financial or professional services establishment.**

**Development not permitted**

**A.1.** Development is not permitted by Class A if—

- (e) any alteration would be on article 1(5) land;
- (f) the development would consist of or include the construction or provision of a veranda, balcony or raised platform;
- (g) any part of the development would extend beyond an existing shop front;
- (h) the development would involve the insertion or creation of a new shop front or the alteration or replacement of an existing shop front; or
- (i) the development would involve the installation or replacement of a security grill or shutter on a shop front.

**Conditions**

**A.2.** Development is permitted by Class A subject to the following conditions—

- (a) any alteration shall be at ground floor level only;
- (b) any extension shall, in the case of article 1(5) land, be constructed using materials which have a similar external appearance to those used for the building being extended; and

3.41 A number of retail premises have been considerably extended to the rear in the past, of which many are visible from public aspects such as Civic Way or the Pipeworks development. Whilst the height and extent of any extensions are already controlled by way of the limitations quoted above, as well as how much curtilage remains undeveloped, there are numerous examples where unsympathetic brick, render or tile choices, as well as eaves and verge details, have been implemented. Furthermore partial demolition of properties within a Conservation Area is possible, including existing extensions, without the need for any prior consent from the Council. In this light it is felt important to control such works in the interests of securing appropriate materials and detailing to any extensions erected.

3.42 The proposed removal of permitted development rights for painting seeks to protect the character of the Conservation Area, which can be easily harmed by garish colours and disjointed colour schemes and by painting brickwork or render which has historically been painted with a soft or neutral colour palette, or painting previously unpainted brickwork, which can affect the unified character of terraced rows. The Direction would remove permitted development rights with regard to all types of painting from affected properties in the Area, ensuring that the Council can control the colour used for any walls, windows, doors and shopfronts.

**Procedure for the Article 4 Direction**

3.43 The immediacy of any threat and potential compensation liability are considerations in determining whether to use a non-immediate or immediate Direction. An immediate Direction is not considered to be justified in this circumstance as there is not understood to be an immediate threat to properties within the Conservation Area, and it could also give rise to claims for compensation – especially given the large number of landowners affected.

3.44 The GPDO provides for the making of a “non-immediate” Article 4 Direction where permitted development rights are only withdrawn upon confirmation of the Direction following local consultation. Before April 2010 the Secretary of State confirmed certain Article 4 Directions, but it is now for the Council to perform this action. The Secretary of State will only exercise their powers in relation to Article 4 Directions if there are very clear reasons why intervention is necessary.

3.45 As soon as practicable after the Direction has been made, the Council should give notice by:

- publication of the notice in at least one newspaper circulating in the locality to which the Direction relates;
- by site display at no fewer than two locations within the area to which the Direction relates, for no less than 6 weeks;
- by serving the notice on every owner and occupier affected by the Direction unless the number of owners or occupiers affected makes individual service impracticable; and
- by notifying the County Council.

The notice must specify a period of at least 21 days in which any representations may be made. The Secretary of State (SoS) should be notified on the same day that the notice of an Article 4 Direction is first published or displayed locally. Given there is a need to display site notices for a minimum of 6 weeks, and the potential need to consider any representations made in confirming the Direction, an overall consultation period of 6 weeks is recommended.

3.46 In addition to the above, the notice must specify the date on which it is proposed that the Direction will come into force. This must be at least 28 days, but no longer than two years, after the start of the 21 day consultation period. However the Direction cannot have effect unless it has also been confirmed by the Council, after fully considering representations received and if the Secretary of State has not intervened. Without prior confirmation the Direction cannot have effect and any material changes to the Direction resulting from consultation in intervention by the SoS will require re-consultation. In this respect it is proposed that the date the Direction should come into force be set as 6 months from the date of the notice so to allow sufficient time for consultation, subsequent consideration and reporting of representations, any longer period as may be specified by the SoS, and modification and/or confirmation of the Direction.

3.47 It is proposed that if the SoS has not intervened and no material changes to the Direction are required as a result of representations received, the Direction be confirmed under delegated powers in consultation with the chair and vice chair of the Committee. In any other case the matter would be referred back to Committee.

3.48 The Council must ratify the process and serve notice locally and notify the SoS as soon as practicable after the Direction has been confirmed, giving details of the date the Direction will come into force.

#### **4.0 Financial Implications**

- 4.1 Article 4 Directions cannot apply retrospectively to address development which has previously occurred, nor to development that has been commenced at the time that a Direction comes into force. Extant planning permissions would also be unaffected. In this respect the Direction would have no financial bearing on such circumstances.
- 4.2 The Economic Development Manager has been consulted on the proposed Direction. He advises that an attractive and high quality town centre environment is a key aim of the Swadlincote Town Centre Vision and Strategy (2012). Recognising the wider value of its historic buildings and landmarks can help Swadlincote to compete for footfall with neighbouring centres and online retailing, providing wider financial benefits and resilience. However he also recognises there could be instances where the Direction might lead to additional costs and constraints on town centre businesses, many of which are small independent enterprises. In order to provide for an appropriate balance so not to stifle enterprise, it will be important to consider their needs sympathetically in implementation of the Direction and any subsequent LDO, and to offer grant support wherever funding for improvement programmes can be secured.
- 4.3 Any planning application required as a consequence of an Article 4 Direction is exempt from the usual planning application fee.
- 4.4 The costs relating to the issue of the Article 4 Direction can be contained within the current revenue budget provision within Community and Planning Services. However, there is no budget provision to cover the costs of any compensation claims arising from the issue of the Direction.
- 4.5 If the Local Planning Authority refuses planning permission for development which would have been permitted development if it were not for an Article 4 Direction, or if permission is granted subject to more limited conditions than permitted development rights would normally allow, then the Local Planning Authority may be liable for compensation.
- 4.6 Compensation can be claimed for abortive work expenditure or other losses *directly attributable* to the withdrawal of permitted development rights, as defined by Section 107 of the 1990 Act. Any claim must be made within 12 months of the refusal of a planning application. In addition to this, claims can only be made against the refusal of a planning application submitted within 12 months of the effective date of the Direction.

## **5.0 Corporate Implications**

- 5.1 Protecting local amenity contributes towards the Corporate Plan theme of Sustainable Development.
- 5.2 In accordance with the Council's Constitution and Scheme of Delegation, the decision to make an Article 4 Direction rests with the Planning Committee. The decision is amenable to the normal requirements of local authority decision making (lawfulness, rationality, reasonableness and procedural fairness). The decision is open to challenge through judicial review. An application for judicial review must be made on grounds of illegality, irrationality or procedural impropriety.



## **6.0 Community Implications**

- 6.1 Built development that is protected for its value to local amenity, which enhances the character of an area and therefore is of community benefit for existing and future residents, helps to achieve the vision for the 'Vibrant Communities' theme of the Sustainable Community Strategy.

## **7.0 Summary**

- 7.1 The Article 4 Direction mechanism is the only way to control the painting of buildings, demolition of curtilage walls, removal of roofscape features and the use of unsympathetic materials in extensions, as this type of activity could otherwise go unregulated.
- 7.2 The Direction would help to preserve the intrinsic qualities of buildings and curtilage features within the Swadlincote Conservation Area in the interests of the amenity of the area in terms of local historic significance.

## **8.0 Background Papers**

Swadlincote Conservation Area Character Statement (2014);

The Town and Country Planning (General Development Development) (England) Order 1995 (as amended);

The National Planning Policy Framework  
([www.gov.uk/government/publications/national-planning-policy-framework--2](http://www.gov.uk/government/publications/national-planning-policy-framework--2))

The National Planning Practice Guidance website  
([planningguidance.planningportal.gov.uk](http://planningguidance.planningportal.gov.uk)); and

English Heritage Guidance ([www.english-heritage.org.uk/professional/advice/hpg/historicenvironment/article4directions/](http://www.english-heritage.org.uk/professional/advice/hpg/historicenvironment/article4directions/))

## SECOND SCHEDULE

The properties here listed and shaded as indicated on the attached plan.

<b>Address</b>	<b>Schedule 2 Parts and Classes which do not apply</b>
1 Belmont Street (currently Extreme Gamez)	Part 2 Class C Part 42 Class A
10 Belmont Street (currently Moza HQ Indian Restaurant)	Part 2 Classes A and C Part 31 Class B
Brook House, Belmont Street (currently Hughes and Owen Dental Care)	Part 2 Classes A and C Part 31 Class B
1 Church Street (currently Sweet Shop & Convenience Store)	Part 2 Classes A and C Part 42 Class A
3 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
5 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
6 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
7 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
8a Church Street (currently Reflections Beauty)	Part 2 Classes A and C
9 Church Street (currently The Blue Brick Salon)	Part 2 Classes A and C Part 42 Class A
10 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
11 Church Street (currently The Biz)	Part 2 Classes A and C
12 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
13 Church Street (currently Love Hair)	Part 2 Classes A and C Part 42 Class A
14 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
15 Church Street (formerly Bliss Bridal Wear)	Part 2 Classes A and C Part 42 Class A

<b>Address</b>	<b>Schedule 2 Parts and Classes which do not apply</b>
16 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
17 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
18 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
19 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
20 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
21 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
23 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
25 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
27 Church Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
34 Church Street (currently Buckler Spencer Chartered Accountants)	Part 2 Classes A and C Part 31 Class B
12-16 Coppice Side	Part 2 Classes A and C Part 31 Class B
Unit 1 The Pipeworks, Coppice Side (currently Subway)	Part 2 Class C
Unit 18 The Pipeworks, Coppice Side (currently Swadlincote Veterinary Surgery)	Part 2 Classes A and C
Unit 20 The Pipeworks, Coppice Side (currently The Tall Chimney)	Part 2 Class C
1 Ernest Hall Way	Part 2 Classes A and C Part 31 Class B
2 Ernest Hall Way	Part 2 Classes A and C Part 31 Class B
3 Ernest Hall Way	Part 2 Classes A and C Part 31 Class B



<b>Address</b>	<b>Schedule 2 Parts and Classes which do not apply</b>
4 Ernest Hall Way	Part 2 Classes A and C Part 31 Class B
5 Ernest Hall Way	Part 2 Classes A and C Part 31 Class B
48 Grove Street (currently South Derbyshire Voluntary Services Centre)	Part 2 Classes A and C Part 31 Class B
1 High Street (currently Ministry of Design)	Part 2 Class C
3 High Street (currently Firefly Tattoo Studio)	Part 2 Class C
4 High Street (formerly Select)	Part 2 Class C Part 42 Class A
5 High Street (currently The Air Ambulance Service)	Part 2 Class C
6 High Street (currently Greggs)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
7 High Street (currently British Heart Foundation)	Part 2 Class C
8-10 High Street (currently St. Giles Hospice)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
9 High Street (formerly a jewellers)	Part 2 Class C
11-13 High Street (currently Thomson Travel)	Part 2 Class C Part 42 Class A
11-13 High Street (First floor, currently Anarchy Tattoo Studio)	Part 2 Class C
12 High Street & outbuildings at rear (currently Hillfield Animal Home Charity Shop)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
15-17 High Street (currently Boots)	Part 2 Class C Part 42 Class A
16 High Street (currently Birds Bakery)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
16A High Street (currently Prince and Bates Opticians)	Part 2 Classes A and C Part 31 Class B
16A High Street (currently Sixteen A Dental Care)	Part 2 Classes A and C Part 31 Class B
18 High Street (currently Scrivens Opticians and Hearing Care)	Part 2 Classes A and C Part 31 Class B

