

PARTNERSHIP AND REGENERATION COMMITTEE  
13TH DECEMBER 2007

Report of the Planning Services Manager

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## **CONSERVATION AREA CHARACTER APPRAISAL – MATLOCK BANK**

See Minute

### **SUMMARY**

The report summarises the representations received in respect of the Draft Matlock Bank Conservation Area Character Appraisal and seeks approval to proceed with its adoption.

### **RECOMMENDATION**

1. That the Matlock Bank Conservation Area Character Appraisal be modified and adopted in accordance with the schedule as set out in Appendix 1
2. That authority be delegated to the Planning Services Manager to implement the statutory procedures necessary to amend the boundary of the Matlock Bank Conservation Area as set out in Appendix 2.

### **WARDS AFFECTED**

Matlock All Saints  
Matlock St Giles

### **REASON WHY THIS IS A KEY DECISION**

The significance of Conservation Area Character Appraisals is that they provide a sound basis for protection and enhancement of the historic environment.

### **STRATEGIC LINK**

Conservation Area Character Appraisals are to be carried out for designated and proposed Conservation Areas and these will assist in delivering the Council's aims of protecting and enhancing the environment as well as stimulating economic, community and environmental regeneration.

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## **1. BACKGROUND**

- 1.1 At the meeting of this Committee on 26th July 2007 it was resolved that the Draft Matlock Bank Conservation Area Appraisal be approved for a six-week period of public consultation. It was further resolved that the results of the public consultation exercise would be reported to this committee, outlining the responses received during that consultation period (Minute 160/07 refers).
- 1.2 The Department for Communities and Local Government has indicated that Conservation area Appraisals should not be used as Supplementary Planning Documents but rather as background documents and which should be published in support of the relevant Development Plan Document.

- 1.3 The Draft Appraisal was subject to public consultation between 23rd August and 4th October 2007. Copies of the draft document were distributed to key stakeholders such as Matlock Town Council, Matlock Civic Association, Ward members for All Saints and St. Giles, Derbyshire County Council (Conservation and Highways Departments) and local residents.
- 1.4 All residents/owners directly affected by the proposals to include and exclude land/buildings from the existing Matlock Bank Conservation Area boundary were sent individual letters of notification. The documents were also available on the District Council's website and at the Council's Offices in Matlock and Ashbourne. A public meeting was held in the Town Hall on Wednesday 5th September 2007. The meeting was advertised locally by poster and in the press via a public notice. Around a dozen individuals attended the public meeting.

## **2. REPORT**

- 2.1 Representations were received from a total of 3 objectors – Matlock Civic Association, and two local residents. The Schedule at Appendix 1 summarises each representation and provides Officer comments and recommendations.
- 2.2 Although no objections were received regarding the proposed addition to the Conservation Area, objections were made in relation to properties on Smedley Street being excluded from the Conservation Area. It is considered that as these properties were constructed prior to designation of the Conservation Area in 1986 and are not included in the list of negative elements as defined in the Conservation Area Appraisal, the boundary in this location is retained as currently designated (See Appendix 2).
- 2.3 It is, therefore, recommended that the Matlock Bank Conservation Area Character Appraisal be modified in accordance with the recommendations set out in Appendix 1.
- 2.4 In order to amend the Matlock Bank Conservation Area boundary as shown in Appendix 2, it is recommended that the Planning Services Manager be delegated authority to implement the necessary statutory procedures.

## **3. RISK ASSESSMENT**

### **3.1 Legal**

**The report proposes actions which fall within the Town and Country Planning Act 1990 and PPG15. The legal risk is, therefore, low.**

### **3.2 Financial**

**There are no financial risks arising from this report.**

### **3.3 Corporate Risk**

**There is no corporate risk arising from the report at this stage.**

## **4. OTHER CONSIDERATIONS**

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equality of opportunity, environmental, health, legal and human rights, financial, personnel and property considerations.

## 5. CHAIRMAN'S COMMENT

Following an extensive consultation process, the District Council has reacted in a positive way to public comment and I look forward to hearing the Committee's opinion on this document.

