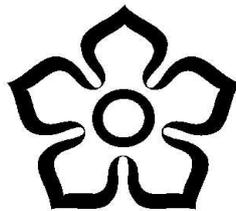


Spinney Hill Park Conservation Area Review 2009

**Approved and adopted
< > 2009**



**Leicester
City Council**

**MONITORING AND REVIEW REPORT
ON THE
SPINNEY HILL PARK
CONSERVATION AREA**

2002-2009

**This is the first review of the Spinney Hill
Park Conservation Area Character
Appraisal since its adoption in September
2002. It should be read as an addendum to
that report.**

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PART A CHARACTER APPRAISAL 2002 - UPDATE

1.0 Introduction

Background to the Review

1.1 This review is part of a rolling programme that will review all 24 of the city's conservation areas by 2011. Such reviews are part of the Council's duties to conservation areas as set out in sections 69(2) and 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990. These duties require that, from time to time :

- Conservation areas are designated wherever the Council considers an area to be of 'special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance';
- Conservation area designations and boundaries are reviewed; and
- Proposals for the management and enhancement of conservation areas are formulated, considered at a public meeting and published.

1.2 Councils also have a duty to ensure that any development proposed in conservation areas should '*preserve or enhance its character or appearance*'. Therefore, as part of its obligations to fulfil that duty when the conservation area was designated and the Article 4 Direction was made, the Council sent a leaflet to every household explaining why the area was special and how owners, by careful management, could help to keep it that way. No objections were received in respect of the Article 4 Direction and it was therefore confirmed

1.3 The purpose of the review is :

- to assess the changes in the area since its designation;
- to determine whether action has been taken to address the impact of the buildings and land that were identified in the 2002 Character Appraisal as having a negative impact on the character or appearance of the conservation area, and the success of such action;
- to identify any new issues that have arisen since the 2002 Appraisal;
- to report on the findings; and
- to develop and consult on the management and enhancement proposals (the Management Strategy).

1.4 Since the designation of the conservation area in 1982 there has been no pressure for redevelopment in the area. However, the Article 4 Direction that covers all houses in the area has been the subject of considerable concern among owners and local Councillors. This review will therefore examine the relevance of the Article 4 to the conservation area to see what action, if any, needs to be taken to address local concerns.

The Planning Policy Context 2002-2009

1.5 In 2004 a new plan making system was introduced in the *Planning and Compulsory Purchase Act 2004*. The new system replaces Local Plans with Local Development Frameworks within which Local Development Documents (LDDs) would set out the spatial strategy for the city. LDDs will comprise development plan documents (DPDs) with development plan status and supplementary planning documents (SPDs). The city's first DPD, the 'Core Strategy', is currently being prepared and will include generic city-wide policies on conservation.

- 1.6 Until the Core Strategy is approved, conservation policy for the city will follow the principles set out in Planning Policy Guidance documents (PPGs) – PPG 15 *Planning and the Historic Environment* and PPG 16 *Archaeology*. Conservation issues therefore will continue to be ‘material considerations’ in dealing with planning applications.

2.0 Findings

- 2.1 There has been no redevelopment in the conservation area since the 2002 Character Appraisal was carried out. However, the general condition of the environment has degraded somewhat in both the public and the private realms.

Key issues 2002

- 2.2 Some environmental deterioration and damage was identified in the 2002 appraisal of the conservation area. The issues highlighted were :

- the deterioration of the appearance and facilities of Spinney Hill Park, with the condition of the brook, fences, gates, fountain, planting and buildings being generally poor and subject to damage and vandalism;
- the loss of many of the area’s special architectural features such as coloured glass windows, original panelled doors etc. This had begun to affect the special character of the conservation area and was leading to its erosion. Some of these changes had been made without planning permission, despite the existence of the Article 4 Direction.

2.3 Key findings

Spinney Hill Park

- 2.3.1 The Council, acknowledging the condition of this important park, had applied for a Heritage Lottery Fund (HLF) grant for its restoration in 2002. However, that attempt was unsuccessful. A new bid for HLF funds was made in 2006 and a Stage One approval amounting to £3.4 million was obtained in May 2008. A consultation exercise on the proposed improvements to the park has been under way since August 2008 and the results will be fed into the final submission to the HLF for the release of the grant funds. The decision should be known in 2010.

- 2.3.2 The park has also been the location of the only new development in the conservation area since 2002, the new local police station. Its siting in the north-east corner of the park was controversial but the Council approved the scheme and the station was built in 2003. While not outstanding the design of the building does not detract from the character of the conservation area.

