



15 January 2021

Dear 

### **Pre-application Advice**

#### **THE BOWLING GREEN AT DERBY ARBORETUM, ROSEHILL STREET, DERBY, DE23 8FZ**

Thank you for consulting Historic England on proposals for a lifetime housing development on the bowling green at Derby Arboretum. Based on the information provided with your email of 10 September 2020, and discussions in our meeting on 20 October 2020, we can offer the following advice.

#### **Summary**

Derby Arboretum is of high national importance as an influential and early example of a public park, opened in 1840. The bowling green lies within an extension to the Arboretum funded by public subscription, in 1842, to provide a recreation area. This extension was directly linked to taking pressure off of the original, JC Loudon-designed section of the Arboretum, and was fully integrated into its designed landscape.

Proposals to develop part of the Arboretum for housing would result in the loss of part of the designed landscape of the park, provided for the benefit of the public as recreational green space. This would harm the integrity of the park and result in harm to, and loss of, significance, and would not comply with the National Planning Policy Framework and Local Plan policies. Historic England would be likely to object to the proposals if they are submitted for statutory approval.

Proposals to rejuvenate the bowling green for community recreational use consistent with the conservation of the Arboretum would, however, be welcome and we would be happy to discuss these with you.



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## Advice

### Significance of Derby Arboretum

Derby Arboretum is a highly significant public park of national, and potentially international importance for the place it holds in the development of public parks. Designed by eminent landscape designer John Claudius Loudon, it was one of the first parks opened for the benefit of the public, a purpose it still serves today.

#### a. Overview of the significance of Derby Arboretum

Derby Arboretum was designed by the influential 19th century landscape designer, author and publisher JC Loudon for Joseph Strutt, Derby mayor, philanthropist and radical social reformer. Strutt commissioned Loudon to create a 'Pleasure Ground or Recreation Ground to offer the inhabitants of the town the opportunity of enjoying, with their families, exercise and recreation in the fresh air, in public walks and grounds devoted to that purpose'.

The Arboretum was opened in 1840 and is an early example of a park created for the specific benefit of the public, providing green space for health and recreation in the heart of a built up, increasingly industrial city. Although subscriptions and admission fees were charged when it first opened, it was Strutt's intention that the Arboretum should 'be open to all classes of the public' on Sundays and at least one other day each week. Initially managed by trustees, it was handed over to the Derby Town Council in 1882.

The Arboretum was laid out in the influential 'gardenesque' style developed by Loudon, on land that had been a garden belonging to Strutt. Certain features of the earlier garden were retained, and two lodges and shelters were added. The new buildings were designed by EB Lamb, a student of Lewis Nockalls Cottingham, who had provided illustrations for Loudon's books, including examples similar to the lodges at the Arboretum.

Loudon developed his ideas on the display of trees and shrubs in his book *Arboretum et Fruticetum Britannicum*, first published in 1838. The Arboretum itself and the principles set out in Loudon's writing greatly influenced Sir Joseph Hooker. Hooker's layout and botanical labelling at Kew Gardens, where he was Director, in turn influenced practices undertaken in botanical gardens around the world.

The influence of the Arboretum in the mid-19th century was such that it attracted a visit by Frederick Law Olmsted when he visited Britain from America on a European tour in 1859, during work on New York's Central Park (designed by Olmstead with Calvert Vaux).



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## b. Extension of the Arboretum

Not long after it opened, the Arboretum was extended to include an area for recreation that was carefully integrated to tie in with Loudon's design. This area includes the bowling green, at which a bowls club was founded in 1862.

Such was the popularity of the Arboretum that a public subscription was raised to extend it onto fields to the south. The purchase of this land came very shortly after the opening of the Arboretum, in 1842. A note in the 1850 edition of Loudon's *Encyclopedia of Gardening*, by his wife Jane W Loudon, herself a notable author of the first popular gardening manuals, explains the importance of this extension to the Arboretum:

'It is pleasant to reflect that Mr. Strutt lived to see his munificent gift fully appreciated by the persons for whose use it was designed, and that, to his great satisfaction, in 1842, the people of Derby subscribed to purchase a piece of meadow ground to enable them to enjoy foot-ball, cricket, and other field exercises, without incurring any danger of injuring the trees in the Arboretum.'

She further describes the layout of this second phase of the Arboretum, including the formation of walks and planting of an oak (the Derby Oak) on a mound in accordance with Loudon's methods, 'to do honour to Mr Strutt'.

