ENVIRONMENT AND ATTRACTIVE CITY SCRUTINY COMMITTEE – 19 OCTOBER 2009

SUNNISIDE (CENTRAL SUNDERLAND) CONSERVATION AREA: CHARACTER APPRAISAL AND MANAGEMENT STRATEGY

REPORT OF THE DEPUTY CHIEF EXECUTIVE

1.0 Why has the report come to the Committee?

- 1.1 To advise Environment and Attractive City Scrutiny Committee of the responses received following consultation on the draft version of the 'Sunniside Conservation Area Character Appraisal and 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 04 November 2009 when approval will be sought for a recommendation to adopt the revised Sunniside Conservation Area Character Appraisal and Management Strategy as Formal Planning Guidance and to approve the extension of Sunniside Conservation Area to include additional land and buildings of historic and architectural significance and to approve the changing of the name of the extended conservation area to 'Sunniside Conservation Area'.

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 "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 Sunniside Conservation Area Character Appraisal and Management Strategy is the ninth 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 2009/10.
- 2.5 The document has been prepared in full cognisance of the provisions of the Sunniside Planning and Design Framework that was adopted by Cabinet in July 2008 as Supplementary Planning Document (SPD) and is considered to give effect to the 'heritage-led' approach to regeneration that pervades much of that Framework, with particular reference to parts of the 'Tavistock' and 'Eastern' sectors of the greater Sunniside area.

3.0 Current Position

- 3.1 Sunniside Conservation Area (currently known as the Sunderland Central Conservation Area) is based on the core of the early 19th century development of Sunderland, including the Fawcett Estate. The area, which soon became the fashionable centre of town, is of a broadly similar character throughout, although sub-areas of special character may be identified. Key features of the area include Fawcett Street a busy thoroughfare leading to the Wearmouth Bridge; Sunniside Gardens contemporary public realm design on an historic open space; and the elegant late-Georgian and early Victorian terraces that run between the two. There are over 120 Listed Buildings in the Conservation Area.
- 3.2 The area proposed as an extension to the Conservation Area is characterised largely by red brick industrial/commercial buildings, developed on the same grid-iron layout as the Fawcett Estate and which contains several buildings of cultural significance including the Jewish Beth Hamedrash, one of only three sites in the City that evidence the contribution made by that community to the City's development; and also sites of significance to the Quaker community.
- 3.3 The integrity and character of the city's conservation areas can come under threat of erosion due to property alterations to accommodate new uses and pressure to redevelop buildings and sites. The Council promotes regeneration in Sunniside, but seeks to achieve this through a heritage led approach to preserve and enhance its special architectural and historic interest.
- 3.4 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 rigourous. 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 (that springs from its historic buildings, significant open spaces and streetscapes) from the potentially adverse effects of property development.
- 3.5 The draft Sunniside CAMS follows the relevant guidance set out in the joint Office for the Deputy Prime Minister (ODPM)/ 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.
- 3.6 The draft document has now been subject to public consultation. A range of organisations and interested parties have been consulted, including English Heritage, national and local heritage societies, local residents and businesses, local architects and developers, Ward Councillors and relevant Portfolio Holders. Copies of the CAMS were available for viewing at the Civic Centre, 'thePlace' arts and business centre in Sunniside and the City Library. A public exhibition was also held at 'thePlace' over two days to discuss the content of the document.
- 3.7 The publication of the draft CAMS and the public exhibition were advertised city-wide with posters in the libraries; an item published on the Council website homepage and also through a notice of the exhibition in the Sunderland Echo. A public exhibition was held at 'thePlace' over two days the 9th and 10th of July to discuss the document, with particular reference to the proposed Management Proposals.
- 3.8 The period of consultation expired on 31 July 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.

4.0 Summary of Consultation Responses and Modifications

- 4.1 In all, ten written representations have been received out of a total of over 700 consultation letters sent. Nine people attended the public exhibition of which none completed comments sheets, but notes were taken covering the main issues raised in the discussions. Six responses were received from local residents, one from a planning consultant on behalf of a developer with an interest in a site adjacent to the conservation area, one from the Sunniside Partnership, one from English Heritage and one from the Tyne and Wear County Archaeologist.
- 4.2 Various additions and amendments to the document's text and maps have been made in light of the comments received (see appended schedule).
- 4.3 All who responded to the draft document were supportive and expressed interest in and concern for the character and appearance of the conservation area. A key outcome of the consultation responses was a recommendation from English Heritage and the County Archaeologist to make stronger reference to the archaeology of the area and provide an additional management objective to this effect.
- 4.4 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 Sunniside Conservation Area Character Appraisal and Management Strategy are available in the Members' library.

