

South Tyneside
Local development
framework

Final Adopted
Version

SPD 18
Cleadow Hills Conservation
Area Management Plan

April 2009



South Tyneside Council

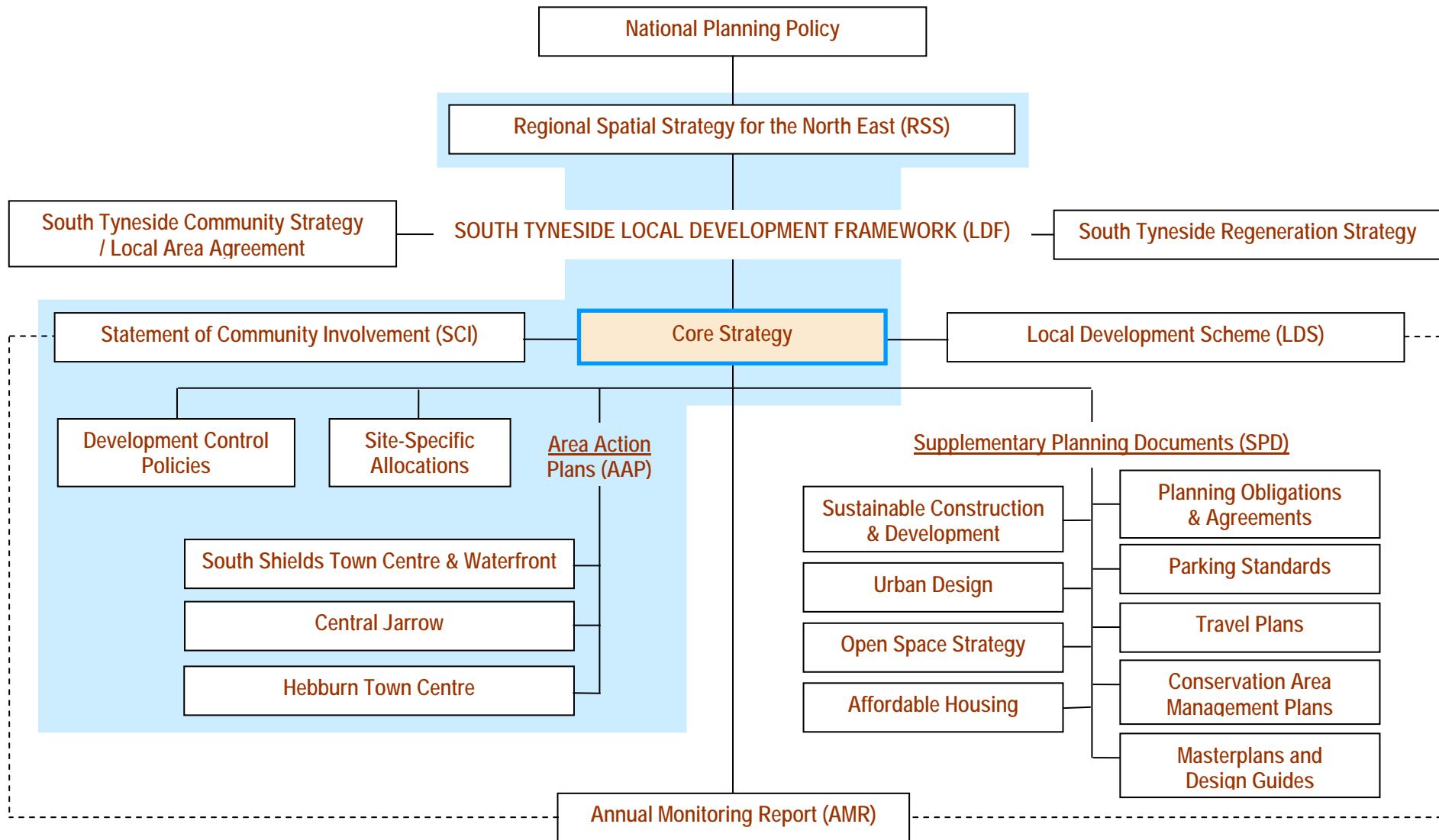
The New Development Plan
for your Borough

Final Adopted
Version

SPD 18 Cleadow Hills Conservation Area Management Plan

April 2009

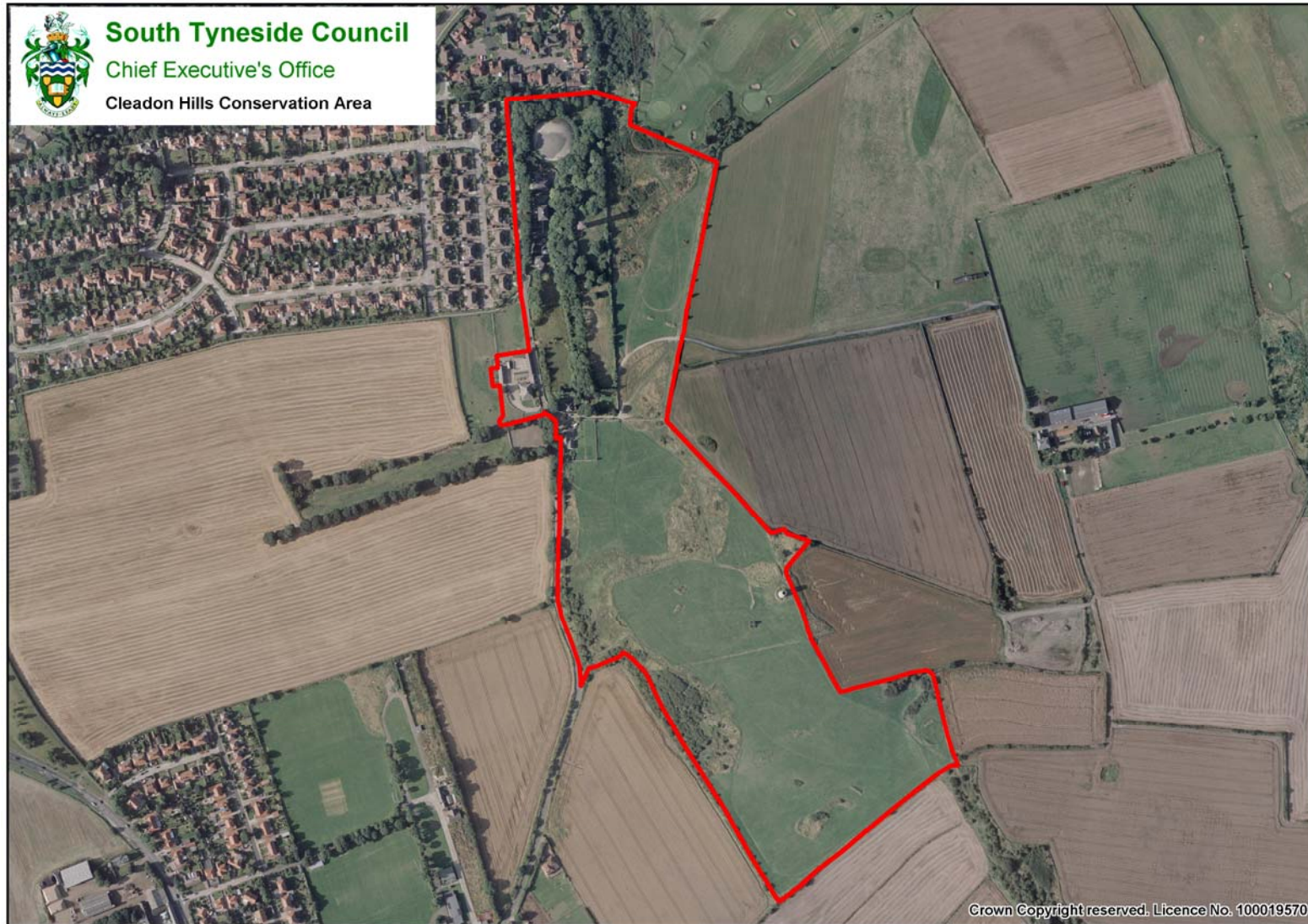
South Tyneside Local Development Framework – Family Tree



- The statutory Development Plan

Contents

	Page
1. Introduction	1
- Development Principles	8
2. Character Area 1: Pumping Station and Sunnyside Farm	12
3. Character Area 2: Cleadow Hills and Windmill	15
Annexes:	
A. Sustainability Appraisal	18
B. Further Guidance	28
B.1 Legislation	28
B.2 Assessing Applications for Consent	33
B.3 Detailed Guidance on Repairs, Alterations and Extensions	35
B.4 References and Further Reading	40



Cities Revealed® aerial photography copyright The GeoInformation® Group

Cleadon Hills Conservation Area Management Plan

Introduction

National/Regional/Local Guidance

PPS 1: Delivering Sustainable Development

PPS 3: Housing

PPG 15: Planning and the Historic Environment

PPG 16: Archaeology and Planning

The North East of England Plan Regional Spatial Strategy to 2021 (RSS)

Spirit of South Tyneside: South Tyneside's Community and Local Neighbourhood Renewal Strategy / Local Area Agreement (May 2008)

Transforming Together: South Tyneside's Regeneration Strategy (2004)

Unitary Development Plan (UDP)

Local Development Scheme (LDS)

Core Strategy

Development Control Policies (DPDs)

Supplementary Planning Documents (SPDs)

Guidance on the Management of Conservation Areas (2005), English Heritage

Guidance on Conservation Area Appraisals (2005), English Heritage

Cleadon Conservation Area Character Appraisal (2007)

South Tyneside Urban Design Framework (2006)

South Tyneside Streetscape Design Guide (2006)

1.1 Everything we do is about achieving “a better future for South Tyneside’s people”. That is our vision for the Borough. To deliver a better future, one of our big challenges is to make South Tyneside a place where people choose to live, work and visit. This means developing new and exciting buildings whilst preserving our cultural heritage, beautiful coastline and countryside. It also means ensuring a quality range of homes, shops and businesses, parks and public spaces, all linked by an excellent transport system. All of these things need to be delivered through the planning system, and in particular the **South Tyneside Local Development Framework** (LDF). This will guide the future development and use of land and buildings in the Borough over the next 10-15 years, and replace the existing Unitary Development Plan (UDP).

1.2 The preparation of the Cleadon Hills Conservation Area Management Plan is the next step after the publication of a Conservation Area Character Appraisal and is a direct response to the 1990 Planning (Listed Buildings and Conservation Areas) Act, which places a duty on local planning authorities to formulate and publish proposals for the preservation and enhancement of its Conservation Areas. Management Plans form part of the Local Development Framework (LDF) and will, as Supplementary Planning Documents (SPDs), be a key material consideration in the determining of development proposals.

