

Time Commenced: 16:00  
Time Finished: 17:40

**CONSERVATION & HERITAGE ADVISORY COMMITTEE**  
**30 November 2023**

Present: Councillor Sue Bonser  
Councillor Jonathan Smale  
James Boon, Derbyshire Historic Buildings Trust  
Chris Collison, Co-opted Member  
Carole Craven, Georgian Group  
Maxwell Craven, Victorian Group  
Paul McLocklin, Chamber of Commerce (Vice-Chair)  
Chris Twomey, RIBA (Chair)

Officers in Attendance: Chloe Oswald, Conservation Officer

**34/23 Apologies**

Apologies were received from, Ian Goodwin, Derby Civic Society

**34/23 Late Items to be introduced by the Chair**

There were no late items.

**34/23 Declarations of Interest**

There were no declarations of interest.

**34/23 Confirmation of the Minutes of the Meeting held on  
12 October 2023**

The minutes of the meeting held on 12 October 2023 were agreed as a correct record. Proposer: Cllr Smale, Seconder M Craven

**35/23 Items Determined since the last meeting**

The Committee received a report of the Strategic Director of Communities and Place on Items determined since the last meeting.

Members received an update on applications that had been determined since the last meeting of the Committee.

**Resolved to note the report.**

**36/23 Applications not being considered**

The Committee received a report of the Strategic Director of Communities and Place on Items not being considered.

The report detailed matters not being brought before the Committee, for its information. Members noted that it had been decided not to bring these matters to Committee following consultation with the Chair.

**Resolved to note the report.**

## 37/23 Applications to be considered

The Committee received a report of the Strategic Director of Communities and Place on the applications requiring consideration by the Committee.

### **Friar Gate Derby Conservation Area**

<b>Application No &amp; Location</b>	<b>23/00342/FUL &amp; 23/00343/LBA</b> 99 Friar Gate, Derby DE1 1EZ
<b>Proposals</b>	Chase of use from Class E (Cii) Commercial, Business and Service to Class C1 (guest house) and alterations to building.  Alterations in change of use from Class E (Cii) Commercial, Business and Service to Class C1 (guest house).

### **Resolved: Objection**

The officer reported that no external alterations were planned, however changes internally were being proposed including an amount of subdivision, pods and installation of kitchens and shower rooms. It was highlighted that the work was not progressing currently, the applicant would be re-visiting the scheme and welcomed the Committee's views.

The Committee was informed that the classical townhouse was built in 1759. The committee noted that the internal detail of the house was significant, the plasterwork inside the house was amongst the finest in Derby and is part of the justification for its Grade II\* status. Alterations to the interior were proposed to create a guest house/serviced accommodation. Blocking up of doorways was proposed, but there was little detail provided about the blocking of the openings. The Committee advised that this should be done with great care and sensitivity, ensuring that doors, frames, and architraves, etc. are retained where possible. The sub-division of some of the rooms seemed to be unnecessary, especially the ground floor unit to the rear of the building. In addition, the Committee felt that screening for bathrooms could be put in place in a less intrusive manner.

Committee members were unsure of plans for the secondary staircase and asked if it was to be removed. It was confirmed it would be retained. A floating floor had been proposed but there was no consideration of the impact of the new relationship to the skirting and door architraves which was a concern. A part of the landing was to be blocked off with a bathroom, the same design layout affected the

landing on the floor above. The Committee believe this would change the character of the landing and remove light from the stairway and should be re-considered.

The Committee objected because of the lack of information on several points, the amount of subdivision is a concern given the grade II\* status of the building. It will be important to ensure subdivision is limited and the original plan form retained whilst enabling continued use. The Committee also raised concerns regarding the design of the pods in terms of height and detail, and it was suggested they could be constructed to appear less impactful (perhaps designed more as pieces of furniture?), to ensure they do not detract from the original character of the rooms, nor adversely affect the plaster mouldings. More detail was requested in relation to the floating floor and the impact on skirting, doors, and architraves.

### **City Centre, Derby Conservation Area**

**Application No &** 23/00687/FUL

**Location** 35-37 Market Place, Derby, DE1 3AE

**Proposals** Change of use of the second and third floors from office to 8 bedroomed HMO (Sui Generis)

#### **Resolved: Objection**

The officer advised the Committee that a planning application had been submitted for a change of use for the 2<sup>nd</sup> and 3<sup>rd</sup> floor from an office to an 8 bedroomed house in multiple occupation (HMO). A Heritage Statement was available, but this contained only limited information. The applicant/Agent was aware of the need for a Listed Building Application (LBA), but this had not been submitted and there was a need to determine the Full Planning Application even though there was no LBA. It was confirmed that no works could or should occur to the building without Listed Building Consent.