The new entrance lodge on Rose Hill Street was also designed by EB Lamb, with similar Tudor-gothic details to the original Grove Street Lodge (the latter was later replaced). The gates and railings on Rose Hill Street were also added at this time, leading onto the central lime avenue walk, which continued directly onto the central axis of Loudon's original design. These details demonstrate that the extension was intended to be fully integrated in the designed landscape of the Arboretum. Other designed landscape features of this part of the park once included the Flagstaff Fountain, and a 'Crystal Palace' along the eastern boundary with Rose Hill Street.

## c. The bowling green

The Arboretum Bowling Club was established in 1862 in the south-west part of the Arboretum, adjacent to the Rose Hill Lodge. Bowls was played here until relatively recently. The bowling green is shown in detail on the Ordnance Survey 1:500 Town Plan published in 1883. Ornamental tree and shrub planting is indicated around the periphery of the bowling green, and other features included a statue and a small round structure, possibly a seat or shelter. A small building is shown on the south west boundary, possibly the original pavilion

The entirety of Derby Arboretum, including the recreation ground of which the bowling green is a part, is listed at Grade II\* in recognition of its more than special historic



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interest. It is of national, and potentially international, importance for its role in the development of public parks, and its wider influence on later arboreta and botanic gardens.

#### Impact of the proposals on the heritage significance of the Arboretum

We understand that the intention is to provide high-quality, purpose-built lifetime social housing to meet an identified need in this part of Derby. The proposals will have a clear negative impact on the Arboretum, however, through loss of part of the designed landscape, with a consequent harm to its heritage significance.

#### d. Impact on the integrity of the designed landscape of the Arboretum

Construction of housing on the bowling green would result in the loss of part of the designed landscape of the Arboretum, with a consequent negative impact on the registered park and garden and its significance.

The Heritage Statement seeks to divide the bowling green from the wider registered park and garden, identifying it as a separate, less significant, heritage asset (table, p. 5). This artificial separation and use of the term curtilage is incorrect in this context; the bowling green is an integral part of the Grade II\* registered area and cannot be considered a separate heritage asset.

The Heritage Statement is correct in identifying that the key values that contribute to the very high national significance of the Arboretum derive from the original area designed by Loudon. Historical evidence, the design of the 1852 Lodge and the connection with the primary axis in Loudon's layout, however, show that the integration of the recreation ground was carefully designed and considered. This extension of the Arboretum was early in its development, closely tied to its original purpose for public recreation, and also funded by the public in response to the popularity of the Arboretum and need for further public open space.

The proposals would, therefore, entail the loss of part of the historic designed landscape Arboretum, leading to a negative impact on the Grade II\* registered park and garden. We do not agree that this impact is negligible. Our opinion is that the impact is clearly harmful, albeit likely to be considered less than substantial harm.

#### e. Impact on setting, including views

It is noted in the Heritage Statement that overgrown vegetation around the periphery of the bowling green currently blocks views into the park from Rosehill Street. If these shrubs were managed, then views would be available into the bowling green. It is not accepted, therefore, that this equates to the absence of visibility as it is in principle transient and related to lack of maintenance. Photographs in the Design and Access



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Statement show that there are open views across the bowling green at the access gates west of the Lodge.

Building on this part of the park would undeniably reduce its openness. The information provided does not fully assess whether the new buildings would be visible from Rose Hill Street, although it implies the impact would be minimal. Visibility of rooflines and elevations would have a further negative impact on the appreciation of this part of the Arboretum as an open, green space.

There would also be a negative impact on the setting of the Lodge designed by EB Lamb (Grade II), gates and railings (Grade II), which were intended to mark the entrance and boundary of an area of green, open space, using ornament to announce the special character the Arboretum. The proposals would cause harm to significance, derived from their setting, through the loss of part of the open green space to which they relate as key features. Contrary to the assessment made in the Heritage Statement, these listed buildings are of national importance, recognised in their designation and statutory protection as listed buildings.

This loss of openness also would have a negative impact on the setting of the Arboretum conservation area in terms of the experience of its location in an open, green space, with consequent harm to its significance, derived from its setting.

#### Policy considerations for these proposals

##### f. The National Planning Policy Framework and Planning Practice Guidance

With reference to Section 16 of the National Planning Policy Framework, we would refer you in particular to paragraphs 192, 193, 194 and 196. These policies emphasise the desirability of sustaining and enhancing the significance of heritage assets, putting them to viable uses consistent with their conservation, and the great weight that should be given to their conservation.

