

## **ENVIRONMENTAL AND PLANNING REVIEW COMMITTEE – 16 FEBRUARY 2009**

### **NEWBOTTLE VILLAGE CONSERVATION AREA: CHARACTER APPRAISAL & MANAGEMENT STRATEGY**

#### **REPORT OF DIRECTOR OF DEVELOPMENT AND REGENERATION**

##### **1.0 Why has the report come to the Committee?**

- 1.1 To advise Environmental and Planning Review Committee of the responses received following consultation on the draft version of the 'Newbottle Village Conservation Area Character Appraisal & Management Strategy' and to seek Committee's comments on the revised document.
- 1.2 The Committee's comments will be reported to Cabinet at its meeting on March 11<sup>th</sup> 2009 when approval will be sought to a recommendation to adopt the revised Newbottle Village Conservation Area Character Appraisal and Management Strategy as Formal Planning Guidance.

##### **2.0 Background**

- 2.1 The Planning (Listed Buildings and Conservation Areas) (LB&CA) Act 1990 defines Conservation Areas as "areas of special architectural and historic interest, the character and appearance of which it is desirable to preserve and 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.
- 2.2 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.
- 2.3 The Council's performance in preparing up-to-date character appraisals for its conservation areas is currently the subject of the heritage "Best Value Performance Indicator" (BV219). The purpose of BV219 is to monitor local authorities' performance in relation to Sections 71 and 72 of the above Act.
- 2.4 The Newbottle Village Character Appraisal and Management Strategy is the eighth 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 help to satisfy the above BVPI target for 2008/09.

### **3.0 Current Position**

- 3.1 Newbottle Village Conservation Area is centred around the heart of the former medieval village of Newbottle. It is a genuine old English Village set high on a hill top within a rural landscape, commanding superb views of the surrounding lands. The Village contains numerous fine 'listed' 18<sup>th</sup> century houses alongside former farmhouses and barns, interspersed with 19<sup>th</sup> century colliery terraces and 20<sup>th</sup> century modern housing developments. As with other conservation areas in the city, the integrity and character of the area is coming under increasing pressure from householder and commercial property alterations and new housing developments. The Council's planning powers allow it to exercise tight controls over works to Listed Buildings, however, its powers to conserve unlisted buildings and other features in the Conservation Area are limited.
- 3.2 A Character Appraisal and Management Strategy (CAMS), adopted as formal Planning Guidance, would strengthen the Council's policies for the Conservation Area and help to protect its best features, including historic buildings, significant green spaces and mature trees, from the potentially adverse effects of property alteration and new development.
- 3.3 The draft Newbottle Village CAMS follows the relevant 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.
- 3.4 The draft document has now been subject to consultation. Ward Councillors, the Portfolio Holder for Planning and Transportation and Historic Environment Champion, and relevant Service Areas and sections within the council, were consulted on the draft document by memorandum on the 24<sup>th</sup> October 2008 prior to it being exposed to public consultation. A letter and CD of the draft document was subsequently sent to all residents, businesses and other property occupiers in the Conservation Area and a range of organisations and interested parties, including English Heritage, national and local heritage societies and local architects. Hard copies of the document were also available on request from the Council's Conservation Team and available for viewing at the Civic Centre, Houghton Library and the City Library.
- 3.5 A public exhibition was held at St Matthew's Church Hall on the 2<sup>nd</sup> December 2008 to discuss the Management Proposals with property owners and occupiers in the Conservation Area.
- 3.6 The period of consultation expired on 22<sup>nd</sup> December 2008 and the Character Appraisal and Management Strategy has now been modified in light of the representations received. A summary of the responses and modifications is given below.

3.7 Further engagement with Ward Councillors was also carried out to discuss some additional issues they wished to raise. Officers of the Conservation Team met with the Councillors on the 23<sup>rd</sup> January 2009 following the agreement of the Committee at the last meeting.

#### **4.0 Summary of Consultation Responses and Modifications**

4.1 In all, 5 written representations have been received out of a total of over 220 consultation letters sent. Four responses were received from local residents and one from English Heritage. Thirty-six people attended the public exhibition; notes were taken covering the main issues raised in the discussions. Further comments were also expressed verbally from Ward Councillors.

