

# ITEM 04

Time Commenced: 17:15  
Time Finished: 19:15

## **CONSERVATION AREA ADVISORY COMMITTEE** **5<sup>th</sup> September 2019**

Present: Chris Collison (Chair)  
Chris Twomey, (Vice Chair) RIBA  
Maxwell Craven – Georgian Society  
Joan D'Arcy - Derbyshire Archaeological Society  
Ian Goodwin – Derby Civic Society  
David Ling – Derby Civic Society  
Cllr Robin Wood – Elected Member

Officers in Attendance      Chloe Oswald, Conservation and Urban Design Team  
Leader  
Arran Knight, Planning Officer

### **19/19      Apologies**

Apologies were received from John Sharpe, C Craven, Cllr Carr

### **20/19      Late Items to be introduced by the Chair**

There were no late items.

### **21/19      Declarations of Interest**

There were no declarations of interest.

### **22/19      Confirmation of the Minutes of the Meeting held on 4 July 2019**

The minutes of the meeting held on 4 July 2019 were agreed as an accurate record.

### **23/19      CAAC Items Determined since last agenda**

The Committee received an update on previous applications that had been determined since the last report.

**Resolved to note the report.**

## 24/19 Applications not being considered following consultation with the Chair

A report of the Strategic Director of Communities and Place, detailing matters not brought before the committee for comment following consultation with the Chair, was considered.

The Committee noted that 3 Mansfield Road was not on the list for discussion. It was noted that this item could be discussed at Planning Committee if it was submitted by the Ward Councillor but they should also attend the meeting. CAAC were advised that the Case Officer for this item should be contacted to discuss this item progressing to the Planning Committee.

**Resolved to note the report.**

## 25/19 Applications to be considered

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

### **Not in Conservation Area**

**Application No. &** 19/00182/LBA

**Location:** 10 Cornhill Derby, DE22 2FT

**Proposal:** Alterations to include the retention of the re-building of a stud wall, cleaning of internal beams, opening of fireplaces, formation of a ground floor w.c. and utility room, re-positioning of boiler with a new flue outlet and laying of floor. Replacement of the existing cement render with the lime render, replacement of roof light, door and window, re-opening of a window and installation of a window.

**Resolved: No Objection – subject to a letter of reprimand to the applicant and a requirement to record changes retrospectively**

The officer advised that some works have taken place, so the application was a retrospective one with some further works proposed. The Members commented it would be useful to see photographs of the features removed; the proposals seemed modest but the plans are a hybrid of what's been undertaken and what was to be done. It was noted that some of the stair well had been removed which was regrettable. The officer commented that the works had taken place over the last 18 months. The Chair flagged that it was highly regrettable that works to the building have preceded the determination and decision. Members commented the external render replacement would be beneficial; the raising of the bathroom floor was satisfactory as long as the original floor remains

intact. The changes should be recorded and dated. No objection subject to a reprimand to applicant and a requirement to record changes.

### **City Centre Conservation Area**

**Application No. &** 19/00216/FUL

**Location:** 42 St Mary's Gate, Derby, DE1 3JZ

**Proposal:** Full Application – Change of use of use from offices (use class B1) to 3 City Centre apartments (use class C3)

#### **Resolved: To Object**

Members noted that this application had returned to the committee due to revised plans and a previous CAAC objection. The revised plans show the retention of the chimney which was welcomed. Members were concerned as to where bin storage would go and the lack of amenity space; there were also concerns over where the flues and vents would be situated. There was, again, a lack of information provided in the heritage statement on the building (and phases of building) and the applicant had not fulfilled the requirement of assessing the heritage impact.

### **City Centre Conservation Area**

**Application No. &** 19/00217/LBA

**Location:** 42 St Mary's Gate, Derby DE1 JZ

**Proposal:** Alterations in association with the change of use from offices (use class B1) to 3 apartments (use class C3) to include the installation of partition walls, removal of a spiral staircase and installation of a roof light.

#### **Resolved: To Object**

Members noted that this application had returned to the committee due to revised plans and a previous CAAC objection. The revised plans show the retention of the chimney which was welcomed. Members were concerned as to where bin storage would go and the lack of amenity space; there were also concerns over where the flues and vents would be situated. There was, again, a lack of information provided in the heritage statement on the building (and phases of building) and the applicant had not fulfilled the requirement of assessing the heritage impact.