Conservation area boundary

- 2.3.3 See section 4.0 below.

Article 4 Direction

- 2.3.4 Conservation areas are areas of special *architectural interest*. The special quality of conservation areas is determined by many things but the design, size, shape and colours of their buildings and spaces play a very large part in creating the unique character of each area. The architectural details seen in these areas are also important as records of historic building styles and fashions.

- 2.3.5 Much of the special character of the Spinney Hill Conservation Area derives from its many decorative textures and colours – the rhythm of bay windows, the multi-paned sash windows and coloured glass, the panelled doors, gables and tall chimneys and the patterns that these create as they step up and down the steep contours of the land around the park. It follows, therefore, that the loss of these features would damage the character of the conservation area and even ultimately result in the area no longer justifying its special conservation area status. It was therefore to protect these special features that the Article 4 Direction was first made in 1983. The Council spent over £215,000 in the area in the following ten years on repairs to windows, doors, roofs, chimneys etc and on facelift and front wall rebuilding schemes.
- 2.3.6 Unfortunately, many changes have been made to the windows and doors of houses in the conservation area, few of which have been approved for enforcement action. This contrasts with the support that enforcement action has received in other conservation areas. South Highfields in particular has seen much success in this area, with many unsuitable windows restored to their original styles.
- 2.3.7 Map 2c shows where alterations have taken place and it can be seen that most changes have taken place on East Park Road and the lower end of Mere Road. However, over 50% of the buildings retain all or most of their original woodwork with another 26% having replacement timber windows of the mock sash variety.
- 2.3.8 It is undoubtedly the case that original window frames and sashes can loosen over the years and become draughty and that, without proper maintenance, timber can rot. However, most original timber windows can be repaired and draught-proofed to the same, or even better, standards than those provided by plastic, and often at less cost. The Council can provide grants for this type of work and also for like-for-like replacements through its Housing Renewal programmes and from a more limited Historic Building Grant budget in the Regeneration & Culture Department. The latter has been applied successfully in the conservation area in the past.

Satellite dishes

- 2.3.9 There are several cases where satellite dishes have been installed on the fronts of houses. These are unsightly and damage the character of the conservation area. While the Council has no objection in principle to the use of such dishes they should have as small an impact on the appearance of the conservation area as possible. This can be achieved by installing them at the backs of houses (for example, on a short post at gutter level on the rear slope so that 'line of sight' communication can be achieved). Where dishes are unauthorised, such solutions should be sought.

Front boundaries

- 2.3.10 In previous years the Council has carried out front boundary improvement schemes in Mere Road and St Saviour's Road to restore the unified appearance of the public/private boundary that would once have been a feature of the conservation area. However not all properties could be included at that time and Park Vale Road and East Park Road still have a wide variety of boundary treatments in various states of repair. This detracts from the fine appearance of the individual properties as well as the general appearance and visual quality of the streets. However, the Housing Department is considering a front wall scheme for the East Park Road properties.

Public realm

- 2.3.11 There have been no public realm improvements in the area since the 2002 appraisal and roads and footpaths are slowly deteriorating. Many trench lines disfigure the area's roads and are some of the features that most visibly detract from the appearance of the area. The red paver surfaces of the traffic calming tables on Mere Road and Park Vale Road are beginning to look unsightly, dirty and dated and are showing signs of wear. On Mere Road the tarmac surface layer has also been laid so that, in some areas, it has been allowed to bleed over onto the original granite setts of the gutter line. What should otherwise be a crisp boundary is now ragged and unsightly. Elsewhere, old and unsightly glass fibre litter bins are still in use.

