

DERBYSHIRE DALES DISTRICT COUNCIL

MATLOCK BRIDGE CONSERVATION AREA

CASE FOR THE DIRECTION

Statement of Derbyshire Dales District Council for making the Direction Under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995

In accordance with the Government guidelines given in Planning Policy Guidance Note 15 : Planning and the Historic Environment and The Town & Country Planning (General Permitted Development) Order 1995 this statement provides:

1. Description of the Area
2. The Special Need for an Article 4 (1) Direction in this Area
3. Permitted Development Rights to be Removed
4. Planning Policies

1) Description of the Area

Derbyshire Dales

The Derbyshire Dales, lying within the East Midlands and to the west of the Derbyshire County covers an area of approximately 79,000 hectares (307 sq miles) and comprises some of the most diverse and beautiful scenic areas in Britain. The Peak District National Park covers over half the area of the Derbyshire Dales and is responsible for the planning functions in that area. Outside of the Peak District National Park, Derbyshire Dales covers approximately 33,000 hectares (128 sq miles) of land with a total population of around 45,000. Within the District itself there are 32 Conservation Areas and around 1300 listed buildings.

The majority of the District is rural in character and comprises attractive areas of countryside interspersed with a large number of villages and hamlets. The main towns within the District are Matlock, Wirksworth and Ashbourne. There is a definite contrast in landscape ranging from rugged uplands in the north to the softer fertile agricultural land in the south. Equally there is a diverse range of materials, from the creamy pink sandstones, buff grit-stone, grey-white limestone and charcoal grey slates found predominantly in the north, to the warm orange-red brick, bluish hues of Staffordshire tiles and crisp brown and sepia thatch found further south.

Matlock

The largest settlement within the Derbyshire Dales District is Matlock with a population of 9,700. It is comprised of a string of smaller settlements running along the River Derwent. Typical of this region are steep sided gorges, underground caves and large caverns. The larger limestone Dales generally come down to lower levels and have been traditionally well wooded with sheer cliffs or crags of white and grey rock rising abruptly above the trees. Old Matlock (or Matlock Town) was the original settlement and its offshoots Matlock Green, Matlock Bridge, Matlock Bank, Matlock Dale and Matlock Bath, are all now recognised for their contribution to the character and appearance of the area by their Conservation Area designations.

Matlock Bridge

The Matlock Bridge area is situated to the south of Crown Square and Matlock Bridge itself, which spans the River Derwent. It currently borders with Old Matlock Conservation Area and Matlock Dale Conservation Area to the south and west. To the south and east the River Derwent forms the boundary and further east lies Hall Leys Park. To the north Matlock Station and its approach is within the confines of the Conservation Area and beyond is the Cawdor Quarry site and the town of Darley Dale. To the west beyond the railway is steeply rising open land, the field boundaries providing the curtilage of the area. The A6 dissects the site, running north towards the Peak District and southwards to Cromford and Derby. The area is predominantly the product of expansion at the end of the 19th century, when commerce was at its height. This expansion was partly the result of the popularity of the nearby hydropathic establishments and the introduction of the railway, which increased accessibility to Matlock.

Matlock Bridge Conservation Area was designated in 1989, thus recognising it as an area of *“special architectural and historic interest, the character and appearance of which it is desirable to preserve or enhance.”*

The existing conservation area includes one scheduled ancient monument, Matlock Bridge, also a grade II listed structure (circa 1350), which is the oldest surviving man-made structure in the area and was built to replace an earlier river crossing. There are also two Grade II listed buildings within the Conservation Area: No.8 Snitterton Road (currently occupied by the Royal Bank of Scotland) and the Station Master’s House in the railway station yard.

The railway was introduced in 1849 and contributed greatly to the expansion of Matlock in general, but the development of Matlock Bridge did not begin until the late 1860s. Within a period of forty years the majority of buildings along the main street in the Matlock Bridge Conservation Area, Dale Road, were constructed. Dale Road was the principal commercial shopping street of Matlock during a boom period for the town in the late 19th century when thousands of visitors were attracted by the numerous hydropathic establishments in and around the area, the clean air and picturesque scenery.

During the late 19th century Dale Road developed as a busy commercial thoroughfare whilst Holt Lane remained a quiet backwater with dramatic picturesque views. Flanked on either side by a substantial number of imposing, rather grand Victorian buildings of high quality and style, Dale Road provides excellent period examples of commercial property with residential living space above which have survived largely intact to the present day.

The predominant building material in the area is stone and there are some good examples of Ashlar stonework to buildings where the intention was obviously to impress the patronage through the use of this most expensive method of stone dressing. There are also a number of examples of surface tooling to stonework and rock faced stone is also used on a number of buildings within the Conservation Area. A limited amount of brickwork is to be found, most significantly on the Kingsbridge Terrace row, which is constructed of red brick with render to some rear elevations. Brickwork is laid to a variety of bonding styles including English Bond; there is one example of a glazed brick pillar surviving in tact.