1.3 Cleadon Hills Conservation Area Management Plan encourages the Local Authority, developers, development professionals (e.g. planners, architects, landscape architects, highway engineers) and the local community to engage in the preservation and enhancement of the local historic environment. This will help enhance the special character and appearance of this important heritage asset.

Sustainability Appraisal and Appropriate Assessment

1.4 This Supplementary Planning Document has been assessed to see how well it meets a number of social, economic and environmental objectives. This is known as a Sustainability Appraisal, which is intended to help improve the document. The Sustainability Appraisal Report is included in this document at Annex A.

1.5 The content of the Cleadon Hills Conservation Area Management Plan has been formally considered in relation to the requirement to undertake Appropriate Assessment of land use plans as set out under Article 6(3) and (4) of the European Communities (1992) Council Directive 92/43/EEC (the Habitats Directive) and as translated into English law through Schedule 1 of the Conservation (Natural Habitats, &c) (Amendment) (England and Wales) Regulations 2006 (Habitats Regulations).

- 1.6 The study area boundary of the Cleadow Hills Conservation Area and the nature of the development principles set out have been considered in conjunction with advice taken from ecological experts on the location, conservation objectives and key vulnerabilities of the European Designated Sites and their interest features within or adjacent to South Tyneside which may potentially be impacted on or adversely affected by the said development principles.
- 1.7 It is concluded that the Cleadow Hills Conservation Area Management Plan development principles do not have the potential to adversely affect the integrity of any European Designated Sites or related interest features and therefore no further Habitats Regulations Assessment work is required.

Cleadow Hills Conservation Area

- 1.8 The existing boundary evolved over two years. In 1988 Cleadow Pumping Station Conservation Area was designated to cover around 3 hectares of the former water pumping station site and the adjacent farm. This was made to protect unlisted buildings and the site's trees, boundary walls and spaces. Designation was prompted by the imminent sale of the site and possible threat of fragmentation.
- 1.9 The following year, the size of the Conservation Area was considerably increased to include the Listed Cleadow Windmill, adjacent elevated open grassland (part of the Durham Magnesian limestone plateau and a Site of Special Scientific Interest), and flatter higher grassland immediately to the east of the pumping station site. This existing boundary covers some 15 hectares. The name was changed at the same time.
- 1.10 **The Cleadow Hills Conservation Area Character Appraisal offers a more detailed analysis of the area and will be used to support development control decisions for the purposes of preserving and enhancing the character and appearance of the Conservation Area.**
- 1.11 The key aims of the Management Plan are:
- To raise awareness of the importance and value of local heritage;
 - To identify distinctive public realm character areas within the Conservation Area; provide guidance; and set out objectives to preserve and enhance buildings, structures and landscapes;
 - To provide tailored design guidance and set out actions for the enhancement of the Conservation Area;

- To outline key statutory requirements with respect to development within the Conservation Area, provide guidance, and set out actions to secure the proper and effective application of these requirements; and
 - To propose the implementation of management procedures to co-ordinate the delivery of new works and maintenance of public spaces.
- 1.12 The North East of England Plan Regional Spatial Strategy (RSS) forms the strategic part of the statutory development plan for the Borough. This is complemented at the local level by the **Local Development Framework (LDF)**, which sets out the strategy, policies and proposals to which all development proposals will be assessed. The LDF replaces the Unitary Development Plan (UDP), although many saved UDP policies will retain development plan status until parts of the new system are adopted.
- 1.13 As a **Supplementary Planning Document**, this Management Plan will be a key material consideration in the determining of development proposals. This Supplementary Planning Document is in support of the following Development Plan policies:

Unitary Development Plan – adopted October 1999

Environment

- ENV5 Principles of Good Design and Access
- ENV6 Historic Buildings
- ENV7 Conservation Areas
- ENV7/1 Conservation Areas: Enhancement Schemes
- ENV7/9 Conservation Areas: New Development
- ENV7/10 Conservation Areas: Alterations to Unlisted Buildings
- ENV7/11 Conservation Areas: Changes of Use
- ENV8/2 Archaeology: Other Important Remains
- ENV19/2 Site of Special Scientific Interest
- ENV19/3 Nature Conservation: Other Protected Species
- ENV23/1 Areas of High Landscape Value
- ENV/23/2 Areas of Landscape Significance
- ENV/23/3 Landscape and views from the Green Belt
- ENV25 The purposes and boundary of the Green Belt in South Tyneside
- ENV25/1 Green Belt: Control Over Development: New Development

- ENV25/2 Green Belt: Reuse of Existing Buildings
- ENV25/5 Green Belt: Landscape Improvements
- ENV27 Stables and Other Horse Shelters

Natural Resources

- NR10 Renewable Energy Development

Urban Design

- UR1 General Principles: Urban Regeneration
- UR2 Transportation and Regeneration

Economic Development

- ED2 Development Control Considerations: Economic Development
- ED9 Telecommunications

Housing

- H2 Development Control – Housing
- H5/2 Backland Development
- H7/2 Areas outside the Coverage of Proposal H7/1: Conversion to Guest or Boarding House
- H7/3 Hostels and Houses in Multiple Occupation
- H9 Gypsy Caravan Sites

Sport, Recreation and Leisure

- RL2 Development Control – Sport, Recreation and Leisure
- RL4 Standards of Open Space Provision
- RL5 Protection and Retention of Existing Recreational Open Space
- RL6 Protection and Retention of Playing Fields
- RL9 Children's Play Areas
- RL10 Allotment Gardens
- RL11 Countryside Recreation

Social and Community Facilities

- SC2 Development Control: Social and Community
- SC2/1 Development Control: A Safer Environment

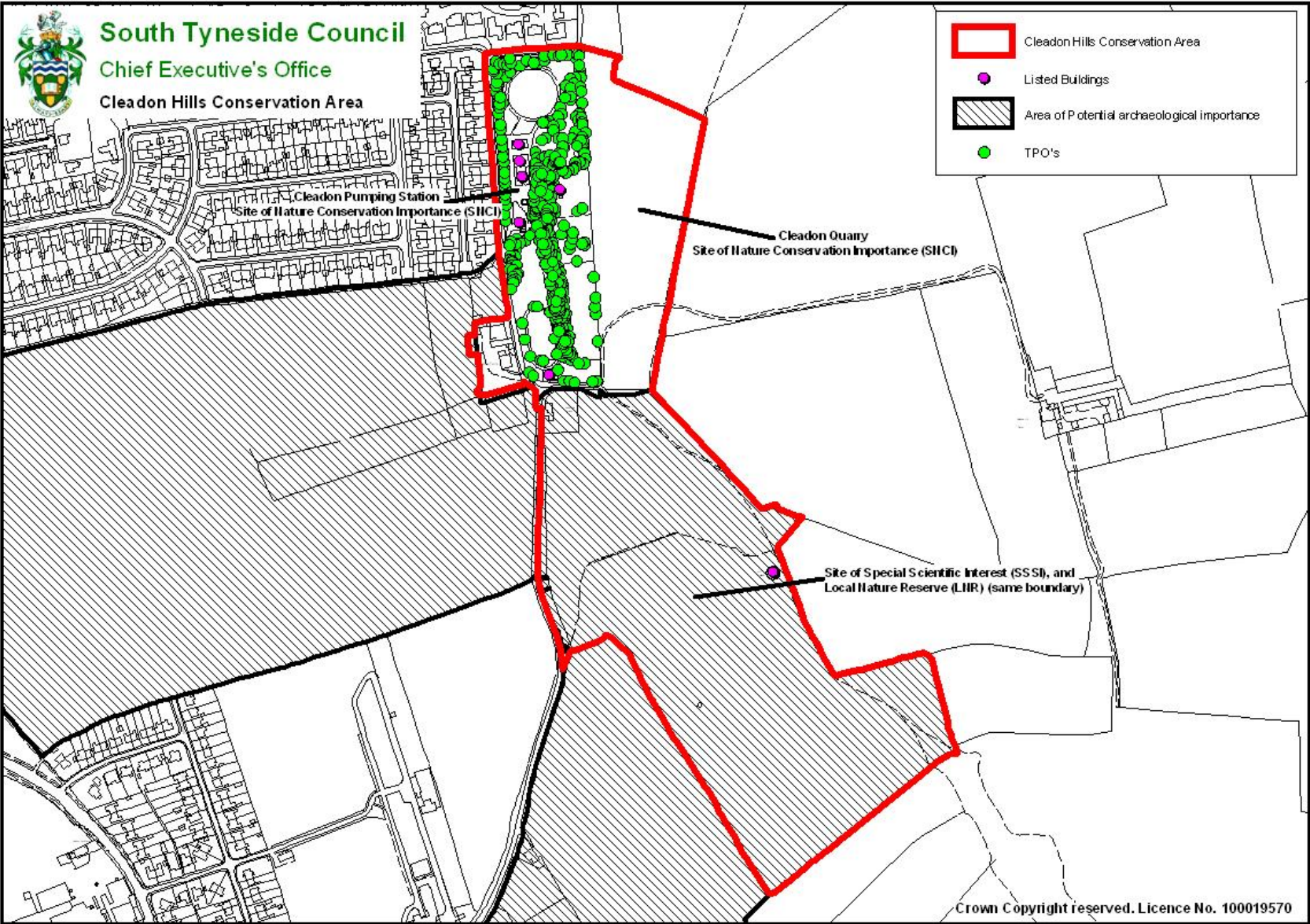
Transport

- T2 Transport and Development Control
- T8 Mobility Impaired
- T17 Car and Cycle Parking

Local Development Framework

Core Strategy (adopted June 2007)

- ST1 Spatial Strategy for South Tyneside
- ST2 Sustainable Urban Living
- SC1 Creating Sustainable Urban Areas
- SC6 Providing for Recreational Open Space, Sport and Leisure
- EA1 Local Character and Distinctiveness



Issues

- 1.14 Cleadow Hills requires long-term management of its geological, architectural and nature conservation interests. This document seeks to offer some suggestions and solutions to these issues in order to try and maintain the character and appearance of the Conservation Area.
- 1.15 Cleadow Hills' historic buildings are increasingly under threat for a number of reasons, such as a lack of maintenance or insensitive alterations and continued pressure from development. The Council will therefore seek to:
- Advise owners on repair and maintenance through best practice conservation principles
 - Ensure internal and external alterations to Listed Buildings preserve their architectural integrity and historic interest
 - Preserve the distinctive character and appearance of historic buildings and retain evidence of earlier, redundant architectural features and arrangements
 - Retain and reinstate historic roofscapes through the development control process
 - Ensure that all new development demonstrates the highest possible standards of architectural merit and adopts best practice design principles
 - Undertake an audit of the public realm with a view to rationalising street clutter and inappropriate road markings
 - Resist sub-division of historic spaces and within building plots that would harm the special character and historic settlement pattern of the area
 - Provide design guidance and prepare development briefs, where necessary, for prominent development sites
 - Monitor the physical condition of buildings and other structures on a regular basis
 - Ensure that sites of known or potential archaeological significance are dealt with in an appropriate manner
- 1.16 Cleadow Hills Conservation Area was also designated for the quality of its streets, landscapes and open spaces. The Council will therefore seek to:
- Ensure any development proposals will preserve key views of individual and groups of landmark buildings
 - Ensure that replacement street lighting under the Council's PFI Agreement will enhance the distinctive character of individual streets, paths and spaces

- Undertake a detailed condition survey of existing trees and hedgerows and outline a management plan to ensure continued tree coverage and allow for incremental planting and biodiversity enhancements
- Retain and protect areas of open space and views across open countryside
- Monitor and manage biodiversity and geodiversity interests

1.17 Through the application of national legislation and guidance the Council will also endeavour to:

- Review and update the Local List (buildings of acknowledged architectural quality or historic significance)
- Retain buildings that make a positive contribution to the character and appearance of the Conservation Area
- Pursue Enforcement Action through the use of Urgent Works Notices, Repairs Notices and Section 215 Notices
- Review existing and propose additional Article 4 Directions

Development Principles

Cleadon Hills is a very sensitive area that must be carefully managed in a manner that respects its various biodiversity, geological, conservation and heritage designations. New development is likely to have a significant detrimental impact on one or more of these designations. Development will therefore normally be considered undesirable in this area.

