
Delegated report Officer: Helen Branson

Application ref. DMOT/2022/1167

The approval of detail reserved by condition nos. 3 and 4 of permission ref. DMPA/2021/1485 (relating to structural window works and internal fireplace) for full renovation of the Hall including recovering the roof at Marston Hall, Marston Lane, Marston-on-Dove, Derby, DE65 5GB

Valid date: 19/08/2022

Consults expired: 07/12/2022

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

This application seeks approval of details required by conditions set out on the host permission, as described above. The host permission forms the most relevant planning history for this application.

Responses to consultations and publicity

There is no requirement to publicise this type of application.

The details were taken to a 2022 Conversation Cases meeting on 16/01/2023 where it was agreed they were acceptable.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are set out in the officer report relating to the host permission.

Planning considerations

This application seeks to discharge conditions 3 and 4 attached to listed building consent DMPA/2021/1485 which was granted for full renovation of the Hall including recovering the roof. The principle development has been established and the following assessment takes into account only the matter which is relevant to the conditions concerned.

Planning assessment

Condition 3 of permission DMPA/2021/1485 states the following:

Following the removal of the existing bay window roof and prior to any works commencing on the existing window lintel, precise details of the structural works required shall be submitted to and approved in writing by the Local Planning Authority. The structural works shall be carried out in accordance with the approved drawings.

Reason: In the interests of protecting the significance of the listed building. The removal of the bay window roof would provide the best opportunity to investigate and reinforce the bay window lintel to prevent future movement if this is found to be required.

The Applicant employed a Structural Engineer to investigate the existing bowing lintel to the bay window who was able to inspect and assess the structure following the removal of limited areas of internal plaster finish. Some historical water damage was detected on the surface of the beam, possibly caused by a leaking external gutter or downpipe. The surface was cleared whilst the beam was appropriately propped and the beam was then remeasured. The Structural Engineer ran calculations and the outcome was that they deemed the reduced section of beam to be strong enough to remain in place without additional support. It is therefore proposed to leave the existing beam in place and make good the areas of internal plaster removed for inspection purposes. The Conservation Officer has been consulted on the detail supplied and is content with the information provided. On that basis it is, therefore recommended that the condition can be discharged.

Condition 4 of permission DMPA/2021/1485 states the following:

Following the removal of the existing fireplace and mantle in Room 1-01 (Bedroom 3), precise details of the proposed fireplace shall be submitted to and approved in writing by the Local Planning Authority. The fireplace shall be constructed in accordance with the approved drawings.

Reason: In the interests of protecting the significance of the listed building. It is recognised that precise details cannot be finalised until the existing modern build-out is removed and whatever is behind can be examined.

Photographs have been supplied of the fireplace to be removed and the reclaimed fireplace proposed as well as a similar fireplace elsewhere in the property demonstrating that the proposed surround will be in keeping with the character of the property. The Conservation Officer has been consulted on the detail supplied and is content that the information provided would preserve the character and appearance of the property. On that basis it is, therefore recommended that the condition can be discharged.

Recommendation

Approve

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:	19/01/2023
Report agreed:	19/01/2023
Authorised officer:	Sarah Beeby