<b>Address</b>	<b>Schedule 2 Parts and Classes which do not apply</b>
18A High Street Flats 1 & 2	Part 2 Classes A and C Part 31 Class B
19 High Street (currently Cadley Cauldwell Estate Agents)	Part 2 Class C Part 42 Class A
20 High Street (currently McQueens)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
22 High Street (currently Smith Partnership)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
23 High Street (currently William Hill)	Part 2 Class C Part 42 Class A
23a High Street (Flat above 23)	Part 2 Class C
24 High Street (currently Go Mobile)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
25 High Street (currently Reach South Derbyshire)	Part 2 Class C Part 42 Class A
26 High Street (currently Specsavers Opticians)	Part 2 Classes A and C Part 31 Class B
26B High Street (currently Cashino Gaming)	Part 2 Classes A and C Part 31 Class B
26C High Street (formerly pawnbrokers/pay day loan shop)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
27 High Street (currently The Card Factory)	Part 2 Class C Part 42 Class A
28 High Street (currently Yum Yum Sweet Company)	Part 2 Class C Part 42 Class A
28A High Street (currently Swadlincote Jewellery Workshop)	Part 2 Class C Part 42 Class A
29 High Street (currently Happy Homes YMCA Charity Shop)	Part 2 Class C Part 42 Class A
30-32 High Street (currently Mind)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
33 High Street (currently Max Spielmann)	Part 2 Class C Part 42 Class A
35-39 High Street (currently Telegraph News Shop)	Part 2 Class C Part 42 Class A

<b>Address</b>	<b>Schedule 2 Parts and Classes which do not apply</b>
38-40 High Street (currently Co-op Travel)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
41 High Street (currently HSBC Bank)	Part 2 Classes A and C Part 42 Class A
42 High Street (currently Your Move)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
44 High Street (currently Clintons)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
45 High Street (currently Hallmark Cards)	Part 2 Class C Part 42 Class A
46-48 High Street (currently Peacocks)	Part 2 Classes A and C Part 31 Class B Part 42 Class A
49 High Street (currently Newton Fallowell)	Part 2 Class C Part 42 Class A
49 High Street (Flat accessed at rear of)	Part 2 Class C
49a High Street (currently Hairs and Graces)	Part 2 Class C Part 42 Class A
51-53 High Street (currently Swinton Insurance)	Part 2 Class C Part 42 Class A
52 High Street (currently Santander)	Part 2 Class C Part 42 Class A
55 High Street (currently Friston Small)	Part 2 Class C Part 42 Class A
55a High Street (Flat above 55)	Part 2 Class C
56 High Street (currently AGE UK Derby & Derbyshire)	Part 2 Class C Part 42 Class A
57 High Street (currently S. Colliers Butchers)	Part 2 Class C Part 42 Class A
58 High Street (currently Toxic Cherry)	Part 2 Class C Part 42 Class A
59 High Street (currently Lloyds Bank)	Part 2 Class C Part 42 Class A
60 High Street (currently The Money Shop)	Part 2 Class C Part 42 Class A
61-63 High Street (currently Jon Paul Formal Menswear)	Part 2 Classes A and C Part 42 Class A
61-63 High Street (accessed off Pipe Yard Passage, currently The Cutting Room)	Part 2 Classes A and C Part 42 Class A



<b>Address</b>	<b>Schedule 2 Parts and Classes which do not apply</b>
61-63 High Street (accessed off Pipe Yard Passage, currently Slinkki Tattoo Studio)	Part 2 Classes A and C
62 High Street (currently Nelsons Insurance Brokers)	Part 2 Class C Part 42 Class A
64-66 High Street (currently Weddings R Us, Flowers R Us and Parties R Us)	Part 2 Class C Part 42 Class A
67 High Street (currently Foresters Arms)	Part 2 Class C
69 High Street (currently Empire Computers)	Part 2 Class C Part 42 Class A
69a High Street (currently Redz Barber Shop)	Part 2 Class C Part 42 Class A
71 High Street (currently Nomad Tattoo and Retail)	Part 2 Class C
75 High Street (currently Fortune Garden)	Part 2 Class C
77 High Street (currently USA Chicken)	Part 2 Class C
79 High Street (currently John Mills Curtains and Blinds)	Part 2 Class C Part 42 Class A
2 Hill Street (currently Swadlincote Footcare Clinic)	Part 2 Classes A and C
4 Hill Street (currently American and UK Nails)	Part 2 Classes A and C
6 Hill Street (currently Swadlincote Chiropractic Clinic)	Part 2 Classes A and C
12 Hill Street (currently P3)	Part 2 Classes A and C
Wesleyan Church Hall, Market Street	Part 2 Classes A and C Part 31 Class B
The Sir Nigel Gresley Public House, Market Street	Part 2 Class C
2 Midland Road (formerly estate agents)	Part 2 Class C
4-6 Midland Road (currently Buttercups Giftware)	Part 2 Class C
8 Midland Road (formerly The Aquatic Pet & Garden Warehouse)	Part 2 Class C
12 Midland Road (currently David Elks Opticians)	Part 2 Class C
14 Midland Road (currently Sweeney Swad the Barbers)	Part 2 Class C
18 Midland Road (currently Barclays Bank)	Part 2 Class C
Bank House, 22 Midland Road	Part 2 Classes A and C Part 31 Class B
Constitutional Club, Midland Road	Part 2 Classes A and C Part 31 Class B
8 & 8a West Street	Part 2 Classes A and C Part 31 Class B
12 & 14 West Street (currently The Fairer Choice)	Part 2 Classes A and C Part 31 Class B

<b>Address</b>	<b>Schedule 2 Parts and Classes which do not apply</b>
20 West Street (currently Ward and Brewin Funeral Services)	Part 2 Class C
22-24 West Street (currently New Empire Casino Lounge)	Part 2 Class C
Autoquip, West Street	Part 2 Class C
17 West Street (currently The Bear Public House)	Part 2 Class C
19 West Street (currently Rainbow)	Part 2 Class C
21 West Street (currently New Empire)	Part 2 Class C
23 & 23a West Street (currently Timms Solicitors)	Part 2 Classes A and C
25 West Street (currently Lloyds Cycles)	Part 2 Classes A and C
27 West Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
29 West Street (currently Teddy's Baby Boutique)	Part 2 Classes A and C
31 West Street (currently Home Instead Senior Care)	Part 2 Classes A and C
33 West Street (currently Design Hair by Imogen)	Part 2 Classes A and C
35 West Street (currently Pupils School Wear)	Part 2 Classes A and C
37 & 39 West Street	Part 1 Classes A, C, D and G Part 2 Classes A and C Part 31 Class B
43 West Street (currently Ethos Hairdressing)	Part 2 Classes A and C
43A West Street (flat above 43)	Part 2 Class C
47 West Street (currently Andrew Charles of Visage)	Part 2 Classes A and C
47A & 47B West Street (flats above 47)	Part 2 Class C

### **SWADLINCOTE TOWN CENTRE ARTICLE 4(1) DIRECTION – SCHEDULE**

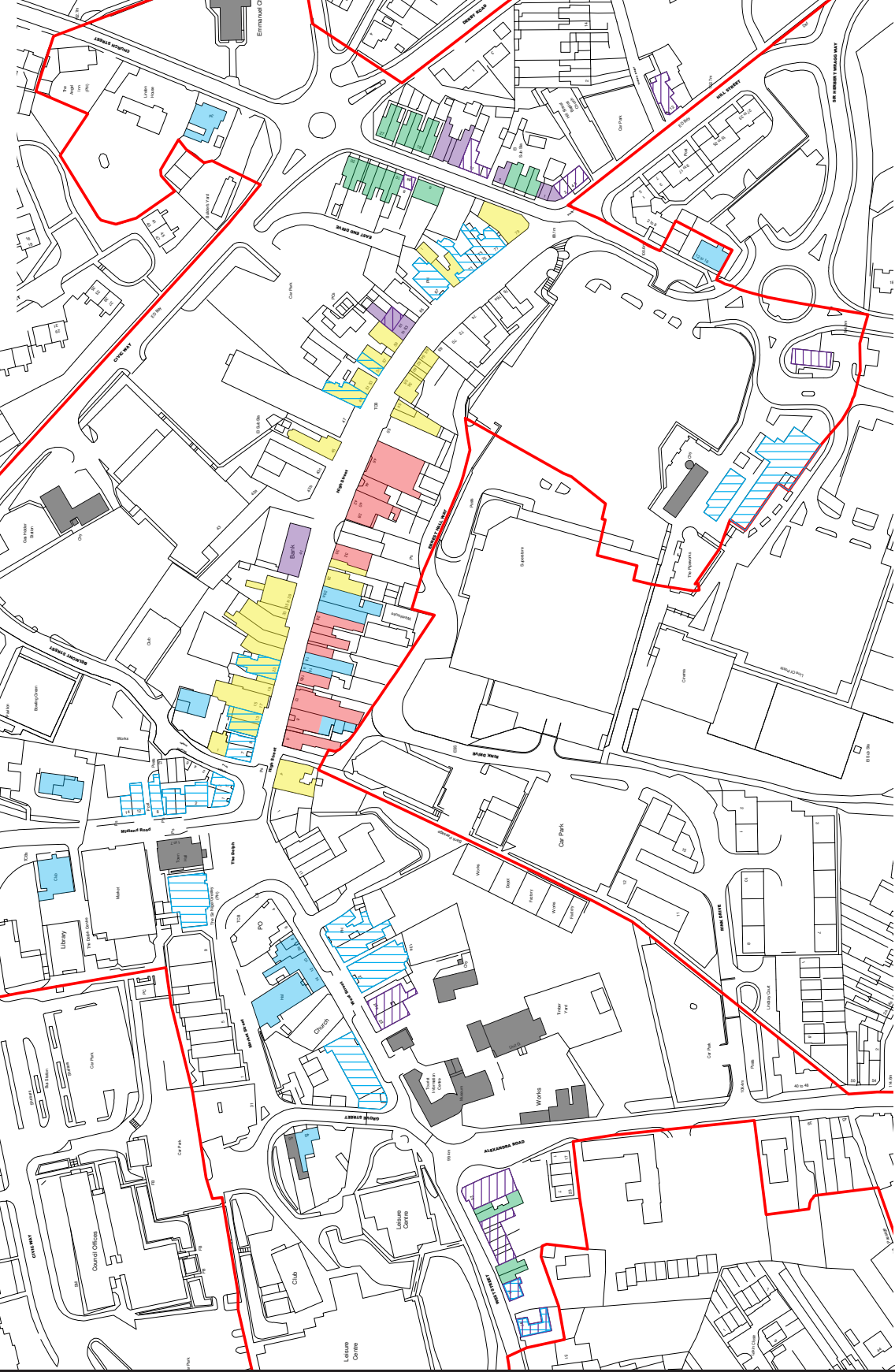
Note: where this Schedule refers to commercial properties, this may include flats to the upper floors which are not separately listed. Every attempt has been made to identify each and every instance. In addition some current use classes specified are based on an informal decision as opposed to an established and known lawful use through passage of time or planning permission.