The Cleadon Hills Character Appraisal explains the various designations in more detail.

Additional development principles relating to specific areas can be found throughout this document.

1.18 For the purposes of managing development within Cleadon Hills Conservation Area, the Council will have particular regard to the following development principles:

CA-CH1 New Development

There will be a presumption against new development within Cleadon Hills Conservation Area.

CA-CH2 Archaeology

The Council will ensure the protection, preservation and, where possible, enhancement of sites of archaeological interest through the development control process by:

- A) Requiring an archaeological assessment to be carried out, either in the form of a desk based assessment or field evaluation, in advance of the determination of planning consent where development proposals are likely to affect archaeological remains or**

[continued ...]



Cleadon Chimney



Cleadon Windmill

[CA-CH2 continued...]

sites of potential archaeological interest, as identified on the Sites and Monuments

Record;

- B) Restricting development proposals that are likely to adversely affect archaeological remains;**
- C) Requiring remains to be recorded in cases where in-situ preservation cannot be achieved; and**
- D) Negotiating Section 106 Agreements for the protection, enhancement and interpretation of archaeological remains.**

CA-CH-3 Traditional Walls

A presumption will be made for the retention and protection of historic magnesian limestone walling found throughout Cleadon Hills Conservation Area. Proposals to demolish significant historic boundary walls and their plinths will also normally be resisted.

- 1.19 Additional, more area-specific development principles are contained within the subsequent Sections. All of the development principles in this document should be considered alongside the additional guidance and best practice principles detailed in Annex B. Regard should also be had to the Cleadon Hills Conservation Area Character Appraisal.
- 1.20 It should be noted that certain alterations to buildings within a Conservation Area, which would otherwise be classed as Permitted Development, require owners to submit an application for formal Consent. Such alterations include the erection of a satellite dish or the demolition of a wall, for example. Annex B provides additional advice. If you are in any doubt, you are advised to contact the Area Planning Team on 0191 424 7421.
- 1.21 Regardless of whether Planning or Conservation Area Consent is required for a specific action, protected species must be considered when undertaking maintenance, building and development works to ensure that offences are not committed. In addition, all trees above sampling size in a Conservation Area are automatically protected until the Council has agreed whether or not the proposed tree works can take place. Additional information on Protected Species legislation can be referred to in Annex B.1.

- 1.22 In order to complement the Cleadon Hills Conservation Area Character Appraisal, the Management Plan has been divided into two distinct character areas for more detailed analysis of the key issues:

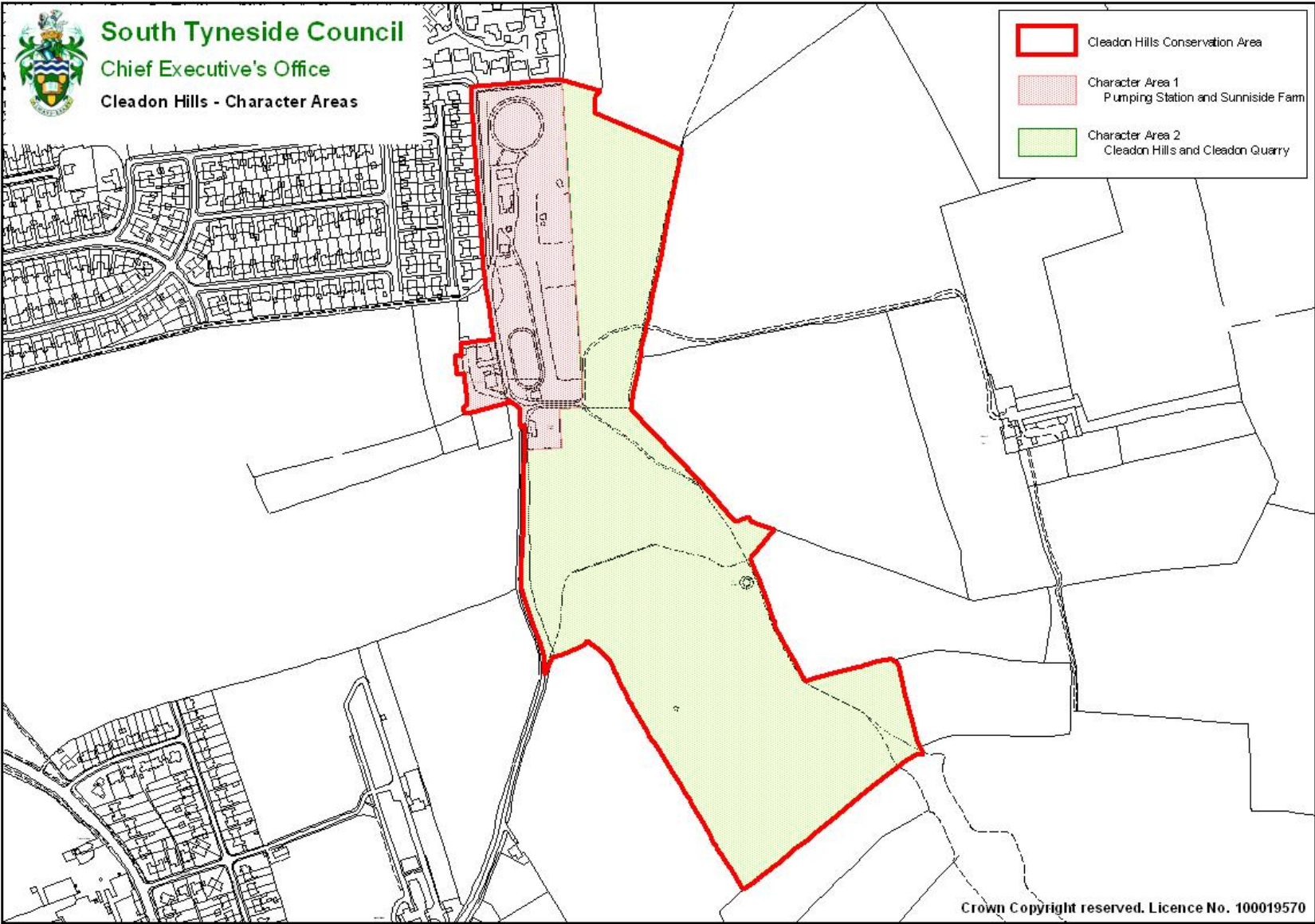
Character Area 1 Pumping Station and Sunnyside Farm

Character Area 2 Cleadon Hills and Windmill

- 1.23 The historic built environment (buildings and structures) and the public realm (landscape, open spaces and streets) characterise each area. Important defining characteristics include:

- Building and structure age, design, layout, size and use
- Agricultural land, fields, gardens, recreational areas, and any other areas of open space
- Significant boundary walls
- Landscape, and
- Road and footpath networks

- 1.24 For each character area, a brief description highlights key aspects of the historic and architectural importance of the historic environment and the significant threats to the effective preservation and enhancement of the area. These are taken from the Cleadon Hills Conservation Area Character Appraisal, which offers a more detailed analysis of the area. The Management Plan then sets out specific management proposals and actions for the preservation and enhancement of Cleadon Hills Conservation Area's buildings, structures, streets, landscapes and open spaces.



Pumping Station and Sunnyside Farm



This new extension is sympathetic in scale, design and materials to the original Listed Building. It was part of a sensitively designed scheme to bring the pumping station back into use.



The Conservation Area's underlying magnesian limestone rock was quarried to build boundary walls.



The chimney is a distinctive landmark.

Character Area 1: Pumping Station and Sunnyside Farm

- 2.1 This sub-area includes two clearly defined areas: the former pumping station and Sunnyside Farm. The potential for further use and development of these sites is very sensitive. Regard should be had to CA-CH1 New Development.

CA-CH4 Alterations to Buildings

Proposals involving the alteration of buildings within the Conservation Area should be appropriate in terms of scale and design. Materials should respect the age and character of the building. Proposals that are considered detrimental to the character and appearance of the building or the wider Conservation Area will be resisted. In particular, proposals involving the sub-division of open space and development on previously undeveloped land will normally be resisted.

- 2.2 The former pumping station is enclosed by a very prominent limestone wall, whilst Sunnyside Farm is dominated by its own walled boundaries.

Action A-CH1 Traditional Boundary Walls

The Council will monitor the condition of traditional boundary walls with a view to engaging landowners in their maintenance and repair.

- 2.3 The buildings within the former pumping station recently underwent sympathetic conversion for residential use, with the exception of the chimney tower and the covered reservoir, which remain vacant structures. The preservation of these structures is crucial as they form part of a dramatically arranged and structured group of buildings. The chimney tower appears on English Heritage's Buildings At Risk Register as a result of its vacant status and overall condition. It is therefore important that attempts are made to remove the risk through the implementation of a long-term management plan.