The Committee objected to the proposal. They welcomed the principle of residential use and city living in the city centre but felt there was a lack of detail and clarity within the Heritage Statement and application, and this means that the heritage impact of any changes to the listed building cannot be understood and assessed as things stand. A fuller Heritage Statement, including statement of significance and assessment of impact was requested.

### **City Centre, Derby Conservation Area**

**Application No &** 23/01462/FUL

**Location** Cathedral Green Phase 2 Development Site, Full Street, Derby, DE1 3AF.

**Proposals** Erection of 186 apartments (Use Class C3), café (Use Class E(b), residents amenity space, a gym, public and private landscaping, car and cycle parking and vehicular access of Full Street.

#### **Resolved: Objection**

The officer explained the original proposal was for a hotel, apartments, offices and a communal space, the scheme was approved and phase 1 was completed. The site of the proposed development represents the final phase (phase 2) next to Cathedral Green. The proposal was brought to the Committee at pre-application stage and the scheme was approved in 2014. However, the proposals for the site had now changed and the new proposal was increased in height from 7 to 9 storeys and there was a change in materials proposed. An analysis was provided to clarify the exact difference in height of the various elements of the building, residential, offices and M&E plant area. The difference in height (when comparing the approved office scheme height (excluding roof plant) and the tallest part of the newly proposed residential scheme) of the tower was approximately 6 metres and the main height of the residential scheme (excluding plant set further back from the front of the building) was 4.1m.

The site is on the edge of the city centre conservation area and the Committee believes that the setting of the conservation area, the grade I listed Cathedral and grade II listed Silk Mill building will be adversely impacted by the current proposals. Members concluded that the existing permission given for the building height previously was the absolute maximum that could be supported. The Tall Building Strategy developed in Derby was also highlighted. The officer confirmed the strategy was on the DCC website together with supporting information on Derby Skyline Work.

The building's proposed height and proximity to a World Heritage site was also discussed and the Committee believe it to be a severe threat to its World Heritage status. It would cause irreversible harm to the skyline and the setting of surrounding important historic buildings. A recent DCC planning committee decision to erect a tall building near the World Heritage Site which went to the International Council on Monuments and Sites (ICOMOS) was referenced. In that case, the proposed development was found by ICOMOS to have a significantly negative impact on the outstanding universal value of the Derwent Valley Mills World Heritage property and should not proceed. The main issue was that the scheme was harmful to important heritage aspects in the area.

The facade treatment whilst being reasonably well considered was formulaic and lacked depth and articulation, particularly in relation to the expression of vertical elements. The corner element is described by the applicant as a tower and whilst the concept is acknowledged as being acceptable the interpretation in the design is more akin to a block than a tower.

The Committee also expressed concern that the proposed building does not work well at the ground level and is poorly integrated with Cathedral Green. They also expressed concern that the public green space would be adversely affected by shade because of the height and mass of the building.

The Heritage Statement was discussed, and certain issues were highlighted. The importance of the surrounding buildings such as the Silk Mill had not been highlighted. It was also thought that the UNESCO guidance on Heritage Impact

Assessments had not been followed. The proposal cannot be supported due to the degree of harm to nearby heritage assets.

The Committee objected to the proposals. In summary they had strong concerns about the height and dominance of the building proposed, it was larger and taller than the previously approved scheme. There was too big a harm to the setting of important listed buildings nearby, including the Cathedral and former Silk Mill, and the setting of the Derwent Valley Mills World Heritage Site (DVMWHS) and City Centre Conservation Area. They were concerned about DVMWHS status and the need to look after its setting. There was no justification or narrative for the current proposed size. The Heritage Statement had issues and the UNESCO guidance on Heritage Impact Assessments had not been followed. This was an opportunity for the site that should not be wasted.

## **Spondon, Derby Conservation Area**

<b>Application No &amp; Location</b>	<b>22/01288/LBA &amp; 23/01275/FUL</b> St Werburgh's House, Church Street, Spondon, Derby, DE21 7LL
<b>Proposals</b>	Demolition of extensions and internal alterations to convert former nursing home to two dwelling houses.  Demolition of link extensions. Change of use and alterations from residential care home (Use Class C2) to two dwelling houses (Use Class C3) together with alterations to land levels including installation of retaining wall to patio area.

### **Resolved: No Objection**

A Councillor explained he was the Ward Councillor for this area but was not involved in the application.

The Officer explained the building was a short distance from St Werburgh's Church. It was a former nursing home which had some suspended ceilings and a number of mobility rails. Some work on the inside had been started but these were halted by Derby City Council and the applicant had now submitted the necessary Planning Applications.

The proposal was to split the house into two residences, one large the other smaller, by removal of the links between the two buildings. A Heritage Statement (HS) had been submitted. The building has a lot of different levels inside as extensions have been added over time, and there are instances of substantial amounts of earth resting against the building fabric. It was planned to excavate and reinstate the original levels which the Committee welcome. Internally the lost secondary staircase would be re-instated, and any unused doorways would be blocked. The Committee felt the Heritage Statement should provide more information about the building. However, the work proposed would allow the original vicarage building to be read as it was. A pavilion had been added later which was seen as a sensitive extension to the regency villa.

