
Delegated report Officer: Teresa Turner

Application ref. DMPA/2020/0790

The erection of a single storey extension and external alterations and the erection of a garden wall/bin store within the rear garden at Vale House, 100 Penn Lane, Melbourne, Derby, DE73 8EP

Valid date: 30/07/2020

Consults expired: 18/09/2020

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

9/2017/0251/FH and 0266/L – The creation of a door opening in an existing stone garden wall and the insertion of a door – Householder planning permission and listed building consent granted on 4th May 2017.

PRE1534 – Reroof of property to include new Velux roof lights to rear elevation. Removal and re-positioning of existing internal staircase between 1st floor to 2nd floor. Internal alterations to provide ensuite shower room to master bedroom on 1st floor and ground floor toilet. Ground floor kitchen / breakfast room extension to the rear. Repositioning of garden gate as previously approved – Site visit carried out and response to enquiry sent on 3rd February 2020.

Responses to consultations and publicity

The Conservation Officer advises that the proposed works have been subject to a pre-application site visit and are line in with discussions and advice given. Conditions covering facing and roofing materials as well as joinery details for the roof lantern, proposed external doors (to the kitchen extension and the pedestrian gate) and the design/detailing/material of the proposed balustrade/handrail to the external terrace and steps.

Melbourne Civic Society (MCS) comments as follows: This is a handsome and important property in a prominent location within the Conservation Area. It is a case, sadly typical, of a house that has been robbed of too much in the past (i.e. kitchen wing and garden in this case) meaning that the character of the house now risks being compromised by the natural desire to substitute the missing elements back again somewhere else, within the restricted space now available. The very simple T-shape formed by the barn and house, with correspondingly simple gabled roofs, is essential to their character. The roofscape is also important. The proposed roof lights are too prominent and too numerous for the context, and the conservatory-style addition is very much at odds with the strongly agricultural character of the adjacent barn which (remarkably) remains unconverted. Standard Conservation veluxes would not look at home here - they're fine sometimes but this is a very important and historic location.

We accept that the kitchen has already been a little spoiled by the modern bow window, and something better could be done with it, but we would suggest a replacement lean-to that enlarges the kitchen and connects to the dining room, without being a new room in its own right.

We have no objection to making better use of the attic, but what impact will the new staircase have on the front elevation? It seems to cut across the window over the porch. Also, five rooflights is far too many here. Why not create just a single bedroom suite in the attic? That way, one gable window could be used to light the bedroom, and perhaps just a single small roof light, and the other gable window could light an en-suite.

Some of the assertions in the Heritage Statement are not satisfactorily explained. What evidence do we have that the attic stairs are non-original? And why are we to suppose that the stonework in the house is likely 17th century or earlier? Rubble stonework carried on being used in local buildings, whether

new or old, well into the Victorian period. Neither thing really matters, but either say something and substantiate it, or don't bother saying it at all.

As an aside, it is remarkable that the remainder of the adjacent barn has escaped conversion so far, given its central location and long disuse for its original purpose. Back in the 1820s it was advertised as being suitable for a factory conversion, and in the 1930s there was a scheme drawn up to convert it to houses.

In conclusion we would object to this proposal in its current form and hope that the applicant takes into account our comments, acts on them and amends the application.

Neighbour comment received: The dimensions of the left hand (southern) roof light are approximately 1.5m wide x 1.0m high, which the objector believes would occupy too much of the roof area. To be consistent with other roof lights on adjacent buildings and to preserve as far as possible the harmony of the existing broader roofscape of Vale House and its neighbouring buildings a maximum width of 0.75metres would be appropriate. The southern roof light seems from the plan to be set too low down in the roof given that it will look down on to the garden of Vale Cottage and we would therefore ask that it be lifted. The documents are not completely consistent in the positioning of the southern roof light; one plan shows the lower edge of the roof light abutting on to the end of the roof tree coming in from the adjacent building - we understand from the applicant that the exact positioning is intended to be set out later in architectural drawings for builders, and will be adjusted to allow for proper weatherproofing.

The objector has discussed these points with the owner of Vale House (the applicant), who has indicated agreement to make adjustments to the plans accordingly.