# SWADLINCOTE ARTICLE 4 (1) DIRECTION

Plan represents extent of property and associated use as far as possible. Where any inaccuracies arise, the Schedule takes precedence.

KEY	
	Part 2 Class C
	Part 42 Class A
	Part 2 Classes A and C
	Part 31 Class B
	Part 1 Classes A, C, D and G
	Part 2 Classes A and C
	Part 31 Class B
	Part 2 Classes A and C
	Part 42 Class A
	Part 2 Classes A and C
	Part 31 Class B
	Part 42 Class A
	Part 2 Class C
	Part 2 Classes A and C
	Conservation Area Boundary
	Listed Buildings (including curtilage buildings/structures)

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## Schedule 2, Part 1 (Development Within The Curtilage Of A Dwellinghouse)

- Class A - The enlargement, improvement or other alteration of a dwellinghouse.
- Class C - Any other alteration to the roof of a dwellinghouse.
- Class D - The erection or construction of a porch outside any external door of a dwellinghouse.
- Class G - The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

## Schedule 2, Part 2 (Minor Operations)

- Class A - The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

## Schedule 2, Part 2 (Minor Operations)

- Class C - The painting of the exterior of any building or work.

## Schedule 2, Part 31 (Demolition Of Buildings)

- Class B - Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure.

## Schedule 2, Part 42 (Shops Or Catering, Financial Or Professional Services Establishments)

- Class A - The extension or alteration of a shop or financial or professional services establishment.

APPENDIX 3 – APPROVED PAINT COLOURS –  
COLOUR PALETTE



## APPROVED PAINT COLOURS – COLOUR PALETTE

### SUMMARY

The proposed introduction of a colour palette into the town centre is designed to guide retailers, businesses and residents about the range of colours available that were adopted during the Victorian and Edwardian periods, the time when most of the buildings within Swadlincote were built. This colour palette has been informed by research and sampling to produce 64 Main Colours and 23 Accent Colours of original Victorian colours. This colour palette has been researched by Crick Smith Conservation, experts in historic paint analysis and it is highly authoritative. Victorians and Edwardians used the full range of colours that were available to them. They adopted some bright colours, as well as rich and dark colours, as can be seen from the palette.

On the following sheets colours have been grouped into the main colours (for the large areas of joinery of shopfronts) and then accent colours, which were often used to pick out or highlight details in a complementary way. This should be restricted to small elements.

Existing colour schemes can be retained during any re-painting but under the Article 4(1) Direction an application will be required for altering the colour scheme. Therefore, anyone wishing to paint any previously unpainted walling, whether stone, brick or render (or repainting walls, shopfronts or windows in a different colour) in Swadlincote Conservation Area must apply for planning permission. This includes the principal building, any outbuildings and boundary walls.

For the purposes of clarification, repainting the stonework, brickwork, render or joinery of your property in the same colour as the existing painted finish, does not require any permission.

### STOCKISTS

The colours identified in the list are intended as a visual guide only, as the colour may vary if looking at these on the internet; this varies according to screen resolution and settings. For precise colour matching, it is advisable to obtain a sample colour tester pot from the paint supplier or view the colour swatch at the District Council reception desk.

All colours are numbered according to the NCS (Natural Colour System) colour reference. This is an internationally recognised system of identifying colours by visual reference. The website <http://www.ncscolour.com> has a colour wheel against which these colours can be seen on screen.

There are a number of paint suppliers that can mix paint to the NCS colour references. These include; Johnstones Paint, Little Greene Paint, Dulux Trade Paint & Albany Paints. This range of paint suppliers will mix paint to these colour references. They will mix them with their own paint formulas, which provides a choice in the type of finish. For example, Dulux gloss paint will vary

from Little Greene traditional oil gloss paint or traditional oil eggshell. All of these can be mixed using NCS colour references.

Local stockists;

Little Greene paint from Ashby Decorator Centre Ltd  
2 Derby Road, Ashby de la Zouch, Leicestershire, England, LE65 2HE  
Tel. 01530 564375

Dulux Decorator Centre  
Unit 1 Canal Street  
Burton-on-Trent , Staffordshire DE14 3TB  
Tel: 0128 351 0212

Johnstones Decorating Centre  
Unit 4, H C M Industrial Estate  
Wetmore Road, Burton-On-Trent Staffordshire  
DE14 1QR  
Tel: 01283 545 327

Albany Paints from Brewers  
Dale Street, Burton-on-Trent, Staffordshire DE14 3TG  
Tel: 01283 741600

# SWADLINCOTE TOWN CENTRE

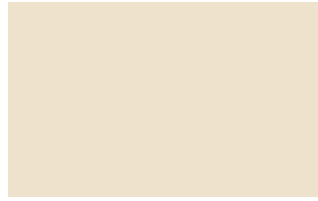
## Main Colour Palette

Whilst every effort has been made to display the paint colours as accurately as possible, we cannot guarantee that your monitor's display of any colour will accurately reflect the colour of the paint. If in doubt, you are advised to examine actual samples of the colour before purchase or to buy a sample pot.

\* Limited availability



S3502-Y



S2010-Y10R



S3020-Y10R



S3040-Y10R



S2010-Y20R



S2020-Y20R



S7020-Y20R



S4040-Y20R



\*

S2025-Y30R



S3030-Y30R



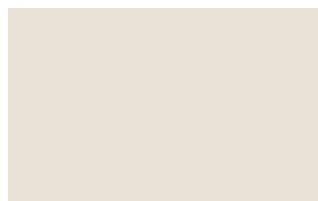
S3040-Y30R



S4030-Y30R



S4050-Y30R



S2005-Y50R



S2020-Y50R



S3040-Y50R



S5040-Y80R



S7020-Y80R



S3060-Y90R



S4030-Y90R



S4050-Y90R



S5020-Y90R



S5040-Y90R



S6030-Y90R



S8010-Y50R



S3010-Y60R



S3050-Y60R



S3060-Y70R

# SWADLINCOTE TOWN CENTRE

## Main Colour Palette

Whilst every effort has been made to display the paint colours as accurately as possible, we cannot guarantee that your monitor's display of any colour will accurately reflect the colour of the paint. If in doubt, you are advised to examine actual samples of the colour before purchase or to buy a sample pot.

★ Limited availability



S4050-Y70R



S4550-Y70R



S7020-Y70R



S5030-Y80R



S2070-R



S5040-R



S6030-R



S7020-R30B



\*

7501-R97B



S3050-B



S4040-B



S4502-B



S8502-B



S2040-B10G



S3020-B10G



S5040-B10G



S4030-B50G



S5540-B50G



S7020-B50G



S3030-B90G



S7020-B90G



S3010-G



S5020-G



S4020-G10Y



S4050-G10Y



S6030-G10Y



S7020-G10Y



S8505-G20Y



# SWADLINCOTE TOWN CENTRE

## Main Colour Palette

Whilst every effort has been made to display the paint colours as accurately as possible, we cannot guarantee that your monitor's display of any colour will accurately reflect the colour of the paint. If in doubt, you are advised to examine actual samples of the colour before purchase or to buy a sample pot.



S2030-G30Y



S4020-G30Y



S5020-G30Y



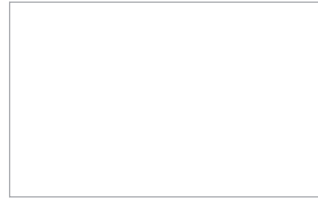
S6030-G30Y



S4020-G70Y



S7010-G90Y



S0500-N



S8000-N

# SWADLINCOTE TOWN CENTRE

## Accent Colour Palette

Whilst every effort has been made to display the paint colours as accurately as possible, we cannot guarantee that your monitor's display of any colour will accurately reflect the colour of the paint. If in doubt, you are advised to examine actual samples of the colour before purchase or to buy a sample pot.



S1040-Y20R



S2050-Y20R



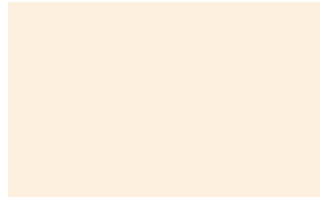
S2050-Y30R



S1005-Y40R



S0502-Y50R



S1010-Y50R



S1040-Y60R



S1060-Y70R



S1070-Y90R



S1085-Y90R



S1050-R



S1080-R



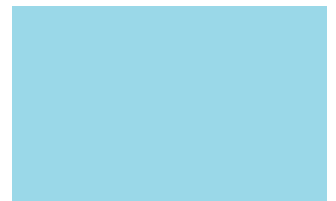
S2020-R



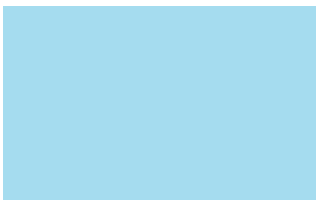
S2030-R10B



S1030-R20B



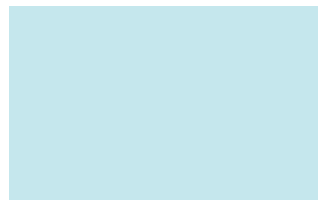
S0540-B



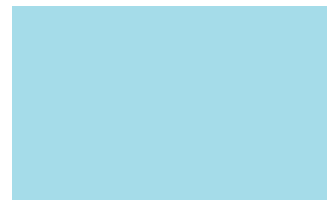
S1030-B



S2020-B



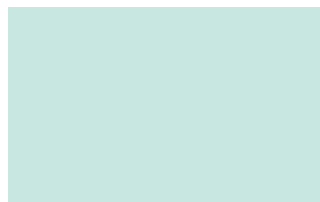
S1020-B10G



S1030-B10G



S2040-B50G



S2010-B90G



S1030-G10Y

## APPENDIX 4 – MAINTENANCE GUIDE

# Swadlincote Conservation Area Maintenance Guide

HOW TO MAINTAIN AND REPAIR  
YOUR OLD BUILDING

or

“A Stitch in Time Saves Nine”



South  
Derbyshire  
District Council



# Content

## Introduction

- 01 General Maintenance
- 02 Carrying out an Inspection  
Cyclical Maintenance Tables
- 03 Roofs
- 04 Chimney Maintenance and Repair
- 05 Rainwater Systems
- 06 Brickwork
- 07 Terracotta
- 08 Cleaning
- 09 Render
- 10 Windows, Doors and External Joinery
- 11 Paint

## List of Do's and Don'ts

## Sources of Materials

This guide has been produced by Mel Morris Conservation for South Derbyshire District Council. It is specific to Swadlincote but it has been informed by advice from IHBC, SPAB and English Heritage

Society for the Protection of Ancient Buildings - [www.spab.org.uk/homeowners/](http://www.spab.org.uk/homeowners/)

English Heritage - [www.english-heritage.org.uk/your-home/](http://www.english-heritage.org.uk/your-home/)

# Introduction

This guide is intended for all property owners and businesses in Swadlincote conservation area, but sections could equally apply to other historic buildings outside Swadlincote. It is designed to help building owners to look after their property.