4.5 The number of responses is considered to be poor given the efforts made to publicise the exercise. However, this was not unexpected as the document is substantially founded on promotional work done in the recent past for the regeneration initiatives and the Sunniside Planning Framework; both of which were consulted on extensively. Much of the information and principles included in the CAMS is therefore familiar to and largely accepted by the local community. It is considered that 'consultation fatigue' has contributed to the poor turnout, coupled with the fact that there is little in the document that is controversial.

5.0 Boundary extension

- 5.1 The Sunderland Central Conservation Area was originally designated in 1969 and covered a much smaller area than today's Conservation Area; in 1989 it was extended to include Fawcett Street and part of High Street West. Almost 20 years on, perceptions of what is of historic, architectural and social significance have continued to evolve and in the current conservation-led regeneration climate of the wider Sunniside area it is particularly important to recognise the significance of the Tatham Street/Villiers Street area to the social history of Sunniside. It is not just the social significance of the mix of uses which is important in today's largely post-industrial landscape; many of the historic buildings in the proposed extension area display interesting and attractive architecture, with detailing that evidences former uses. Many of the properties remain in good condition with little or no obvious outward alteration, although a number are showing the symptoms of a lack of maintenance as a result of inappropriate or under-use.
- 5.2 The proposal to extend the boundary to include the Tatham Street / Villiers Street area is set out under Management Objective 1. The extended boundary is shown on the map in appendix 3 to this report. This measure will afford buildings of cultural significance within the extended boundary protection from demolition and insensitive alteration and also further the delivery of appropriate design solutions for the vacant or derelict sites in their close proximity. This will give effect to policy SPDF 4 in the adopted Sunniside Planning and Design Framework that has a presumption in favour of the retention of historic buildings.
- 5.3 The owners / occupiers of the additional properties to be included in the Conservation Area were consulted on the proposed extension as part of the public consultation exercise. No objections were received; one letter was received in support. Two members of the public suggested an additional area for inclusion: the site of Tavistock car park and Murton Street, largely on grounds that these areas provide a setting for Sunniside. However, whilst there are significant buildings in this area, it lacks cohesiveness with Sunniside. The most significant of these buildings are listed buildings and thereby protected already. Also, the Sunniside Planning and Design Framework contains specific policies regarding the design, scale, and layout of new development in this area, and this provides a robust policy framework to control future developments. It is considered therefore that there is no clear justification to extend the Conservation Area to take in these areas.

6.0 Recommendation

6.1 The Committee is invited to make comments on the Sunniside Conservation Area Character Appraisal and Management Strategy.

7.0 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 Sunniside Conservation Area Character Appraisal and Management Strategy
- Sunniside Planning and Design Framework Supplementary Planning Document (SPD)
- Responses to public consultation exercise

