
SUPPLEMENTARY REPORT ON APPLICATIONS

REPORT BY DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

This report is circulated a few days before the meeting and includes additional information on the following applications. This information may allow a revised recommendation to be made.

LIST OF SUPPLEMENTARY ITEMS

Applications for the following sites are included in this report.

South Sunderland

S1 Doxford House, Warden Law Lane, Sunderland.

**Development Control
(South Sunderland) Sub-Committee**

SUPPLEMENT

1 October 2013

Number: S1

Application Number: 13/03897/FUL

Proposal: Change of use of Doxford House to single dwellinghouse and various external alterations and extensions, including replacement of existing conservatory to east elevation, extension to north elevation to provide swimming pool and roof terrace, creation of external water feature, insertion of new access gates in Warden Law Lane boundary and provision of driveway to serve new detached garage. Change of use of Northern range to single dwellinghouse and various external alterations and extensions, to include adaptation of roof to provide accommodation in roof space and erection of extension to south elevation to provide garage (amended description 16/12/2013)

Location: Doxford House, Warden Law Lane, Sunderland

At the time of writing the main report, consultation comments were still awaited from Durham Bat Group and the Council's Parks, Environmental Health, Built Heritage and Network Management teams. In addition, there were still outstanding matters pertaining to the implications of the proposals in relation to ecology and protected species and land contamination, the affect of the development on the significance of Doxford House and the Silksworth Hall Conservation Areas as heritage assets and the impact of proposals on highway and pedestrian safety.

It was anticipated that a consultation response from the Durham Bat Group would have been received by the time of writing this Supplementary Report, but no such correspondence has been forthcoming. A consultation letter was sent to the Durham Bat Group on 13th December 2013, with a request for comments to be submitted within 21 days. It is considered that sufficient time has been given for this consultee to have assessed the proposals and provide any written observations or recommendations to the City Council. It is therefore presumed that no comments will be forthcoming.

The ecological issues raised by the application, which would be considered by Durham Bat Group, have already been assessed in detail by the Council's own Natural Heritage team and their advice on this matter is considered to be sufficient to enable the City Council to fully appreciate the likely impact of the proposed development on protected species.

In addition, a consultation response has not been received from the Council's Parks department, which was consulted on the basis that the application site adjoins the public Doxford Park. It is considered, however, that the proposals will not give rise to any issues which may affect the recreational value and public enjoyment of the Park.

However, since the preparation of the main report, consultation comments have been received from the Council's Built Heritage team, in relation to the impact of the proposals on the heritage asset of Doxford House, and the Network Management team in relation to highway and pedestrian safety. The agent of the applicant has also submitted an addendum to the bat survey, which, as was requested by the Council's Natural Heritage team, takes into account the risk of the trees in the gardens being used by bats.

The outstanding matters identified above are considered in turn below.

1. Impact of development on character and appearance of Silksworth Hall Conservation Area and heritage significance of Listed buildings

As stated in the main report, the development proposed by this application has the full support of English Heritage, given that the scheme is considered to be a sympathetic use, restoration and adaptation of an historically significant Grade II* Listed building. However, consultation comments from the Council's own Built Heritage team had not yet been received at the time of writing the main report

Comments from the Built Heritage team have now been received and, as with English Heritage, full support is offered to a scheme which will secure the future of one of the most important heritage assets in the City. The use of the House as a single dwelling is most preferred, given that this is its original use and the one which can be most easily accommodated with minimal intervention. The proposed restoration works, alterations and extensions are considered to be acceptable in conservation and design terms, subject to the approval of full specifications and method statements, samples etc. for all repair, restoration and construction works.

The swimming pool/roof terrace extension, which replaces the recently-demolished 1960's block, is considered to be a contemporary, subservient addition to the House which will reveal more of the historic form and setting and re-establish its prominence in its garden and the wider landscape of Doxford Park. The proposed replacement conservatory, meanwhile, is a little more contentious, but, it is argued, should be considered within the context of what survives of the existing fire-damaged conservatory. The most significant elements of this part of the building are the mosaic flooring, grotto and staircase into the entrance feature onto Warden Law Lane, rather than the conservatory itself and so its loss is not of great concern. The replacement structure is contemporary in style, but is of an innovative design, being an especially lightweight and transparent addition that will protect

the internal features and allow the historic building to be visualised and 'read' through it.

Both extensions are, it is suggested, innovative, yet sensitive and of high quality design and their addition to Doxford House will add interest to the history of the building for future generations.

The detached garage, meanwhile, is discretely sited, of simple design, modest in scale and to be built from appropriate materials. It is recognised that an additional access is required to serve the garage and the new opening in the Grade II Listed boundary wall is positioned and designed sensitively so that it does not compete with the Beckwith entrance feature or disrupt the sense of enclosure and definition that the wall gives to Warden Law Land and Doxford House.

