

Draft Wednesbury Conservation Area Management Plan 2023



1. Purpose

The successful long-term management of the Market Place conservation area depends on management that respects its special character and helps address known weaknesses and threats to this character. This Conservation Area Management Plan has been developed as a means of bringing together the various tools available to ensure that the special character and quality of the Market Place conservation area is retained and enhanced. It aims to help guide future positive management of the conservation area, both in terms of planning measures and the strategic planning framework, and through the identification of a series of 'Management Principles' for Sandwell Council and stakeholders to help guide future work.

It builds on the conservation area appraisal carried out in 2023 (Section A) which outlines the historic significance, character and heritage values of Wednesbury Market Place, including the various aspects – built, natural, historic and archaeological - which together create a sense of place within the settlement and which combine to justify conservation area designation of the area for its special character and interest. The appraisal also sets out the current key problems and pressures that may impact on the area (Section B) and affect its special qualities.

2. Principles for the Future Management of the Conservation Area

The strengths, weaknesses, opportunities and threats outlined in Section B of the conservation area appraisal have been developed into the following overarching principles to help guide the future management of Wednesbury Market Place conservation area in a way which will protect and enhance its special character.

1. Ensure that future development in the area considers the characteristic materials, form, height and scale of the buildings in the town centre, including the siting of buildings within historic plot boundaries.
2. Protect and enhance significant views and vistas through, into and out of the conservation area.
3. Discourage further loss of historic features by encouraging owners and occupiers to understand their importance and incentivising maintenance and good design.
4. Improve the appearance of the townscape through decluttering the public realm and ensuring future repairs/renewal of street furniture, surfacing, lighting and signage is standardised and in-keeping with the look and feel of the Market Place.
5. Enhance urban greening by removing trees and vegetation which have a negative impact and prioritising planting which has a positive impact on character.

3. Tools for future management of the conservation area

3.1 Existing Planning policies

Existing policies effecting the Wednesbury Market Place conservation area are contained within the **Black Country Core Strategy (2011)** and the **Site Allocations Development Plan Document**

(SADDPD) (2012). These documents form part of Sandwell MBC's Local Development Framework and guide planning decisions. Relevant policies are outlined below.

The Black Country Core Strategy

The Black Country Core Strategy was formally adopted in 2011 and sets out the strategic planning policy for the four Black Country Local Authorities (Dudley, Sandwell, Walsall and Wolverhampton), including a vision and objectives to guide future development and growth in the Black Country in the period up to 2026. The Core Strategy seeks to protect and enhance distinctive assets in different centres and makes specific reference to the markets in Wednesbury (Section 4.41).

Policies of particular relevance to the management of the Wednesbury Market Place Conservation area include:

CEN4 Regeneration of Town Centres which states development for retail, office, entertainment and leisure will be permitted, where they are of an appropriate scale that reflects the size and role of the town centre. Of particular importance is to encourage new convenience development and support proposals to extend or refurbish existing stores where they are well integrated and to serve to anchor the centre as a whole. Individual retail developments of up to 650 square metres net for convenience goods and 500 square metres gross for comparison goods will be considered appropriate. The use of upper floors will be encouraged to accommodate relevant town centre uses.

CPS4 Place-Making which requires development to demonstrate a clear understanding of the historic character and local distinctiveness of an area and show how proposals make a positive contribution to place-making and environmental improvement. It requires new design to be influenced by context and heritage in order to enhance local character.

ENV2 Historic Character and Local Distinctiveness which states that all development should aim to protect and promote the special qualities, historic character and local distinctiveness of the Black Country.

TRAN4 Creating Coherent Networks for Cycling and Walking which states that where possible, existing transport links should be enhanced and links extended to serve new development.

Site Allocations Development Delivery Plan Document

At a Borough-wide level, the Site Allocations and Development Delivery Plan Document (SADDPD), adopted in 2012, covers key policies which are in place to protect the distinctive landscape, individual buildings and the archaeology of Sandwell. The SADDPD specifically identifies the historic centre of Wednesbury as an '*Area where local distinctiveness and character should be enhanced and protected*' (13.39).