The most dominant roofing material in the conservation area is natural slate imported from Wales and made easily available in the area following the introduction of the railway. There are some examples of decorative red diamond shaped mineral fibre roofing slates possibly utilised as a more economical yet rather attractive roof covering.

In terms of design elements, a frequent theme is the number of first floor bay windows and dormers, which allowed further accommodation within the roof space. The majority of original windows are traditional sashes, with either a one over one, or two over two pattern, a large number of which have survived in tact. A smaller number of original casement windows have also survived and in some cases have decorative stained glass to the upper opening lights.

Similarly a significant number of original substantial timber panelled doors have been retained on buildings. These are usually doors at ground floor level, to access the residential accommodation above the retail units and are quite separate from the shop front entrances.

The original shop frontages displayed elegant painted timber shop fronts and although many have been lost or replaced over the last 50 years, a few incomplete examples remain. These survivals identify the type and style of shop fronts that were once prevalent along Dale Road.

Many of the buildings in the area are adorned with decorative carved stone elements to their front elevations, which include a number of stone balustrades and a series of decorative shields adorn the front elevation of what was originally the Market Hall building in Dale Road. In addition many buildings have distinctive decorative features such as fanlights, finials, clocks and decorative bargeboards. A significant number of buildings also retain their original rainwater goods, chimneystacks and pots and a variety of ironwork detail.

2) The Special Need for an Article 4 (1) Direction in Matlock Bridge Conservation Area

Derbyshire Dales District Council is committed to the protection and enhancement of the Matlock Bridge Conservation Area, where in recent years economic decline has resulted in a general lack of maintenance and repair to many of the buildings, both commercial and residential.

The special historic and architectural interest of the buildings and spaces in this area was recently recognised and identified by the undertaking of a Conservation Area Character Appraisal in late 2002/3. This document was a comprehensive appraisal following the principles established in the English Heritage Policy Document 'Conservation Area Appraisals' (March 1997) and was subsequently approved by the Council. Based upon this Character Appraisal a bid was made to English Heritage for partnership funding under their Heritage Economic Regeneration Scheme.

This bid proved successful and a Heritage Economic Regeneration Scheme (HERS) is now in place within the area and is being well patronised. This scheme is jointly funded by English Heritage, Derby and Derbyshire Economic Partnership, Matlock Town Council and Derbyshire Dales District Council and comprises of a total budget of £198,000 over a period of three years. The scheme commenced in April 2003, although funding and the Project Officer did not formally launch the scheme until later that year. A HERS Sub-Committee has also been established which meets quarterly to determine applications for grant aid and other issues arising in the area. The Sub-Committee is made up of local ward members and representatives from Matlock Town Council, Matlock Civic Association and the Matlock and District Business Group (formerly the Chamber of Trade). The HERS has now been extended for a further year, to April 2007, reflecting its continued success in fulfilling conservation and economic objectives within the area.

The HERS Project is aiming to work closely with business and property owners in the area to encourage the use of traditional materials and appropriate design. In turn this should lead to an enhancement of the historic area and promote it as a more attractive place to shop, work and socialise, thus encouraging economic regeneration. Linked to the planning process the grant scheme also aims to halt unsympathetic alterations, by a 'carrot and stick' approach.

Following the Conservation Area Character Appraisal being adopted by the District Council, a guidance leaflet was produced and delivered to each property in the Conservation Area. This identified the special characteristics of the area and gave guidance on elements of appropriate design as well as requirements for planning permission. Following confirmation of the HERS funding a further guidance leaflet was produced and again distributed to each owner/occupier within the HERS area, identifying eligible works for grant assistance (copies of these leaflets are enclosed).

As part of the initial establishment of the HERS grant scheme local residents and business / property owners were invited to attend a day and evening 'launch' event. This gave the Council the opportunity to identify the special characteristics of the area, the grant scheme and to provide a 'consultation' period to establish a relationship between the community and the Council. This 'launch' event, which was held in a then empty shop on Dale Road, was successful in that many people from the locality attended and showed a keen interest in both the area and the grant scheme. A further launch event was held in June 2005 resulting in renewed interest and a raised awareness of available funding.

An Article 4 (1) Direction in this area would seek to prevent any further loss of historic fabric and allow the Council greater opportunities to work alongside building owners to preserve and enhance this historically important area of Matlock. It would provide essential support for the Heritage Economic Regeneration Scheme. It is envisaged that overall the Direction will improve both the buildings and the environment and be an essential component of the long-term success of the HERS Project. It should also ensure that work completed as a result of the grant scheme is not then unsympathetically reversed in the future and therefore safeguard public investment. The long-term sustainable economic future for this area will also be dependent upon the careful and consistent monitoring of development within the area. It will need to be ensured that all future work aims for the preservation and enhancement of the existing fabric. An Article 4 (1) Direction will help to retain the future of important architectural elements and enhance the existing valuable heritage for future generations.