It makes good economic sense to carry out regular maintenance of an old property. Regular maintenance will cut down on costs in the long-term for more expensive repairs. Modest amounts of inspection, maintenance and repair carried out on a regular basis can safeguard the well-being of a building, while failure to identify problems early enough can lead to major faults and damage, which may then be extremely expensive to put right. For example, re-painting joinery regularly will prevent windows rotting; cleaning out gutters regularly will prevent a build up of standing water in gutters and water washing down the walls, flushing out joints and moss growth. Regular maintenance will also help to preserve those parts of old buildings which are of special interest, many of which can be very costly to replace.

It makes sense but it needs you, the building owner, to be pro-active.

- Remember to check and inspect the building annually, sometimes more regularly
- Look up at high level, using binoculars if necessary or a ladder, tied or footed securely
- Look inside your loft space to see for signs of displaced slates, lead or water damage
- Get a contractor to look at key problems, if you are unsure about what you are looking at
- Get a second opinion – most contractors will not charge for an initial visit and advice
- Speak to the District Council Conservation Officer or Townscape Heritage project officer. They are available, free of charge, to provide specialist and experienced advice
- If in doubt, seek professional advice from someone who is well qualified, e.g. a chartered surveyor or an architect with specialist knowledge of historic buildings (conservation accredited)
- Speak to the District Council Building Control Surveyor

A list of useful contacts, sources for materials, publications and websites is provided throughout this guide.

## Finding the right help

The District Council conservation officer or Townscape Heritage officer can provide advice on the repair of historic buildings. Many works may be eligible for grant assistance.

The District Council Building Control team can provide advice on whether repair works will require a Building Regulations application and how to meet the regulations. Tel: 01283 595737

Specialist contractors working in Derbyshire are listed on the Derbyshire Crafts Register. <http://www.derbyshirehistoricbuildings.org.uk/craftsregister.php>

For further advice there are a number of online sources. Many of these sources are identified <sup>1</sup> in this good practice guide.

# 01 General maintenance

Old buildings often have very different construction methods from modern buildings and they need different types of maintenance and repair.

Before carrying out any works affecting the external appearance of a building in the conservation area, owners are advised to check with the Planning Authority about whether any works need permission. The planning authority is currently seeking to introduce an “Article 4 Direction”, which will require planning permission to be submitted for some works, such as altering the roof material, painting elevations and remodelling boundary walls. Cladding walls already needs planning permission in conservation areas.

Please bear in mind that the permitted development rights which apply to many common projects for businesses and houses do not apply to flats, maisonettes or other buildings.

Please also note that Building Regulations Approval may also be required for some internal and external alterations to a building. For further information on works which may require Building Regulations approval please speak to the Building Control Department in the District Council offices.

Regular maintenance will go a long way to ensuring the continued preservation of a historic building, particularly those elements which deal with water and damp penetration such as roofs, gutters, downpipes, gullies and perimeter drains and open joints in masonry or cracked render.

There are of course occasions when emergency work may be needed or work to address immediate public health and safety.

## CLEARING LEAVES AND SNOW

It is recommended that leaves and accumulated silt are cleared from gutters, flat roofs, downpipes and gullies at least every six months and particularly after the autumn fall of leaves. This is one of the most important maintenance operations and if neglected will soon lead to major problems. Clearing snow from valley and parapet gutters to prevent it building up above the level of flashings is also recommended.



Within the High Street there are a number of tall plane trees; leaf litter and spring flowers from these trees can all too easily block gutters. Along the High Street properties will therefore require more regular cleaning out of gutters.

## PLANT GROWTH

Plant growth on buildings, walls and ideally up to a metre around the edge of a building should be controlled and removed. This should be done at an early stage before roots take hold and penetrate deeply into walls or block pipes and gutters. On occasion, where roots have taken hold, a systemic “spot” weedkiller applied several times can be effective

to avoid having to dig roots out and disturb mortar. Where plant growth is removed from building perimeters, care should be taken to ensure that ground levels are maintained to prevent exposure of the wall base and foundations or conversely, a build-up of soil which may promote damp problems. If possible, and where it does not impact on footings, try to ensure that external ground levels are 150mm lower than the dpc (if you have one), or the suspended or solid floor level inside the building, if you don't.

Please be aware that permission may be required for works to trees in the conservation area if they are over a certain size.

## VENTILATION

Maintaining original ventilation points on a building can be vital in preventing condensation and outbreaks of fungal attack.

Try to ensure that there is some through ventilation in chimney stacks if the pots are open and vented but not operational. Passive ventilation like this is healthy for the building and the occupants.

Make sure that any loft insulation does not block eaves ventilation by pulling the insulation away from the slate / roofing felt.

Ensure that air bricks are not blocked to allow free flow of air under floors and in roofs. Dampness and poor ventilation promote fungal and insect attack, where, for example, ventilators serving voids under timber floors become blocked.



# 02 Carrying out an inspection

## THERE IS A DIFFERENCE BETWEEN A CASUAL INSPECTION AND PLANNED PERIODIC INSPECTION.

Planned periodic inspection should be undertaken at least once a year, ideally during rainy weather: there is nothing like a downpour for identifying roof defects or blocked gutters.

Start at the roof and then work downwards outside the building. Use binoculars to pick up detail at high level. If you suspect the roof has problems, you may need to make checks via a ladder (see safety below). Then move inside the building and start in the roof space, moving down floor by floor and room by room, taking in any 'hidden' spaces in cupboards on the way and finishing in the cellar or basement (if there is one). Make a note of areas of damp.

Check all pipework for leaks. Poke a knife into window cills and frames, and any other wood that has cracked or crazed paintwork. If the wood is very soft there may be an outbreak of wet rot to be dealt with.

The challenge is to determine whether the defects are historic and of no consequence, of a minor nature and therefore of no immediate risk, or warrant further investigation by professional advisers.

Remember that not everything will have to be tackled at the same time, although it can often make economic sense to do so. Some things can be put off for a short time, and dealt with when there are enough similar jobs to warrant the expenditure — to justify the cost of scaffolding, for instance.

## STAY SAFE

Ensure that you carry out any inspection or building maintenance safely.

Ladders should be tied onto the building and there should be someone at the foot of the ladder. Watch where you tread, especially in roof spaces, and make sure you have enough light to see what you are doing.

Safety equipment is needed for some jobs, including gloves for clearing drains or removing pigeon droppings from gutters.

If in any doubt about safe access, particularly on roofs and in attics, use a reputable, professional builder for the inspection or work.

# CYCLICAL MAINTENANCE CHART

## Regular Tasks

### 1.0 Roofs

Building Element	Maintenance Task	Frequency	March / April	Sept / Oct
1.1 Roof areas generally	Inspect roof areas from safely accessible high points, using a ladder strapped securely, the bottom of the ladder footed and held by a second person.	Twice per year	✓	✓
1.2 Slate roofs	Inspect for slipped, cracked, displaced and broken slates. Replace to match, to the same dimensions and head-lap, using either “tingles”, or carry out permanent repair with slate to match.	Annual		✓
1.3 Tiled roofs	Inspect for slipped, cracked, displaced and broken slates. Replace to match, to the same dimensions and head-lap, using either “tingles”, or carry out permanent repair with slate to match.	Annual		✓
1.4 Leadwork and lead flat areas	Inspect condition of leadwork, such as the back of parapet walls or flashings. Dress back clips, re-fix wedges and make good mortar fillets. Make temporary repairs to any cracks or splits, using flashband or similar. Undertake permanent repair to leadwork within 6 months.	Annual		✓
1.5 Ridges	Inspect ridges with binoculars and check for displaced mortar on roof surface, in gutters or on the ground	Annual		✓

### 2.0 Rainwater Disposal

Building Element	Maintenance Task	Frequency	March / April	Sept / Oct
2.1 Rainwater goods (cast iron or cast aluminium)	Inspection from ground level Check for leaks, blockages, overspill, faulty joints, wet masonry. Check fixings. Note faults and arrange for maintenance and repair.	Twice per year  During / after stormy weather	✓	✓
2.2 Rainwater gutters (cast iron or timber)	From a secure ladder, clear gutters, sumps and downpipes of debris and removed leaf litter. Rod if necessary. Check all connections and fixings are secure.	Twice per year	✓	✓
2.3 Rainwater gutters (lead flat and tapered gutters)	Inspect roof surface at close hand and make a note of any defects. Clean out leaf litter or debris. Debris must be removed from the roof and not simply flushed down rainwater pipes. Check fall for any signs of ponding.	Twice per year	✓	✓

Building Element	Maintenance Task	Frequency	March / April	Sept / Oct
3.1 Walls generally	Remove any vegetation (e.g. ivy and self-seeded plants) from principal walls and within a metre of the main walls. Tackle perennial weeds with a systemic weedkiller	Twice per year	✓	✓
3.2 Brickwork – general	Check for any cracks, dropped arches, missing areas of pointing, mossy growth or wet patches Arrange for permanent repair within next 12 months	Annually		✓
3.3 Render - general	Check for any signs of cracking of masonry or loss of adhesion (i) Cleaning and washing render (ii) Washed down water-based paint or mineral paint using a mild detergent every 5 years flat surfaces and run off from eaves. Do not wash down limewash. Areas receiving scuff marks should be washed down with a mild detergent solution using a soft bristle brush from 1-5 years	(i) Annually  (ii) 5 years	✓	
3.4 Copings and parapets	Inspect from the ground and accessible high points. Note any signs of movement or areas where joints are open. Programme repair within next 6-9 months.	Annually, after stormy weather in the autumn		✓
3.5 Cornices to shopfronts and bay windows	Check leadwork for any displaced lead, missing fixings or wedges, cracks or pitting. Arrange for immediate repair	Annually		✓
3.6 Ventilation	Inspect ventilation grilles, ducts, and air bricks & remove any obstructions, such as plants, weeds, leaf litter and soil	Annually		✓
3.7 Windows	Inspect sash windows and other windows and repair any damaged glass, /cracked panes. Replace any missing putty with acrylic or linseed oil putty	i) As necessary, when notified of damage ii) Annually	✓	
3.8 Shopfronts / large areas of timber	Check for any surface signs of rot or decay, using a small penknife, if in doubt, noting any spongy areas or signs of wet rot.	Annually	✓	
3.9 Decoration	Inspect paint condition & note any loss of paint. Arrange for re-decoration within 12 months	Annually	✓	
3.10 Windows and doors generally	Check operation of hinges, bolts and locks and lubricate as necessary. Check security of locks.	Annually	✓	