## 6. CONTACT INFORMATION

**Tanya Shaw**

**Telephone: 01629 761250**

**e-mail: tanya.shaw@derbyshiredales.gov.uk**

## 7. BACKGROUND PAPERS

Description	Date
Reports to P&R	14th April 2003 and 16th September 2004
Planning Policy Guidance Note 15 : Planning and the Historic Environment - DoE & DNH	1994
Guidance on Conservation Area Character Appraisals - English Heritage	1997 and 2006

### Matlock Bank Conservation Area Boundary

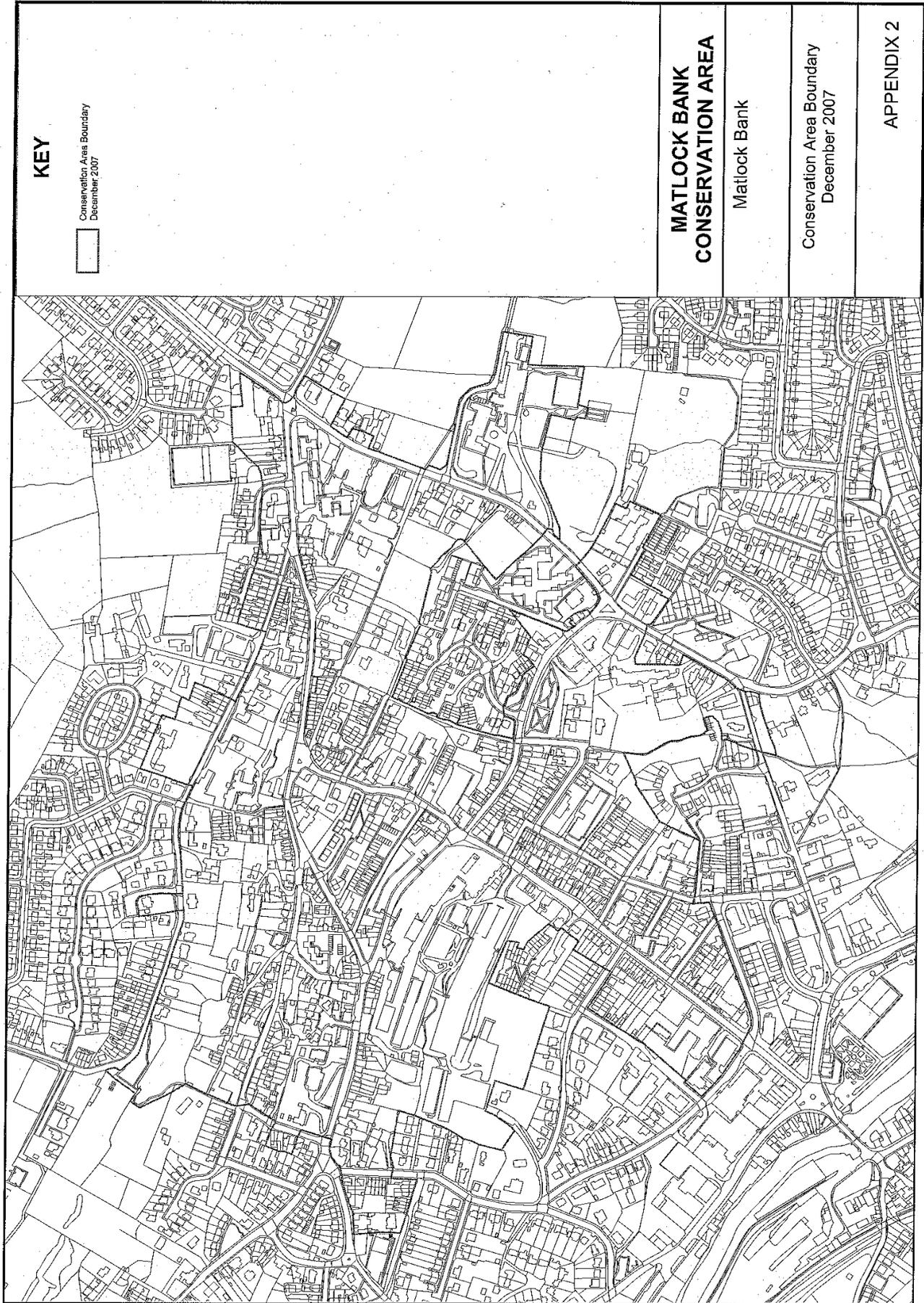
Representations received during consultation period 23<sup>rd</sup> August to 4<sup>th</sup> October 2007)