The Committee had no objection but suggested the Heritage Statement could be fuller and provide accurate information to support the principle of separation which was beneficial for the Vicarage. There was a need for further information on boundary treatments and it was important to keep frontage clear. It was also suggested that the current entrance on the side of the extension should be retained for access, leaving the two pairs of French doors in place to retain symmetry and balance. The reinstatement of the windows was supported, but the committee requested more detail. The Committee asked that the reinstatement of levels outside and inside of the property be investigated and more details supplied on this element of the work under this application or under a separate application.

## **Green Lane, Derby Conservation Area**

**Application No &** 23/01544/FUL

**Location** Derby Business College, St Peter's Churchyard, Derby,  
DE1 1NN

**Proposals** Change of use from offices (Use Class E) to six flats in multiple occupation with a total of 58 bedrooms (Sui Generis) together with external alterations to include roof alterations, installation of new windows, lightwell and alterations to the front elevation.

### **Resolved: Objection**

The officer explained that the building was on St Peter's Church Yard, it was not listed but lies within the Green Lane and St Peter's Conservation Area. There were several links and extensions between the chapel and the building behind. It was proposed to retain the front extension, use of black bricks and changes to its front extension, a shop front to a building back from the main building would be removed, a number of small windows at low level proposed to the sides of the existing building and additional larger windows to the side facing east as well as numerous windows proposed to the link building and former industrial building behind. An additional floor was proposed and additional extension with black timber cladding and windows of much smaller proportions.

The Committee objected to the proposals. The planned retention of the front extension was felt to be regrettable; the use of black brick and black mortar was superficial and a detrimental change. The front extension area would benefit from removal, providing an opportunity repair the original façade of the former Methodist Chapel, to the benefit of the character and appearance of the Conservation Area. The extension to the rear over the first and second floors was not carefully considered. The small windows on the side would be obscured by cars parking. There was no provision for amenity space. The Committee felt this was a missed opportunity to enhance the conservation area and provide a better scheme. There was concern regarding several items of the proposed scheme, but a trade-off might be possible if improvements were made to the proposals. Whilst the Committee supports the principle of city living, members felt there were too many units and rooms, and the small size of the proposed rooms was problematic. The scheme could potentially affect or be impacted by the recent proposal for a pop-up market in the Church Yard and this will need some consideration.

## 38/23 Derby city centre vibrancy project

The Committee received a report from the Head of Planning which was presented by the Conservation Officer. The report was to advise the Committee members about the City Centre Vibrancy Fund, the project aims and the context for individual artist led murals and pieces of art within the city centre.

The officer informed the Committee that in recognition of the challenges facing city centre businesses, applications had been opened for a City Centre Vibrancy Fund. The fund had been enabled through Government funding from Derby's Shared Prosperity Fund allocation. Its priority was to build pride in place and engagement in the local culture and community. Challenges like the impact of Covid and decline in retail have affected Derby City Centre and the businesses located there. The aim had been to address some of these issues through funding.

The types of projects were:

- Creative interventions by local artists into the fabric of the city like decorated hoardings, painted streets, window treatments on vacant buildings, wall murals and installations
- Street canopy project to enliven streets where the infrastructure exists.

The scheme had been running since Covid but had now closed. The budget was fully allocated and there were no further rounds of funding. However several of the allocated projects were still being developed, and colleagues in Planning (including the Conservation Officer) would be consulted to check if any planning permissions are needed prior to their installation.

**The Committee resolved to note the report.**

## 39/23 Heritage Statement – incorporating a Statement of Significance, Heritage Impact Assessment, and Justification Statement

The Committee received a report from the Head of Planning which was presented by the Conservation Officer. The report gave an opportunity for the Committee to be consulted and provide comments on the Guidance for applicants and agents when submitting Heritage Statements.

The officer reported that Heritage Statements are necessary as part of any planning application which involved heritage assets. The documents submitted should incorporate a Heritage Statement of Significance, a Heritage Impact Assessment, and justification statement as outlined in the National Planning Policy Framework (2023) and the Planning Policy Guidance (2023).

The Committee welcomed the Heritage Statement document and thanked the officer for drafting this helpful and practical guidance. Several useful suggestions were given in the meeting and prior to it:

- Historic Environment Records (HER) could be accessed direct
- Paragraph on when professional input might be needed.
- Consideration of a tick chart to show the different approaches for different heritage assets be provided.
- An Archaeology section could be considered as part of the document..
- Working up of the justification sections needed.

**The committee noted the report and provided comments for consideration.**

MINUTES END