## 4.0 Exterior Areas

Building Element	Maintenance Task	Frequency	March / April	Sept / Oct
4.1 Areas 1 metre around building envelope	Weed and remove litter and leaves	Twice per year	✓	✓
4.2 Perimeter drains	Check inspection hatches of combined sewers and flush out drains and if necessary rod. Note any signs of roots or root damage in the inspection pit or any signs of blockages Remove weeds, leaf litter and clean out open drains / gulleys Remove blockages from the base of any rainwater pipe shoes	Annually	✓	

## Cyclical Tasks

Building Element	Maintenance Task	Frequency
Windows and doors generally (exterior)	Re-paint windows and doors	5-7 years
Sash windows	Sash windows - removing staff beads and parting beads, re-cord sashes with existing weights, ease sashes	10+ years Life expectancy depends upon usage and level of exposure
Chimney stacks	Re-flaunch cappings & re-fix pots	10 years, or sooner if required
Cast iron Rainwater Goods	Repaint using a gloss paint or a bitumen paint to BS416	5-10 years
Ridges	Re-bed ridges and mortar joints	10-20 years
Render - decoration	Re-paint using a water-based paint or a mineral paint, such as Beeck <sup>TM</sup>	5-10 years for water-based paint 20 + years for mineral paint, depending upon performance
Re-slating	Reslate or re-tile	50-100 years, depending upon factors such as location, quality of workmanship, condition of battens and nails
Brickwork	Re-point brickwork	60-100 years, depending upon weathering and exposure
Lead flat / tapered gutters and flashings to chimneys	Replace lead	50 + years



## 03 Roofs

Swadlincote has particular characteristics which are not shared with other places. Whilst there has been the occasional replacement roof covering of concrete tiles, a significant proportion of the buildings in the conservation area retain the original 19th century slate and tiled roof coverings and they provide a characteristic feature of the town's architecture.

The introduction of an Article 4 Direction will require property owners of houses to apply for planning permission for replacing roof coverings with alternatives. The District Council will resist the removal of slate roofs.

Check your roof twice yearly. Good maintenance requires the removal of excess moss as it can harbour moisture leading to frost damage of slates and tiles. It is important to pay close attention to flashings and valley gutters as water percolating through these areas can lead to timber decay requiring substantial repair works.

### Welsh slate

The majority of the roofs in the town centre are clad in Welsh slate, which was imported after the railway first appeared in the town. When used on a terraced row, Welsh slate was often continuous between properties in the row and did not incorporate joints, although steps and abutments occur along some of the High Street properties. Welsh slate continues to have a strong presence in the town with a uniform colour and profile.



Welsh slate is very durable but each roof will eventually need re-roofing; this is because the battens and the fixings (nails) come to the end of their useful life. There is also something called “nail sickness”, which causes the nails to slip. As a short-term expedient, replacement of the occasional slipped slate can be done using “tingles” (copper or galvanized steel wire), which is a good way of maintaining your building short-term. Broken slates should be replaced immediately. There will eventually come a point at which complete re-roofing is required, on average a 60-100 year cycle.

Battens and nails will usually be the first elements to deteriorate and re-roofing should be undertaken with replacement tanalised battens and non-ferrous nails.

If the whole roof covering has to be re-laid, this is a good time to lay a vapour-permeable roofing felt, which lets the roof breathe but keeps out wind-driven rain and snow. Historically the roof was weather-proofed from snow and driving rain by ‘torching’, a lime and haired mortar spread in the angle between the slate and the battens. It is still important to ensure good ventilation in the roof space.

Spray-on treatments to seal the underside of roofs should be avoided as they prevent slates and tiles from being salvaged for re-laying and may also reduce the ventilating properties of a roof space, increasing the risk of fungal and insect attack.

The age of most of the buildings in the conservation area is such that Welsh slate will rare-

ly need replacing unless it has other defects, such as excessive delamination. That occurs when the slate is saturated for a long period.

Replacing an old roof covering is disruptive and expensive and can cause damage, so make sure the work is necessary and effective. Damp could be caused by defects in chimneys or lead work, or by slipped slates or tiles.

If you are considering re-roofing, please ensure that the roofing contractor does not assume that the Welsh slate should be replaced. It is usual to be able to re-use a high percentage of the original slate and far preferable to make up any damaged slate with second-hand Welsh slate than carry out comprehensive replacement, as it will be very difficult to get a good match in a terraced row.

### Staffordshire Blue Clay Tiles

Swadlincote has a number of properties with blue clay tiles, which date from the first half of the 19th century and a few examples of red clay tiles which date from the end of the 19th century.

Staffordshire blue clay tiles are extremely hard-wearing but they can be damaged by impact or through damage to their 'nibs.' Slipped tiles or reclaimed tiles can be hung by easing them underneath adjoining and overlapping tiles and then pushing the nibs over the battens, which locks them into place.

### Traditional Leadwork

Lead relies on good detailing to work properly. It expands in the heat of the day and contracts as it cools and so lead should be laid with relatively few fixings. Full details of how to lay lead are available from the Lead Sheet Association.

[www.leadsheet.co.uk/lsa-pocket-guide](http://www.leadsheet.co.uk/lsa-pocket-guide)

Lead is commonly used to protect the timber cornice of traditional shopfronts or the covering of a projecting bay window. For each of these, lead should be laid in a number of sheets jointed together with 'welts' or 'rolls'.

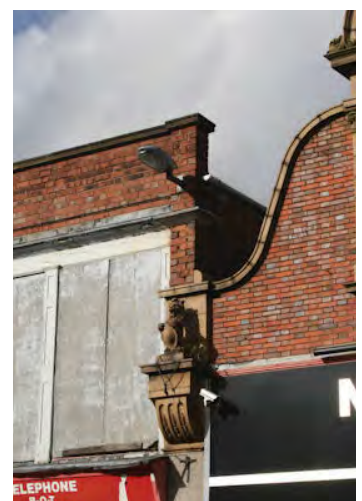
**Lead valleys** – lead is used to provide a broad weatherproof detail at the junction of two slopes of slate. It is also used to line a flat-bottomed valley behind a parapet or where two roofs meet.

Sometimes over-fixed lead valleys can become stretched and nail holes can become enlarged. Lead can suffer fatigue. The most common problem is that lead is laid in sheets which are too large for the thickness of lead – they stretch and develop cracks and holes.

Lead-lined flat parapet gutters are not fixed and the sheets of lead are laid to overlap each other and dressed over steps. The gutters have a slight fall and are usually tapered.

Where there are lead-lined gutters, look for signs of cracking. An effective short-term repair can often be carried out by repairing cracks and holes by 'lead burning'; however, this is a specialist job.

**Lead Gutters** – a number of the buildings in Swadlincote have



parapet gutters, i.e. lead is hidden behind a short wall. This applies mainly to the terracotta buildings and details. These should be inspected for leaf litter and debris, as it is a build-up of this which often causes gutters to overflow. Parapet gutters usually have outlets which pass through the masonry. These are particularly vulnerable and should be regularly kept clear of detritus. There are protective wire guards which can be fitted over the outlets to prevent leaf litter from blocking up gutters – flooding from these events is usually quite sudden but can cause large amounts of damage.

Snow should be removed from lead parapet gutters - heating tapes can be added to keep gutters clear of snow.

Where there are plants in gutters or in high level joints, remove these as quickly as possible, because if they take hold, their roots can cause even more costly damage.

The temporary repair of leadwork with adhesive tapes and bands should only be used as a short-term repair to prevent leaks, whilst full repairs are planned.

### Ridges and Hips

Junctions in roofs are potential trouble-spots. Ridge and hip tiles may work loose and may need re-bedding.

Try to keep the existing roof ridges. Within Swadlincote many of the red and blue clay ridges had highly decorative patterns, or were pierced. If you are receiving a grant, it is likely that we will require missing decorative ridges to be reinstated, if there is good evidence for them.

The ridge tiles in Swadlincote are predominantly butt-jointed, which means that they rely for a waterproof junction on the pointing between the individual tiles. The tiles are laid onto a bed of mortar, which is usually not visible. The life of a roof can be lengthened by occasional re-bedding and re-pointing of ridge tiles, even if the main roof slopes do not need re-laying.



# 04 Chimney maintenance & repair

The chimneys of old buildings need more frequent maintenance than masonry less exposed to the weather, but this is often neglected because of difficult access.

Bent or leaning chimneys are caused by differential expansion and erosion of mortar joints, but a leaning or cracked stack may not be dangerous – seek professional advice before embarking on any unnecessary work. Erosion of mortar between bricks or stones in a chimney can lead to smokiness, dampness, increased fire risk and instability. Mortar joints are most susceptible to weathering at the top of a stack (weed growth may be a symptom), on the sides where it faces the prevailing wind, or the point at or just below where it passes through the roof.

Mortar for repointing or re-bedding bricks or stones should normally be lime-based (without cement).



Ensure that chimney pots remain well-seated and secure. They can become unstable due to the deterioration of surrounding mortar ('flaunching') and careless flue sweeping. As with pointing, mortar used for renewing flaunching should usually be lime-based on old buildings. The provision of a protective lead capping over flaunching may sometimes be justified. Cowls and covers also need checking.

Mortar fillets, lead flashings and other weatherings to chimneys should be well maintained as this is a first point

of water penetration. Lead flashings at chimneys should be inspected for early signs of deterioration; pitting or slipping out of position. Lead back-gutters behind chimneys often leak where they are not cleared out or snow collects against them.



# 05 Rainwater systems

A number of signs can emerge on a building which indicate that problems are occurring with rainwater goods. Usually this is because their maintenance has been overlooked. Signs to note in the vicinity of downpipes and gutters can include:

## External signs

- Plant or algae growth
- Eroded mortar joints
- Eroded masonry
- Damp staining to walls behind or beneath rainwater goods
- Saturation of masonry, brickwork or render
- Wet rot in external joinery
- Damage to foundations

## Internal signs

- Damp patches on wall and ceiling plaster
- Decay of timber skirting boards and panelling
- Dry rot in structural and concealed timber
- A musty smelling odour caused by dampness in rooms

Many problems, such as emerging leaks and overflows, might only be visible during heavy rainfall, which is why it is important to check rainwater systems during rainfall.

Please note that defective plumbing from waste pipes can also cause the same effects at low level.

Traditional buildings in the town centre contain one of several designs of cast-iron eaves detail and rainwater disposal; ogee and half-round.

Cast iron is a strong material which, if correctly designed and maintained, can be one of the most durable elements of the building fabric. However, if the paint layer which protects it is neglected, the underlying metal will rust and eventually fail, particularly if poorly detailed. Another potential problem is the misalignment of components, such as broken sections of drainpipes or gutters, which might only be evident during heavy rainfall.

Cast-iron is still manufactured today and there are companies specializing in producing cast patterns to a large range of designs and profiles. The paint applied to new cast iron rainwater systems at the foundry is only a transit finish so the system will need to be carefully painted to avoid rusting before it is installed with any bare or cut metal primed accordingly.