Case Officer comments: The comments from MCS do not take into account the wide arched opening at the rear of the dining room. This somewhat unusual feature is a substantial arched recessed opening spanning much of the width of the room, much larger than a decorative architectural niche in terms of both width and depth, but a feature which leads nowhere, there is no door or window in the rear wall and little sign that there ever was. The proposal for the new room involves opening up the rear wall behind the arch so that it forms the opening between the two rooms, retaining it as an architectural feature and also giving it a function in its position on plan. Having a narrow lean-to would either result in no link to the dining room or an awkward and out of character doorway skewed to one side of the large arched opening.

In the Conservation Officer's view the retention of the arched opening in a way which is architecturally desirable internally requires an extension of the scale proposed. The flat roofed form keeps this low and its impact on the rear elevation limited together with its presence from the neighbouring site to the east. The porch is a flat roofed front projection so to suggest flat roofed additions would be out of context is somewhat disingenuous.

The proposed number of rooflights on the rear elevation would not be considered excessive and there has been no attempt to explain what is meant by 'standard conservation veluxes would not look at home here'. Even if the roof became a single bedroom suite the central section is crossed by walls, the very small gable end windows would not provide adequate light or ventilation for a bedroom and the result would either be a massive ensuite covering half the house or a need to accommodate some other use such as a dressing room or study which would have need for a window of its own. The approach advocated would needlessly reduce the number of bedrooms without reasonably reducing the number of rooflight additions reasonably justified.

The new staircase is drawn very carefully to show that only 3 rises of the staircase fall below the existing front window. This is to allow the top step to fall in the highest part of the roof and still within the existing flanking walls. The additional 3 winding treads are necessary to achieve building regulation standards. To ensure that this is the case and that the staircase does not cut the window we could always include a condition requiring details of the staircase demonstrating that it does not cut the existing window opening.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- 2016 Local Plan Part 1 (LP1): Policy S2 (Presumption In Favour of Sustainable Development), Policy SD1 (Amenity & Environmental Quality), Policy BNE1 (Design Excellence), Policy BNE2 (Heritage Assets)
- 2017 Local Plan Part 2 (LP2): H27 (Residential extensions and other householder development), BNE10 (Heritage)

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)
- Melbourne Conservation Area Character Statement 2011 (CACS)

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning considerations

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issue(s) central to the determination of this application is/are:

- The impact on the setting of the listed building and the character and appearance of the conservation area; and
- The impact on the living conditions of the adjoining properties and the general character and appearance of the area.

Planning assessment

The impact on the setting of the listed building and the character and appearance of the conservation area

The application property is a Grade II listed building located within the key service village and conservation area of Melbourne. The following assessment takes account of the revised and additional information received on 4th September 2020.

The property is an early 19th century property, from historic mapping it would appear that the former agricultural buildings to the east (most recently in a mechanics/light industrial use) were historically part of the site but have long since been separated with former openings in the relatively low boundary wall having been blocked up many years ago. This leaves the relatively grand house with a small plot largely contained to its north side. This is separated from land to the east by a brick wall and from Penn Lane by a taller stone wall which scallops down to form the wall of a brick and stone outbuilding.

At the rear there are at least two phases of rearward extension currently providing a kitchen and a small bedroom above. The ground floor has been extended outwards slightly to form a somewhat architecturally crude flat roofed bay fronted projection.

The proposed rear extension would be single storey, flat roofed with a large glazed lantern light and would extend from the existing two storey rear range, replacing the flat roofed bay projection and would extend north returning to meet the existing rear elevation set back slightly from the main gable end of

the property. The eastern elevation would be built along the boundary line, replacing the existing low brick and stone section of wall along this boundary. The section of brick boundary wall to the immediate north of the proposed extension would be increased in height to provide additional privacy within the site, particularly within the raised terrace area immediately outside of the proposed extension (indoor floor levels are above the ground level within the garden and the proposed terrace and steps are primarily to provide access between the different levels). The proposed extension would obscure part of the rear elevation of the main house, however this elevation is currently blank save for the rear door.