3.0 Conclusions

- 3.1 The number of alterations to houses in the conservation area has increased since 2002, particularly at the south end of Mere Road, with an inevitable impact on its character and appearance. The public realm, particularly the park, is also deteriorating. There also appears to be a widespread misunderstanding about the reasons why the Article 4 Direction was made and what it actually means in practice.
- 3.2 However, many special architectural and historic features remain and continue to enhance the townscape of this part of the city. The houses of the conservation area form strong edges to the park, enclosing it and offering interesting views into and out of the park. Their terraced layout emphasises and enhances the steep slopes of the landscape adding vitality and pattern to the townscape. The majority of the buildings make positive contributions to the character and appearance of the conservation area. The park itself is a well-used, vital and substantial area of green space in an otherwise wholly built up area. The whole conservation area also has strong historic connections to the Burnaby family (see section 3.0 of the 2002 Character Appraisal) and the development of the wider Spinney Hills area in the 19th century.
- 3.3 The conservation area remains an important part of Leicester's history and its de-designation would set aside its value. It might also affect the success of the Heritage Lottery Fund restoration bid. For these reasons the Council does not propose to de-designate the conservation area.
- 3.4 With regard to the Article 4 Direction, most houses retain all or a majority of their original features and there are grants available to help owners maintain these to conservation standards. It is therefore the Council's opinion that the cancellation of the Article 4 Direction would not be in the best interests of the architectural character and historic interest of the area. However, as virtually all the houses on East Park Road have lost their original windows, doors and front gardens the Council proposes to amend the Article 4 Direction to exclude them.
- 3.5 It is clear that houses and householders would benefit from more information and that the Council needs to encourage the owners of the remaining properties to regard their historic woodwork as an asset that is worth keeping. Financial incentives should be a key feature in supporting the Article 4 Direction, particularly for those householders in the lower income bands. The continuation of the Historic Building Grant scheme should therefore be a priority.

4.0 Conservation area boundary

- 4.1 The Council is required to consider the boundaries of conservation areas from time to time [s. 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990]. In considering the boundaries of the Spinney Hill Park Conservation Area the Council has taken account of the changes that have been made to houses in the area.
- 4.2 It is clear that much of the special character of the conservation area has been lost at the south end of Mere Road (see Map 2c). Unlike the streets that form the four edges around the park these houses are not as important to the character and setting of the park as East Park Road, St Saviours Road, the upper part of Mere Road and Park Vale Road. It would therefore be possible to exclude them without damaging the character and appearance of the conservation area. The Article 4 Direction would also have to be amended to exclude these houses.
- 4.3 The changes to the houses on East Park Road are also very significant but these buildings are important elements of the conservation area, particularly as they have other architectural features, such as big gables, bay windows etc that have not been altered and remain important features of the townscape. The houses also form a distinct 'edge', enclosing the park and stopping views out from the park. Excluding them from the conservation area would not therefore be appropriate.
- 4.4 The Council therefore proposes to exclude the properties listed below from the conservation area and from the Article 4 Direction :

Exclude	Exclude
138-152 Mere Road	132 Earl Howe Street
166-182 Mere Road	1 Fairfield Street
65 Donnington Street	2 Dronfield Street
78 Worthington Street	2 Cork Street

5.0 Confirmation of special interest

- 5.1 Despite the changes that have taken place, there remains much of architectural interest and historic value in the area. The Council therefore considers it reasonable to confirm that the area retains its special interest and confirms its designation of the Spinney Hill Park Conservation Area.

6.0 Contacts and acknowledgements

- 6.1 For further information on this, or any other, conservation area or listed building you can contact the Conservation Team at any of the following:
- Conservation & Nature Team, Planning Policy & Design, Regeneration and Culture, Leicester City Council, New Walk Centre, Welford Place, Leicester LE1 6ZG
 - E-mail conservation@leicester.gov.uk
 - On the Council's website www.leicester.gov.uk/conservation_areas

PART B MANAGEMENT AND ENHANCEMENT PROPOSALS

7.0 Management and enhancement proposals

Principal management considerations

7.1 National legislation and guidance set out certain factors that are ‘given’ in relation to conservation areas. First, there is always a **presumption against the demolition of buildings that make positive contributions to the character or appearance** of conservation areas (*Planning Policy Guidance 15*). Second, local planning authorities are required to pay special attention to **the desirability of preserving or enhancing the character or appearance** of conservation areas when exercising their planning functions [*s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990*]. Third, conservation area character appraisals form part of the ‘evidential base’ of Council’s Local Development Frameworks (LDFs) and are therefore **‘material’ considerations**. These three elements are integral to the management of the Spinney Hill Park Conservation Area, irrespective of the other proposals set out in Appendix 2.

7.2 It is clear from surveys and contact with local people and Councillors that the maintenance of the architectural character of the conservation area is an issue in this conservation area. The high cost of window repairs is a common reason given for needing plastic replacements so the provision of grants may be particularly relevant for owners on low incomes. More information also needs to be provided locally so that people can make fully informed decisions based on an appreciation of the alternatives to plastic that are available.