Matlock Bridge Conservation Area is primarily a commercial area (the HERS grant scheme is directed at commercial properties) with some residential properties towards the perimeter of the area. As commercial properties do not benefit from permitted development rights, work comprising potential development to these properties would have to be determined as to whether or not it constituted a 'material alteration'. However, certain sections of Schedule 2 Part 2 of the GPDO 1995 relating to 'Minor Operations' are relevant to these properties as the District Council would seek to control the use of appropriate period colours to both original and new shop fronts. It is also recommended that where minor works, such as walls, fences, gates etc., are proposed within the curtilage of these properties, particularly where these works would be highly visible within the townscape, restrictions under Schedule 2 Part 2 of the GPDO 1995 are introduced. The same categories of restriction would also be removed on non-commercial properties as indicated on the attached Schedule and Plan.

In relation to dwellinghouses, various classes of development are proposed to be removed, again where development within those particular classes would result in a particular detriment to the overall townscape. The Direction has been established to remove as few rights as possible and the attached Schedule and Plan indicates each address, the type of property, the permitted development to be removed and the relevant Schedule, Part and Class in the GPDO 1995.

There are three grade II listed buildings located within the Conservation Area.

1. Matlock Bridge – also a Scheduled Ancient Monument
2. The Royal Bank of Scotland, 8 Snitterton Road, Matlock – in commercial use
3. Station Master's House, Matlock - in residential use

Due to controls that can be exercised under current Listed Building legislation it is proposed that the Station Master's House, Matlock is the only property to be covered by an Article 4 (1) Direction which would restrict Schedule 2 Part 1 Class F which relates to the provision of a hard surface within the curtilage of the building.

Modification by Government Office, 31st October 2006:

The Station Master's House is no longer included in the Schedule, as the control of hard standing within the curtilage of this building was not considered to be of sufficient importance to the character of the conservation area to justify withdrawal of permitted development rights under Schedule 2 Part 1 Class F.

The District Council considers it a high priority to maintain and improve the built and natural environment. As such it closely monitors applications for planning and listed building consent and will enforce where necessary to ensure that development is of a high standard and is in compliance with both approvals and conditions imposed. Similarly it will take action where unauthorised works are carried out in order to protect the quality of the area.

PPG15 (clause 4.23) and Circular 9/95 (4 -1087) specifically ask Local Planning Authorities to include in their application to the Secretary of State the measures taken to inform those with an interest about the proposed Direction and of any representations received. As stated elsewhere within the Direction, the valuable conservation work undertaken on Dale Road is the basis for the application for an Article 4 (1) Direction. The Local Planning Authority's Conservation Area Appraisal of 2003 was made available to owners, tenants and residents of Dale Road at the launch of the HERS in the area. This document included advice that the Local Planning Authority was likely to follow up the Grant Scheme with an Article 4 (1) Direction in order to maintain the good conservation work that the scheme would fund and encourage. The members of the HERS Sub-Committee, who represent various local groups and interests, discussed the proposed Article 4 (1) Direction in 2004. In November 2004 the detailed Schedule and Statement was put before the HERS Sub-Committee. Their unanimous resolution, in both cases, was to introduce an Article 4 (1) Direction on Dale Road, Matlock.

It is considered that if the Article 4 (1) Direction is approved, it should be monitored every five years to take account of possible changes in the Conservation Area and to the individual properties.

The District Council Partnership and Regeneration Committee supports the introduction of an Article 4 (1) Direction for Matlock Bridge and has delegated approval to the Planning Services Manager to seek the necessary approval from the Secretary of State.

3) Permitted Development Rights to be Removed

It is envisaged that the Article 4 (1) Direction will remove permitted development rights in accordance with The Town and Country Planning (General Permitted Development) Order 1995. Individual Permitted Development Rights are only to be removed from certain buildings (see attached **Schedule and Plans**) where the execution of those works would be considered to have a detrimental impact on the character and appearance of the Conservation Area.

RESIDENTIAL PROPERTY ONLY

TCPA (GPDO) 1995 SCHEDULE 2 PART 1

DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE.

CLASS A.

The enlargement, improvement or other alteration of a dwellinghouse.