Action A-CH2 Cleadon Chimney Tower

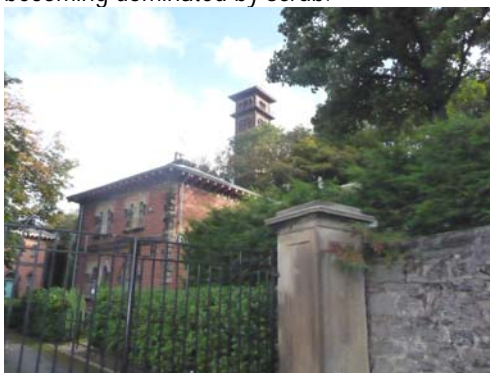
The Council will continue to monitor the condition of the chimney tower and take steps to ensure that it remains wind and watertight.



The concrete domed reservoir is redundant and could easily fall into disrepair.



The former reservoir now forms a grassland depression. Regular maintenance is required to avoid this important Local Wildlife Site becoming dominated by scrub.



Trees make an important contribution to the character and appearance of Cleadon Hills Conservation Area.

- 2.4 The covered reservoir is the most unusual of all the structures within the former pumping station grounds and is significant in both size and historical development. Currently fenced off and inaccessible, it is unlikely that a use for this unusual structure will be found. However, this concrete structure will fall into decay if a long-term management plan is not secured and implemented.

Action A-CH3 The Covered Reservoir

The Council will monitor the condition of the concrete domed reservoir and encourage the landowner to draw up and implement a management plan.

- 2.5 There have been recent additions to several key buildings within the pumping station grounds as part of a recent residential conversion scheme. These have been good quality contemporary additions. A mid to late-Twentieth Century flat roof extension to the former lodge building at the southern end of the site represents a less sensitive addition. Any additional development in the grounds would disrupt the historic layout and could have a detrimental impact on the important biodiversity interest of the site. Regard will therefore be had for CA-CH1 New Development and CA-CH4 Alterations to Unlisted Buildings.

- 2.6 The site contains a number of valuable habitats and as such is designated as a Local Wildlife Site. Of particular interest is the former cooling pond, which now contains shallow soils that have developed a varied and valuable flora, including many species typical of older, high quality magnesian limestone grasslands. If they are not correctly managed most of the valuable habitats will be subject to deterioration, e.g. the grasslands will become dominated by scrub and/or coarse grasses.

Action A-CH4 Biodiversity and Land Management

The Council will endeavour to:

- A) Monitor the biodiversity interests within the former pumping station;**
- B) Ensure that the site is managed in such a way that it attains and remains in favourable condition for wildlife; and**
- C) Maximise opportunities to enhance biodiversity.**

- 2.7 As time passed, trees grew and self-seeded within and around the Pumping Station, reinforcing its visual impact in the surrounding open landscape. The trees, particularly when in full canopy, obscure views into and across the site, offering a sense of seclusion and visual intrigue. All trees above sapling size in a Conservation Area are

automatically protected until the Council has agreed whether or not the proposed tree works can take place. However, it is recognized that there must be some form of tree management.

Action A-CH5 Tree Management

The Council will seek to work in partnership with the landowner to ensure that trees are properly managed and that they are not allowed to damage the traditional boundary walls located within and around the former Pumping Station.



The group of buildings that form Sunnyside Farm have few external openings. Conversion would be challenging and could be harmful to the character and appearance of the Conservation Area.

2.8 Sunnyside Farm is a good example of a robust and well maintained group of vernacular stone built farm buildings. The Council recognises the constant pressure from developers and, as such, it is important that any future development proposals for the site continue to remain sympathetic to the traditional form and layout.

CA-CH5 Sunnyside Farm

In assessing any future development proposals at Sunnyside Farm, the Council will seek to ensure that:

- B) The external character of the existing buildings is retained; and**
- C) Any proposed development will not occupy an area of the site larger than the existing group of buildings.**

2.9 Proposals will also be assessed against CA-CH1 New Development, CA-CH3 Traditional walls, and CA-CH4 Alterations to Buildings.

Cleadon Hills and Windmill



View across Cleadon Hills, taking in Cleadon Windmill.



Magnesian limestone walls form the boundary of Cleadon Hills Local Nature Reserve and adjacent farmland

Character Area 2: Cleadon Hills and Windmill

- 3.1 This character area includes the Council owned Cleadon Hills Local Nature Reserve that focuses on Windmill Field and the privately owned former quarry to the east of the former pumping station.
- 3.2 The only significant structures within the character area are the Nineteenth Century shell of a windmill and its reefing stage plinth, and stone field walls. The mill appears to grow out of the ground and is probably made from stone quarried from surrounding land.

Action A-CH6 Cleadon Windmill

The Council will continue to monitor the condition of Cleadon Windmill and endeavour to undertake any necessary maintenance.

- 3.3 The field walls are also probably built from limestone retrieved from nearby ground. They predate the 1862 Ordnance Survey and survive to define the layout of the historic field patterns. They display different forms of construction that suggests a phased period of construction.

Action A-CH7 Limestone Boundary Walls

The Council will continue to encourage landowners in the repair of limestone boundary walls using appropriate methods and materials.

- 3.4 Sunnyside Cottages on Sunnyside Lane are geographically part of the lower slopes of this grassland plateau. They are, however, a small, relatively inconsequential group of indistinct residential buildings that have little impact in their present form on the overall layout or landscape character or the sub-area.
- 3.5 Virtually all of Character Area 2 is covered by Cleadon Hill Site of Special Scientific Interest (SSSI) and Cleadon Quarry Local Wildlife Site. The Council has a statutory duty to manage the SSSI in such a way as to ensure it remains in its current favourable condition. The Council also has a statutory duty to manage the site in keeping with its status as a Local Nature Reserve. The majority of the valuable habitats at both sites will be subject to



Limestone loving wild thyme.



Common rock rose.



Interpretation has long been provided in order to promote public access. Information relating to the context, history and biodiversity of the area is also provided on the site.

deterioration if they are not correctly managed, e.g. the grasslands will become dominated by scrub and/or coarse grasses.

Action A-CH8 Cleadon Hills Biodiversity and Land Management

The Council will endeavour to monitor the biodiversity interests at Cleadon Hill SSSI and Cleadon Quarry and ensure that these sites are managed in such a way that they remain in favourable condition for wildlife.

3.6 Magnesian limestone is fundamental to the character of the wider Cleadon Hills area. The solid geology lies close to the surface throughout the Conservation Area. The limestone forms outcrops in places and there are a number of small former quarries/cliff exposures.

Action A-CH9 Geodiversity

The Council will ensure that Cleadon Hill SSSI is managed in such a way that the features of geodiversity interest are maintained in favourable condition.

3.7 Cleadon Hills has unrestricted public access across most of the site. This is managed in a low key manner which respects its various biodiversity, geological, conservation and heritage designations.

Action A-CH10 Accessibility and Legibility

The Council will continue to:

- A) Maintain and promote access across Cleadon Hills; and**
- B) Update interpretational material as required.**

CA-CH6 Protection of Open Space

Development will be resisted on the open spaces of Cleadon Hills.

3.8 Telecommunication installations can be visually damaging, especially in sensitive areas like Cleadon Hills.



The introduction of hard surfacing to these informal footpaths would be highly inappropriate.



This character of this rural lane would be spoiled by the removal of grass verges and implementation of a more formal arrangement. The introduction of white lines, implemented for the purposes of highway safety, has unfortunately had a detrimental visual impact. A balance must be sought between highway safety requirements and the overall character and appearance of the Conservation Area.

CA-CH7 Telecommunications

Proposals involving telecommunication installations will be resisted on Cleadon Hill Site of Special Scientific Interest (SSSI) or Cleadon Quarry Local Wildlife Site.

3.9 There is always pressure to undertake highways improvements throughout the Borough. Special attention should, however, be paid to the character and appearance of the Conservation Area. For example, the introduction of formal footpaths or parking bays along Sunnyside Lane would be inappropriate given the rural nature of the lane.

Action A-CH11 Streetscape

The Council will ensure that future maintenance and improvement works to lanes, tracks, footpaths and open spaces will preserve and enhance the character of the area and will avoid the introduction of:

- A) Inappropriate materials;**
- B) Road safety measures;**
- C) Road markings;**
- D) Signage;**
- E) Street lighting; and**
- F) Street furniture.**

The Council will also endeavour to preserve the informal layout, grass verges, and historic materials and features.

3.10 Cleadon Hills is a popular destination for walkers and nature lovers and traffic management can be an issue. A balance must therefore be found between the need for parking and the effect it has on this historic and natural resource.

Action A-CH12 Traffic Management

The Council will continue to monitor the parking situation at Cleadon Hills with a view to determining whether or not traffic management measures need to be implemented. Such measures would need to be designed with the utmost sensitivity to the character, appearance and setting of the Conservation Area and the area’s nature designations.

Annex A: Sustainability Appraisal

A.1 Sustainability Appraisal

Introduction to Sustainable Development

A widely used definition of sustainable development is “Development which meets the needs of the present without compromising the ability of future generations to meet their own needs”. Sustainable development, as defined by UK Government, is the integration of social, economic and environmental objectives.

The latest Sustainable Development Strategy introduced by the UK Government contains four priority areas for immediate action, and emphasises a need for changing behaviour to bring about long term sustainability improvements. The four areas for action are:

- Sustainable Consumption and Production
- Climate Change and Energy
- Natural Resource Protection and Environmental Enhancement
- Sustainable Communities

These areas of action or key themes are mirrored throughout a number of South Tyneside’s strategic documents such as the Community Strategy and Local Area Agreement, the Environment Strategy, Transforming Together: South Tyneside’s Regeneration Strategy and others.

Sustainability Appraisal and Strategic Environmental Assessment

This section is the Sustainability Appraisal (SA) report of the Cleadon Hills Conservation Area Management Plan for the South Tyneside Local Development Framework (LDF). It has been produced following the implementation of the European Commission Directive 2001/42/EC (enacted in the UK under the Environmental Assessment of Plans and Programmes Regulations 2004) which requires a ‘Strategic Environmental Assessment’ (SEA) of Development Plans, as well as other plans and programmes. This report has also been informed by guidance from the former Office of the Deputy Prime Minister (ODPM) on undertaking a SEA combined with a Sustainability Appraisal.

The Directive seeks to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation of plans in order to promote sustainable development. The Sustainability Appraisal extends the consideration of issues to include social and economic factors as well as environmental issues. In consequence, this appraisal considers the effects of the development principles on social, economic and environmental objectives that collectively define sustainability within the Borough. Where those effects are

considered likely to be significantly detrimental, mitigating measures are proposed. These will take the form of proposed amendments to the wording.

There will always be tensions in the process of appraisal. The process makes explicit the potential conflict between economic growth and environmental impacts. Whilst these cannot always be resolved, the appraisal, in highlighting such tensions, is able to provide this information to decision-makers. Decisions can then be taken that are informed, based on evidence and that have sought to balance potentially competing interests.