4.2 There was largely a high degree of support for the document from residents, who were very proud of their village and expressed much interest in conserving the Conservation Area. Various minor additions and amendments to the document's text have been made in light of the comments received (see appended schedule). The comments of the Ward Councillors and corresponding modifications to the document are incorporated in the schedule.

4.3 Some issues of concern were raised, most repeatedly about the condition of some of the privately owned roads in the area. Some additional text has been added to the document to acknowledge this issue and to note that Council policy stipulates that where residents can contribute their costs of making-up a private road, the Council will consider exercising its powers to make-up and adopt the road. However, this matter is outside the scope of the CAMS.

4.4 The schedule attached to this report summarises the responses received and, where appropriate, the corresponding modifications made to the document. A summary list of external consultees is also appended. Copies of the final (revised) version of the Newbottle Village Conservation Area Character Appraisal and Management Strategy are available in the Members' library.

#### **5. Recommendation**

5.1 The Committee is invited to make comments on the Newbottle Village Conservation Area Character Appraisal and Management Strategy.

#### **6. 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 Newbottle Village Conservation Area Character Appraisal and Management Strategy.
- Responses to public consultation.

## Appendix 1: Schedule of Consultation Responses and Action Taken – Newbottle Village Conservation Area Character Appraisal & Management Strategy

Written Representations		
Consultee	Comments	Action / reason for no action
<u>Heritage Organisations</u>		
English Heritage	No specific comment.	No action required.
<u>Architects</u>		
None		
<u>Local Businesses / Residents</u>		
<u>Local resident 1</u>	Requested consideration be given to extending Conservation Area to the west to include the green space adjacent Grange View.	No action required. Possible boundary extensions are discussed and discounted on page 30 of the document. The area of land concerned does not contribute to the special architectural or historic interest of the Conservation Area. Additional text has however been added to page 16 noting the visual impact of the land on approaching the Conservation Area from the west. Extent of panoramic views to west also widened on map on page 15.
Local resident 2	Supportive of all the proposals in the document. Suggested that stone copings be placed on top of the boundary walls of the modern infill developments in Front Street to link with the older houses. Suggested that the piece of village green outside of Dial House be reinstated.	No action required. Such works would be at the discretion of individual householders and would not necessarily be appropriate in the context of the historic street scene. Text added to page 11 noting unfortunate effects of enclosure of parts of village green. Issue currently under investigation by Council's Enforcement Team.
Local resident 3	Raised concern over condition of unadopted roads around Lily Terrace and associated problems of crossing the unmaintained road surface and access for emergency vehicles.	Additional wording inserted into document on pages 27 and 31 raising issue and potential solutions. Issue to be referred to Transportation and Engineering.
Local resident 4	Suggested urgent action required to improve condition of roadway / wasteland around Lily Terrace / Bertha Terrace.  Noted need for continued maintenance of village green. Noted need for continued maintenance of limestone walls bordering the village.	Outside scope of document, though some additional wording inserted on pages 27 and 31 acknowledging issue and noting that it is Council policy to consider making-up and adopting private roads where residents can contribute their costs to such works. Issue to be referred to Transportation and Engineering. No action required. Issue addressed in Proposal 2a on page 38 of document. No action required. Issue addressed in Proposal 2e on page 39 of document.