A.1 Development is not permitted by Class A if –

- a) *the cubic content of the resulting building would exceed the cubic content of the original dwellinghouse –*
 - I. *in the case of a terrace house or in the case of a dwellinghouse on article 1(5) land, by more than 50 cubic metres or 10% whichever is the greater,*
 - II. *in any other case, by more than 70 cubic metres or 15%, whichever is the greater,*
 - III. *in any other case, by more than 115 cubic metres;*
- b) *the part of the building enlarged, improved or altered would exceed in height the highest part of the roof of the original dwellinghouse;*
- c) *the part of the building enlarged, improved or altered would be nearer to any highway which bounds the curtilage of the dwellinghouse than*
 - I. *the part of the original dwellinghouse nearest to that highway, or*
 - II. *any point 20 metres from that highway, whichever is nearer to the highway;*
- d) *in the case of development other than the insertion, enlargement, improvement or other alteration of a window in an existing wall of a dwellinghouse, the part of the building enlarged, improved or altered would be within two metres of the boundary of the curtilage of the dwellinghouse and would exceed 4 metres in height;*
- e) *the total area of ground covered by buildings within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*
- f) *it would consist of or include the installation, alteration or replacement of satellite antenna;*

- g) it would consist of or include the erection of a building within the curtilage of a listed building; or***
h) it would consist of or include an alteration to any part of the roof.

The doors and windows of any building are very often the most obvious instant indication of the style and period of a building and when altered can have a most damaging impact on the character and appearance of the individual building or the group value within an area. There is a serious threat to the character of the area by the removal of original sash windows and their replacement with inappropriate designs and materials. This can be seen on Kingsbridge Terrace where a variety of window styles are visible, some of which obviously detract from the quality and character of the area. In particular the insertion of modern Upvc double glazed units to both Kingsbridge Terrace and Holt Terrace require significantly thicker frames to be inserted which appear bulky and out of character to the building and the entire terraced rows. In addition the insertion of modern windows often alters the size and pattern of the actual glass panes and again has a significantly detrimental impact on the character and appearance of the entire terrace. HERS funding has been successful in achieving the repair and retention of traditional windows on residential properties along Kingsbridge Terrace and also to commercial properties on Dale Road.

The addition of an extension or conservatory can change the entire appearance and affect the proportions of the elevation of the building on which it is placed. Such alterations to buildings within a Conservation Area can independently and cumulatively alter the appearance and characteristics of the area and the quality of materials can have a substantial impact on the perceived quality of the area.

A number of residential properties in the area have conservatories / extensions, the design, location and materials of which are unsympathetic to the traditional appearance of the buildings. It is considered that these additions do not enhance or preserve the character and appearance of the Conservation Area. An Article 4 (1) Direction would enable the District Council to have more control over the siting, design and materials of extensions to properties, regardless of their size.

Advice and Guidance

1. Wherever possible the Council will promote the use of windows and doors, which are of a design appropriate to the age of the property and which are of a traditional material and finish.
2. The Council would not support any application to install double glazed windows in historic properties as these are not considered to be traditional elements of historic fenestration
3. The Council will not support any application for development which is not considered to be sympathetic in design or materials to the original building and / or the conservation area as a whole.

CLASS C.

Any other alteration to the roof of a dwellinghouse.

C.1 Development is not permitted by Class C if it would result in a material alteration to the shape of the dwellinghouse.

The roofline of Kingsbridge Terrace is clearly visible particularly from Holt Lane, which rises along the rear of the properties thus bringing the roofline almost to eye level in places. A number of chimneystacks along Kingsbridge Terrace have also been reduced in height thus altering the character and appearance of the roof-scape of the terrace as a whole. Chimneypots have been altered so that the terrace now has a mixture of original and modern pots; where the stacks have been reduced the chimney pots have been removed all together.

Similarly there are a small number of residential properties on Dale Road (No's 80, 82, 84, 96, 98) which have original unaltered stone chimney stacks with original chimney pots in place and any alteration to these chimneys would mean the loss of original historic fabric and would again have a detrimental impact on the character and appearance of the area when viewed from Holt Lane.

The Direction seeks to control any alteration to roof covering as the alteration of materials to a single dwelling particularly within the terrace row would have a detrimental impact on the character and appearance of the whole roofline and would undermine the historic value of these buildings as a group. The Direction further seeks to prevent any further loss of the traditional chimneystacks, original chimneypots and roof finials (some timber, clay and stone) in the Conservation Area.

The predominant roof covering material within the area is natural slate (Welsh) with this applied to almost all properties providing uniformity to the appearance of the roof-scape throughout the area. A small number of roofs to properties in Holt Lane and Snitterton Road currently have asbestos sheeting as a roof covering. This is not an original roof covering and is somewhat unsightly and detrimental to the character and appearance of the Conservation Area.

HERS funding is currently being used for replacement of asbestos sheeting on a commercial property on Snitterton Road and more widely for re-roofing both residential and commercial properties with traditional Welsh slate within the Conservation Area. Grant aid from other Council initiatives are also being used for re-roofing works to residential property and these initiatives are working corporately with the aims of the HERS to achieve the correct roof materials across the area. HERS funding is also being used for the repair and reinstatement of lost detail, for instance where timber finials are integrated with the roof and barge board detail or clay /stone finials have been used to terminate the roof ridges.

