

APPENDIX 1

SUMMARY OF RESPONSES TO MELBOURNE CONSERVATION AREA EXTENSION CONSULTATION, JUNE AND JULY 2013

Single asterisks denote consultees who objected / expressed concern about the proposal.

Double asterisks denote consultees who supported the proposal.

In other cases, no reply was received.

Owners / Occupiers notified:

- The owners or occupiers of numbers 60 Ashby Road **, 78 Ashby Road, 80 Ashby Road, 82 Ashby Road **, 84 Ashby Road **, Lambert House, 92 Ashby Road (Melbourne Arms) *
- The Melbourne Estate *
- The tenant of Pool Farm, Melbourne

Organisations notified:

- Melbourne Civic Society **
- Melbourne Parish Council **

Other responses received:

- The prospective purchasers of no. 60 Ashby Road **
- A Melbourne resident **

The consultation resulted in seven representations supporting the proposed extension to the Melbourne conservation area and two opposing the proposal. The objections are summarised below, together with officer responses to the points raised.

Summary of points of objection:

Extension of the Conservation Area is a disproportionate response to the de-listing of the Melbourne Arms in a bid to retain the streetscape. Whilst the building is a prominent feature of the approach to the town, it has not been acknowledged as such by English Heritage. The quality of the building and its associated structures is poor and do not compliment the entrance to the town. Although the owner is not currently planning to demolish the Melbourne Arms, a new development could produce a far better approach to the town and existing planning controls are sufficient to achieve this. There is no need to extend the conservation area.

Officer response: If the owner sold the site with an unexecuted planning permission, a future owner could still demolish the historic building. Local feeling was strongly in favour of measures to retain the building. English Heritage, in de-listing it, said that "The Melbourne Arms remains an important local landmark, its front elevation a reminder of its date and original form. The well-balanced main elevation with its gently arched lintels and neat, brick, dog-toothed eaves cornice is a major feature in

the local streetscape.” There is a distinction between buildings of landscape merit and character, and buildings that qualify for statutory listing.

Extension of the conservation area should not be used as a tool to serve a political agenda by preventing future development of a building that has been de-listed by English Heritage.

Officer response: The removal of the statutory protection of the Melbourne Arms was a catalyst for the Conservation Area extension proposal, in line with English’s Heritage’s guidance that boundaries should be reviewed from time to time, and threats and opportunities identified. However, the underlying and most material consideration is whether the area possesses the special architectural or historic interest required for designation. The District Council considers that it does, for the reasons set out in the consultation papers.

Conservation area designation is not intended to prevent development on the Melbourne Arms site, but to help make sure that development is of a density, scale, design and quality that is appropriate to the special character of the area.

The Melbourne Estate land should not be included in the proposed conservation area extension simply to give it a critical mass. There is no gain to the Melbourne conservation area by including two isolated sloping fields with trees, which do not merit being described as “quasi parkland”. If they did, vast tranches of England would need to be included in conservation areas.

Officer response: The Melbourne Arms and the Melbourne Estate land opposite are complementary parts of the proposed Conservation Area extension, and the special architectural or historic interest attaches to both parts. The Estate land proposed for inclusion is a deliberately landscaped outlier of the Estate’s landscaped heartland, with the clumps and plantations of trees that are characteristic of estate parklands.

The description of the extent of public access to the Melbourne Estate land was misleading, suggesting that the public was openly invited to roam freely and stray from the footpaths. The land is private agricultural land with some public rights of way and a permissive right of way.

Officer response: This objection is accepted. The description of the land was immediately changed and circulated to all of the original consultees, and amended on the website and an apology was sent to the Melbourne Estate.

As the owner of the largest area of land concerned, the Melbourne Estate should have been consulted informally before the official consultation.

Officer response: Although the Melbourne Estate owns the largest area of land in the proposed extension, in reality it is the least affected by the proposal, which is of most relevance to standing buildings, domestic curtilages and new development. The Melbourne Estate land is only materially affected by the inclusion of a stand of seven trees and is not land where development may reasonably be expected. The rights of the other owners are more affected and it would therefore have been inappropriate to consult the Melbourne Estate before anyone else.

Summary of points of support:

The thorough research and reasoning behind the proposal are commended.

Officer response: Noted

The proposed extension is supported but is not large enough and should cover the fields recently planted with trees on both sides of Robinson's Hill.

Officer response: Although these are a public amenity, the area lacks the special architectural or historic interest required for conservation area designation.

(Regarding the Melbourne Arms) The loss of such a prominent and historic building, gracing the approach to Melbourne from Ashby and Ticknall, would be distressing.

Officer response: Noted

Conservation Area status for this new area would give SDDC greater powers to protect the look of the existing buildings and land/landscape. Being part of the Conservation area would also benefit any subsequent developments in this beautiful area of Melbourne.

Officer response: Noted

Other comments:

Would a roof extension of no 82, as recently done at no. 80, be made unacceptable if the conservation area were to be extended?

Officer response: The volume and design would need to be determined by consideration of an application. But not necessarily; use of an appropriate roof material, and installation of rooflights in the rear slope instead of the front would provide a more acceptable appearance.

The proposed erection of another house on the site of 78, Ashby Road, behind the three already approved, would defy the strong and historic building line which forms the suggested boundary of the extended conservation area.

Officer response: These objections were put on the file for the planning application in question.