1) Cast-iron gutters were often designed to sit on the corbelled eaves of a brick or terracotta building and gutters formed an integral part of the design of the eaves. These gutters were usually flat-bottomed with a flat back and an ogee profile to the front. Because these gutters are fixed in position, and they sit on the wall-head, two faces are in permanent contact with brickwork / wallplate, and the bottom and back is often inaccessible; they are therefore difficult to paint and maintain in-situ. The joints of the cast sections need to



be checked regularly and a bitumen-based paint to BS416 can be added to the inside bottom of the gutter to prolong their life. Substituting cast iron with painted cast aluminium might be acceptable where access for redecoration is exceptionally awkward.

2) Half-round gutters are another traditional form of gutter. These are easier to maintain in-situ and can be painted in-situ. Gutters will need repainting approximately every 5-7 years, if painted properly in the first place.

Joints in cast iron rainwater pipes do not need to be sealed because the upper pipe runs inside the socket of the lower pipe, preventing leaks, and an unsealed pipe will be easier to dismantle and repair in the future. Generally, all that is required is three lead wedges placed between the socket and the spigot to centralise and secure it.

Gutters, on the other hand, must be sealed with low modulus silicone sealant or special rubberized bitumen gutter mastic. The sealant is spread evenly within the gutter socket before placing the gutter spigot into the socket and bolting them together with stainless steel or zinc-plated screws and washers. The nuts should be lightly tightened onto the washers to avoid damaging the paint. Finally, any excess sealant should be removed.

### Painting

When installing new gutters, it is essential that the cast iron is primed with two coats of a zinc-based primer, one coat of micaceous iron oxide, followed by two coats of gloss paint. These should be applied liberally to all surfaces and sanded between coats of gloss. Regular painting of cast iron is essential to prevent rust.

### Maintenance

It is essential that rainwater systems are functioning efficiently. Where this is not the case, blocked hoppers or leaking gutters can lead to frost damage of masonry and timber decay. Systems should be checked during periods of heavy rainfall as leaks will be more obvious. Gutters can fracture at bolt fixings. Where gutters sit on brackets, these should be checked to make sure that there are enough brackets to support the lengths of gutter and they are not sagging, which can lead to overspill.



Vegetation should be removed from gutters and downpipes, and gullies should be regularly cleared of blockages such as dead leaves - at least twice a year is recommended, once after the autumn leaf fall. Also remember to check hopper heads, if these survive. Scoop out the rubbish from the guttering using a trowel or a piece of card bent into a scoop within the profile of the gutter. To prevent the down pipe becoming blocked, do not push the rubbish into the top of the downpipe. When you have removed all of the solid rubbish and most of the soft rubbish, flush the guttering with water.

## 06 Brickwork

Swadlincote is dominated by brick buildings, most built between 1830 and 1920. Although these vary in style and detail, they share common construction methods and maintenance problems.

The later 19th century local bricks were often finished with a smooth dark red face. These were generally very good at resisting pollution and were often used in conjunction with Terra-cotta or faience (glazed terracotta).

There are other more unusual types of bricks, such as the buff-coloured bricks found in the back streets and on industrial buildings and patterned brickwork, where red and pink or buff-coloured bricks were used together to create interesting textures and patterns, such as Flemish bond chequerboard.

Brickwork, if properly looked after, should not need much maintenance. Pointing is designed to be sacrificial – this means that the joints have a life-span and will eventually over time deteriorate and will need re-pointing, but the more durable material – brick (or stone) should last indefinitely, if the joints are maintained properly. Although pointing will not last forever, in general, buildings dating from 1830-1920 will not need comprehensive re-pointing because the pointing will not have deteriorated to the same extent as much older buildings. Many of these buildings were built with robust brickwork, hard-fired, and built with fine joints. This will of course vary from building-to-building and certain locations will be more prone because of the prevailing weather patterns.

Brickwork can, however, become damaged if it is saturated for long periods, particularly on chimney stacks, on parapets, around rainwater pipes and at the bottom of walls - look out for these key areas.



Deeply-eroded mortar joints in walls should be raked out by hand and repointed using a lime-based mix (without cement).

Other signs to look out for on brick buildings include dropped brick arches to lintels and cracks through brickwork, not just through joints. These sorts of structural defects should be regularly monitored over time (at least for one whole year) before jumping to conclusions. It is best to seek professional advice over structural defects from a chartered surveyor or structural engineer.





## RE-POINTING BRICKWORK

It is not necessary to repoint entire elevations just for consistency of finish. Large areas of sound old pointing should be left undisturbed and patch pointing can be very successful.

### ***Problem – there are gaps / holes in the pointing***

#### *Possible reasons*

- *Serious decay of mortar joints because of rainwater flushing out mortar from above*
- *Plant growth / roots has pushed out or destabilized original mortar*

Mortar (pointing) should be sacrificial. Prior to the widespread introduction of Portland Cement in the early 20th century, buildings were constructed with lime mortars.

Lime-based mortars allow walls to “breathe” and are far more compatible with old brickwork than harder, impermeable cement mortars; sometimes a hard mortar has been used and, where this is harder than the surrounding brickwork, has created its own set of problems. This can lead to accelerated decay of the bricks leaving the harder mortar standing proud and the face of the bricks missing. Ideally hard, cement mortars should be removed, particularly where there is evidence that they are causing damage. If there are no signs of deterioration, then it may be best to leave the mortar alone.

#### Mortars

There are two types of traditional lime mortar – one is called a fat lime putty, the other is naturally hydraulic lime. Neither should be used when there is a risk of frost.

Fat Lime Putty comes supplied either as a tub of wet lime putty from specialist suppliers, or as a hydrated bag of lime, which will need to be soaked in water and left for some time (slaked) before it can be used. Using dry (hydrated) lime in a mix with a very small proportion of cement (1:2:9) 1 cement to 2 parts lime to 9 parts sand is occasionally acceptable for exposed chimney stacks but is not appropriate for general walling. For general walling, the mix should incorporate an additional ingredient, in the form of either crushed brick, PFA or a blast slag – known as pozzolanic material. This assists in the set of the mortar.

Naturally Hydraulic Lime is supplied from builders merchants or specialist quarry suppliers in a dry bagged form (hydrated). This is used in conjunction with sand, with no cement. Naturally hydraulic lime has certain properties which mean that it sets in combination with water and there is no need for any additives or cement. NHL is mixed in the proportion of 1 part lime to 2.5 parts sand by volume.

Naturally Hydraulic Lime is available in different strengths which vary according to where they come from. NHL 2 is normally the most useful for general brickwork. NHL 3.5 is ideal for exposed locations, such as high-level chimney stacks.

In either case, the aggregate (sand) in the mortar needs to be well-graded, which means that a general, soft building sand will be inadequate. The sand should have a range of aggregate sizes to prevent rapid shrinkage and to provide a satisfactory match to the original mortar. Sand should be ‘washed’ and ‘sharp’.



## REPAIR AND REPLACEMENT OF BRICKS

### ***Problem - the surface of the bricks has deteriorated, crumbled or “spalled”***

*Possible reasons:*

- *the use of a hard cement mortar rather than a lime-based one;*
- *continuous saturation (caused, for example, by leaking gutters)*
- *rotten timber lintels over windows and doors*

### ***Problem - the brickwork has cracked or is bulging out from the rest of the wall***

*Possible reasons:*

- *tree root damage – shrinkage of clay subsoil*
- *rotten timber lintels over windows and doors*
- *removal of load-bearing walls internally*
- *plants growing in joints*
- *ground heave / subsidence*

The bricks themselves can often be carefully removed and then reversed to hide the decay.

Only bricks that are severely damaged should be cut out and replaced.

See list of sources of replacement brick at the end of the guide. We advise against the use of reclaimed bricks from different buildings, as they may be under-fired, painted or from an internal wall.

Replacement bricks should match the existing ones as closely as possible in size, colour, texture and durability. They should be laid in the same way, i.e. with the same bond. It is better to leave replacement bricks to blend in naturally over time than to try and tone them down.

# 07 Terracotta

Terracotta is particularly expensive to replicate or to restore. There are no off-the-peg sources for modelled terracotta, although you may be lucky and find a new source for the small details, such as a decorative band or moulded eaves / cornice. There are two companies specialising in fabricating modelled bespoke terracotta. There is also one local company manufacturing off-the-peg terracotta components, such as chimney pots, ridges and copings. Full details of suppliers are included at the end of the guide.



# 08 Cleaning

## CLEANING BRICKWORK

In general, it is NOT advisable to clean brickwork, unless the grime / heavy soiling is causing further corrosive problems to the brickwork or if there is graffiti. In many cases it will do more harm than good.

Abrasive cleaning techniques will probably remove the protective fireskins from the bricks, leaving the softer inner parts vulnerable to decay.

There are systems available using high-pressure steam cleaning (e.g. DOFF™). If brickwork needs cleaning, this type of system is likely to be the most suited to the brick buildings in Swadlincote because it has no abrasive particles which can damage the face of the bricks. A trial area should always be undertaken on an unobtrusive location.

However, if a building is part of a row, as many in Swadlincote are, it is probably advisable not to clean it. If you are thinking about cleaning your building, please speak to the conservation officer for free advice.

## CLEANING TERRACOTTA

Cleaning of terracotta is a specialist job, as it is very easy to damage the face of the terracotta.

For a list of suitable specialist cleaning companies that can undertake this level of skilled work, please speak to the Conservation Officer.

# 09 Render

Swadlincote has very few old rendered buildings. Render was used for several reasons; to cover up and protect poor quality building materials, such as rubblestone, or, in the absence of fine stone and for economy, render was used to create a smooth finish to a façade. For architectural reasons, a smooth finish was important in classical designs, where render was often used to imitate fine ashlar stonework. During the 1960s and 70s render was a fashionable alteration and it often covered up original facing bricks or stone. It was inevitably a cement-based render.

Render was more commonly used in the first half of the 19th century in classical Georgian designs. The examples at Swadlincote are mainly the earlier buildings in the town, pre-1850. We can see render used at 25-35 West Street in conjunction with moulded stucco architraves, which frame each window; here render unifies the row and creates a simple, classical form.



Later examples of render in the town centre are usually limited to small panels, combined with a timber-frame effect, and date from late in the 19th century – they

were used to create the illusion of a much older “Olde English” building, a detail typical of the Arts and Crafts movement.

Render can become cracked, ‘blown’ or just generally worn over time. Hairline cracks can allow rainwater through and behind the render. If the render is a cement-based mix, water can become trapped behind the sheet of render. Frost action can cause significant damage to the brickwork and any hidden timber underneath the render. If you have a rendered building, look out for any areas of detached or hollow patches of render or any cracks.

When painting a rendered building, it is always advisable to use paints which do not seal in the moisture and rendered buildings, like brick ones, need to be able to ‘breathe’. Acrylic paints should be avoided but with a build-up of paint over many years, the chances are that one of these old coats of paint was acrylic. For this reason, it is particularly important to monitor rendered buildings.

If patching render, the best way to create a smooth and compatible repair is to have the render analysed to see what it contains. However, this is not always an affordable option.

