

**CABINET MEETING – 03 FEBRUARY 2010**

**EXECUTIVE SUMMARY SHEET – PART I**

<b>Title of Report:</b> Silksworth Hall Conservation Area: Character Appraisal and Management Strategy	
<b>Author(s):</b> Deputy Chief Executive	
<b>Purpose of Report:</b> The purpose of this report is to inform Cabinet of the outcome of consultations on the draft 'Silksworth Hall Conservation Area Character Appraisal and Management Strategy' and to recommend to Cabinet the adoption of the revised document as formal Planning Guidance.	
<b>Description of Decision:</b> Cabinet is recommended to: (i) note the outcome of consultations on the draft 'Silksworth Hall Conservation Area Character Appraisal and Management Strategy'; and, (ii) adopt the revised Character Appraisal and Management Strategy as Formal Planning Guidance.	
<b>Is the decision consistent with the Budget/Policy Framework?</b> *Yes	
<b>If not, Council approval is required to change the Budget/Policy Framework</b>	
<b>Suggested reason(s) for Decision:</b> To provide the Council with an appropriate basis for the control of development in the Silksworth Hall Conservation Area.	
<b>Alternative options to be considered and recommended to be rejected:</b> The alternative option is not to adopt the Character Appraisal and Management Strategy as Planning Guidance. This option would weaken the Council's ability to discharge its responsibilities for the control of development in the Silksworth Hall Conservation Area and result in Best Value Performance Indicator (BVPI) 219 not being achieved for 2009/2010. It would also hinder the Council's progress to discharging its obligations under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.	
<b>Is this a "Key Decision" as defined in the Constitution?</b> No	<b>Relevant Scrutiny Committees:</b> Environment and Attractive City Scrutiny Committee
<b>Is it included in the Forward Plan?</b> No	Planning and Highways Committee



**SILKSWORTH HALL CONSERVATION AREA: CHARACTER APPRAISAL AND MANAGEMENT STRATEGY****REPORT OF THE DEPUTY CHIEF EXECUTIVE****1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to inform Cabinet of the outcome of consultations on the draft 'Silksworth Hall Conservation Area Character Appraisal and Management Strategy' and to recommend to Cabinet the adoption of the revised document as formal Planning Guidance.

**2.0 DESCRIPTION OF DECISION**

- 2.1 Cabinet is recommended to:
- (i) note the outcome of consultations on the draft 'Silksworth Hall Conservation Area Character Appraisal and Management Strategy'; and,
  - (ii) adopt the revised Character Appraisal and Management Strategy as Formal Planning Guidance.

**3.0 BACKGROUND**

- 3.1 The Planning (Listed Buildings and Conservation Areas) (LB&CA) Act 1990 defines Conservation Areas as "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". The Act stipulates that Local Authorities are under a duty to formulate and publish proposals for the preservation and enhancement of their conservation areas.
- 3.2 The Council also has an obligation under the Unitary Development Plan (UDP) Policy B4 to produce supplementary guidance in the form of character appraisals for conservation areas in the City. This reflects national planning guidance in Planning Policy Guidance Note (PPG) 15 'Planning and the Historic Environment' which encourages Local Authorities to prepare detailed assessments of the special interest, character and appearance of their conservation areas. Such documents may also contain proposals for preserving and enhancing the character of a conservation area.
- 3.3 The Council's performance in preparing up-to-date character appraisals for its conservation areas is currently the subject of a "Best Value Performance Indicator" (BVPI219). The purpose of BVPI219 is to monitor local authorities' performance in relation to Sections 71 and 72 of the above Act.
- 3.4 The Silksworth Hall Character Appraisal and Management Strategy is the tenth in a series of such studies that will address all fourteen of the City's conservation areas. It fulfils the Council's duties and obligations under the Planning (LB & CA) Act 1990. It will also satisfy the above BVPI target for 2009/2010.

