

Time Commenced: 00:00
Time Finished: 00:00

Informal Notes of non-convened meeting of CONSERVATION AREA ADVISORY COMMITTEE

Members: Chris Collison (Chair)
Carole Craven, Georgian Group
Maxwell Craven, Georgian Group.
Joan D'Arcy, Derbyshire Archaeological Society
Ian Goodwin, Derby Civic Society
David Ling, Derby Civic Society
Paul McLocklin - Chamber of Commerce
John Sharpe, Ancient Monuments Society
Chris Twomey, (Vice Chair) RIBA
Cllr Mike Carr, Elected Member
Cllr Jack Stanton, Elected Member
Cllr Robin Wood, Elected Member

Officer Support: Chloe Oswald, Conservation Officer

Further to the email of Lindsay Stephens dated 6 April 2020 advising "Chair/Vice Chair to send joint recommendation to CAAC Members by email following this agenda" please see below the recommendation of Chair and Vice Chair

1. Declarations of Interest

There were none.

2. Informal Notes of the Meeting held on 05 March 2020

Recommendation of Chair and Vice Chair – That the informal notes of the meeting held on 05.03.20 be approved as a record of the last meeting.

3. CAAC Items Determined since last agenda

The Committee received an update on previous applications that had been determined since the last report.

Recommendation of Chair and Vice Chair – That the items determined since the last meeting be noted

4. Applications not being considered following consultation with the Chair

A report of the Strategic Director of Communities and Place, detailing matters not brought before the committee for comment following consultation with the Chair, was considered.

Recommendation of Chair and Vice Chair – To avoid confusion it is recommended the application relating to The Old Hall 5 Orchard Street is transferred to Item 5 on the agenda. That the other items not being considered be noted

5. Applications to be considered

The committee received a report presented on behalf of the Strategic Director of Communities and Place on the applications requiring consideration by the Committee.

Mickleover Conservation Area

Application No. & 20/00410/FUL

Location: The Old Hall, 5 Orchard Street Derby DE3 0DF

Proposal: Erection of outbuildings (garage, store and garden room). (Linked application reference number 20/ 00411/LBA)

Resolved: that CAAC object to the proposal on impact on the Conservation Area and the setting, as part of significance, of the grade II* listed building for the following reasons:

Paragraph 193 of the NPPF states *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”* The Old Hall is an important Grade II*. The garage/store building is large in scale having a substantial footprint and being two storeys in height with an incongruous external stair. The garage/store building is positioned close to The Old Hall. The garage/store building, although proposed as a timber structure, will have an adverse impact on the setting of the Grade II* Hall. The proposal will also have an adverse impact on the character of the Mickleover Conservation Area designated in March 1975. The Old Hall is one of the most important buildings in the Conservation Area.

As proposed the upper storey of the garage/store building will have very limited headroom and no windows, with the exception of the ‘porthole’ in the gable. It is likely a ‘standard’ oak frame will have the eaves and ridge set higher to create more usable space at first floor. This would result in even greater detrimental impact.

The proposal indicates the construction of the garage/store building will involve the loss of two trees but no tree survey or arborist’s report has been submitted. The proposed siting suggests more trees than stated may be affected.

Historical photographs provide evidence of cart stores, and later garaging, to the north of the house. A single storey garage building in this location, set back from the main building frontage would be far less imposing, and would continue the historic tradition (courtyard on north side for goods in and out), and ensure the openness of the attractive garden frontage could be maintained.

The garden building which is small and temporary/reversible by nature and positioned well away from the house would make an interesting 'incidental' feature in the garden, terminating the axial view along the existing gravel path. The garden building appears to be a 'standard' Stow building. A bespoke design solution would be more appropriate in such a sensitive setting.

Paragraph 194 of the NPPF includes *"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."* The application does not include clear and convincing justification for the harm to the significance of an important Listed Building.

Paragraph 196 of the NPPF states *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."* The application does not include any indication of public benefits.

The following items were received from Members of CAAC by the deadline (5pm on Thursday 16th April) for CAAC: -

- I am pleased to support the recommendation in respect of The Old Hall in Mickleover but wonder whether it is worth including the overarching statutory protection offered in this case by Sections 66 and 72 of the 1990 Act?