Whilst no local authority development plan can claim to ever achieve true sustainability, its contribution towards realising sustainability can always be improved. For South Tyneside Council, this completed SA aims to aid this process. The process used is one devised for the Council by Entec UK Limited, who used this to appraise the Council's emerging LDF documents including previous Conservation Area Management Plans.

Introduction to Conservation Area Management Plan Sustainability Appraisal

The Cleaton Hills Conservation Area Management Plan SPD, along with the emerging South Tyneside Local Development Framework (including saved policies from the Unitary Development Plan), will be a material consideration in determining planning applications and assessing their sustainable credentials.

The purpose of this SA is primarily to make development in South Tyneside more sustainable. It seeks to ensure that all development proposals are fully informed by the advice in the regionally agreed document 'Building in Sustainability: A Guide to Sustainable Construction and Development in the North East' (2002), SustainE.

This SPD provides the detail to implement saved UDP Policy ENV5 and adopted LDF Core Strategy Policy ST2. There are also a number of other, complementary policies within the Core Strategy, such as those dealing with sustainable urban areas, local character and distinctiveness, biodiversity / geodiversity and protecting natural resources that, when implemented, will also maximise the sustainability impact of this document.

The SPD will be subject to consultation as part of the Local Plan process, although ODPM guidance for Supplementary Planning Documents state that the consultation group be narrower in focus than for a document such as the Local Plan, as there is likely to be more focused, specific interest in a document of this type.

The SA comprised the following stages:

- Appraisal of the SPDs contribution to economic, social and environmental objectives (including consideration of alternative options).

- Completion of an SA report that focuses upon the key sustainability issues arising from the appraisal and any proposed mitigation measures.

The Appraisal Workshop

The workshop to appraise this SPD was held at South Shields Town Hall on 13th October 2008. It was facilitated by a member of the Strategic Policy Team, who was not directly involved in the production of SPD. The workshop included:

- Lucy Routledge, Historic Environment Officer, Strategic Policy Team, South Tyneside Council
- Les Milne, Urban Design Manager, Strategic Policy Team, South Tyneside Council
- Matt Hawking, Senior Countryside Officer, Strategic Policy Team, South Tyneside Council
- Chris Matten, Area Planning Officer, East Team, South Tyneside Council
- Ben Stubbs, Planning Policy Officer, Strategic Policy Team, South Tyneside Council

SPD18 Cleadon Hills Conservation Area Management Plan	Questions	Timescale		Impact	Scale			Rural	Urban	Commentary
Sustainable Development Objectives		Short term	Long term	Severity	Cumulative	Local	Trans-boundary			
1. To create and retain wealth	Will new businesses be created? Will it generate sustainable economic growth? Will it generate new employment? Will it increase average household income?	X	✓	T	T	T	X	T	T	The SPD seeks to retain wealth through the preservation and enhancement of residential properties located in the Conservation Area. However, it is considered that the SPD will only have a marginal impact on the creation of 'new' wealth within the Conservation Area.
2. To help businesses start up, grow and develop	Will it stimulate an entrepreneurial culture? Will it improve business development and enhance competitiveness? Will it promote growth in key sectors? Will it encourage business diversity?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective, as stated in the latter point above. However, the document encourages the local sourcing of materials and in some cases, more importance may be given to the type of material rather than where it is sourced.
3. To ensure high and stable levels of employment so everyone can share and contribute to greater prosperity	Will this reduce outward migration? Will this reduce unemployment rates? Will this increase employment rates? Will this reduce the rate of worklessness?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective. The document does not specifically attempt to cover these issues.
4. To establish and retain a flexible and highly skilled workforce through training and education	Will it improve people's skills? Will it improve educational performances against the national average? Will it encourage retention of people with higher-level skills? Will this encourage links between education and employment at all educational levels? Will this encourage social inclusion?	X	✓	T	T	T	T	X	T	The SPD does not specifically attempt to cover these issues. However, there is potential to develop local skills in specialist construction and restoration methods etc.

SPD18 Cleadon Hills Conservation Area Management Plan	Questions	Timescale		Impact	Scale			Rural	Urban	Commentary
Sustainable Development Objectives		Short term	Long term	Severity	Cumulative	Local	Trans-boundary			
5. To encourage self-sufficiency and local production in Borough	Will it encourage self-sufficiency and local production in South Tyneside?	✓	✓	T	T	T	T	X	T	This objective is not dealt with by the SPD but there is potential to develop local skills etc., as stated above. It is also considered that any restoration works, for example, are most likely to be carried out by firms operating outside of the Borough's boundary.
6. To prevent deterioration and where possible improve local air quality levels for all	Will it prevent deterioration or improve local air quality?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective. However, the review of traffic management could result in either positive or negative impacts.
7. To protect and enhance the quality of the Borough's land and groundwater, rivers and sewaters	Will it reduce pollution of land, groundwater, rivers and the sea? Will it protect and enhance the quality of the Borough's groundwater, rivers and sewaters? Will it encourage use of the Borough's natural assets?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective. The document does not specifically attempt to cover these issues.
8. To protect and enhance the Borough's coastline and water frontage	Will it manage the coastline in accordance with the Shoreline Management Plan? Will it reduce and minimise the risk to people and properties of flooding? Will it reduce the risk of damage to property by storm events?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective. The document does not specifically attempt to cover these issues.

SPD18 Cleadon Hills Conservation Area Management Plan	Questions	Timescale		Impact	Scale			Rural	Urban	Commentary
Sustainable Development Objectives		Short term	Long term	Severity	Cumulative	Local	Trans-boundary			
9. To reduce the causes and the impacts of climate change	<p>Will it lead to an increased proportion of energy needs being met from renewable sources?</p> <p>Will it reduce greenhouse gases and CO2 emissions in line with national targets?</p> <p>Will it improve the Standard Assessment Procedure (SAP) rating of housing in the Borough?</p>	✓	✓	-	-	-	-	-	-	<p>The SPD does not have any specific reference to climate change, but may have adverse effects due to the requirement to use specific materials and construction/restoration methods.</p> <p>However, the protection of buildings and structures within the Conservation Area reduces the need for the construction of new developments, thereby decreasing both the use and transportation of materials.</p> <p>Climate change is specifically dealt with elsewhere in the LDF (e.g. the Core Strategy and SPD1: Sustainable Construction and Development) and across the Council as a whole (e.g. energy efficiency programmes). Such plans and strategies will be implemented within the Conservation Area where possible and appropriate.</p>
10. To protect and enhance the Borough's bio-diversity and geology	<p>Will it protect and enhance the Borough's bio-diversity?</p> <p>Will it protect and enhance the Borough's designated sites of scientific and natural resource interest?</p> <p>Will it protect and strengthen populations of priority species and enhance priority habitats?</p>	✓	✓	T	T	T	X	T	T	<p>This objective forms one of the SPD's primary aims.</p> <p>The Management Plan seeks to ensure the protection, preservation and enhancement of the Conservation Area's natural assets, including: bat roosts in older properties, vegetation cover and open spaces, the SSSI, Cleadon Quarry SNCI and the Green Belt.</p> <p>A Borough-wide protected species audit is underway.</p>
11. To protect and enhance the Borough's diversity of cultural heritage	<p>Will it protect and enhance the Borough's diversity of cultural heritage?</p> <p>Will it protect and enhance the Borough's sites and features of historical and archaeological importance?</p> <p>Will it encourage the interpretation and use of cultural assets in the Borough?</p>	✓	✓	T T	T T	T T	T T	T T	T T	<p>This objective forms one of the fundamental aims of the Management Plan.</p> <p>The SPD seeks to enable the protection, preservation and enhancement of buildings, structures and open spaces across the whole of the Conservation Area.</p> <p>Achieving this objective is considered to be very likely and the effects on the area's cultural heritage would be positive.</p>

SPD18 Cleadon Hills Conservation Area Management Plan	Questions	Timescale		Impact	Scale			Rural	Urban	Commentary
Sustainable Development Objectives		Short term	Long term	Severity	Cumulative	Local	Trans-boundary			
12. To ensure good accessibility for all to jobs, facilities, goods and services in the Borough	Will it encourage travel (domestic and freight) by means other than private car or HGV? Will it help to reduce traffic congestion and improve road safety? Will it encourage mixed-use development in accessible locations? Will it encourage and promote the use of e-infrastructure including broadband ICT? Will it ensure good accessibility for all to jobs, facilities, goods and services in the Borough to appropriate standards?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective. Streetscape design and traffic management must take into account accessibility and visual amenity. In general, the document does not specifically attempt to cover this objective.
13. To minimise the amount of waste produced and promote sustainable waste management	Will it ensure that the management of waste is consistent with the waste management hierarchy (avoid, reduce, re-use, recycle and residual disposal through the BPEO)? Will it encourage more recycling/ composting? Will it reduce waste production? Will it divert waste from landfill?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective. The SPD does not specifically attempt to cover these issues, however, there is reference to the re-use of building materials.
14. To make prudent use of natural resources	Will it minimise the use of water? Will it minimise the demand for raw and finite materials? Will it minimise the use of fossil fuels?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective. The SPD does, however, promote the use of appropriate natural materials – one particular significant local natural material of note is magnesian limestone.

SPD18 Cleadon Hills Conservation Area Management Plan	Questions	Timescale		Impact	Scale			Rural	Urban	Commentary
Sustainable Development Objectives		Short term	Long term	Severity	Cumulative	Local	Trans-boundary			
15. To promote sustainable design and enhance the natural and built environment	Will it encourage high-quality design? Will it encourage higher-density development in accessible locations? Will it promote the construction of homes and commercial buildings to recognised energy efficiency standards, e.g. Eco-Homes and BREEAM? Will it enhance the existing natural and built environment? Will it encourage use of recycled and sustainable building materials and construction methods?	✓	✓	T T	T T	T T	T T	T T	T T	This objective forms one of the fundamental aims of the Management Plan. The SPD seeks to promote high-quality and sustainable design, providing positive effects on the natural and built environment. However, there is some conflict due to the encouragement of high-density development in this objective, as the very nature of this Conservation Area is low density. Indeed any proposals for new development will be resisted, although alterations that enhance the Conservation Area may be permitted in some instances. The SPD is, however, considered to have a significantly positive effect overall in promoting the re-use of traditional materials.
16. To protect and enhance the quality and distinctiveness of the Borough's land and landscapes	Will it minimise development of greenfield land? Will it encourage the remediation of potentially historically affected land? Will it protect special landscape features? Will it maintain or enhance the Borough's stock of trees?	✓	✓	T T	T T	T T	T T	T T	T T	This objective forms one of the fundamental aims of the management plan. The SPD seeks to protect the Green Belt, open spaces, special landscape features and areas of regional and national nature importance within the Conservation Area.
17. To maximise the opportunity to redevelop previously developed land (PDL)	Will it maximise the use of PDL?	X	X	X	X	X	X	X	X	There is no direct relationship between the SPD and this objective. The SPD seeks to resist building on previously undeveloped land.