## **4.0 CURRENT POSITION**

- 4.1 Silksworth Hall Conservation Area includes the former grounds of Silksworth Hall - originally the seat of Silksworth Manor, the former grounds of Doxford House - now Doxford Park, and the now disappeared medieval village of Silcesworth which developed around the spine of Warden Law Lane. Given the early history of Silksworth, it is likely that the Conservation Area could yield significant archaeological evidence should opportunities arise to investigate this in the future. It is clear that Silksworth has changed significantly throughout its lifetime, and while most physical evidence of the early history is long lost (including all of the medieval buildings), development from the 18th century onwards remains of great interest.
- 4.2 As with other conservation areas in the city, the integrity and character of the area can come under pressure from householder alterations and a desire to further develop land for housing. The Council's planning powers allow it to exercise tight controls over works to Listed Buildings, however, its powers to conserve unlisted structures are less rigorous. A Character Appraisal and Management Strategy (CAMS), adopted as formal Planning Guidance, strengthens the Council's policies for the Conservation Area and helps to protect its special interest (which springs from its historic buildings, significant open spaces and streetscapes) from the potentially adverse effects of property development.
- 4.3 The draft Silksworth Hall CAMS follows guidance set out in the joint Office for the Deputy Prime Minister (ODPM) (now the Department for Communities and Local Government) / English Heritage publications 'Guidance on conservation area appraisals' and 'Guidance on the management of conservation areas' (2006). Part 1 of the document, the 'Character Appraisal', identifies and appraises the characteristics and features that give the Conservation Area its special interest. Part 2, the 'Management Strategy', addresses in detail the issues raised in the Character Appraisal by establishing objectives and proposals to secure the future preservation and enhancement of the Conservation Area's special character.
- 4.4 The draft document has now been subject to public consultation. Ward Councillors, the Portfolio Holders for Prosperous City and Sustainable Communities, the Historic Environment Champion, and relevant service providers within the Council were consulted on the draft document by memorandum in October 2009 prior to it being issued for public consultation. A copy of the document in compact disc form and a covering letter was then sent to all residents, businesses and other occupiers in the Conservation Area and to a range of other interested parties including English Heritage and national and local heritage societies. Paper copies of the document were also made available on request and available for viewing at the Civic Centre, Silksworth Library, Doxford Park Library and the City Library.
- 4.5 A public exhibition was held at St. Matthew's Church, Silksworth Lane on 1 December 2009 to discuss the document, with particular reference to the proposed Management Proposals.

- 4.6 The period of consultation expired on 11 December 2009. The Character Appraisal and Management Strategy has been modified in light of representations received. A summary of the responses and modifications is given below and detailed in more depth in Appendix 1.

## **5.0 SUMMARY OF CONSULTATION RESPONSES AND MODIFICATIONS**

- 5.1 In all, six written representations have been received out of a total of 96 letters / CDs issued. Thirteen people attended the public exhibition, one of whom completed a comments sheet; notes were however taken of the main issues raised in discussion and are included in the Appendix which follows.
- 5.2 All who responded to the draft document were supportive and expressed interest in and concern for the character and appearance of the conservation area. Various minor additions and amendments have been made to the document in light of the comments received, including modifications to several of the maps to update boundary lines and correct the age of buildings and alterations to some of the text to correct terminology and add new information.
- 5.3 The schedule at Appendix 1 details the responses received and modifications to the document, where appropriate. A list of external consultees is also appended. Copies of the final (revised) version of the Silksworth Hall Conservation Area Character Appraisal and Management Strategy are available in the Members' library.
- 5.4 Whilst the number of consultation responses is low, this is perhaps a consequence of Silksworth Hall being a long established conservation area that has not been subject to any significant change in the last 20 years and the fact that there is little of a controversial nature in the CAMS.

## **6.0 REASON FOR DECISION**

- 6.1 To provide the Council with an appropriate basis for the control of development in the Silksworth Hall Conservation Area.

## **7.0 ALTERNATIVE OPTIONS**

- 7.1 The alternative option is to not adopt the Character Appraisal and Management Strategy as Planning Guidance. This option would weaken the Council's ability to discharge its responsibilities for the control of development in the Silksworth Hall Conservation Area and result in BVPI 219 not being achieved for 2009/2010. It would also hinder the Council's progress to discharging its obligations under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **8.0 RELEVANT CONSIDERATIONS**

- 8.1 **Financial implications** – There are no financial implications for the Council associated with the adoption of the Silksworth Hall Conservation Area CAMS.

8.2 **Legal implications** – The CAMS has been prepared in accordance with the relevant planning legislation and guidelines.

## 9.0 BACKGROUND PAPERS

- Adopted City of Sunderland Unitary Development Plan
- Planning Policy Guidance Note (PPG) 15 'Planning and the Historic Environment'
- ODPM / English Heritage publication 'Guidance on conservation area appraisals'
- ODPM/ English Heritage publication 'Guidance on the management of conservation areas'
- Draft Silksworth Hall Conservation Area Character Appraisal and Management Strategy
- Responses to public consultation exercise

**Appendix 1: Schedule of Consultation Responses and Action Taken –  
Silksworth Hall Conservation Area Character Appraisal & Management Strategy**