## Comments made at Public Exhibition

Attendees	Comments	Action / reason for no action
No's 1 & 2	<p>Noted poor condition of unadopted roads around Lily Terrace / Bertha Terrace. Queried whether Council has any plans to upgrade the road surface and adopt it.</p> <p>Objected to any development to the north of the village.</p>	<p>Outside scope of document, though some additional wording inserted on pages 27 and 31 acknowledging issue and noting that it is Council policy to consider making-up and adopting private roads where residents can contribute their costs to such works. Issue to be referred to Transportation and Engineering.</p> <p>No action required. Issue addressed in proposal 1a on page 37 of document.</p>
No 3	<p>Supported Proposal 3a but queried whether a 20mph speed limit could be introduced in the village.</p> <p>Supported proposed Article 4(2) Direction but queried whether it can make residents remove their plastic windows.</p>	<p>No action required. Issue to be referred to Transportation and Engineering.</p> <p>No action required. Was explained to attendee that Direction cannot be used retrospectively to reverse works carried out prior to the Direction being put in place.</p>
No's 4 & 5	<p>Commented that the document and exhibition was very interesting.</p>	<p>No action required.</p>
No 6	<p>Expressed concern over the use of terms such as 'not appropriate' or 'insensitive' when referring to modern developments in the village.</p> <p>Suggested improvements required to back lane of Garden Street.</p> <p>Noted lack of public seating in the Conservation Area.</p> <p>Raised issue of micro-generation, stressed importance of making it easy for people to use sustainable / renewable energy.</p>	<p>No action required. Explained to attendee that such terms are used in the context of a building's impact on the village's fundamental historic character and is not a reference to the quality of the building in itself.</p> <p>Outside scope of document. Issue to be referred to Transportation and Engineering.</p> <p>No action required. Issue of street furniture addressed in Proposal 3a on page 40 of document.</p> <p>Permitted Development Rights exist for certain renewable energy systems i.e. solar panels and are generally encouraged; however, the use of such systems has to be balanced against their impact on the character of listed/historic buildings. Listed Building Controls and Article 4(2) Directions, such as that proposed on page 43 of the document (Proposal 5a), are effective means of ensuring an appropriate balance is achieved.</p>
No 7	<p>No comment.</p>	<p>No action required.</p>
No's 8 & 9	<p>Raised concern over condition of unadopted roads around Lily Terrace / Bertha Terrace.</p>	<p>Outside scope of document, though some additional wording inserted on pages 27 and 31 acknowledging issue and noting that it is Council policy to consider making-up and adopting private roads where residents can contribute their costs to such works. Issue to be referred to Transportation and Engineering.</p>
No 10	<p>Raised concern over condition of unadopted roads around Lily Terrace and associated problems for people in wheelchairs.</p>	<p>Outside scope of document, though some additional wording inserted on pages 27 and 31 acknowledging issue and noting that it is Council policy to consider making-up and adopting private roads where residents can contribute their costs to such works. Issue to be referred to Transportation and Engineering.</p>

No's 11 & 12	No comment.	No action required.
No 13	Queried what was happening on Gurteen's Yard site.	Explained to attendee that Planning Permission has been granted for a development of 8 townhouses. This is noted on page 46 of document.
No 14	Noted that Guteen's yard site is an eyesore and encouraged its re-development.	No action required. Site identified on map on page 33 of document as a development opportunity.
No 15	Commended the Council for taking such an interest in the village and commented on the excellent quality of the photographs in the document.	No action required.
No's 16, 17 & 18	Suggested a need for more shops in the village and a play park.	Outside scope of document. Noted however that new play park has recently been built on land adjacent Newbottle School just outside the boundary of the Conservation Area.
No 19	No comment.	No action required.
No 20	Fully supportive of document and the proposals within it.	No action required.
No 21	Requested consideration be given to extending Conservation Area to the west to include the green space adjacent Grange View.	No action required. Possible boundary extensions are discussed and discounted on page 30 of the document. The area of land concerned does not contribute to the special architectural or historic interest of the Conservation Area.
No 22	Noted poor condition of unadopted roads around Lily Terrace / Bertha Terrace and queried why Council will not adopt the roads.  Noted that allotment site no longer contains allotment gardens but is instead used as stables.	Outside scope of document, though some additional wording inserted on pages 27 and 31 acknowledging issue and noting that it is Council policy to consider making-up and adopting private roads where residents can contribute their costs to such works. Issue to be referred to Transportation and Engineering. Text on pages 21 and 37 and Proposal 2d on page 39 amended accordingly.
No's 23 & 24	Supportive of proposed reinstatement of parts of village green (Proposal 3a), but noted access to houses must be maintained. Queried whether lorries could be prevented from using Front Street.	No action required. Issue of access requirements acknowledged on page 40 of document as part of Proposal 3a.  Outside scope of document. Issue to be referred to Transportation and Engineering.
No's 25, 26, 27 & 28	Queried whether Council would be providing any grants for restoration works.  Questioned why there were no recreation areas for children in the village.	No action required. Issue addressed in Proposal 5c on page 45 of document and further discussed on page 47. Outside scope of document. Issue of play park to be referred to Community and Cultural services.
No's 29 & 30	Supported Proposal 1b to remove poles and overhead wires in village. Noted that Garden Street was not originally known as Cross Street. Queried why Newsagents was featured in document under Proposal 3c concerning strict controls over advertising.  Queried whether the owner of Dial House was allowed to plant the hedge round the section of the village green to the front of the house.	No action required.  Relevant text deleted on page 27 of document. Explained to attendee that the Newsagents' is featured as a good example of signage. Caption to be added to photograph on page 41 to make this more explicit. Text added to page 11 noting unfortunate effects of enclosure of parts of village green. Issue currently under investigation by Council's Enforcement Team.