SPD18 Cleadon Hills Conservation Area Management Plan	Questions	Timescale		Impact	Scale			Rural	Urban	Commentary
Sustainable Development Objectives		Short term	Long term	Severity	Cumulative	Local	Trans-boundary			
18. To ensure everyone has the opportunity of living in a decent and affordable home and tenure of choice	Will it encourage a mix of housing types, sizes and tenures that meet identified needs? Will it ensure adequate provision of affordable housing? Will it re-use existing housing stock where appropriate?	X	X	X	X	X	X	X	X	The SPD does not have any specific reference to affordable housing and this issue is specifically dealt with elsewhere in the LDF (e.g. SPD4: Affordable Housing). In the context of the Borough, Cleadon Hills is very low in housing stock with little to no opportunity of increasing numbers in the foreseeable future.
19. To reduce crime and anti-social behaviour and the fear of crime and anti-social behaviour	Will it reduce crime and anti-social behaviour levels and the fear of these activities? Will it encourage community-led safety? Will it promote the adoption of design measures that reduce crime and the opportunity for it?	✓	✓	T	T	T	T	T	T	There is no direct relationship between the SPD and this objective. However, the management plan seeks to promote the principles of high-quality design throughout with strong links to the principles of designing-out crime. Other examples include a streetscape audit and the recent PFI street lighting initiative.
20. To improve health and well-being and reduce inequalities in health care and access to it for all	Will it improve access to equal health care for all? Will it reduce health care inequalities among all groups of the Borough? Will it promote a healthier lifestyle with facilities and opportunities for recreation and leisure for all?	✓	✓	T	X	T	X	T	T	There is no direct relationship between the SPD and this objective. However, the Management Plan seeks to protect Cleadon Hills as a recreation area, which by its nature encourages healthier lifestyles.
21. To promote equality and diversity and protect and strengthen community cohesion	Will it promote equality throughout the Borough? Will it address the needs of minority groups within the Borough?	✓	✓	T	T	T	T	T	T	This objective is not a main aim of the SPD. However, public consultation and establishing longer-term links with the wider Cleadon Hills community may enhance social cohesion. The document is also available in other languages and formats on request.

SPD18 Cleadon Hills Conservation Area Management Plan	Questions	Timescale		Impact	Scale					Commentary
Sustainable Development Objectives		Short term	Long term	Severity	Cumulative	Local	Trans-boundary	Rural	Urban	
22. To increase public involvement in decision making and civic activity	Will it encourage participation in public consultation at all ages and all levels? Will it encourage community inclusion? Will it encourage public empowerment?	✓	✓	T	T	T T	X	X	X	The document aims to involve people of all ages and levels, establishing links with the community. Consultation will be in accordance with the LDF's Statement of Community Involvement, with the involvement of user groups located within the local area.

A	Move away significantly	A	Move away marginally	T	Move towards marginally	T	Move towards significantly	X	No Relationship	?	Uncertain	✓	Operates at this timescale	-	Not Applicable
---	-------------------------	---	----------------------	---	-------------------------	---	----------------------------	---	-----------------	---	-----------	---	----------------------------	---	----------------

Conclusions

In broad terms the Conservation Area Management Plan performs very well against the sustainability appraisal objectives and it provides a robust framework from which to progress sustainable development within Cleadon Hills Conservation Area, which is complementary to the aims within the wider Borough. Through the completion of this SA and the various iterations of the Management Plan the Council has ensured that the development principles performance and contribution towards a more sustainable future is one that has been improved.

The role of the LDF and its portfolio of documents are not to achieve sustainability on its own, but to make a contribution to sustainable development and to be integrated with other strategic documents. The sustainability appraisal process has provided the opportunity for the sustainability issues associated with the management of the conservation area to be considered in a prescribed manner (via SEA Directive) by policy makers, consultees and the wider community. The frontloading of such involvement has enabled issues and mitigation to be identified and resolved at earlier stages of the plan making process.

Annex B: Guidance

Government Legislation:

Planning and Compulsory Purchase Act 2004

Planning (Listed Buildings and Conservation Areas) Act 1990

Town and Country Planning (General Permitted Development) Order 1995

Town and Country Planning (General Development Procedure) (Amendment) Order 2005

Historic Buildings and Ancient Monuments Act 1953

Ancient Monuments and Archaeological Areas Act 1979

Planning Policy Guidance Note 15: Planning and the Historic Environment (1994)

Planning Policy Guidance Note 16: Archaeology and Planning (1990)

Wildlife and Countryside Act 1981 (as amended)

B.1 Historic Buildings and Buildings in Conservation Areas Legislation

Introduction

The Council maintains a List of Buildings of Special or Historic Interest, which contains details of all the Listed Buildings in the Borough. Locally Listed Buildings of Acknowledged Architectural Quality or Historic Significance and Conservation Areas are set out in the South Tyneside Unitary Development Plan. The 'saved' UDP policies within this plan provide the basis for determining all planning applications, and remain valid until replaced by the Local Development Framework. If you live in or own an historic building are considering undertaking works to your property, however minor, you are advised to contact the Council to check whether or not planning permission is required. Such works might include the replacement of windows, the rebuilding of a boundary wall, re-roofing, or internal works such as the removal of a chimneybreast.

Listed Buildings

A building may be Listed for its architectural and/or historic interest. The protection of Listed Buildings is the responsibility of the Council under the Planning (Listed Buildings and Conservation Areas) Act 1990, though they are Listed by English Heritage. The protection afforded by this legislation applies to the whole of a Listed Building, any structures attached to it and the land within its curtilage. The term 'building' can in this instance include such items as lamp posts, post boxes, industrial structures, walls and statues, as well as the more conventional building types that include offices and houses. There are 192 Listed Building entries in South Tyneside, making up a total of 249 individual buildings.

Conservation Areas

The Local Planning Authority has a statutory duty to preserve or enhance the character and appearance of designated Conservation Areas. The Planning (Listed Buildings and Conservation Areas) Act 1990 defines a Conservation Area as being 'an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. A Conservation Area can range from a busy city centre to a quiet village street. The decision to designate is based on its character and appearance – factors such as individual buildings or groups of buildings, the historic street pattern, building materials, trees, open spaces and views, and the area's historic associations. There are currently 11 conservation areas in South Tyneside.

Locally Listed Buildings

The degree of protection afforded to a historic building varies according to its significance. Works to Listed Buildings are the most closely controlled because they have been determined by Central Government and English Heritage as having special architectural and/or historic interest. Listed Buildings are followed in significance by buildings identified in the UDP as 'Other Buildings of Acknowledged Architectural Quality or Historic Significance', some of which are covered by an

Article 4 Direction, whether inside a designated Conservation Area or not. Buildings within a Conservation Area can also be covered by an Article 4 Direction for their group value or in recognition of the contribution they make individually to the character and appearance of the Conservation Area.

Planning Permission

In some cases works to properties can be undertaken without the need for planning permission. These rights, known as Permitted Development Rights, are more restrictive in Conservation Areas. With regard to Listed Buildings, even the most minor of alterations will normally require Listed Building Consent.

Article 4 Directions

An Article 4 Direction can be placed on a property to remove all or part of the permitted development rights set out in the Town and Country Planning (General Permitted Development) Order 1995 (as amended). This requires owners/occupiers to obtain permission before undertaking certain works to their property. The Council issues Article 4 Directions in circumstances where specific control over development is required, primarily where the character of a building or an area of acknowledged importance would be threatened by inappropriate development or alterations.

Demolition

Listed Building Consent is always required for the demolition of any Listed Building. Where a building or structure is not Listed but is located within a Conservation Area, permission is required from the Council to demolish the building (where the volume equates to or is greater than 115 cubic meters) or structure. Planning Policy Guidance Note 15: Planning and the Historic Environment states that the demolition of a building must be fully justified with clear and convincing evidence given that all reasonable efforts have been made to sustain its existing use, that alternative viable uses for the building have been explored and that its demolition would produce substantial benefits for the local community before demolition is allowed. The general presumption should be in favour of retaining buildings that make a positive contribution to the character or appearance of a Conservation Area.

Trees in Conservation Areas

Trees are a valuable addition to the landscape and within Conservation Areas all trees are subject to special protection. Some trees are also afforded special status through Tree Preservation Orders, which means that the Local Planning Authority's consent must be obtained before they can be cut down, topped or lopped. In addition, any work to be carried out on trees that are not the subject of a Tree Preservation Order but are sited within the boundary of the Conservation Area must be notified to the LPA 6 weeks in advance of works. The purpose of this requirement is to give the LPA an opportunity to consider bringing the tree under their general control by issuing a Tree Preservation Order (TPO).

Archaeology

The long history of human activity within the Borough is reflected in its rich and diverse heritage of archaeological features. The UDP identifies Areas of Potential Archaeological Significance. Planning Policy Guidance Note 16: Archaeology and Planning advises that before making a planning application, developers should undertake an initial assessment of whether the site is known or likely to contain archaeological remains. This will help define the extent of the archaeological remains within the area of the proposed development and allow for a programme of mitigation to be put in place.

New Development

New buildings or alterations and extensions to buildings within Conservation Areas must be of a high quality design. Proposals must be compatible with the special characteristics of the Conservation Area in which it is located, its buildings, spaces and settings, land uses, scale, form and materials. Where original materials and designs exist, the effect on the building and its neighbours should be considered before introducing alternative designs. If this is not done the resulting mixture of styles and materials can lead to a decline in the character of both the property and the area. The use of non-traditional materials would only be acceptable in a Conservation Area where they form part of an integrated design of high quality and are not considered to harm the appearance or character of that area.

Urgent Works Notices

An Urgent Works Notice is served under section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, and can be served on a vacant (or vacant parts of a) Listed Building where works are urgently necessary for its preservation. In exceptional circumstance there are special powers available to the Secretary of State to authorise the use of these powers to an unlisted building in a Conservation Area where the preservation of the building is important for maintaining the character or appearance of the area (section 76 of the above Act). The works that can be implemented include:

- Making the building weather tight;
- Making the building safe from structural collapse; and
- Preventing unauthorised entry, vandalism or theft.

Repairs Notices

A Repairs Notice can be served under section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990, only in relation to a Listed Building. The Notice requires the building owner to comply with a schedule of works, which can be used to put the building back into the condition as of the date of Listing. A Repairs Notice allows for a much more comprehensive repairs scheme than the Urgent Works Notice.