HE1 (Listed Buildings) safeguards and encourages appropriate enhancement of listed buildings and their settings and resists demolition.

HE2 (Conservation Areas) requires that development affecting conservation areas should preserve or better reveal the positive elements of the conservation area.

HE5 (Archaeology and Development Proposals) recognises the importance of recording, preservation and evaluation of archaeology.

HE3 (Buildings and Structures of Local Historic/Architectural Importance) relates to buildings of local significance which do not meet the criteria for statutory listing. It requires proposals for alteration, extension or change of use to clearly demonstrate positive contribution towards the architectural or historical significance of the building or structure. Demolition is resisted unless it can be demonstrated no viable use can be found or that the proposal has substantial public benefit.

HE 6 (Areas of Townscape Value) requires proposals for change within these areas to firstly identify the significant elements of the area and ensure proposals will make a positive contribution towards these components.

SAD DM2 (Poster Panels) states poster advertising may be appropriate in predominantly business parts of conservation areas and Areas of Townscape Value though care will be needed in how they are accommodated.

SAD Policies DM10 (Shop Front Design) and **DM8 (Design and Installation of Shop Front Roller Shutters)** require that applications for the installation of shop fronts respect the scale and character of shops and the street scene and that historic and good quality elements are retained.

The SADDPD was initially intended to guide development within the Borough until 2021. The Local Authority are currently preparing a new Sandwell Local Plan which is scheduled for adoption in 2025. The Draft Sandwell Local Plan will be published for consultation in Autumn 2023. Until the new Local plan is adopted, the SADDPD, along with the Black Country Core Strategy, continue to be the statutory Local Development Documents.

3.2 Planning Measures

In addition to Local Planning policies, the Planning Acts give powers to Local Planning Authorities to deal with issues affecting the historic environment and its proactive management. The key relevant measures include:

POWER	STATUTORY BASIS	PURPOSE
Amenity of Land Notice	s.215 Town and Country Planning Act 1990	To require an owner or occupier to carry out works to improve the external condition of a building or land if its neglect is adversely affecting the surrounding area.
Urgent Works Notice	<p>For listed Buildings: s.54 Planning (Listed Buildings & Conservation Areas) Act 1990</p> <p>For unlisted buildings: s.76 Planning (Listed Buildings & Conservation Areas) Act 1990</p>	<p>To allow a local authority to directly carry out works that are required urgently to make an unoccupied listed building weather-tight and thus prevent further deterioration.</p> <p>To allow a local authority to directly carry out works that are required urgently to make an unoccupied, unlisted building weather-tight and thus prevent further deterioration.</p>
Repairs Notice	s.48 Planning (Listed Buildings & Conservation Areas) Act 1990	To allow a local authority to specify to the owner works it considers reasonably necessary to secure the future of a listed building. If the repairs are not carried out, the power can lead to compulsory purchase of the building.
Compulsory Purchase Order	s.47-48 Planning (Listed Buildings & Conservation Areas) Act 1990	When all other measures fail, to allow the local authority to compulsorily acquire a listed building in order either to repair it itself or sell it on to be restored by a buildings preservation trust or other new owner.
Planning Enforcement Notice	s. 172 Town & Country Planning Act 1990	To remedy a breach of planning control
Listed Building Enforcement Notice	s.9 Planning (Listed Buildings & Conservation Areas) Act 1990	To remedy a breach in listed building control

Restriction of Deemed Consents Discontinuance notices	Town and Country Planning (Control of Advertisements) (England Regulations 2007) Regulation 8	Discontinuance Action is when a local planning authority serves a notice (a discontinuance notice) under Regulation 8 requiring that the displaying of advertisements with deemed consent be discontinued.
Area of Special Advert Control	Town and Country Planning (Control of Advertisements) (England Regulations 2007) Regulation 20	This is where a local authority defines an Area of Special control in order to have more control over advertisements
Removal of permitted development rights – Article 4 directions	Town and Country Planning (General Permitted Development) England) Order 2015	Allows local planning authorities to remove certain permitted development rights by issuing an ‘Article 4’ direction. This provision means that a planning application needs to be submitted for work which does not normally need one.