##### g. Derby City Local Plan Policies

Derby City Local Plan Policy CH20 (Historic Environment) states 'development proposals that would detrimentally impact on the significance of a heritage asset will be resisted'.

We would also refer you to Core Strategy Policy CP17 (Public Green Space), which emphasises the importance of the provision of public green space to communities, and the benefits they bring. These benefits are identified in the policy as including 'promoting social interaction and creating healthy, inclusive communities through the provision of high quality, accessible open space and sport pitches'. It is recognised that the bowling green was excluded from the open green space area, as mapped in



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the Local Plan under this policy, that includes the rest of the Arboretum, however it arguably meets the same criteria as an integral part of the same, historic park.

Core Strategy CP5 (Regeneration of Communities) mentions Rosehill as a priority area. It states that priority areas will be a focus for investment, renewal and environmental improvements including 'improving the living environment and opportunities for residents', but notes that specific proposals for this area are not identified in the Core Strategy.

We do not accept the assertion in the Design and Access Statement, made with reference to paragraph 5.5.4 of Policy CP5 that the bowling green, still largely laid to grass, can be considered brownfield, or previously developed land. In its definition of 'previously developed land' the NPPF specifically excludes 'land in built-up areas such as residential gardens, parks, recreation grounds and allotments'.

#### h. Historic England Good Practice Advice

Historic England's Good Practice Advice notes Managing Significance in Decision-Taking in the Historic Environment (GPA2) and The Setting of Heritage Assets (GPA3) both contain useful advice relevant to these proposals.

#### Historic England's position on the proposals

The proposal to construct housing within Derby Arboretum would be harmful to the significance of the Grade II\* registered park and garden for the reasons outlined above.

We appreciate that there is an identified need for high-quality, lifetime social housing in Rosehill, an area of high deprivation. Evidence of the consideration of other locations was not provided with the proposals, and we suggest that alternative locations are considered that would allow for the provision of this housing to be delivered.

There is a clear public benefit to this area being retained as public, green recreation space, supporting regeneration in Rosehill. We do not agree that the current disuse and poor condition of the bowling green should be a relevant factor in decisions related to its future use and development. It is readily recoverable as a public, green space, a use that is intrinsic to, and would conserve, its heritage significance.

It would be possible to return the bowling green to recreational use with minimum intervention, allowing it to continue to provide the benefits to the community, as a public green space, that were intrinsic to its original design. This need not necessarily be as a bowling green, if there is not a demand for one at present. There would also be the potential to create sympathetically designed, high-quality facilities on the footprint of previous buildings to support its community use.



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Continued use as a public green space is likely to be considered the optimum viable use as it would cause the least harm to the significance of the registered park and garden, in accordance with the Planning Practice Guidance that accompanies the NPPF. We would be happy to discuss proposals for renewed community recreational use of this part of the park with you.

## Next Steps

Thank you for involving us at the pre-application stage. Your current proposal does not address our concerns, as set out above, and we would be likely to object to the proposals if they are submitted for statutory approval. Our objection would be on heritage grounds, specifically, the loss of the historic significance of the Grade II\* public park that would be intrinsic to transformation of the bowling green to residential use.

Yours sincerely

[Redacted]  
Landscape Architect  
[Redacted]

**THE BOWLING GREEN AT DERBY ARBORETUM, ROSEHILL STREET, DERBY,  
DE23 8FZ**

## Pre-application Advice

### List of information on which the above advice is based

Email dated 10 September 2020 with the following attachments:

ABG Pre-App - Arboricultural Report - Nov 2018  
ABG Pre-App - Design and Access Statement - Feb 2020  
ABG Pre-App - Heritage Impact Assessment - Jan 2018  
ABG Pre-App - Heritage Statement - Feb 2020  
ABG Pre-App - Site Plan  
ABG Pre-App-1192-CA-120-Proposed Ground Floor Plan and units sketches  
ABG Pre-App-1192-CA-121-Proposed First Floor Plan and Elevations-28-02-2020  
ABG Pre-App-1192-CA-122-Topographical Survey, Photo Survey, Vernacularism  
ABG Pre-App-1192-CA-123-Proposed Roofs Plan and views-28-02-2020  
ABG Pre-App-1192-CA-125-Proposed Masterplan, Site Plan and Site Sections-28-02-2020



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