Section 215 Notices

A local authority may also use its general planning powers to serve a Section 215 Notice on the owner or occupier of any land or building whose condition is adversely affecting the amenity of the area, particularly within a Conservation Area. Such a notice requires the person responsible to clean up the site or building, or the Local Authority can carry out the work itself and reclaim the cost from the owner. Section 215 is a relatively straightforward power that can deliver important improvements to amenity.

Statutory Protected Sites and Protected Species

A number of Conservation Areas within the Borough are sited in environmentally sensitive locations and some areas are subject to designations such as Sites of Special Scientific Interest (SSSI) or Local Wildlife Sites. Natural England must be consulted on development proposals sited within, adjacent to or which may affect the integrity of an SSSI, Ramsar Site, Special Protection Area or Special Area of Conservation. The council's Countryside Team can advise on other designated sites.

Due to the relatively high percentage of historic buildings, mature gardens and green space in Conservation Areas, there is potential for protected species, such as bats and nesting birds, to be present. The presence of a protected species is a material consideration when the Local Planning Authority is considering a development proposal, which if carried out would be likely to result in harm to the protected species or its habitat. Avoidance mitigation and/or compensation measures may be required. Surveys for protected species must be undertaken prior to the determination of a planning application, otherwise the application is not valid. Information on when a protected species survey would be required can be found in the Tyne & Wear Validation Requirements document available online.

Regardless of whether Planning or Conservation Area consent is required for a specific action, protected species must be considered when undertaking maintenance, building and development works to ensure that offences are not committed.

All British bats and their roosts are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Bats must be considered when undertaking any kind of work to buildings, particularly work which will affect or come within 2 metres of the roofline (e.g. replacing barge boards, soffits, re-roofing, etc.) and also works affecting old trees with cracks, holes or ivy. Should bats or signs of bats be discovered at any stage during works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed and could lead to prosecution. Free advice on bats is available from the Natural England Bat Advice Line on 0845 1300 228.

All wild birds nests are protected from damage or destruction whilst being built or in use under the Wildlife and Countryside Act (WCA) 1981. In addition, some birds and their young are given extra protection from disturbance; these species are listed under Schedule 1 of the WCA and include barn owl. Nesting wild birds must be considered when undertaking any kind of work to trees and other vegetation, and also to buildings where species such as barn owl, swallow and house martin may be present. Works should be timed to avoid the bird breeding season, typically February - August inclusive, unless it can be determined that nesting birds are not present.

The Council's Countryside Team can provide advice on protected sites and species.

Heritage Protection Reform

Since 2000, Central Government and English Heritage have been improving the way heritage is looked after and identified. Some changes under Heritage Protection Reform have already been achieved, and some will take place under future planning policy statements and guidance and heritage protection legislation. The new system will close gaps in protection and see decisions made at a local level and by English Heritage instead of Central Government. The main aims and objectives include:

Identification of Historic Assets:

- English Heritage will consult the public on the priorities for future places, sites and buildings to be designated;
- Owners of historic places will be consulted when the site is being considered for designation and will also have a new right of appeal to the Secretary of State against English Heritage's decision. Interim legal protection will be introduced for historic places being considered for designation to prevent damage or hasty demolition;
- The new system will bring all of England's heritage assets together in one single, publicly accessible register. This statutory register will be available online and will explain what is special and why. For the first time maritime wrecks and World Heritage Sites will be included. Currently, buildings, parks and gardens, archaeological assets and battlefields are recorded on separate systems. The different names and processes for recognizing different types of site (which include listing, scheduling and registration) are over-complicated and often confusing to the public; and
- English Heritage will become responsible for decisions on designation and there will be a new right of appeal to Government. There will be a clear separation of roles between English Heritage and Government, instead of the current duplication of work.

Managing Historic Assets:

- A single 'Historic Asset Consent' will replace separate Listed Building and Scheduled Monument Consent. Conservation Area Consent will be merged with Planning Permission. This simplification will also help alleviate

conservation bottlenecks in the current system, which can create extra administration for staff and slow down planning cases;

- Local authorities will be given the powers to grant all new Historic Asset Consents, abolishing the role of central government in granting Scheduled Monument Consent (around 2% of all applications). English Heritage will give expert advice where applicable, as it does currently; and
- Heritage Partnership Agreements between owners, Local Planning Authorities and English Heritage will let agreed work take place without the need for time-consuming, repetitive consent applications for large or complex sites – such as office blocks, university campuses, or groups of similar assets in single management, such as railway stations. Pilot projects trialing Heritage Partnership Agreements all over the country have been very successful and made life easier for owners and historic environment staff alike.

B.2 Assessing Applications for Consent

Introduction

Consent from the Council is normally required to carry out works to historic buildings. In considering applications the Council will apply the following requirements:

Listed Buildings and Other Buildings of Acknowledged Architectural Quality or Historic Significance (Local List)

- The replacement of architectural features and materials that are capable of repair and renovation will be resisted;
- New or replacement architectural features shall replicate the design and materials of those original to the building or, where this is not possible due to lack of evidence, be in keeping with the age and character of the building and/or the area;
- Historic architectural features should be retained and, if replacement is necessary, traditional materials and methods should be used to replicate the original;
- The design of a proposed extension or conservatory should be in keeping with the period and design of the original building and should not adversely affect the character of the building or its setting; and
- Satellite dishes should not be placed on a visually prominent elevation but be placed in the least noticeable position, and preferably within the garden to avoid damaging historic buildings.

Non-residential Buildings and Flats located within Conservation Areas

- The replacement of architectural features and materials that are capable of repair and renovation will be resisted;

- New or replacement architectural features should respect the design and materials of the original to the building and be in keeping with the age and character of the building and/or the area on elevations that are not visible from the public realm;
- The use of appropriately designed UPVC windows, doors and rainwater goods may be appropriate, subject to consent, on elevations that are not visible from the public realm;
- Proposed conservatories should respect the design and construction materials of the original building and/or area, and the use of UPVC may be appropriate, subject to consent, on elevations that are not visible from the public realm;
- Replacement roofs should respect the design and materials of the original and the age and character of the building and/or the area;
- New roofs should utilise traditional materials on elevations which would be visible from the public realm; and
- Satellite dishes should not be placed in a visually prominent position.

New Developments within Conservation Areas

- Replacement architectural features should respect the design and material of the original and be in keeping with the building and/or the area;
- Architectural features should not be replaced with non-traditional materials on elevations that would be visible from the public realm;
- Proposed conservatories should respect the design and materials of the original building and the character of the area, and the use of UPVC may be appropriate, subject to consent, on elevations that are not visible from the public realm;
- Replacement roofs should respect the design and materials of the original and the building and/or the area;
- New roofs should utilise traditional materials on elevations which would be visible from the public realm; and
- Satellite dishes and flues should be placed in the least noticeable position.

Other Buildings within Conservation Areas

- When installing or replacing architectural features, property owners are encouraged to respect the design and materials of those original to the building and to ensure that the works are in keeping with the age and character of the building and/or area;
- When proposing to build conservatories, property owners are encouraged to respect the design and materials of the original building and/or area;
- New roofs should utilise traditional materials on elevations which would be visible from the public realm;

- The Council encourages the retention of original decorative features to roofs and, if replacement is necessary, traditional materials and designs should be used; and
- Satellite dishes and flues should be placed in the least noticeable position.

Before starting works to an historic building or any building in a Conservation Area, you are advised to contact the Council for advice and information. The Council operates an enquiry service, which can assist in establishing whether specific consent is required, and can provide design guidance. Enquiries should be made in writing and be accompanied by sketches clearly identifying the form of development proposed and external dimensions. Scale plans produced by an architect are not needed at this stage. Information on any previous extensions to the property, including dimensions, should also be included.

B.3 Detailed Guidance on Repairs, Alterations and Extensions

Introduction

This section provides more detailed guidance to those wishing to repair, alter or extend historic buildings within a Conservation Area. This guidance should be read alongside *The Repair of Historic Buildings: Advice on Principles and Methods* published by English Heritage, which provides additional detailed information on the repair of historic buildings. Before starting any works, property owners are advised to contact the Council.

Roofs

The roof is often an important feature of a historic building and the roofscape can often make a significant contribution to the character of the area. The retention of its original structure, shape, materials and features is important.

Historic roofing materials and features such as chimneystacks, chimney pots, dormers, roof lights, as well as decorative ridge tiles and finials all form an integral part of the character of the building and the area. The loss or inappropriate alteration of historic materials and features is likely to be harmful to the character and appearance of historic buildings and areas.

The Council encourages the retention and reinstatement of traditional roofing materials, which in this area are predominantly natural Welsh slate with some examples of various types of clay tile.

When roofing materials are replaced, it is important that as much as possible of the original material is re-used. When practical, original material should be re-used on visible areas, with matching new materials sited on less visible parts.

The addition of modern features is likely to be harmful to the character and appearance of the building and area, and should be avoided at all times. When replacement of materials and features becomes necessary, the replacement should respect the design and material of the original and the age and character of the building and/or the area.

Original dormers should be retained and carefully repaired. If beyond repair they should be reconstructed using traditional materials with all historic features reproduced. Enlargement of existing dormers on principle elevations are not normally acceptable. Where new dormers would be inappropriate to the type of building or the proposed position, new 'conservation' roof lights (those that lie flush with the roofline) may be acceptable, but not on prominent roof slopes.

Chimneys

Chimneystacks are both decorative and functional features of the roofscape and can be important indicators of the age of a building and its internal layout, and they should normally be retained, even when no longer required. Chimney pots can sometimes be valuable decorative features in their own right and are an important as part of the roofscape, which will be damaged if they are removed or replaced with an inappropriate type.

Fascias

Features such as timber bargeboards and fascias should be preserved and, if replacement becomes necessary, it should wherever possible replicate the design and materials of those original to the building. The addition of bargeboards and fascias to buildings that did not previously have such a feature will normally be resisted, as they would detract from the character of the building or the area.



This wall has been re-pointed using a cement-based mortar. The softer stonework has eroded, leaving behind the hard mortar.

Walls

Walls are the main structural fabric of any building. Alterations to the wall surfaces will have a significant impact on the overall appearance of a historic building. Every effort should be made to retain or re-use original facing brickwork and stonework. Alterations or repairs to external walls should respect the original materials and endeavor to match them in appearance.

Particular care should be paid to re-pointing brick or stonework. Methods should be employed to minimize damage to historic building materials. In particular:

- Sound, original mortars should be left in place;
- Removal of defective mortar should be carried out using hand tools to avoid damaging brick or stonework;
- The new mortar should always be 'softer' than the brick or stonework;
- Choose the right sand for the correct finish (generally, sharp sands work better than soft sands, with coarser sands being beneficial for thicker mortar joints);



This cement render has failed, leaving behind brickwork that has been damaged as a result of the impermeable render trapping water inside the wall (freeze-thaw action). A lime render would have allowed the water to harmlessly evaporate.