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

Consultee	Comments	Action / reason for no action
Heritage Organisations		
Tyne & Wear County Archaeologist	Commented that the document is thorough, but noted that while the Sunniside area is not particularly archaeologically sensitive (as it lies outside the medieval Borough) there are a number of archaeological sites which should be referenced in the document.	Inserted new Management Objective relating to archaeology, with text approved by the County Archaeologist. Also inserted a table into the appendix outlining all relevant entries held on the Historic Environment Record for Sunniside.
English Heritage Historic Areas Advisor, North East Region (EH)	Noted that the Sunniside CAMS, along with the other Sunderland City Council CAMS, is a well presented, comprehensive and detailed document which clearly sets out the policy context.	No action required.
	Noted also that those responsible for managing the conservation area must become familiar with the document, and more importantly, use it in decision-making.	Copies of the adopted CAMS will inform decision making on planning applications and will also be available on the Council website for reference by elected members and the public.
	Commented that the whole council is responsible for managing the city's conservation areas, not just the Planning Service, and emphasised that as a strong message of EH's recent Conservation Areas at Risk campaign.	Additional text added to the Background section referring to the EH's "Heritage at Risk" programme and its implications for the management of conservation areas, including an account of the criteria for conservation areas to be judged "at risk", and the council's obligations and aspirations in that respect.
	Suggested that reference should be made in the Management Strategy to the EH Heritage at Risk survey and the Council's strategy for the management of 'at risk assets', and for ensuring that the area does not become 'at risk' in the future.	Management Objectives 2 and 3 seek to address 'at risk' assets through the conservation-led regeneration of the Conservation Area and the operation of grant schemes (where possible) to restore and return to use buildings at risk. Though it should be noted that the current grant scheme (funded by ONE-NE) terminates in March 2010.
	Recommended that a management objective should be included to cover what the Council will do in managing its own properties within the area.	Not considered appropriate to include a new management objective referring specifically to council owned listed buildings, as the Council is under the same obligations as all property owners in this respect.
	Suggested that objective 4 could be amended to include specific reference to the Council's role in managing public spaces.	Additional text has been added to proposal 4b, stating that the delivery of high quality public spaces must be supported by the good management of space by the Council.
	Noted that the Character Appraisal is well detailed, but currently lacks sufficient reference to archaeology.	Replicates comment by the County Archaeologist: a new Management Objective has been inserted specifically relating to archaeology – as above.

	Expressed support for the proposed extension to the conservation area.	No action required.
Sunniside Pa	rtnership	
	The Partnership has expressed its support for the content of the draft document and consider that it clearly aligns with the adopted Sunniside Planning and Design Framework.	No action required. Close liaison with officers of the Partnership has taken place in the drafting of the document. A series of detailed comments were received and incorporated as the document developed into the consultation draft.
Architects/ de	evelopers	
Planning Consultant	Attended exhibition and submitted formal written comments on behalf of client that owns property in vicinity. Noted that the proposed extension to the Conservation Area will bring the boundary close to the proposed development site and expressed concern that this may raise new issues for the outline consent recently secured. Provided that this wouldn't happen, the developer is in support of the proposal.	The outline consent for development has already been granted and cannot, therefore, be altered due to the extension of the Conservation Area. Should the consent lapse, or an entirely new application for consent be submitted in future, then this will be considered in its context adjacent to the Conservation Area, as set out in Policy B4 of the adopted City of Sunderland UDP. No action required.
	Encouraged the Council to instigate additional public realm works in the eastern Sunniside area in order to enhance their development scheme.	There are currently no proposals to extend the public realm improvements east, but this may become possible in the future. No action required.
Local Busine	sses /Residents	
Local resident 1	Lives within the area proposed for inclusion and expressed support for this proposal as it will protect the existing buildings from further deterioration and can be effected at no cost to the council. Suggested that the extension should be declared a conservation area as soon as possible to halt the deterioration of the area.	No action required.

Local resident 2	Attended exhibition and submitted written comments questioning why Toward Road, the south side of Murton Street and the Tavistock car park / adjacent hotel proposal are excluded.	A statement of justification has been provided regarding the decision to not include this area in the extension.
	Noted that as the Urban Design Strategy recognises the "gateways" at the fringes of Sunniside, the boundary could be taken right to the east of the ring road	Part of this area is already designated as the Old Sunderland Riverside Conservation Area. The remainder does not contain special architectural or historic interest and does not therefore meet the criteria for conservation area designation as set out in PPG15 and English Heritage guidance. No action required.
	Questioned the consultation process, suggesting that if the views of residents are required then they should be consulted prior to "printing wordy documents". Suggested holding informal discussion groups in a pub or restaurant. Questioned the value of a consultation with few responses – is it worthwhile?	See para 55.5 of the main report. The responses were low and this is regrettable, but there are circumstances pertaining to Sunniside in recent years that explain this. The consultation is a requirement of legislation and guidance.
	Noted that the Gardens has been a great improvement, but that maintenance (e.g. fountains) must be maintained to a high standard.	Management proposal 4b already addresses and emphasises this point. No action required.
Local resident 3	At exhibition: questioned anti social activities associated with certain hostels in the vicinity.	This issue is addressed in the Sunniside Planning and Design Framework that states that no further hostel use will be acceptable in Sunniside. This cannot, however, be applied in retrospect to existing hostels. The issue is not within the remit of a conservation document.
	In written comments: said that the CAMS is a comprehensive and detailed report; noted that the proposed extension of the conservation area is an essential element, as it will give protection to buildings of real interest.	No action required.
	Noted that some additional financial incentive is required to assist the owners of private properties to make improvements. Suggested that if new grant schemes aren't possible then perhaps the Council could support a loan scheme.	The existing Grant Scheme is fully committed and expires in March 2010 and there is no identified funding for a future scheme. However, Proposal 3a states that the Council will continue to explore funding opportunities. The Planning Act does provide for LAs to make loans available for such works but such an option has not been pursued in Sunderland.
	Suggested that owners of Listed Buildings might get advice from the Listed Property Owners Club.	Added reference to useful contacts/resources section
Councillor	Attended exhibition. Expressed dislike of the extension on the Old Post Office in Sunniside Gardens.	This development is generally regarded as a quite competent design that marries a modern solution to an historic building. This can be a controversial approach to 'building in context' but is generally