3.3 A Framework for Design & Maintenance Standards

Based on the potential threats identified in Section B of the Conservation Area Appraisal, Sandwell MBC have developed the following framework to support design and maintenance standards in the conservation area.

Wednesbury Market Place Conservation Area Design Standards

Planning applications will be determined with particular reference to the contents and findings of the Wednesbury Market Place conservation area Appraisal and the Black Country Historic Landscape Characterisation (BCHLC). Accordingly:-

1. New build and development should seek to:

- **Be of good quality design which takes account of its historic context:** Any partial or complete new build is expected to be of good quality design and construction and positively enhance the quality of Wednesbury's historic townscape. Development should use a sympathetic palette of materials and a scale of development that maintains the historic character of the street and particularly the 2-3 storey, narrow fronted buildings that provide the distinctive character of this historic market town.
- **Reinforce and enhance historic street patterns:** Any partial or new build should retain or, where lost, reinstate Wednesbury Market Place's historic street patterns, ensuring street frontages are continuous, and avoiding presenting the backs of buildings and servicing arrangements to established public routes and spaces, retaining or reinstating continuity with the historic streetscape.

2. The retail areas will be expected to have:

- **Good quality shopfronts and signage:** Any changes to shopfronts or signage will be in accordance with policy and ensure that signage, alterations or replacement shopfronts use materials and a scale proportionate to the building. Internally illuminated shop front signage will not generally be considered to be acceptable.
- **Security measures,** where required, should be designed so as to be inconspicuous; retail units be expected to have internal security fittings which are invisible externally and avoid concealing historic details. Shutters should be either grille or punched with a high degree of visibility.

3. Where relevant, proposals for alterations to buildings within the conservation area will be expected to:

- **Retain or, where lost, reinstate architectural detailing:** any new proposals for shopfronts or changes to windows or doors will be expected to restore historic detailing where possible and use traditional materials and techniques for new work and repairs.

4. The positive reuse of historic buildings will be encouraged by:

- **Considering high quality proposals positively:** The sensitive reuse of partially or completely vacant buildings will be encouraged in order to increase usage of buildings and tackle any

underlying character of neglect. In retail and commercial properties, the emphasis will be on retaining, economic activity at street level where viable, but the more effective use of upper floor space will be encouraged. Any wholesale change of use will be expected to retain the character and appearance of the area.

5. Work to the Public Realm will be expected to:

- **Maintain historic and new areas of paving:** ensuring that utilities, repairs and new work in the conservation area reinstate the high-quality new paving on a like for like basis.
- **Support the replacement of unsympathetic paving with traditional paving and designs:** ensuring that any future alterations or updating of the paving scheme/pedestrianised zones in the conservation area reinstate high quality new materials.
- **Consider signage and street furniture:** ensuring that proposals for new or replacement signage and street furniture are sited in locations sympathetic to the historic character and appearance of the area. Any new elements will use the palette of recent work through the HSHAZ and designs established to develop a cohesive appearance and sense of continuity across the conservation area.

Wednesbury Market Place Conservation Area Maintenance Standards

‘Maintenance’ is work that is necessary to protect the fabric of a building and keep it weatherproof. It does not include any work to put right significant problems, or work needed to bring a building in poor repair back to good condition. Carrying out active annual maintenance prevents the onset of serious structural problems which may need expensive repairs in the future. Some maintenance works will be required annually. Others, such as the clearing of gutters and vegetation, may need to be undertaken several times a year. Typical tasks include:

- regularly inspecting buildings to check their condition and identify any problems that need attention;
- making sure that gutters are free of debris and are in working order
- replacing slipped roofing tiles or slates, to stop rainwater getting in
- repainting timber windows and doors at least every 5 years
- repointing walls and clearing plants growth such as ivy or vegetation from the base of walls.