Advice and Guidance

1. The District Council will resist alterations which are considered to have a detrimental impact on the character and appearance of a roof or roof-scape.
2. The District Council will support and encourage the use of appropriate materials, in terms of colour, texture and appearance and materials should respect the original/traditional roofing materials in use within the Conservation Area.
3. Proposals to reduce or remove any chimneystack within the Conservation Area will be strongly resisted.
4. The removal of traditional chimney pots will not be supported.
5. The removal of traditional timber, clay or stone decorative finials will not be supported
6. The District Council will encourage the reinstatement of traditional chimneystacks, chimney pots and decorative details including finials wherever possible.

CLASS D.

The erection or construction of a porch outside any external door of a dwellinghouse.

D1. Development is not permitted by Class D if –

- a) the ground area (measured externally) of the structure would exceed 3 square metres;***
- b) any part of the structure would be more than 3 metres above ground level; or***
- c) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.***

Porches were not original traditional elements incorporated within the design of residential properties in the Conservation Area. The erection of a porch to the frontage of any property alters the appearance of the elevation on which it is placed. Therefore the appearance of the Conservation Area could potentially be damaged and much of the intrinsic character lost if such additions are allowed.

The Direction seeks to prevent the addition of further porches to the buildings within the Matlock Bridge Conservation Area.

Advice and Guidance

1. The Council will not support proposals to add a porch to a prominent elevation of any dwelling in the Matlock Bridge Conservation Area, where there is no historic justification.

CLASS F.

The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such.

Much of the character and appeal of Conservation Areas emanates from the spaces in between the historic buildings, including private gardens and land affiliated to individual buildings.

It is proposed to include Class F in the Article 4 (1) Direction as it is considered that the provision of a hard surface in undesirable, non-traditional materials, where that space is particularly visible would have a detrimental effect on the character and appearance of the Conservation Area as a whole.

Advice and Guidance

1. In general, the Council is not opposed to the provision of hard standing areas within the curtilage of property. However the Council will take into consideration the size of the surface area to be covered and the nature of the materials proposed and its potential impact upon the character and appearance of the Conservation Area.
2. The Council will encourage green or planted garden space where possible and where hard surfaces are to be laid, the use of materials traditional to the area and in keeping with the existing historic fabric of the area and surrounding buildings will be sought. In particularly prominent and visible locations the Council will, where possible, provide grant aid to assist in achieving this objective.

CLASS H.

The installation, alteration or replacement of a satellite antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

H.1 Development is not permitted by Class H if –

- a) the size of the antenna (excluding any projecting feed element, reinforcing rim, mounting and brackets) when measured in any dimension would exceed –***
 - I. 45 centimetres in the case of an antenna to be installed on a chimney;***
 - II. 90 centimetres in the case of an antenna to be installed other than on a chimney;***
- b) the highest part of an antenna to be installed on a roof or a chimney would, when installed, exceed in height –***
 - I. in the case of an antenna to be installed on a roof, the highest part of the roof***
 - II. in the case of an antenna to be installed on a chimney, the highest part of the chimney***
- c) there is any other satellite on the dwellinghouse or within its curtilage;***
- d) in the case of article 1(5) land, it would consist of an antenna –***
 - I. on a chimney;***
 - II. on a building which exceeds 15 metres in height;***
 - III. on a wall or roof slope which fronts a waterway in the broads or a highway elsewhere.***

H.2 Development is permitted by Class H subject to the following conditions –

- a) an antenna installed on a building shall, so far as practicable, be sited so as to minimise its effect on the external appearance of the building;***
- b) an antenna no longer needed for the reception or transmission of microwave radio energy shall be removed as soon as reasonably practicable.***

It is essential that the siting of equipment is carefully considered, due to the nature of the area with significant views into the Conservation Area, from the river and Hall Leys Park and beyond, to the rear of properties along the east side of Dale Road, and the rear of properties to the west side visible in places from Holt Lane. There are a number of satellite dishes sited in prominent locations which are considered to have a detrimental impact on the character and appearance of the area.

The Direction seeks to control the placing of satellite antenna to prevent the locating of equipment in prominent positions on the buildings and therefore reducing the impact of such equipment on the overall appearance of the Conservation Area.

Advice and Guidance

1. Building owners wishing to install satellite antenna and any associated equipment should seek guidance from the District Council as to the most appropriate and discrete location for a satellite dish and its associated equipment.

RESIDENTIAL AND COMMERCIAL PROPERTY

TCPA (GPDO) 1995 SCHEDULE 2 PART 2

MINOR OPERATIONS

CLASS A. *The erection, construction, maintenance, improvement or alteration of a gate, fence or wall or other means of enclosure.*

A 1. *Development is not permitted by Class A if –*

- a) *the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of development, exceed one metre above ground level;***
- b) *the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed two metres above ground level;***
- c) *the height of any gate, fence, wall or means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height referred to in subparagraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater; or***
- d) *it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.***

The quality of the walls and fences surrounding buildings has a huge impact on the perceived quality of an area. Where inappropriate materials or poor quality walls and fencing are in place an area can appear unattractive despite the obvious quality of the buildings.