No.	Objector	Summary of Representation	Officer Comments and Recommendation
1	Matlock Association Civic	Congratulate those responsible on the production of a well researched and comprehensive document. Consider some editing would be worthwhile as there is a certain amount of repetition.	<p>Comments: <b>Noted. Possible areas of repetition have not been identified by the author. However it is inevitable that a document of this nature will have a certain amount of repetition, as there is a degree of overlap between chapters. It is intended as a working document, where separate chapters may be read in isolation and therefore a small amount of repetition is preferable to a lack of comprehensive coverage.</b></p> <p>Recommendation: <b>No change to the document.</b></p>
2	Matlock Association Civic	A date on the document would be useful so that in the future, changes can be assessed.	<p>Comments: <b>Noted</b></p> <p>Recommendation: <b>Date to be added to document.</b></p>
3	Matlock Association Civic	Changes in the boundary are fairly obvious proposals which MCA support.	<p>Comments: <b>Noted</b></p> <p>Recommendation: <b>No change to boundary in relation to this comment.</b></p>
4	Matlock Association Civic	Main purpose of document is to help in the control of new development and alterations to existing buildings to help retain the character of the area. A more definitive 'do's and don'ts' check list would help people considering changes and planning officers reviewing applications.	<p>Comments: <b>The document is meant to be an appraisal of the special qualities of the character and appearance of the conservation area. However, the leaflet which will follow this appraisal will identify 'do's and don'ts' in relation to design criteria (see point 6 below). However, the leaflet can only provide a 'broad-brush' approach and cannot prescribe for every eventuality.</b></p> <p>Recommendation: <b>No change to document.</b></p>
5	Matlock Association Civic	Negative and neutral factors show no indication of how they might be improved. Suggest a programme of proposed enhancement works should be included and a budget identified to make a start on	<p>Comments: <b>The document is meant to be an appraisal of the special qualities of the character and appearance of the conservation area which includes those factors which have a negative and neutral effect</b></p>

		implementation. In some cases other public authorities could be approached to seek their action to make improvements.	on the area. Recommendations for enhancement of the environment based on these factors should be included within a 'Conservation Area Management Plan'. At the present time, there are no resources to progress this additional document.  Recommendation: <b>No change to document.</b>
6	Matlock Association Civic	A simple well illustrated leaflet could be produced and distributed to all households in the area. This will be time and money well spent as it will improve the standard of planning applications submitted and reduce caseworkers time spent dealing with poor applications. Many unfortunate changes happen without requiring planning permission which could have been avoided if those concerned had been better informed.	Comments: <b>Conservation Area leaflets are proposed for each area where a conservation area appraisal has been produced and a leaflet will be produced in due course.</b>  Recommendation: <b>No change to document.</b>
7	John Mallender Jackson Tor House. (verbal comments)	Jackson Tor House, Jackson Road was originally two separate hydros – Jackson House Hydro and Tor House Hydro. Tor House Hydro eventually closed and was demolished and Jackson House Hydro closed and became Abbey Hotel which then changed to Jackson Tor House. Jackson House Hydro and Tor House Hydro never merged as the document states and Jackson House Hydro was built in 1862 not 1857.	Comments: <b>Noted.</b>  Recommendation: <b>Relevant changes will be made to the text within the appraisal.</b>
8	John Green 159 Smedley Street	Objects to exclusion of his property from the Matlock Bank CA. No.s 159 to 165 are proposed for exclusion but the wall forming the northern boundary of the properties has remained within the Conservation Area. Considers all five properties should remain included.	Comments: <b>Noted. Comments are pertinent.</b>  Recommendation: <b>Consider boundary should be amended to retain properties within Conservation Area.</b>
9	John Green 159 Smedley Street	If conservation area status is based on particular features then the new boundary should include No.159 Smedley Street as the western wall of the property is the old, dry stone, field boundary wall, whilst the eastern wall is a modern red brick dividing wall which was built when the field was converted into gardens. The west wall forms part of the old stone constructions, which include the converted barn on Woolley Road, the original	Comments: <b>Noted. Comments are pertinent.</b>  Recommendation: <b>Consider boundary should be amended to retain properties within Conservation Area</b>

