



Historic England

Ms Teresa Turner
South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Direct Dial: 0121 625 6870

Our ref: L01105623

9 October 2019

Dear Ms Turner

**Arrangements for Handling Heritage Applications Direction 2015
& T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**WALTON HALL, MAIN STREET, SWADLINCOTE, DERBYSHIRE, DE12 8LZ
Application Nos DMPA/2019/1006 & DMPA/2019/0960**

Thank you for your letters of 2 October 2019 regarding further information on the above applications for listed building consent and planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the applications.

Historic England Advice

We have been consulted on additional information in relation to above applications. We have previously provided advice on the proposals in our letter of 26th September 2019, including an assessment of significance, which remains relevant to the determination of this application.

Impact of the proposals

In our advice letter we outlined that whilst we had no objection to the majority of proposed works, we were unable to support the proposed alterations to window GW14. We have reviewed the additional information provided and the proposed amendments to the design of this element of the scheme and our view remains that the proposed opening up of window GW14 and the resultant internal works would be harmful to the overall significance of the hall. As previously advised the current historic staircase and panelling runs across this opening. It is therefore unlikely that the two features existed contemporaneously. We believe installing a window in this position would be conjectural and would visually detract from the architectural composition and the proportions of the entrance hall. It would also require the removal of historic panelling from its original position. We therefore regret that we are unable



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to support this element of the proposal and continue to recommend that it is omitted from this scheme. We do not believe that the resultant harm to significance caused by this element of the scheme has been clear and convincingly justified as required by paragraph 194 of the NPPF 2019.

Policy and legislation

In determining this applications you should bear in mind the statutory duty of sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The NPPF also states in Paragraph 193 that 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (Paragraph 194)

In determining the application your authority will need to consider whether any public benefits associated with the scheme outweigh the harm caused by the impact of the proposals, as per the NPPF paragraph 196.

Recommendation

Historic England has concerns regarding the applications on heritage grounds. Whilst Historic England largely has no objection to the scheme, we are unable to support the proposed alterations to window GW14 as outlined above. We therefore continue to recommend that this element is omitted from the scheme.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 193,194 and 196 of the NPPF. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely



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Historic England



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