Where patch repairs are required, particularly to stucco renders, it may be necessary to cut out slightly larger areas, to avoid a patchy appearance between old and new. This will need to be determined by architectural features (e.g. architraves or projecting bands) or by the corners of a façade.

Non-traditional features such as bell drips, metal angles and stops should be avoided. Architectural features such as rustication, lining-out, cornices and architraves should be carefully copied in any scheme of repair.

In Swadlincote render was usually one of two types; either a Roman Cement Stucco, or a lime render. Both can be easily reproduced today but rendering is a skilled job when using



these materials. A straightforward cement render is almost always unacceptable on an old building. It is hard, impervious and will not allow the walls to 'breathe', trapping in any moisture.

When investigating render on the Arts and Crafts timber-frame buildings, it is more usual to find a harder cementitious render. If these rendered panels are not cracked, it is important to check the junction of the render and the timber frame, where there may have been some shrinkage, to make sure this is properly sealed. These joints can be sealed with an expandable material, such as lime mortar or oakum, not mastic.

If you are considering replacing large areas of render, it is advisable to discuss this with the District Council conservation officer for technical advice.

For a list of local skilled contractors who use traditional renders please visit the following website;

[www.derbyshirehistoricbuildings.org.uk/craftsregister.php](http://www.derbyshirehistoricbuildings.org.uk/craftsregister.php)

# 10 Windows, doors and external joinery

A large number of traditional joinery details in Swadlincote have been restored over the last two decades.

The planning authority is seeking to introduce an Article 4 Direction, which will ensure that property owners of the historic buildings in the conservation area apply for planning permission to replace windows or doors. Full details of all properties affected by this are on the District Council website.

Painted external joinery can deteriorate rapidly if finishes are not maintained. Softwood joinery needs to be protected with a paint finish - on average every 5 to 7 years. Timber door and window cills are more exposed to weather than any other element of joinery and tend to deteriorate more quickly, even when made of hardwood. Cracked or peeling paint also allows water into the frame and due to the impermeable nature of most modern paints, this leads to trapped moisture and subsequent decay. Any cracks or open joints should be filled to stop water getting in and causing rot through fungal decay. Open joints also allow, or cause, the frame of a door or window to sag, making opening and closing difficult. Broken or missing putty should be replaced, otherwise water may rot the glazing bars.



Most historic windows and doors can be repaired adequately for far less cost than replacing them. In the Swadlincote conservation area, where original sash windows and panelled doors are beyond repair, we encourage that they are replaced with like-for-like copies. A grant may be available and you are advised to check availability of grants with the District Council Conservation Officer.

Replacement windows will need Building Regulations approval. For domestic properties, there are some windows-supply companies that are registered under a “competent person scheme”, which means that the windows they supply meet the required standards. However, please check that these windows are appropriate in the conservation area. Many will be to a standard size and material which does not replicate the details of historic windows. The Local Planning Authority are working with the Building Inspectors on achieving appropriate standards in the conservation area.

If you are retaining or reinstating sash windows, and you need to upgrade the energy efficiency and performance of the windows, there are two options to consider – installing secondary glazing or draught proofing. Secondary glazing has further benefits in significantly reducing external noise.

For advice on how to improve the thermal performance of windows in the conservation area, how to successfully install secondary glazing or draught-proof, there are detailed advice notes available from the English Heritage website; [www.english-heritage.org.uk/your-home/saving-energy/](http://www.english-heritage.org.uk/your-home/saving-energy/)



# 11 Paint

The local planning authority is proposing to introduce an 'Article 4 Direction' into the town, which will have an influence over the paint colours adopted in certain parts of the Conservation Area. We have produced a colour chart to show a large range of Victorian and Edwardian colours that would be recommended in the conservation area.

You are advised to check the planning website to see if your property is affected.

## Paint for Joinery

Paint for external joinery needs to provide a protective finish to prevent moisture from becoming sealed and trapped and causing rot.

Historically, during the 19th century paint was manufactured using either toxic lead or oil. Lead paints are not now manufactured for general use, for obvious reasons, but traditional oil paint is manufactured by a limited number of companies. This is supplied with either an eggshell finish or a more gloss finish.

Gloss paint was almost universally introduced in the 20th century and this is still an acceptable finish for joinery, as it provides longevity. Many gloss paints are made with solvent-borne V.O.C.s. Provided that these are limited to external joinery, they can be used. Water-based gloss paints, are not generally as long-lasting as solvent-borne / oil based gloss paints and when using water-based paints, external joinery is likely to need more regular maintenance / re-application.

Microporous paints are available which in theory allow the timber to 'breathe'. These may be suitable in some circumstances. There are a limited number of suppliers of suitable microporous paints.

## Paint for Render

Render was usually painted and even if it was not originally painted, it may have been subsequently painted at some time. The type of paint chosen for currently rendered buildings will depend on the current paint system. Masonry paints vary in constituents and not all masonry paints will be suitable, if they remove the breathability of the render and form a film over the surface. Water-based masonry paints are more suitable than acrylic-based paints. Textured masonry paints will almost always be unacceptable on the conservation area. It is best to ask the manufacturer first about the composition as once paint is applied to render, it will be almost impossible to reverse the process without great expense.

For new render, there are two options we recommend; either limewash, which needs regular maintenance, or a mineral paint, which bonds to the render and lasts a considerable amount of time before needing re-painting (25-30 years). Both are vapour permeable. Before deciding on which option, it is advisable to discuss this with the conservation officer, as they have different maintenance implications.

## Paint for Brickwork

There are a number of buildings in the conservation area which have painted brickwork. This very old local tradition seems to have its roots in the early 19th century practice of painting brickwork to create a more Picturesque character to a cottage. This was a practice adopted by many of the local estates. However, where an existing brick or stone building has not been painted, the planning authority will advise against this practice. Most brickwork was designed to be seen and to be decorative and add texture; painting creates a permanent maintenance problem. Of the properties included in the Article 4 Direction, the

planning authority will resist painting currently unpainted brickwork.

For those buildings which are already painted, it is preferable to adopt a simple pale or stone-coloured paint. Alternatively, it may be possible and desirable to remove the paint and the conservation officer can advise on the suitability of this for specific buildings and the best way of removing paint.



# DOS AND DON'TS

DO	DON'T
carry out regular inspection and maintenance	allow serious defects to remain
seek advice from suitability qualified professionals	expect independent advice from someone who has something to sell you
use only reliable contractors or craftspeople	employ anyone without seeing references or inspecting their work
Avoid cement pointing Avoid hard renders Avoid spray-on roof foams	
respect the building's character and history and make sure new work is sympathetic to it	remove or demolish any original element if it is part of the special character of Swadlincote
use traditional materials and proven techniques	
analyse the cause of the defects	rely on commercially based claims for any product or technique
Be wary of companies that claim to waterproof buildings. They rarely help with old buildings, many of which need to "breathe" to perform efficiently	use so-called 'maintenance free' products
remedy previous bad repairs	
obtain necessary planning and legal consents	do any work without the required consent

# SOURCES OF MATERIALS

Swadlincote is particularly distinctive for its range of local building materials, some of which were originally manufactured in the town, and many sourced from nearby factories or potworks. The re-use of building materials from demolished buildings, which incorporate those particular local characteristics, will be encouraged, as the locally made materials are a finite resource. Some materials, such as salt-glazed stoneware, are no longer manufactured due to the hazardous conditions of manufacture. These are particularly desirable to maintain.

New building materials should be sourced locally whenever possible in order to maintain local distinctiveness and to reduce travel distances. The use of modern materials should be limited to situations where their use would help create a building of clear townscape quality which would further enhance the quality of the area.

## Red Bricks

The dominant building material in the town centre is red brick. There are a few early 19th century buildings but the majority of the buildings are mid-late 19th century and these used in association with the more refined smooth qualities of terracotta demanded a more consistent and precise finish to the facing bricks; these tend to be a deep red colour.

Bricks that may be suitable for new build adjacent to smooth Victorian reds are;

Ibstock Leicester Tapped Red

Ibstock Leicester Orange (and poss. Red) Stock

Ibstock Arden Red

Charnwood Forest Brick Victorian Red – handmade bricks in three colours, best mixed

Terca Dorchester Red

Milton Hall Soft Traditional Red

Bricks that may be suitable for general building in the town centre can be more red-orange, including boundary walls;

Furness Brick Company 'Natural Orange' 73 x 215 (used for Swadlincote Masterplan works)

Furness Brick Company 'Ember Blend' (used for rear wall at 47 West Street Swadlincote and boundary wall at 34 Church Street on corner of Civic Way)

Furness Brick Company 'Old Victorian Red Light/Medium'

## Stockists

Furness Brick And Tile Company

Askham in Furness

Cumbria

LA16 7HF

Tel: 01229 462411

Charnwood

Old Station Close,

Shepshed

Nr Loughborough

Leicestershire LE12 9NJ

Tel: 01509 503203

Ibstock

Leicester Road,

Ibstock,

Leicestershire LE67 6HS

Tel: 01530 261999

Terca (Weinerberger)

John Byrne

Tel: 07795 037984

### Buff-coloured facing bricks

Whilst fireclays were valued as refractory raw materials, the fireclays with low iron contents were used for the manufacture of vitrified clay pipes and stoneware pottery. Traditionally in Swadlincote, the local fireclays which exhibited relatively low iron contents were also used for the manufacture of buff-coloured facing bricks. There are examples of buff-coloured facing bricks scattered around the town, often reserved for the industrial complexes, such as along Alexandra Road, at the Sharpes Pottery site, or for bands of contrasting colour.

Buff-coloured facing bricks can be obtained from a limited number of suppliers. There are none in the Swadlincote area.

Furness Brick Company – Mixed Yellow

### Blue bricks for paving

The blue wire-cut bricks that can be found throughout the town are;  
“Ketley Brick Dragfaced Square Edged Staffordshire Blue Pavers”

Ketley Brick Company Ltd  
Dreadnought Works  
Pensnett  
Brierley Hill , West Midlands DY5 4TH  
tel: 01384 78361  
or tel: 07809 523995

### Granite for kerbs, paving, gulleys and channels

New granite supplied for the town centre improvements has come from;  
“Hardscape Mill Red granite kerbs and  
Hardscape Royal white granite channel blocks and setts”

### Sandstone

New granite supplied for the town centre improvements has come from;  
“Woodkirk Stone Quarry”  
Woodkirk Stone  
Britannia House  
Morely, Leeds  
Tel: 01132 530464

### Terracotta

There are two specialist companies in the UK currently manufacturing new terracotta details for buildings; Shaws of Darwen and Hathern Terra Cotta. Terracotta is a very special product that has a long history of use in the town centre. It takes great skill to replicate terracotta details.

Shaws of Darwen  
Waterside  
Darwen  
Lancashire  
BB3 3NX  
Tel: 07792 267483

Hathern Terra Cotta,  
Charnwood,  
Old Station Close,  
Shepshed, Nr Loughborough Leicester-  
shire LE12 9NJ  
Tel: 0844 931 0022

or 01254 775 111

### Glazed Bricks for Stall Risers

Glazed bricks are manufactured by Ibstock and are available in any bespoke RAL colour-matched bricks, as well as a range of standard colours.