I would advise the applicants that if they wish to pursue a proposal to re-roof the building they will need to make an application for Listed Building Consent. That application would need to include all the details necessary for its determination.

It is not appropriate to merely add a completely unrelated proposal to the existing application that does not relate to the existing building but which relates to the construction of two free-standing buildings within the curtilage. The existing application provides no supporting evidence in respect of a re-roofing.

- We would need to see a full justification for the roof works, along with assurances that as much existing fabric can be retained/re-used as possible. I am uncomfortable with the desire for a wholesale strip and re-roof, when we haven't been presented with any evidence of roof failure, eg. this may be confined to a localised area of the roof only?

With regard to the details themselves, notwithstanding comments above re:

loss/replacement of ridge tiles and tiles generally (which they are seeking to limit to 20%?), I don't have much to add, although I would have expected to see a more robust valley gutter (Min Code 5?) rather than Code 3 & 4 as suggested.

Also, I know I'm stating the obvious but, with a building of such significance, it will be important to ensure that any roofing works (if agreed) are carried out by a roofing contractor with a proven track record in conserving historic/listed roofs/buildings

- Whilst the heritage assessment (HIA) would appear thorough it hardly addresses the architectural importance of the building, although, in truth, that may not be germane to the issue of its setting in the conservation area. A previous assessment (2001) of the building is attached, plus a ground plan measured and drawn by the late Dr. Barbara Hutton and colleagues for the Derbyshire Architectural Records Series, the MS housed at the Museum & another copy in Derby Local Studies.

What does not appear from the report is the setting, for the surrounding 3rd quarter of the 20th century & later housing infill represents a huge diminution of the open setting of the Old Hall from the S,E & N. As the report rightly points out, the building was absorbed into the curtilage of Mickleover House at the beginning of the 19th century and remained so for almost 100 years. Eventually, it was also severed from its farm buildings to the west, the remnants of which have been adapted as residences in the last 40 years. Thus its curtilage has been progressively eroded, which is one of the reasons why the Mickleover Conservation Area was designated in the first place. The consequence has been seriously to diminish its setting, making any encroachment upon it highly problematic. Whilst the design for the garage is appropriate enough, its position is certainly not, for whilst the grounds of the Old Hall are largely sequestered, their integrity as part of the CA area and the setting of the LGII* building remains of considerable importance. We consider that to build the garage where proposed would harm the setting of the building. The only place where such a structure could be read as a part of the history of the setting would be to put it right to the west of the curtilage as if it 'belonged' to the former home farm buildings. We would therefore recommend refusal for the reason that it would harm the setting of the LGII* building and would fail to enhance the CA.

With regard to the garden house, we think the scale and design satisfactory for its position and would raise no objection.

As a footnote, the talismanic use of the opening words of Ps. 127 on buildings (as here) is relatively common in the era of post Reformation Protestantism: 'Except that the Lord buildeth the house, it is built in vain'.

- I have reviewed the Architect's drawings and in my view the double garage and garden room are located far enough away from the listed building to minimise their visual impact.

The proposed buildings are located on formal axis in relation to the listed building and external landscaping, in- keeping with the period of the house.

The proposed garage is oak framed with timber boarded elevations which in my view is appropriate considering the timber frame construction of the listed building.

The garden room is a symmetrical glazed temporary structure which provides an appropriate focal point at the termination of the new footpath axis.

I agree with the Architect's conclusion, "Overall, it is considered that the proposal of both the garden room and garage, will result in a measure of harm to the heritage significance but it would be at the lower end of less than substantial due to be proximity to the property."

- I am happy with the Chair/Vice-Chair's response. I would add that a digital copy of Barbara Hutton's report, referred to by Maxwell Craven, is held by John D'Arcy on behalf of the DAS Architectural Section and is available on line on request.

5. Recent Planning Appeal Decisions

Recommendation of Chair and Vice Chair – That the recent planning appeal decisions be noted

To view planning applications please look at the applications on the e-planning webpage of DCC site before the meeting Link is - <https://eplanning.derby.gov.uk/online-applications/search.do?action=advanced&searchType=Application>

Minutes End