4. Putting the Conservation Area Management Plan (CAMP) into Practice

The Conservation Area Management Plan (CAMP) will be used in conjunction with Sandwell Local Plan Wednesbury Market Place Conservation Area Appraisal and the Black Country Historic Landscape Characterisation (BCHLC) to ensure sensitive interventions to conserve, repair and enhance the historic fabric of Wednesbury Market Place.

The Council will use the CAMP to:

- Provide the basis for the proactive management of the conservation area through informing future Council policy formulation and decision making;

- Act as a material consideration in the determination of planning applications, use of planning powers and exercise of the Council's duties under the Planning Acts, as a result of its companion status to the Conservation Area Character Appraisal;
- Fulfil the Council's statutory duty in regard to s.71 and s.72 of the Planning (LB&CA) Act 1990;
- Illustrate the local planning authority's commitment to have regard to government policy for conservation area management
- Promote the protection of the Historic Environment through available planning processes.
- Clearly illustrate the Council's commitment to strong measures and actions for protecting and enhancing Wednesbury Market Place conservation area.

The following table outlines the key actions and responsibilities for putting the CAMP into practice.

CAMP Aim 1: Address known threats to the conservation area		
<i>ACTION</i>	<i>ACHIEVED THROUGH</i>	<i>TIMEFRAME</i>
Ensure consistent decision making across all Council services to ensure special regard is paid to the significance of the town's historic environment	<ul style="list-style-type: none"> Consistent use of relevant Local Planning Policies and Planning Measures to address known threats 	2023-2033
Secure quality development that respects the character of the Wednesbury Market Place conservation area	<ul style="list-style-type: none"> Adoption of Conservation Area Management Plan (CAMP) Consistent use of the 'Framework for Design and Maintenance standards' contained within the adopted CAMP at section 3.3 	2023-2033
Actively enforce the reversal of unapproved detrimental actions	<ul style="list-style-type: none"> Use of statutory powers where available through Planning Measures (see table 1, Section 3.2) 	2023-2025
Tackle the neglect and dereliction of historic buildings and poor presentation of open spaces	<ul style="list-style-type: none"> Use of statutory powers available through Planning Measures (see table 1, Section 3.2) 	2023-2033
Improve quality, safety and connectivity of pedestrian routes through the conservation area	<ul style="list-style-type: none"> Use of statutory powers available through Planning Measures (see 3.2 above). 	2023-2033
CAMP Aim 2: Support the maintenance, repair and enhancement of the public realm in the conservation area		
<i>ACTION</i>	<i>ACHIEVED THROUGH</i>	<i>TIMEFRAME</i>
Ensure a cohesive approach to future public realm improvements in the conservation area or its setting	<ul style="list-style-type: none"> Consistently use the adopted palette and designs for the HSHAZ in new work; Support the replacement of unsympathetic paving with traditional paving and designs: ensure that any future alterations or updating of the paving scheme/pedestrianised zones in the conservation area reinstate high quality appropriate materials. 	2023-2033
Improve quality and presentation of open spaces	<ul style="list-style-type: none"> Remove vegetation which negatively impacts character Encourage urban greening where it enhances the character of the conservation area or its setting 	2023-2033

CAMP Aim 3: Engage the community in managing and promoting the value of Wednesbury's historic environment

<i>ACTION</i>	<i>ACHIEVED THROUGH</i>	<i>TIMEFRAME</i>
Engage building owners and tenants within any newly adopted conservation area boundary	<ul style="list-style-type: none">• Write to building owners and tenants informing them of the conservation area, sharing the CAA and CAMP and signposting to available support	2023-2024
Ensure the Community and local business stakeholders have a role in monitoring and promoting actions that will enhance conservation area management	<ul style="list-style-type: none">• Markets Manager and Conservation Officer continue regular dialogue	2023-2026