	Expressed great admiration of thePlace and a general pride in Sunniside overall. Supportive of conservation/regeneration	accepted as being appropriate and several examples are now to be seen in Sunniside of varying success. The work at thePlace is a good example of a high quality contemporary architecture in an historic area. No action required.
Members of the public 2 and 3	aspirations. Being interested in local history, these people were able to bring to our attention detailed accounts and information on some buildings.	Corrections made to document as required.
	Disputed the statement that the Thai Manor (Manor House) is a quality landmark given the alterations, which they felt had compromised its integrity. Asked that the council give an assurance that there will be no repeat of ill considered alterations.	This is not accepted. A number of alterations were made to Manor House prior to the Regeneration Strategy coming into effect to secure its restoration and re-use at a time when it was in a derelict state. The building remains an attractive foil to the townscape of the Gardens, and the Council's intervention probably saved this building from being lost altogether.
	Queried a number of designations on the townscape analysis map referring to positive / negative terminations of vistas and the significance of certain buildings.	These have been revisited and in some cases where appropriate, the designations have been changed. These include 'The Continental', Eauzone, Biscop House, Binns west store, and Joplings, etc.
	Suggested that Joplings should be considered for 'local listing'.	Guidance from English Heritage on best practice in producing a Local List is expected in Spring 2010, after which the preparation of a 'local list' for the City (heritage assets that are locally significant) is to be started. There is no such List at this time.
	Commented that the building on the corner of High Street West and Norfolk Street would have a positive impact if sympathetically renovated. Suggested the current notation indicates the Council's predisposition to accept redevelopment.	The building on the corner is of significance but is in part structurally unsound. It adds to the character and appearance of the Conservation Area but is likely to require at least partial clearance. Map modified to identify property as being of positive townscape value.
	Agree with the primary objective of the Management Strategy and hope it will herald a new era of sensitive design within the area.	No action required.
	Support the principle to extend the conservation area, but objected to lack of discussion on other options, eg Tavistock car park and Murton Street. Suggested further extensions would positively influence design on large development sites.	This is not a justification for conservation area designation; such matters are dealt with adequately in the Sunniside Planning and Design Framework. No action required. Text added in justification as to why the decision has been taken not to include this area in the extension.
	Expressed concern that the CAMS would be subordinate to the Planning Framwework , said to have "uncompromising stance on modern design" which may not sit with the conservation policy.	Every effort has been made to ensure that the two Planning Documents are mutually reinforcing and do not contradict each other. It is the case that the Framework (as an SPD), will carry more weight than the CAMS which is only 'guidance' and thus a lower order of document within the LDF system. See also the above note on 'Building in Context'.