The conversion of the northern range to a separate dwelling will not only secure the future of these buildings, but is key in the applicant's phasing of the repair and restoration of the main House. The northern range is of historic significance in its own right, but is of clear secondary importance to the House itself; nevertheless, the alterations and adaptations proposed to facilitate its conversion, including to the roof form, are generally sympathetic, although the insertion of an 'Oriel' window into the front elevation is questioned.

In summary, the Council's Built Heritage team advise that the scheme will secure the repair, restoration, sensitive adaptation and return to a beneficial, sustainable use of a Grade II* Listed building and its outbuildings, ensure the protection and enhancement of its garden setting and conserve and enhance the character and appearance of the Silksworth Hall Conservation Area in the process. A list of conditions, which aim to ensure that all works and finishes are of the highest possible standard, are suggested to be applied to any full planning permission and/or Listed Building Consent which may be granted.

The application is therefore considered to comply with the requirements of paragraphs 128, 129, 131, 132 and 137 of the NPPF, policies B2, B4 and B10 of the UDP and the management objectives of the Silksworth Hall Conservation Area CAMS and consequently, is acceptable in relation to its impact on the heritage significance of Doxford House and the Conservation Area.

2. Impact on highway and pedestrian safety

The Council's Network Management team has advised that the proposals raise no concerns in relation to highway and pedestrian safety, in compliance with the requirements of policy T14 of the UDP.

3. Implications of proposals in relation to ecology and protected species

As noted in the main report, the Council's Natural Heritage team requested that the bat report submitted with the application is expanded to consider the roosting/hibernation value of the mature trees within the gardens of the House. An addendum to the bat report, which risk-assesses the trees in the gardens, has subsequently been submitted (received 21/01/2014).

The Council's Natural Heritage team has, following consideration of the addendum to the main survey, offered no objections to the proposed works at the site. A series of conditions requiring compliance with certain recommendations of the surveys and the submission of details/locations of bird, bat and hedgehog boxes have, however, been recommended to be applied to any permission granted.

With regard to the above, it is considered that subject to the conditions recommended by the Council's Natural Heritage team, the implications of the development proposals in respect of ecology and protected species is acceptable, in accordance with the requirements of policy CN17 of the UDP and the core principles of the NPPF.

4. Implications of proposals in relation to land contamination

As noted in the main report, policy EN14 of the UDP states that where development is proposed on land where there is reason to believe is contaminated or potentially at risk from migrating contaminants, the Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site.

The application has been accompanied by a land contamination desk-top study, which concludes that the site is at low risk of contamination from the potential sources assessed. However, the report does recommend that, based upon the information collated, intrusive investigations are carried out, particularly in relation to rubble and ash from demolition within the made ground.

Nevertheless, it must be recognised that the development proposals affect a long-established residential curtilage (over 250 years) and that the extensions to the House are being erected on land which has been previously built-upon (i.e. the 1960's range and the existing conservatory). Consequently, the risk posed by potential contamination is considered to be limited.

The Council's Environmental Health team has therefore agreed that an appropriately worded condition, to cover the eventuality of contaminants being identified during development works, is applied in the event Members are minded to grant planning permission.

For the reasons given in the main report, it is it is considered that the principle of the proposed development is acceptable, as is its impact on visual amenity, the amenity of existing nearby residential dwellings and the protected trees at the site. The implications of the development in respect of the heritage significance of the Grade II* Listed Building of Doxford House and the Silksworth Hall Conservation Area has been given careful consideration and, having had regard to the advice of English Heritage and the Council's Built Heritage team, the proposals are considered to be acceptable. Indeed, the scheme is highly positive and welcomed given that it will assist in securing the future of a hugely important heritage asset which represents one of the most important historic buildings in the City.

Furthermore, for the reasons outlined above, the implications of the development in respect of potential land contamination and highway and pedestrian safety are also acceptable.

The proposal therefore accords with the requirements of policies EN10, EN14, B2, B4, B8, CN17, CN22 and T14 of the UDP, the Silksworth Hall Conservation Area CAMS and the core principles and more detailed requirements of section 12 of the NPPF.

The application is consequently recommended for approval, subject to the conditions set out below.

RECOMMENDATION: Approve

Conditions:

1. The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.

2. Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

location plan and site layout plan received 05/12/2013 (drawing no. AL(0)06);
the existing plans received 05/12/2013 (drawing no. AL(0)05);
the proposed floorplans received 05/12/2013 (drawing no. AL(0)07);
the proposed elevations received 05/12/2013 (drawing no. AL(0)08);
the proposed sectional elevations received 05/12/2013 (drawing no. AL(0)09);
the proposed elevations and floorplans received 05/12/2013 (drawing no. AL(0)10);
the proposed aspect modelling elevations received 05/12/2013 (drawing nos. AL(0)11, 12, 13 and 14);

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

3. Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

4. The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.

5. Notwithstanding the submitted information, the development hereby approved shall not commence until detailed drawings, to include a cross-section, of the new vehicular access gates and stone piers in the boundary to Warden Law Lane have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall then be carried out in strict accordance with the agreed details unless otherwise agreed in writing, in the interests of visual amenity and maintaining the heritage significance of the wall and to comply with the requirements of policies B2, B4 and B8 of the UDP and the core principles of the NPPF.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces. The approved landscaping scheme shall then be implemented in accordance with the timings set out at condition 7, unless an alternative agreement is first reached in writing with the City Council as Local Planning Authority, in the interests of visual amenity and to comply with policy B2 of the UDP.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.

8. Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure proposed within the gardens of Doxford House and its northern range shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 and B4 of the UDP.

9. No trees in the gardens of Doxford House shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped, without first obtaining the written approval of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.

10. The development hereby approved shall not commence until an arboricultural impact assessment and method statement, which should identify potential impacts on the retained trees at the site and recommend appropriate mitigation measures, has been submitted to and agreed in writing with the Council as Local Planning Authority. The impact assessment should consider pre-development impacts, mid-development impacts and post-development impacts and, where applicable, provide detailed mitigation and compensation measures (such as protective fencing, special construction methods, ground protection measures and new planting) for works likely to affect retained trees. The development shall then be carried out in accordance with the agreed details, in order to ensure retained trees at the site are protected during development and comply with the requirements of policy CN17 of the UDP.

11. No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at all relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing, in the interests of ensuring any archaeological remains on the site can be preserved wherever possible and, if necessary, emergency salvage undertaken, in accordance with policies B13 and B14 of the UDP.

12. The extensions to Doxford House hereby approved shall not be occupied until the report of the results of the groundworks pursuant to condition 11 has been submitted and approved in writing by the City Council as Local Planning Authority, in order to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, to accord with the requirements of UDP policies B13 and B14.

13. The development hereby approved shall be carried out in strict accordance with section 5.0 ('Mitigation') of 'Ecology Report for Doxford House, Warden Law Lane, Sunderland' (Dendra Consulting Ltd., 22nd November 2013), unless otherwise first agreed in writing with the Council as Local Planning Authority, in order to minimise the risk of protected species being adversely affected by the development and comply with policy CN22 of the Council's adopted UDP.

14. The development hereby approved shall not commence until details of measures to compensate for the loss of bird nesting habitat, together with a timetable for their installation, have been submitted to and approved in writing with the City Council as Local Planning Authority. The approved measures shall then be carried out in accordance with the agreed timetable, in order to minimise the risk of the proposals to nesting birds and comply with the requirements of policy CN17 of the UDP.

15. The development hereby approved shall not commence until a scaled drawing showing hedgehog box locations and bird box locations around the application site, together with a timetable for their installation, have been submitted to and agreed in writing with the City Council as Local Planning Authority. The boxes shall be installed at the approved locations in accordance with the agreed timetable, in order to minimise the risk of the proposals to hedgehogs and nesting birds and comply with the requirements of policy CN17 of the UDP.

16. The development hereby approved shall be carried out in strict accordance with section E ('Mitigation and Compensation') of 'Bat Survey for Development Purposes at Doxford House, Warden Law Lane, Sunderland' (Dendra Consulting Ltd., 22nd November 2013), unless otherwise first agreed in writing with the Council as Local Planning Authority, in order to minimise the risk of protected species being adversely affected by the development and comply with policy CN22 of the Council's adopted UDP.

17. The development hereby approved shall not commence until a scaled drawing showing bat box locations, together with a timetable for their installation, have been submitted to and agreed in writing with the City Council as Local Planning Authority. The boxes shall be installed at the approved locations in accordance with the agreed timetable, in order to minimise the risk of the proposals to bats and comply with the requirements of policy CN17

of the UDP.

18. The development hereby approved shall not commence until a detailed lighting plan, which covers both the construction phase and post-construction phase, has been submitted to and agreed in writing with the City Council as Local Planning Authority. The development shall then be carried out in accordance with the approved details, unless otherwise agreed with the City Council, in order to ensure the lighting at the property will not result in harm to the habitat of protected species, in accordance with policy CN17 of the UDP.

19. The development hereby approved shall be carried out in strict accordance with section 4.0 ('Recommendations') of 'Addendum to Ecology Report for Doxford House, Warden Law Lane, Sunderland - Bat Risk Assessment of trees' (Dendra Consulting Ltd., 20th January 2014), unless otherwise first agreed in writing with the Council as Local Planning Authority, in order to minimise the risk of protected species being adversely affected by the development and comply with policy CN22 of the Council's adopted UDP.

20. In the event that contamination is found at any time when carrying out the approved development that was not previously identified or known it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance and when remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination, in order to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks and in accordance with policy EN14 of the adopted Unitary Development Plan.