The proposed extension would be visible from the adjacent former workshop/garage site to the east accessed from Church Square, however its appearance would primarily be as a raised section of boundary wall from that direction where ground levels are slightly lower and features such as the lantern light would not be apparent. The proposals would not conflict with architectural features of the existing building and would not impact upon the character of the property from the public realm within the conservation area. The existing rear door is proposed to be blocked and access to the new extension obtained through an arched feature at the rear of the existing lounge.

At the frontage of the property a pedestrian gateway is proposed through the existing stone wall. At present the small outdoor amenity area can only be accessed through the house. The proposal is to insert an opening immediately adjacent to the gable end of the house and provide a gate into the amenity area. The proposed position would be far from the scalloped section of wall where it reduces in height to join the outbuilding at the northwest of the plot. A previous permission was obtained in 2017 by a former owner for a gate through the wall further to the north, the application mentions that there is evidence of a gateway in the position proposed. This is more apparent within the site than it is from Penn Lane, but even so it far from clear. It is considered that an opening in the wall would be reasonable and has previously been considered acceptable. The earlier permission has lapsed so there would be no danger of two openings being created and as such the alternative gate position now proposed is considered to be justified and would avoid harm to the character of the listed building and its contribution to the character of the conservation area.

Within the garden area a section of wide brick wall is proposed, this would provide open storage shelving in bays below a wide stone slab coping, with a reclaimed stone sink proposed as a continuation of this feature on the east side of the outbuilding. These would be new freestanding features within the site but as they are described as walls, planning permission would be required. They would not impact upon the character and appearance of the conservation area beyond the site and would not adversely affect the special significance of the listed building or the ability to understand and appreciate that significance.

There are proposals for repairs of the front porch as well as replacement of plastic rainwater-goods in cast iron and some masonry repair via insertion of helifix bars. This work is considered to be reasonable and appropriate, however a condition to cover a more detailed specification of works should be applied. This has already been agreed by the agent for the application.

The amended proposals, received on 04/09/2020, so far as planning permission is required would not harm the contribution which the property makes to the special architectural and historic character and appearance of the conservation area and would also preserve the special architectural and historic significance of the property as a listed building, thus achieving the desirable objectives described in Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such the amended proposals would therefore comply with the requirements of the NPPF and with the objectives of Policy BNE2 of the LP1 and BNE10 of the LP2 in that the significance of the heritage assets would not be harmed.

The impact on the living conditions of the adjoining properties and the general character and appearance of the area

The property still retains its full permitted development rights and the insertion of rooflights would not require planning permission by virtue of Class C of Part 1 of Schedule 2 of the 2015 General Permitted Development Order (GPDO). As such, the proposed rooflights would only require listed building consent and this would only assess how the proposed alterations would impact on the historic fabric

and character of the building (See DMPA/2020/0876).

The proposed extension would be single storey and would only have openings on the side that faces the property's external amenity space with the east side blank wall being built on the boundary. The existing rear boundary wall would provide adequate screening to preserve privacy levels with the neighbours in line with the Council's SPD.

The proposed extension would be a sympathetic and in scale addition to the listed host and the proposed garden works (permission required by virtue of Class A of both Parts 1 and 2 of the GPDO) would be considered appropriate for the setting and as assessed above, there would be limited visibility from the public realm and the existing street scene and general character of the area would be maintained.

The proposal, as amended on 04/09/2020, would therefore be considered to be in accordance with the requirements of NPPF and with the objectives of Policy BNE1 of the LP1 and Policy H27 of the LP2 in that the development would be in keeping with the character of the existing host and would not be unduly detrimental to the living conditions of adjoining properties or the general character of the area.

The proposal, as amended, would conform to Policy SD1 of the LP1 in that it would not lead to adverse impacts on the environment or amenity of existing and futures occupiers within and around the proposed development.

The proposal, as amended, would conform to the requirements of the NPPF and the NPPG and with Policy S2 of the LP1 in that planning applications received by the Council that accord with the policies in the Local Plan Part 1 (and where relevant, with policies in neighbourhood plans) will be dealt with positively and without delay unless material considerations indicate otherwise.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	23/09/2020
Report agreed:	24/09/2020
Authorised officer:	Richard Stewart