Planning legislation allows for the control of alteration to walls and fencing of certain heights. However there is a danger that where walls and fences are proposed below the height requiring planning permission, these could be installed of inappropriate material and design. In many cases both the front and rear boundaries to properties in the Conservation Area are highly visible within the public domain.

The Direction recommends the removal of permitted development rights with regard to all types of enclosure in the Conservation Area, therefore ensuring that the Council can in the future control the design and materials used for any walls, fences or other types of enclosure.

Advice and Guidance

1. The District Council will support proposals for walls, fences and all other types of enclosure where there is an obvious need for such enclosure and the materials proposed are in keeping with the area.

2. All types of enclosure must be of a sufficient quality of design, proportion, height and appearance so as to add to the preservation or enhancement of the Conservation Area and not detract from the quality of the existing historic buildings or spaces.

PAINTING

CLASS C.

The painting of the exterior of any building or work.

C 1. Development is not permitted by Class C where painting is for the purpose of advertisement, announcement or direction.

C 2. In Class C painting includes any application of colour.

The painting of previously unpainted brick and stonework is not a traditional practice in the Matlock Bridge Conservation Area and can detract severely from the quality and appearance of buildings. As such painting of previously unpainted buildings is not considered appropriate within this area.

The area has some remaining examples of the original Victorian shop fronts and the Council is recommending the use of appropriate historic colours. Similarly where new shop fronts are proposed (with grant assistance from the HERS where possible) the painting of shop-front joinery in appropriate 'historic' colours is also recommended to complement an appropriate shop-front design. [The District Council has produced and approved 'Shop Front Design Guidance']. A recent appeal decision within the conservation area has also given support to the use of appropriate paint colours. In a recent decision relating to an unauthorised shop-front in the area, the Planning Inspector identified the frontage as having an inappropriate non-historic colour scheme which was considered not to reflect the historical context of the Conservation Area.

The choice of colours (and in some instances their combination) can have a huge impact on the perceived quality of an area and as such it is essential that the Council is able to restrict the paint colours to be used in the Conservation Area to those from a traditional historic colour palette. The area currently has examples of inappropriate colours and colour combinations to shop frontages including bright pink / silver and lime green / lilac.

The Table (1) of paint colours recommended below is based on the assumption that a historic palette would have been produced from pigments which produced a limited range of predominantly dark colours. Historically 'brilliant' white and chemically enhanced bright colours would not have been available and window frames would most likely have been painted an 'off-white' or light cream colour. It is generally accepted that the majority of traditional Victorian shop fronts would have been of a dark colour for both practical and financial reasons (richer and brighter colours being more expensive to produce and their pigments unstable to the elements).

Black and white photographs of the area dating from the early 1900s appear to support this presumption; although these obviously provide no indication as to the actual colours used on buildings, they show predominantly dark hues, therefore the Table (1) indicates a range of dark colours as available in the British Standard 4800 Range which are considered appropriate for use on Victorian properties. There is no evidence amongst old photographs that

joinery details to the shop fronts along Dale Road would have been picked out in a contrasting colour, as is the practice in other areas, therefore this is not recommended for the shop fronts along Dale Road.

Table (1)

Recommended colour references for paint finish to architectural elements

| Generic Colour | Shop fronts | Doors | Windows | Decorative joinery | Rainwater goods | Ironwork |
|-----------------------|--------------------|--------------|----------------|---------------------------|------------------------|-----------------|
| Blue | 20.C.40 | 20.C.40 | - | 20.C.40 | - | - |
| | | | | | | |
| Green | 14.C.39 | 14.C.39 | - | 14.C.39 | - | - |
| Green | 14.C.40 | 14.C.40 | - | 14.C.40 | - | - |
| Green | 12.B.29 | 12.B.29 | | | | |
| Green | 10.C.39 | 10.C.39 | - | 10.C.39 | - | - |
| | | | | | | |
| Red | 04.D.45 | 04.D.45 | - | 04.D.45 | - | - |
| Red | 04.C.39 | 04.C.39 | - | 04.C.39 | - | - |
| | | | | | | |
| Brown | 10.B.29 | 10.B.29 | - | 10.B.29 | - | - |
| Brown | 08.B.29 | 08.B.29 | - | 08.B.29 | - | - |
| | | | | | | |
| Off Black | 18.B.29 | 18.B.29 | | 18.B.29 | 18.B.29 | 18.B.29 |
| | | | | | | |
| Off white | - | - | 08.B.15 | - | - | - |
| Off white | - | - | 10.B.15 | - | - | - |
| | | | | | | |

The Direction would seek to control all painting to previously unpainted brick and stonework and to encourage the use of more appropriate colours for all other painted surfaces including shop fronts, windows, doors, decorative joinery elements, decorative ironwork and rainwater goods. Any proposed colours will require planning permission but colours chosen from the above Table (1) will be supported on application.*

* Also refer to the District Councils Supplementary Planning Document "Shopfronts and Commercial Properties -Design Guidance" which can be found on the Councils website.