7.3 Key issues to be addressed

7.3.1 The review has highlighted several issues that need to be addressed if the conservation area is to be properly managed and enhanced. These are :

- Encouraging owners to maintain the historic features of their homes
- Provide more information to help people make informed decisions about alterations to their homes, including comparative costs and benefits of timber and uPVC.
- Re-consider the boundaries of the conservation area in those locations where alterations have seriously compromised its character and appearance;
- Consider re-making the Article 4 Direction to exclude those properties where the Direction is no longer appropriate;
- Enhance the built environment by rebuilding front garden walls.

8.0 Consultation

8.1 To ensure that as many views as possible are obtained, the Council will write to all residents in the conservation area to ask them for their ideas about what should be included in the review and its Management Strategy. Other interested parties (local amenity societies, other Council departments etc) will also be contacted for their views. Local Councillors will be contacted by letter or e-mail and a report will be presented to the Planning and Development Control Committee for their views. There will be an evening meeting at Wesley Hall Community Centre on March 30th where an exhibition will also be

available between March 23rd and April 20th. A copy of the Appraisal and its proposed amendments will be placed on the Council's Consultations website.

- 8.2 Any views received will be set out, together with the Council's response, as an Appendix to the review. Where suggestions for improvements are made they will be incorporated where appropriate in the Management Strategy. The results of the consultation will be also be placed on the Council's Consultations webpages.

APPENDIX 1 List of properties in the conservation area

(properties shown *thus* proposed to be removed from the conservation area and those shown *thus* proposed to be removed from the Spinney Hill Park Article 4 Direction.)

Asfordby Street	No 1
Ashbourne Street	Nos. 63 & 70
Baggrave Street	No. 1
Berners Street	Nos. 147 & 154
Buxton Street	No. 81
Cork Street	No.2
Dale Street	No. 77
Darley Street	Nos. 69 & 74
Derwent Street	Nos. 71 & 68
Donnington Street	No. 65
Dronfield Street	No. 2
Earl Howe Street	No. 132
East Park Road	St Stephen's Church, Nos. 123, 168-176 , petrol station, 188-238, 264-280, 284-294, police station
Fairfield Street	No. 1
Gwendolen Road	No. 2
Halstead Street	Nos. 1 & 2
Hartington Road	Wesley Hall Church & Community Centre
Mere Road	Nos. 91-119, 123-181, Evangelical Free Church, 183, 189-215, Imperial Hotel, 126-136, 138-152, 166-182
Moat Road	No. 1
Nottingham Road	No. 1
Spinney Hill Park	The Lodge
Park Vale Road	Nos. 1-71
St Saviour's Road	Nos. 148-248
Shelbourne Street	Nos. 1, 5-11
Worthington Street	No. 78

APPENDIX 2 Management Strategy

Location	Management Proposal
Spinney Hill Park Conservation Area generally	1. Distribute information to householders about why traditional features are important to the conservation area, including booklets such as 'A Stitch in Time' to provide independent advice. Provide information on the alternatives available to plastic, and publicise the availability of grants more widely. Target : 6-12 months

	<p>2. Secure funds for the Historic Building Grant scheme so that owners can retain historic windows, doors etc; Target : 2009 onwards</p> <p>3. Ensure that all works in the public realm retain and re-use historic features such as granite kerbs, granite setts etc Target : on-going</p> <p>4. Identify all satellite dishes on front façades that do not have planning permission and ask owners to put them where they cannot be seen. Target : 1 year</p> <p>5. Wherever possible, try to persuade owners to improve those buildings or sites that detract from the character and appearance of the conservation area. Target : on-going</p>
Conservation Areas generally	<p>Contact window companies in Leicestershire to remind them that FENSA membership only exempts them from Building Regulations, <i>not planning permission</i>. Investigate linking this with the Ventrolla 'Save Our Sashes' campaign Target : 6-12 months</p>
Spinney Hill Park	<p>Support the Heritage Lottery Fund proposal to ensure high conservation standard improvements Target : on-going</p>
Park Vale Road	<p>Seek funds and owners' agreements for front boundary walls replacement scheme Target : 3-5 years</p>
Mere Road	<p>Remove properties south of 138 and 171 Mere Road from the conservation area and Article 4 Direction Target : within 6 months</p>
East Park Road	<p>1. Remove properties from 168 to 294 East Park Road from the Article 4 Direction Target : within 6 months</p> <p>2. Seek funds and owners' agreements for front boundary walls replacement scheme Target : 3-5 years</p>

APPENDIX 3 **Results of consultations** *(to follow after consultation period is complete)*

Comments Received	Council Response
1.	
2.	
3.	