APPENDIX 1

		farmhouse buildings and the orchard and field boundary walls.	
10	John Green 159 Smedley Street	Considers that the proposed removal of these five properties conflicts with Department of Environment guidelines 'as it is the quality and interest of the area rather than that of individual buildings which should be the prime consideration in identifying conservation areas' and 'cancellation of designation should be considered where an area or part of an area is no longer considered to possess the special interest which led to its original designation'. Nothing has changed since the original designation in 1986. Unless criteria for the designation of Conservation Area status in 1986 has changed, the properties should remain unaffected.	Comments: <b>Noted. Comments are pertinent.</b>  Recommendation: <b>Consider boundary should be amended to retain properties within Conservation Area</b>
11	John Green 159 Smedley Street	Properties are not mentioned in the negative or neutral factors within the document, but properties which are mentioned in the negative or neutral factors remain within the conservation area. The appraisal mentions key views are visible between the houses. For this reason alone, the area should remain within the conservation area, as planning applications which affect these views would be subject to conservation policies	Comments: <b>Noted</b>  Recommendation: <b>Consider boundary should be amended to retain properties within Conservation Area</b>
12	John Green 159 Smedley Street	Considers the report reflects a selective picking of historical features rather than the quality and interest of the area as a whole. The revisions seem to recommend only properties on the periphery which are slightly inconsistent with the reviewers opinion (or aesthetic taste) whilst ignoring grossly inconsistent items which are awkward to exclude. Areas such as Malvern Gardens and the eastern spur of Far Green which consists of brick built housing which is far less in character with the stone build of most of the area including 159 to 165 Smedley Street	Comments: <b>Noted. Comments are pertinent.</b>  Recommendation: <b>Consider boundary should be amended to retain properties within Conservation Area</b>



**KEY**

Conservation Area Boundary  
December 2007

**MATLOCK BANK  
CONSERVATION AREA**

Matlock Bank

Conservation Area Boundary  
December 2007

APPENDIX 2



This information is available free of charge in electronic, audio, Braille and large print versions, and in other languages on request.

For assistance in understanding or reading this document or specific information about these Minutes please call Christine Laver on 01629 761300 or e-mail [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## **PARTNERSHIP AND REGENERATION COMMITTEE**

**Minutes of a Meeting held on Thursday 13<sup>th</sup> December, 2007 in the Council Chamber, Town Hall, Matlock at 6.00pm**

**PRESENT** Councillor Simon Spencer - In the Chair

Councillors David Barker, James Bentley, Mrs. Shirley Buckingham, Ken Bull, Mrs. Tracy Critchlow, David Fearn, Andrew Lewer, Tony Millward, Lewis Rose, OBE, Tony Rosser, Peter Slack, Geoff Stevens and Mrs. Carol Walker.

David Wheatcroft (Chief Executive), Dave Brooks (Head of Planning & Development Services), Peter Bartle (Property Services Manager), Steve Capes (Policy and Research Manager), Paul Wilson (Planning Services Manager) Tanya Shaw (Design and Conservation Officer) and Christine Laver (Committee Administrator)

### **APOLOGIES**

Apologies for absence were received from Councillors Steve Bull, David Chapman, Mrs. Janet Goodison and Andrew McCloy. Councillors Mrs. Shirley Buckingham, Andrew Lewer and Mrs. Carol Walker attended as substitute Members.

**PLEASE NOTE THAT THIS IS NOT A COMPLETE SET OF MINUTES FOR THIS MEETING AND ONLY CONTAINS INFORMATION RELEVANT TO THE MATLOCK BANK CONSERVATION AREA CHARACTER APPRAISAL**

### **442/07 – CONSERVATION AREA CHARACTER APPRAISAL – MATLOCK BANK**

The Committee considered representations made in respect of the Draft Matlock Bank Conservation Area Character Appraisal, that was approved for consultation on 26<sup>th</sup> July, 2007.

Representations were received from Matlock Civic Association and from two local residents and the substance of these, together with the proposed responses were detailed in an appendix to the report.

Authority was sought for modification of the draft Appraisal, in accordance with the information contained in appendix 1 to the report. In addition it was requested that authority be delegated to the Planning Services Manager to implement the statutory procedures

necessary to amend the boundary of the Matlock Bank Conservation Area in accordance with the plan at appendix 2 to the report.

It was moved by Councillor Geoff Stevens, seconded by Councillor David Fearn and

**RESOLVED**

(Unanimously)

1. That the Matlock Bank Conservation Area Character Appraisal be modified and adopted in accordance with the schedule at Appendix 1 to the report
2. That authority be delegated to the Planning Services Manager to implement the statutory procedures necessary to amend the boundary of the Matlock Bank Conservation Area as set out in appendix 2 to the report.

Reason for Decision

Conservation Area Character Appraisals provide a sound basis for protection and enhancement of the historic environment.

**MEETING CLOSED – 7.15PM**

**CHAIRMAN**