Advice and Guidance

1. The painting of stonework, brickwork, render and stucco is not traditional practice in this Conservation Area and therefore would be resisted by the Council.

2. The Council would recommend the use of specific colours for historic properties. The majority of buildings in the area date from the Victorian period and the colours listed in Table (1) are taken from what is considered to be an appropriate palette, based on the colours prevalent between the mid-Victorian period to the early part of the 20th century.

4. Planning Policies

National Planning Policy Guidance Note 15 : Planning and the Historic Environment (PPG15)

PPG15 states that *“Many conservation areas include the commercial centres of towns and villages of which they form part. While conservation (whether by preservation or enhancement) of their character or appearance must be a major consideration, this cannot realistically take the form of preventing all new development: the emphasis will need to be on controlled and positive management of change. Policies will need to be designed which allow the area to remain alive and prosperous, and to avoid unnecessarily detailed controls over business and householders, but at the same time to ensure that any new development accords with the area’s special architectural or historic interest.”*

The approval and implementation of the Article 4 (1) Direction in the Matlock Bridge Conservation Area as set out in this document will allow Derbyshire Dales District Council to comply more effectively with the recommendations made in PPG15. Through enabling the ‘controlled and positive management of change’ within the Conservation Area whilst encouraging and allowing the area to ‘remain alive and prosperous’. It has already been established that through permitted development rights, development has, in the past, taken place which does not ‘accord with the special architectural and historic interest’ of the Matlock Bridge Conservation Area. The implementation of an Article 4 (1) Direction will hopefully prevent such development from re-occurring into the future.

National Planning Policy Guidance Note 19: Outdoor Advertisement Control (PPG19)

PPG19 sets out the criteria for the assessment of the design of outdoor advertisement. Under sections 22 & 24 the guidance makes reference to advertisements in Conservation Areas and advertisements on listed buildings. With regard to the former it states that *“it is reasonable to expect that more exacting standards of advertisement control will prevail in conservation areas”*. It further states that Local Planning Authorities should use *“advertisement controls flexibly in such areas, so as to conserve or enhance particular features of architectural or historic interest”*. With regard to listed buildings the guidance states that *“special care is essential to ensure that any advertisement displayed on, or close to, a listed building does not detract from the integrity of the building’s design, historical character or structure, and does not spoil or compromise its setting”*.

Regional Planning Guidance for the East Midlands to 2021 (RPG8)

RPG8 includes guidance on the “cultural assets” of the region that *“incorporate a wealth of buildings and sites. They encompass listed buildings, conservation areas, historic parks and gardens, registered battlefields, Scheduled Ancient Monuments and archaeological sites of regional or local*

importance. There is a World Heritage Site at Derwent Valley Mills in Derbyshire and The Wash is a candidate site.”

Policy 35, Cultural Assets and their Settings specifies that local authorities should adopt policies which should “protect them from unintended harm arising from visitor impact or other changes or exploitation.”

Evidently the Conservation Area status of Matlock Bridge makes it a “cultural asset” in its own right however the presence of one scheduled ancient monument, two listed buildings and the fact that the Matlock Bridge Conservation Area sits on the edge of the Derwent Valley Mills World Heritage Site further enforces its importance as a “cultural asset”. The proposed Article 4 (1) Direction for Matlock Bridge would support the Council in protecting the area from “unintended harm” caused by the carrying out of inappropriate works through permitted development rights.

Derby and Derbyshire Joint Structure Plan (January 2001)

Town Centre & Shopping Policy 2: New Development in Existing Centres

6.11 New development within existing centres should be of a high quality design which is sympathetic to its surroundings in terms of scale, design and materials.

Environment Policy 9: Conservation Areas

Within a designated Conservation Area, development will have regard to the desirability of preserving or enhancing the special character or appearance of the Conservation Area and for encouraging its physical and economic revitalisation.

Planning permission will not be granted for development proposals that would be detrimental to the character, appearance or setting of a designated Conservation Area.

Environment Policy 17: Design Quality

Development should be of a high quality design. Attention will be given to the appropriateness and sensitivity of proposals in relation to the character of the locality. Planning permission will not be granted for proposals for new development that would be detrimental to the local distinctiveness of the area.

A design statement may be required for development proposals. The design statement should explain the relationship between the design principles adopted and the surrounding environment. It should seek to identify the local distinctiveness of the area and show how the development proposal has been influenced by this investigation.