No 31	Expressed support for the proposed Article 4(2) Direction. Queried the style of new streetlights in Garden Street.	No action required. Issue to be discussed with Aurora.
No's 32 & 33	Noted that allotment site no longer contains allotment gardens but is instead used as stables. Noted that owner of former Vicarage has fenced off a public right of way. Queried the enclosure of part of village green to front of Dial House.  Noted issue of dog fouling in the Conservation Area.	Text on pages 21 and 37 and Proposal 2d on page 39 amended accordingly.  Outside scope of document. Issue to be referred to Transportation and Engineering. Text added to page 11 noting unfortunate effects of enclosure of parts of village green. Issue currently under investigation by Council's Enforcement Team. No action required – outside scope of document.
No 34	Queried the style of new streetlights in Garden Street.	Issue to be discussed with Aurora.
No 35	Queried the proposal (3a) to narrow the carriageway in Front Street, noting that lorries use it and will need space to pass by parked cars.	No action required. Issue of highway requirements acknowledged on page 40 of document as part of Proposal 3a.
No 36	Queried the proposal (3a) to narrow the carriageway in Front Street, noting that the high degree of on-street parking for events such as Church Christenings would need to be taken into account. Noted problem of dog fouling in the churchyard to St Matthew's Church.	Text on page 40 amended to acknowledge on-street parking requirements in Front Street.  No action required – outside scope of document.

#### Comments made by Ward Councillors

Councillor	Comments	Action / reason for no action
Councillors C. Wakefield, D. Smith & S. Ellis.	Requested consideration be given to extending Conservation Area to the west to include the green space adjacent Grange View.  Queried the style of new streetlights in Garden Street. Noted adverse impact of extensions, and associated chillers units and roller shutter, to side of Newbottle Workmens Club. Queried protection of some trees around perimeter of Conservation Area.	No action required. Possible boundary extensions are discussed and discounted on page 30 of the document. The area of land concerned does not contribute to the special architectural or historic interest of the Conservation Area. Additional text has however been added to page 16 noting the visual impact of the land on approaching the Conservation Area from the west. Extent of panoramic views to west also widened on map on page 15. Issue to be discussed with Aurora.  Text added to page 18 to acknowledge the adverse impact.  Issue being investigated by Council's arboricultural officer.

## Appendix 2 – List of external consultees

<b>National Organisations / local amenity groups</b>	<b>Architects</b>	<b>Residents / businesses</b>
English Heritage	Frank E. Hodgson	All owners and occupiers in the Conservation Area.
Victorian Society	John D. Waugh	
The Georgian Group	Gerard McCormack	
Twentieth Century Society	Jane Darbyshire & David Kendal	
Institute of Historic Building Conservation	William D. Kirtley	
Society for the Protection of Ancient Buildings	Mario Minchella Architects	
Department for Culture, Media and Sport	Napper Architects	
Commission for Architecture and the Built Environment	Red Box Design Group	
Sunderland Civic Society	Anthony Watson Chartered Architect	
Sunderland Antiquarian Society	Purves Ash LLP	
Sunderland Heritage & Local History Forum	Mackellar Schwerdt Partnership	
Sunderland Old Township Heritage Society	Jeff Park Building Consultancy Services	
North of England Civic Trust	Gray, Fawdon & Riddle Architects	
Living History North East	Howarth Litchfield	
Grace McCombie, Buildings Historian	HLB Architects	
Houghton & District Local History Group	Fitz Architects	
	Planit Design	
	Ward Hadaway Solicitors	