<b>Consultee</b>	<b>Comments</b>	<b>Action / reason for no action</b>
<b>Heritage Organisations</b>		
English Heritage	No specific comment.	No action required.
County Archaeologist	Commented on a very thorough document, noting that the history and notable connections sections were very interesting, and the photos are very good.	No action required.
	Noted that the text on p.5 states that there is “no evidence of pre-historic settlement”, recommended that this is re-phrased to “no pre-historic finds have been found”. Also suggested referring to HER 159 – Steeple Hill burials.	Text on p.5 amended accordingly. Additional HER entry added to appendix 2.
	Noted that the text on p.6 refers to a Fireplace Tax which was, in fact, a Hearth Tax.	Text on p.6 amended accordingly.
	Noted that the text on p.19 refers to the pump house and the ice house as one structure when, in fact, they are two separate structures.	Text on p.19 amended accordingly.
	Expressed support for the restoration and re-use of the walled garden, and the provision of interpretation boards.	No action required.
	Commented positively on the quality of the archaeology section and suggested an additional line referring to the importance of building recording prior to conversions.	Additional text added to Management Proposal 5a.
	Suggested the addition of UDP archaeology policies to the appendix.	Additional policies included in appendix 1.
	<b>Architects/ developers</b>	
No comments received		
<b>Local Businesses /Residents</b>		
City resident	Overall expressed support for the document.	No action required.
	With regard to the existing boundary of the Conservation Area, stated that the inclusion in the Conservation Area of Silksworth Hall Drive is “unnecessary” but that a meaningful alternative boundary is not obvious. Agreed, therefore, that the boundary should not be altered.	No action required.  Silksworth Hall Drive is within the former gardens of Silksworth Hall and, whilst the houses are not of specific historic interest, the space that they occupy is.

	<p>Suggested that the Council should consider taking a more pro-active approach to securing the restoration of Doxford House, by serving statutory notices or preparing a development brief for the building.</p>	<p>The Council's current position on Doxford House, and the powers open to the Council to take future action, are clearly outlined on page 44 of the Management Strategy. No action required.</p>
	<p>Supported the general principle of restoring the kitchen garden in Doxford Park and wider park, suggesting some additions to the walled garden such as a conservatory tea room and plant nursery.</p>	<p>No Action Required. Management Proposals 1b to 1f concern repair, restoration and improvement proposals for the park and include consideration of visitor facilities in the walled garden. It is noted however that these proposals are purely indicative and aspirational and there is no funding in place at the moment to implement any such proposals. They are intended to support any future bid for funding and identify conservation priorities at an early stage, without being overly prescriptive.</p>
	<p>With regard to the limestone walls to Warden Law Lane, fully supported the design guidance in the document but suggested that further protection needs to be given to those parts that are not listed.</p>	<p>Unfortunately, the wall is not listed in its entirety and is unlikely to warrant listing in its own right. The Council could potentially provide additional protection to the remainder of the wall through the making of an Article 4(2) Direction on the properties it bounds, removing their Permitted Development rights to undertake works to the wall without Planning Permission. This would not, however, provide control over minor repair works and there is no evidence to suggest parts of the wall are under threat from demolition or inappropriate replacement works. It is considered therefore that the imposition of an Article 4(2) Direction would be a disproportionate measure. It is hoped that the detailed guidance provided in the CAMS will encourage those responsible for the maintenance of unlisted parts of the wall to undertake works in a sensitive manner in order to ensure its preservation.</p>
Local resident 1	<p>Expressed general support for the conservation and improvement of the Conservation Area.</p>	<p>No action required.</p>
	<p>Noted that Cedar Cottage is a 1960s infill building and that, therefore the notations on the maps on pages 8 and 24 are incorrect.</p>	<p>Maps on pages 8 and 24 amended to reflect this information.</p>
	<p>Noted that the map on page 41 indicates a mature tree in the grounds of Cedar Cottage which was removed around thirty years ago.</p>	<p>Council's Tree Preservation Order data identifies a tree in this location, hence the origin of the error. Map on page 41 and TPO data amended accordingly.</p>
	<p>Commented that some statements in the document are subjective regarding the appearance and standards of private housing.</p>	<p>No action required. Some modern properties have been identified as being of neutral or negative townscape value in the context of the contribution they make to the essential historic character of the Conservation Area. They are not, however, regarded as being of poor quality or in poor condition. The only buildings which have, quite rightly, been identified as being in poor condition are Doxford House, which is on the national English Heritage Buildings at Risk Register, and the recently fire damaged "The Gardens", which is in Council ownership.</p>