[www.ibstock.com/glazed-bricks-introduction.asp](http://www.ibstock.com/glazed-bricks-introduction.asp)

(Ibstock Leicester) 01530 261999

Tel: 0870 903 4000

### Clay Building Materials

Clay building materials include red, blue and red clay details manufactured for buildings.

They include chimney pots, clay copings in “saddleback” and “hogs back” profiles, crestings and pierced designs for roof ridges, plain clay ridges and decorative finials. They also include decorative bricks used as a string-course or a moulded eaves, found on the terraced properties in Swadlincote.

There are several sources for these products. The closest to Swadlincote, and the source which has been used for most of the grant-aided work, is;

“Hanson Redbank”

Atherstone Road,

Measham

Swadlincote, Derbyshire DE12 7EL

tel: 01530 270 333



## APPENDIX 5 – LEGISLATION AND PLANNING POLICY

## **Appendix 5 - LEGISLATION AND PLANNING POLICY**

### **National Planning Legislation**

#### ***Planning (Listed Buildings and Conservation Areas) Act 1990***

Section 69 requires that local planning authorities shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas. The Act therefore places a duty on the local planning authority to designate conservation areas in areas which they consider meet the criteria.

Section 72 of the Act places a duty on the local planning authority in the exercise of their planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Section 71 of the Act requires that from time to time, local planning authorities shall formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

Section 73 of the Act requires the local planning authority to publicise proposals which would in their opinion affect the character and appearance of a conservation area. Such proposals need not be within the conservation area and PPG 15 (Paragraph 4.14) further advises that in the Secretary of State's view, the desirability of preserving or enhancing the character or appearance of the area should also be a material consideration when considering proposals which are outside the area, but would affect its setting, or views into or out of the area.

#### ***National Planning Policy Framework (2012)***

##### Town Centres

Underpinning the National Planning Policy Framework is the requirement for the local planning authority to ensure the vitality of town centres. Policies for town centres are set out in section 2 of the guidance.

##### *2. Ensuring the vitality of town centres*

23. Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should:

- recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;
- define a network and hierarchy of centres that is resilient to anticipated future economic changes;
- define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted

- in such locations;
- promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres;
- retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive;
- allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites;
- allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre;
- set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres;
- recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites; and
- where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity.

### Good Design

Underpinning the National Planning Policy Framework is the requirement for the local planning authority to consider design at the heart of sustainable planning. Policies for design standards are set out in section 7 of the guidance.

#### *7. Requiring good design*

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of

- green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
  - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
  - are visually attractive as a result of good architecture and appropriate landscaping.

59. Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

62. Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. They should also when appropriate refer major projects for a national design review. In general, early engagement on design produces the greatest benefits. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.

63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

65. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to



a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).

66. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

67. Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

68. Where an area justifies a degree of special protection on the grounds of amenity, an Area of Special Control Order may be approved. Before formally proposing an Area of Special Control, the local planning authority is expected to consult local trade and amenity organisations about the proposal. Before a direction to remove deemed planning consent is made for specific advertisements, local planning authorities will be expected to demonstrate that the direction would improve visual amenity and there is no other way of effectively controlling the display of that particular class of advertisement. The comments of organisations, and individuals, whose interests would be affected by the direction should be sought as part of the process.

#### *8. Promoting healthy communities*

69. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

70. To deliver the social, recreational and cultural facilities and services the

community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

71. Local planning authorities should take a positive and collaborative approach to enable development to be brought forward under a Community Right to Build Order, including working with communities to identify and resolve key issues before applications are submitted.

73. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

### The Historic Environment

The bulk of the policies related to the Historic Environment fall within Chapter 12, although they are picked up in other sections of the Framework.

#### *12. Conserving and enhancing the historic environment*

126. Local planning authorities should set out in their Local Plan a positive

strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

128. In determining applications, local planning authorities should require an applicant 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 proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

132. 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

136. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

138. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require



developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.<sup>30</sup> However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

# APPENDIX 6 - SWADLINCOTE CONSERVATION AREA CHARACTER STATEMENT - JANUARY 2015

[http://www.south-  
derbys.gov.uk/planning and building control/conservation and heritage/cha  
racter statements/default.asp](http://www.south-derbys.gov.uk/planning_and_building_control/conservation_and_heritage/character_statements/default.asp)

## APPENDIX 7 – Costed Plan

### Council commitment to ensure third party grant holders maintain their building:

- Each grant holder prepares and signs up to a costed maintenance plan for their building as a condition of the grant (the TH officer approves this before paying the last 10% of the grant);
- Regular inspections and enforcement action by the Conservation Officer as necessary.
- Gutter clearance days – 1 per year at cost of £750 cherry picker hire (plus £250 cost of marketing and promotion) – Total £1,000 per year (after project completion – 2019 onwards). Opportunity to link this project with the annual fitting of the Christmas lights (done with a cherry picker) to be considered.

<b>Generic costs for maintenance and repair of historic buildings</b>			
	Unit	Rate (£)	Notes
Remove and replace existing blue slate roof and crested terracotta ridge tiles including breathable sarking felt and battens to both slopes.	M <sup>2</sup>	155	
Provide semi-circular clay ridge tiles to roof ridge	Per m	50	
Remove uPVC rainwater goods and provide cast-iron replacements inc. hoppers.	item	750	
Remove existing rainwater goods and provide painted half-round cast-iron replacements inc. hoppers	item	1,000	
Rake out (25mm max) and re-point brickwork to side elevation. Provide replacement bricks to match existing where damaged; surrounding broken rainwater outlet.	M <sup>2</sup>	30	
Rebuild chimney stacks to street elevation roof to original height and provide new traditional clay chimney pots.	Number	3,000	
Provide traditional clay chimney pots to chimneys.	Per pot	250	
Sash window – (within a bay) 1150x1520mm (approx.)	Per window	1,400	
Replace existing windows with painted timber framed casements with single-glazed windows to a traditional design: 1680x1200mm each.	Per window	1,000	



Demolish existing stone boundary wall and reconstruct new wall (approx. 0.5m high) in new or reclaimed brick off new strip foundation if required. Allow for double bull nosed blue engineering brick-on-edge coping	Per m	200	
Prepare, prime and repaint all joinery items in approved colour scheme.	Item	250	
<b>Shopfront specific items</b>			
Remove existing contemporary shopfront complete with stall riser, glazed shopfront and entrance door together with associated pilasters, fascias, cornice and the like; make good backgrounds externally; extend and make good floor, wall and ceiling finishings internally	M <sup>2</sup>	200	
Provide all necessary temporary screen for weather protection and security	M <sup>2</sup>	50	
Prepare base and construct new brick stallriser (salt glazed brick or render finish); timber framed shopfront complete with mullions, transoms and the like glazed with toughened or laminated glass secured with screwed bead; pilasters to each side complete with plinth / base, capital and consol / corbel; fascia with hand painted or individually mounted lettering; cornice over with lead flashing; decoration	M <sup>2</sup>	1,500	

<b>Maintaining the public realm</b>	<b>Unit</b>	<b>Rate (£)</b>	<b>Budget responsibility</b>	<b>Any extra SDDC budget needed as a result of the CAMP?</b>
Diana Garden	Per year	750	Depot/Open Spaces	no
Gulleys clearance	Per year	600	Depot	no
Removing graffiti	Per year	400	Depot	no
Gum clearance	Per year	500	Depot	no
Weed clearance	Per year	300	Depot	no
Litter picking, mechanical sweeping, toilet cleansing	Per year	42,000	Depot	no
Cleansing reactive works	Per year	2,000	Depot	no
Toilet and litter bin maintenance	Per year	3,500	Depot	no
Fixing block paving and other street surfaces; Fixing and maintaining street furniture; Re-painting street furniture; Maintaining architectural lighting on Delph and West Street and other electrical supplies for the market stalls; Building gutter clearance days (cherry picker hire or link event with when Christmas lights cherry picker is in town).	Total budget available per year for all town centre maintenance tasks	13,000	Town Centre Maintenance	no
Re-painting town hall railings	Approx every 10 years or as required	1000	Property services	no
Delph pleached tree trimming	per year (required once per year)	Negligible (part of wider town centre maintenance regime)	Depot	no
Trimming and / or removal of trees in the public realm (largely High Street)	tbc	tbc	Derbyshire County Council	no

## **Swadlincote Delph Railings Maintenance Advice and Costs**

**by David Tucker, Master Blacksmith Artist**

### **Protective Coating**

The railings are made of forged mild steel which has been hot-zinc sprayed for enhanced corrosion resistance. The zinc spray leaves a bright silver finish to which paint does not adhere very well, so the railings were subsequently etch primed before coating in matt black paint.

### **Final Paint finish**

Normal painting has the effect of flattening the surfaces, meaning that the surface textures created by hand-forging are lost. The final decorative finish is in a special paint mixed by me and designed to bring out and enhance those surface qualities. This is an oil-based, silk black paint, with the addition of various grades of flake graphite which, when polished, restores something of the qualities of hand forged ironwork.

### **Maintenance and re-painting**

The zinc spray, etch prime and matt-black undercoat will create an excellent protective coating which should give many years of protection from corrosion and there is little maintenance necessary.

If struck with a metal object, the paint will chip down to the zinc layer, showing a bright silver. This should not rust as the zinc protective layer will still be intact, but should be touched up with graphite paint for aesthetic reasons and to prevent the damage spreading.

If any rust does appear, it is most likely to be at joints, collars etc where elements meet and ingress of water is possible. The rust must be completely removed, without removing any unaffected zinc coating, primed with a special cold-galvanizing paint such as 'Galvafroid' or 'Zinga', and then primed and painted in matt black before painting with graphite mix.

The decorative graphite top coat will fade in time and will need to be re-finished to maintain the aesthetics of the railings. A light rubbing down with fine wet and dry paper will be necessary to prepare the surfaces for painting and remove any moss or surface damage. Be very careful not to rub down to the grey undercoat.

### **Applying the graphite paint**

I can supply this, ready mixed, though it's application is quite involved. The paint must be thoroughly mixed first and applied to one panel at a time. The secret is to apply not too much paint and to work in manageable sections at a time (one panel). When the paint is beginning to dry, but not yet fully hard, it must be rubbed down with a soft, lint-free cloth. This has the effect of flattening the graphite flakes on the surface and polishing them. There is quite a short time window for this polishing and only practice and experience will tell you when. The base paint that I use for this is International Black Satin, an oil based paint that can be thinned with turpentine. It is readily available and I am sure that it would give a reasonable finish without the graphite.

**Estimated cost for me to undertake re-painting (inflated to 2015 prices)**

For the preparation and application of a new graphite finish (assuming no rust) £890

Costing for the treatment of rusting would require investigation into the problem and would be extra.

Supply of graphite paint mix only	£167
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# Swadlincote Conservation Area MANAGEMENT PLAN

January 2015