Abrasive cleaning causes permanent damage to brickwork. This has been compounded by the use of inappropriate cement mortar and poor quality re-pointing.

- In principle, there must be sufficient lime to bind all the aggregate particles together: too little lime will result in a weak mortar; too much lime will increase the risk of shrinkage cracking when the mortar dries out; and
- Recessed finishes should be avoided as they can be vulnerable to further weathering.

Additional advice on mortar mixes and finishes can be sought from the Council's Historic Environment Officer.

Brick or stonework should not normally be rendered unless the surface was rendered originally. It may be necessary to remove more recently applied render if this is damaging the surface beneath (such as cement-based render). Previously unpainted surfaces should not normally be painted over. Where a building is already painted, a change of colour could be harmful to the building's character and appearance.

Cleaning can have a marked effect on the character of historic buildings and can also irreparably damage the historic fabric. The cleaning of an individual building within a terrace would obviously affect the appearance of the terrace as a whole. All cleaning methods can cause damage if carelessly handled. Advice should be sought from the Council before undertaking such works. Methods including abrasive and chemical cleaning can damage wall surfaces and destroy detail and should generally be avoided. Consideration should also be given as to whether such cleaning is both necessary and worthwhile to remove corrosive dirt or to bring a major improvement in appearance.

Windows and Doors

Door and window openings establish the character of an elevation and should not generally be altered in their proportions or details. The depth to which window frames are recessed within a wall is a varying historical feature of importance and greatly affects the character of a building. In most situations timber should be used for the replacement of historic windows and doors, although repair of the original fabric is always preferable.

UPVC is not considered an acceptable material for use within Conservation Areas. It cannot satisfactorily replicate the historic detailing and character of these features. UPVC windows and doors can also degrade and discolour; they are not completely maintenance free and can be difficult to repair. Developments in timber preservation, finishing materials and the manufacturing process can produce timber windows and doors with a potentially longer life than UPVC.

Windows

The size and shape of window openings, window frame details, the arrangement and detail of glazing bars, and the method of opening are all important characteristics of a historic building. The traditional material used for windows in most historic buildings is timber, although occasionally the original windows are metal. It can often be difficult to introduce new materials without altering the appearance or character of the area. For this reason, products such as UPVC are not considered acceptable in Conservation Areas.

Doors

Doorways form an important element of historic buildings and can add to the character of conservation areas. Together with the door surround, fanlight, steps and original door furniture, doors can provide a significant and prominent feature. In recent years there has been a trend towards the replacement of historic timber front doors with modern doors of inappropriate materials and design. To preserve the character and appearance of historic buildings and areas, it is important to retain the original front door, door surround, fanlight and other features wherever possible. When necessary, replacement or repaired doors should accurately replicate the original design in all respects.

Rainwater Goods

Original rainwater goods are an integral part of the design and character of an historic building. They will normally be cast iron, which if properly maintained may last many years longer than replacement plastic goods.

Cast iron gutters, down pipes and hopper heads etc. should be retained wherever possible. Where rainwater goods are required to be renewed, the replacement should replicate the original in all respects. Suitably profiled aluminium may be an acceptable alternative to cast iron in certain situations. However, plastic rainwater goods should be avoided on buildings where cast iron has been previously used. Additional rainwater goods should be kept to a minimum and should not disturb or break through any decorative architectural features.

Similarly, lead lined timber box guttering should be retained and repaired or otherwise, where this is not possible, reinstated on a like for like basis.

Boundary Walls and Railings

Boundary walls and railings are important architectural and streetscape features. The loss or alteration of these features over time has been detrimental to the overall character of the Borough's historic areas and buildings. Distinctive boundary elements include brick and stone walls, gates, cast iron railings, and stone and brick plinths and piers. Historic boundaries should be retained, repaired or reinstated as necessary using appropriate techniques and detailing to match the original. Boundary walls constructed in magnesian limestone are an important local feature. Particular care should be taken to repair or reinstate these walls using appropriate techniques and materials, as detailed above. Stonework should be locally sourced limestone, random coursed with the natural bedding plane of the stone generally laid horizontally.

Conservatories and Extensions

Modern extensions should not dominate the existing building in scale, material or location. There will always be some historic buildings where any extension would be damaging and will not be permitted. Successful extensions require the application of an intimate knowledge of the building type that is being extended together with a sensitive handling of scale and form. The extension of a property by the construction of a conservatory has become increasingly popular.

Supplementary Planning Guidance Note 3 contains the Council's policies relating to the erection of conservatories. In addition to the development principles set out in this document, conservatories on historic buildings or buildings in Conservation Areas should be constructed of materials that are sympathetic to the original building and the general character of the area.

Minor Additions

Features such as aerials, satellite dishes, heating system flues and vents should be kept to a minimum, and where necessary should be installed in locations and in a manner that will not harm the appearance or character of the building or area.

Energy Conservation and Micro Renewable Energy Installation

In deciding on how best to incorporate a renewable technology, the principles of minimum intervention and reversibility should be adopted whenever and wherever possible. Installing a wind turbine will probably need planning permission.

Damage to the building's fabric can be minimised with careful planning. The acceptability of the installation will depend on the historic significance of the building or site being adapted. You are strongly advised to discuss the proposals informally with historic environment staff from the council.

Additional guidance can be found in the following publications:

- Energy Conservation in Traditional Buildings (2008), English Heritage
- Micro Wind Generation and Traditional Buildings (2008), English Heritage

There is some concern about the potential negative effects of wind turbines on wild animals – birds and bats in particular – that make historic buildings their homes. Roosting and nesting sites, access points and flight paths all need to be considered in any assessment of the impact a wind turbine, its installation and subsequent maintenance might have on their activities.

The Royal Society for the Protection of Birds (RSPB) has information on wind farm installations and on the problem of birds colliding with large turbines. The Bat Conservation Trust notes that bats have been found dead under large wind farm installations. All bats and many birds are legally protected. Natural England should be consulted at an early stage in the planning of a wind turbine installation of any size, especially on or near buildings known to be frequented by wildlife or in areas used by protected wildlife.

B.4 References and Further Reading

Note: Following the reorganisation of national government, the responsibilities of the following departments have been transferred to the newly created Department for Communities and Local Government (DCLG); Department of the Environment (DoE); Department for the Environment, Transport and the Regions (DETR); Department for Transport, Local Government and the Regions (DTLR); and Office of the Deputy Prime Minister (ODPM).

National Conservation Policy and Guidance

Town and Country Planning Act 1990 Section 215: Best Practice Guidance (2005), ODPM

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development (2005), ODPM

Planning Policy Statement 3 (PPS3): Housing (2000), ODPM

Planning Policy Guidance Note 9: Biodiversity and Geological Conservation (2005), ODPM

Planning Policy Guidance Note 15 (PPG15): Planning and the Historic Environment (1994), DoE/Department of National Heritage

Planning Policy Guidance Note 16 (PPG16): Archaeology and Planning (1990), DoE

Guidance on the Management of Conservation Areas (2005), English Heritage

Guidance on Conservation Area Appraisals (2005), English Heritage

Power of Place: The Future of the Historic Environment (2000), English Heritage

Enabling Development and the Conservation of Historic Assets (2001), English Heritage

The Repair of Historic Buildings: Advice on Principles and Methods (1995), English Heritage

Guide to the Principles of the Conservation of Historic Buildings: BS 7913:1998 (1998), British Standards Institute

Micro Wind Generation and Traditional Buildings (2008), English Heritage

Energy Conservation in Traditional Buildings (2008), English Heritage

Urban Design Policy and Guidance

Building in Context: New Development in Historic Areas (2001), English Heritage/ Commission for Architecture and the Built Environment (CABE)

Streets for All (2000), English Heritage/ Department for Transport (DfT)

Streets for All Summary (2004), English Heritage

Streets for All – North East (2005), English Heritage/DfT

Paving the Way: How We Can Achieve Clean, Safe and Attractive Streets (2002), CABE/DETR

Traffic Measures in Historic Towns: An Introduction to Good Practice (1993), Civic Trust/ English Historic Towns Forum

Design Review: Guidance on how CABE Evaluates Quality in Architecture and Urban Design (2002), CABE

Urban Design Compendium (2000), English Partnerships/The Housing Corporation

Streetscape Guidance

South Tyneside Urban Design Framework (2005), South Tyneside Council

South Tyneside Streetscape Design Guide (2006), South Tyneside Council

South Tyneside Street Design Manual

Streets for All (2000), English Heritage/Department for Transport (DfT)

Streets for All Summary (2004), English Heritage

Streets for All – North East Region (2005), English Heritage/DfT

Paving the Way: How We Can Achieve Clean, Safe and Attractive Streets (2002), CABE/Department of the Environment, Transport and the Regions (DETR)

Traffic Measures in Historic Towns: An Introduction to Good Practice (1993), Civic Trust/English Historic Towns Forum

English Heritage: Street Improvements in Historic Areas, 1993

Urban Design Compendium (2000), English Partnerships/ The Housing Corporation

Local Policy and Guidance

Cleadon Hills Conservation Area Character Appraisal (2007), North of England Civic Trust

South Tyneside Urban Design Framework (2005), South Tyneside Council

South Tyneside Streetscape Design Guide (2006), South Tyneside Council

South Tyneside Local Development Framework: Core Strategy Submission Draft (2006), South Tyneside Council

South Tyneside Site Specific Allocations

South Tyneside Unitary Development Plan (1999), South Tyneside Council

Supplementary Planning Guidance Note 3: Policy for Conservatories (1994), South Tyneside Council

Spirit of South Tyneside: South Tyneside's Community and Local Neighbourhood Renewal Strategy and Local Area Agreement (May 2008)

Transforming Together: South Tyneside's Regeneration Strategy (2004), South Tyneside Council

The North East of England Plan Regional Spatial Strategy to 2021 (RSS)

Building in Sustainability: A Guide to Sustainable Construction and Development in the North East (2002), SustainE

To find out more about the new
Local Development Framework, contact:

Spatial Planning Team, Regulatory Services,
South Tyneside Council, Town Hall and Civic Offices,
Westoe Road, South Shields, Tyne and Wear, NE33 2RL

Telephone: (0191) 424 7688

Email: idf@southtyneside.gov.uk

Visit: www.southtyneside.info/planning

If you know someone who would like this information in a different format, for example Braille, audio tape and languages other than English, these can be provided, on request, by contacting the Communications Unit on 0191 424 7385.