	Suggested that the document would have more credibility if it acknowledged mistakes the Council had made in the past relating to Development Control decisions.	No action required. Silksworth Hall Conservation Area was designated in 1973, prior to which much infill development had already occurred. The document does, however, acknowledge that much of the subsequent development on Silksworth Hall Drive was approved at appeal, following the refusal of planning consent.
Local resident 2	Expressed general support for the initiative to conserve the Conservation Area, but expressed considerable concern at the proposal to prevent additional development in the garden spaces to properties on Silksworth Hall Drive.	No action required. Management Proposal 2b, which is designed to prevent any further development of garden spaces, has been formulated to protect the historic layout, essential landscape character and open, green spatial qualities of the Conservation Area. It is a proposal that is commonly applied to Conservation Areas throughout the City and is generally in accordance with UDP conservation policies and national planning policy in PPG15. It is particularly relevant in Silksworth Hall Conservation Area where infill development in the past has substantially compromised its historic integrity and there is a need to prevent any further erosion of character. It is also noted that proposals to develop garden spaces are often contrary to Development Control policies on 'backland development'.
Local resident 3	Fully support the restoration and maintenance of the conservation area. Live outside the conservation area, but adjacent to Doxford Park. Expressed concern that they won't be consulted on plans to improve the park as they don't live within the conservation area.	No action required. Should funding become available in future to undertake works in Doxford Park then any proposals will be subject to a wide degree of public consultation by the Council. Currently, the proposals within the CAMS are purely indicative and intended to support any future bids for funding and identify conservation priorities at an early stage, without being overly prescriptive.
<b>Comments made at public exhibition</b>		
Attendee 1	Noted boundary of garden to Old School House incorrect on plans.	Maps in document altered accordingly.
	Queried the likelihood of improvement proposals for Doxford Park being implemented.	No action required. Management Strategy explains that the proposals for the Park in the document are purely indicative and aspirational and there is no funding in place at the moment to implement any such proposals.
Attendees 2 & 3	Commented positively on quality of document and expressed support for proposals in it.	No action required.
Attendee 4	No comments.	No action required.
Attendees 5 & 6	Queried the likelihood of improvement proposals for Doxford Park being implemented. Expressed concern over the positioning of any play facilities at perimeter of park close to houses due to problems of antisocial behaviour.	No action required. Management Strategy explains that the proposals for the Park in the document are purely indicative and aspirational and there is no funding in place at the moment to implement any such proposals. Attendees advised that in any case the indicative proposals show the potential location of play facilities away from the houses next to the entrance of the park on Silksworth Road, and that they should contact the Council's Parks Department for further advice on the prospect of future provision of play facilities in the Park.

Attendees numbers 7, 8 & 9	No comments.	No action required.
Attendees 10 & 11	Commented on poor quality of environment and parking problems at the turning head at the end of Warden Law Lane adjacent Morrisons.	No action required, land concerned outside boundary of conservation area and beyond scope of document. Issue referred to the Transportation Section of City Services.
	Expressed concern over future of Doxford House.	Issue addressed in Proposal 4b on page 44 of Management Strategy. No action required.
Attendees 12 & 13	Commented on poor quality of environment and parking problems at the turning head at the end of Warden Law Lane adjacent Morrisons.	No action required, land concerned outside boundary of conservation area and beyond scope of document. Issue referred to the Transportation Section of City Services.
	Expressed desire to see water features reinstated in Park. Supported Proposals in document, particularly with regard to limestone walls along Warden Law Lane.	Issue addressed in Proposal 1d on page 38 of Management Strategy.  No action required.

## Appendix 2 – List of external consultees

National Organisations / local amenity groups	Architects	Residents / businesses
English Heritage	Frank E. Hodgson	All owners and occupiers in the Conservation Area.
Victorian Society	John D. Waugh	
The Georgian Group	Ged McCormack	
Twentieth Century Society	Jane Derbyshire & David Kendall	
Institute of Historic Building Conservation	Mackellar Schwerdt Partnership	
Society for the Protection of Ancient Buildings	Mario Minchella Architects	
Department for Culture, Media and Sport	Napper Architects	
Tyne and Wear Archaeology Officer	Red Box Design Group	
Commission for Architecture and the Built Environment	Anthony Watson Chartered Architect	
Sunderland Civic Society	Ward Hadaway Solicitors	
Sunderland Antiquarian Society	Purves Ash LLP	
Sunderland Heritage and History Forum	A.M. Watt	
Grace McCombie	Jeff Park Building Consultancy	
Living History North East	Wearmouth Architectural Design	
History Society of Sunderland	Gray, Fawdon & Riddle Architects	
Friends of Doxford Park	Howarth Litchfield	
Silksworth Local History Society	HLB Architects	
	Planit Design	
	Reid Jubb Brown	