Derbyshire Dales Local Plan

It has already been established that Derbyshire Dales District Council is committed to the protection and enhancement of conservation assets in

Matlock Bridge. The Council currently has policies for protecting its Conservation Areas in the:

Derbyshire Dales Local Plan – adopted 24 November 2005

Policy NBE 21: Development Affecting a Conservation Area

Criteria in this policy indicates that where it appears to the Council that there is a particular threat to the character or appearance of a conservation area, from inappropriate alterations to residential properties that would not normally require planning permission, consideration will be given to the making of an Article 4 Direction, the effect of which is to bring these works under planning control. Once in force, planning permission will only be given to works that would not have a detrimental impact on the character or appearance of the Conservation Area. Article 4 (1) Directions are already in place in Osmaston, Wirksworth and Matlock Bath Conservation Areas.

Planning permission for development proposals within or adjacent to a Conservation Area will be granted provided that they preserve or enhance the character or appearance of the Area.

Policy NBE 22: Shop Fronts in Conservation Areas

This policy indicates that wherever shop fronts of merit survive they should be retained. The removal of traditional shop fronts within conservation areas will therefore be resisted if they are of architectural and/or historic value and contribute to the special character of the area. The Council will seek the restoration and repair of such features in preference to replacement. Where proposals for new shop fronts within conservation areas are considered acceptable they should respect the architectural elements of the building within which they are sited.

Planning permission for the replacement of a shop front within a Conservation Area will only be granted where:

- (a) the existing shop front has little or no architectural and/or historic value or does not make a contribution to the character of the Conservation Area

Or:

- (b) it can be demonstrated that a shop front of architectural and/or historic value or that makes a contribution to the character of the Conservation Area is wholly beyond repair and restoration

And:

- (c) the design and appearance of the new shop front preserves or enhances the character or appearance of the Conservation Area.

Policy S1: Retail Development in the Town Centres

Planning permission for retail development and other uses appropriate within a town centre (as defined on the Proposals Map) will be granted if it:

- (a) is in scale and character with the town centre; and
- (b) is well related or capable of being well related to the public transport network: and
- (c) does not have an adverse impact upon the character and appearance of the town centre.

Policy S6: The Design & Appearance of Shops and Commercial Properties

Planning permission for development affecting the external appearance of retail and commercial premises, will only be granted where the design and appearance does not have an adverse impact upon the character and appearance of the building and the surrounding area.

The Local Plan also includes policies relating to Matlock Town Centre and its proximity to the River Derwent and the development of a Supermarket at the Cawdor Quarry site. The development of the latter will have a significant impact to the north of the existing Matlock Bridge Conservation Area, with alterations to existing traffic flows and access to the site. In relation to the River Derwent, unfortunately, this asset is largely ignored in that many commercial properties turn their backs to the river rather than seeking to integrate its undoubted attraction into a unique shopping experience. The Council would seek to encourage retail development that takes advantage of the pleasant riverside environment.

There are over 300 shops in the Derbyshire Dales. The District Council has prepared and adopted (May 2006) a Supplementary Planning Document entitled **Shop Fronts & Commercial Properties**. This document is supplementary to Local Plan policies SF5, NBE 22, S6 & S7. The objectives of the SPD are:

- to achieve high quality shop front and advertisement design that is appropriate to the building and local context
- to preserve and enhance the character and appearance of the District's environment
- to reduce the number of unauthorised and unsuitable shop fronts and advertisements
- to ensure new shop fronts are accessible to all through inclusive design
- to provide design guidance for shop fronts and advertisements in Conservation Areas and/or adjacent to a listed building.

The SPD also includes a comprehensive Sustainability Checklist.

The Article 4 (1) Direction in the Matlock Bridge Conservation Area will enable the Council to be more effective in implementing the overall policies, which it has adopted to promote, preserve and enhance the traditional built environment within the Derbyshire Dales Area. Thus this will enable the Council to support the local community in protecting the built heritage within the locality so preserving a valuable cultural asset for future generations.

Documents:

Matlock Bridge Conservation Area Character Appraisal

Town & Country Planning (General Development Order) 1995

Planning (Listed Buildings & Conservation Areas) Act 1990

Planning Policy Guidance Note 15: Planning & The Historic Environment

Regional Planning Guidance for the East Midlands

Derby & Derbyshire Joint Structure Plan

Derbyshire Dales Local Plan (adopted Nov 2005)

Derbyshire Dales District Council – Supplementary Planning Document -
Shop Fronts & Commercial Properties (adopted May 2006)

British Standard Colour Range (4800)

**ARTICLE 4(1) DIRECTION REQUIRING THE
SECRETARY OF STATE'S APPROVAL**

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT) ORDER 1995**

DIRECTION MADE UNDER ARTICLE 4(1)

WHEREAS the Council of the District of the Derbyshire Dales being the appropriate Local Planning Authority within the meaning of Article 4(6) of the Town and Country Planning (General Permitted Development) Order 1995 are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged / coloured on the attached plans, unless permission is granted on an application made under Part III of the Town and Country Planning Act 1990.

NOW, THEREFORE, the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

SCHEDULE:
(see following pages)