Agree with text on pages 44/45 This is not accepted. relating to a lack of good quality The public realm works that are currently underway pedestrian signage and proliferation in the Conservation Area are a contemporary of street clutter. response to the area and reflect a desired Commented that the new "frigger" orientation to the arts and creative sectors, as does lighting columns to be installed on St. the design for the Gardens. The design is Thomas Street are not in character, distinctive and will enhance the Conservation Area more so than would a reproduction period light and will create a disjointed effect. column. Commented that proposal 4c, (on The document highlights the issue of creating high rear lanes), that they are the quality rear lanes in order to provide guidance to responsibility of the council and that developers where their proposals may impact upon front streets should be a higher the lanes. Original setts may remain beneath the priority; and gueried whether original tarmac in some cases. Investigations will only be setts remain in situ. undertaken if resurfacing is proposed/ required. Suggested that text on resurfacing Text on page 54 amended to read "existing rear rear yards/ parking areas may imply yards and parking areas" to avoid any potential that the council would favour confusion. demolition of existing outhouses etc contradicting text in proposal 7b. Suggested that text on page 55, See above. There are no new funding sources which refers to the conservation of identified for future grant schemes. The terms of the architectural integrity of the what may be eligible for assistance will not be known until such time as the criteria of a funding historic terraces, should identify body is known. circumstances where grant assistance may be likely. Commented that the design Brief explanation added to page 55 as to why in guidance does not clearly identify the some cases the council can only encourage responsibilities and obligations of owners to carry out works due to the limitations on owners of buildings, and why in what can be required in the context of planning some scenarios the council will control, and dependent upon the designated status "require" and in others "encourage". of the building. With regard to specific design Additional text included in document to say ... guidelines: asked what modifications upgrading, easing and re-hanging sashes has a to sliding sash windows would be significant impact on improving heat retention, as acceptable to improve heat retention has the discreet insertion of draught seals; none of and whether they would have a which should have a detrimental visual impact. visual impact. With regard to specific design Text box added to refer to scenario of both stack and pots already lost, namely replacement of both guidelines: gueried what the council would require if chimney stacks and the stack and the pots can be encouraged, but not pots are both lost, as this aspect is required, unless they have been removed in an not covered in the document. unauthorised act. With regard to specific design Some dormers in the terraces are historic, and this guidelines: suggested that a fact is already noted within the document. The restriction on new dormers in the introduction of new dormers is generally resisted terraces is unduly onerous and may on historic buildings due to the intrusive impact limit future redevelopment of some they would have on the roofscape and general properties as they may be less viable character and appearance of the historic street scene. No action required. With regard to specific design Brief explanation added to page 55 as to why in guidelines: suggested that the some scenarios the council can only encourage references to cleaning and repointing owners to carry out works due to the limitations on brickwork should be supported with what can be required in the context of planning

	clarification of what can and cannot be required by the Council.	control.
	Commented that there is a possibility that elements of historic shopfronts may lie beneath the existing modern fronts on a number of buildings on Fawcett Street. Suggested that owners be encouraged, with grant assistance, to restore frontages.	This is a standard approach to such scenarios. But the council cannot always require such works through its planning function. See above re the termination of the Sunniside Grant Scheme No action required.
	Noted that the text on page 45 referring to new development states that "demolition will generally be resisted in all cases where it concerns a building of architectural or historic interest", implies that this refers only to listed buildings and that "generally" means not always.	This is not accepted though text is altered slightly for clarification. The text refers to the Government's Planning Policy Guidance Note and reflected in the City's UDP policies B7 and B8. All applications to demolish buildings of architectural or historic interest (i.e. not necessarily those that are listed) will normally be resisted by the council, unless exceptional circumstances exist to justify demolition.
	Suggested a new management proposal which would identify locations where the council would prefer to see new development and those areas where it would be opposed.	Positive areas for re-development within the Conservation Area are already identified on the map on page 46 of the document, and otherwise are addressed in detail in the Sunniside Planning and Design Framework SPD. 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	Mackellar Schwerdt	
Conservation	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	
One North East	Ward Hadaway Solicitors	
Back on the Map	Purves Ash LLP	
Homes and Communities	A.M. Watt	
Agency		
Sunderland Civic Society	Jeff Park Building	
	Consultancy	<u>_</u>
Sunderland Antiquarian	Wearmouth Architectural	
Society	Design	
Sunderland Heritage and	Gray, Fawdon & Riddle	
History Forum	Architects	_
Grace McCombie	Howarth Litchfield	4
Living History North East	HLB Architects	4
History Society of Sunderland	Planit Design	4
Victoria County History	Reid Jubb Brown Calmont	_
		4
	Elder and Cannon	4
	CITU Ltd	4
	Atkins Ltd	-
	A E Thornton Firkin and	
	Partners Architecture 2B	-
	Prospect Estates Ltd	-
	Shine	-
	Offine	