### **City Centre Conservation Area**

**Application No. &** 19/00991/LBA

**Location:** The Silk Mill Industrial Museum, 32 Full Street, Derby DE1 3AF

**Proposal:** Retention of the installation of a structure beneath the third floor in the Italian Mill to act as wind brace for the new Civic Hall construction

**Resolved: No objection – however it was regrettable that works have proceeded in advance of consent. Applicant to be advised that all future works should be discussed, assessed and agreed by officers or have consent in place, before implementation**

Members questioned the criteria chosen for the steel frame structural remediation solution. They noted that the works would harm the original fabric of this part of the building; the cantilever option was preferred and would have had far less impact. Members questioned whether it was a reversible intervention? They also queried if it could be finished in a muted colour. Members felt the intervention was inappropriate and there was no justification for the works carried out, the reversibility argument was considered inappropriate. However it was readable as a modern intervention and it was better to see the modern change. It was highly regrettable that works had commenced prior to the correct consent in place. Applicant to be advised that all future works should be discussed, assessed and agreed by officers or have consent in place, before implementation. No objection

## **Friar Gate Conservation Area**

**Application No. &** 19/01114/ADV

**Location:** The Friary, 104 Friar Gate, Derby, DE1 1FG

**Proposal:** Retention of the display of one-non illuminated fascia sign, one externally illuminated projection sign and one internally illuminated freestanding sign

**Resolved: To object**

This was a retrospective application. Members noted the three signs and had no issues with the fascia sign and the illuminated hanging sign. They also noted the freestanding sign would be set back from the road frontage, however the current internally illuminated signage is contrary to shop front guidance. It was noted the banner signs and two other unauthorised signs should be removed and a condition requiring this was suggested. A consistent approach was needed as regards this application and the internal illumination of sign would be contrary to policy. Members suggested a redesign of this sign and external instead of internal illumination. Objection raised.

## **City Centre Conservation Area**

**Application No &** 19/01115/LBA

**Location:** The Friary, 104 Friar Gate, Derby, DE1 1FG

**Proposal** Retention of the installation of one fascia sign

**Resolved: To Object**

This was a retrospective application. Members noted the three signs and had no issues with the fascia sign and the illuminated hanging sign. They also noted the freestanding

sign would be set back from the road frontage, however the current internally illuminated signage is contrary to shop front guidance. It was noted the banner signs and two other unauthorised signs should be removed and a condition requiring this was suggested. A consistent approach was needed as regards this application and the internal illumination of sign would be contrary to policy. Members suggested a redesign of this sign and external instead of internal illumination. Objection raised.

### **Strutts Park Conservation Area**

**Application No &** 19/01155/FUL

**Location** Convent of Mercy, 11 Bridge Street, Derby DE1 3AU

**Proposal** Change of use to Use Class D1 together with internal and external alterations to include formation of a meeting room, offices, creche and associated garden play space

**Resolved : No Objection subject to a condition requiring installation of original doorway**

Members noted there has been some consideration and assessment of the heritage asset. It is a very sensitive building. The scheme looks reasonable. The door in first floor room should be re- installed as per the original doorway. Officers to look at the design of this door and whether it could be a 'jib' or secret door. No objection, subject to a condition requiring installation of original doorway.

### **Strutts Park Conservation Area**

**Application No &** 19/01156/LBA

**Location:** Convent of Mercy, 11 Bridge Gate, Derby, DE1 3AU

**Purpose** Refurbishment, change of use to Use Class D1 together with internal and external alterations to include formation of meeting room, offices, creche and associated play space

**Resolved : No Objection subject to a condition requiring installation of original doorway**

Members noted there has been some consideration and assessment of the heritage asset. It is a very sensitive building. The scheme looks reasonable. The door in first floor room should be re- installed as per the original doorway. Officers to look at the design of this door and whether it could be a 'jib' or secret door. No objection, subject to a condition requiring installation of original doorway

### **City Centre Conservation Area**

**Application No &** 19/01176/LBA

**Location** 41 St Mary's Gate, Derby, DE1 3JX

**Purpose** Conversion and refurbishment of existing building (change of use) from offices to residential

This item was deferred

## **Addendum**

### **Green Lane and St Peters Conservation Area**

**Application No &** 19/01245/OUT

**Location**

"Becketwell" Land off Victoria Street, Green Lane, Macklin Street, Beckett Street, Colyear Street and Becketwell Lane, Derby

**Purpose:**

Hybrid application for: Outline Planning Permission – Phased demolition of buildings (with the exception of those fronting Green Lane and the former stable block to the rear of Green Lane) and structures, and the erection of a phased mixed-use development (Classes A1, A2, A3, A4, A5, B1, C3, D1, D2, and sui generis), with all matters reserved for future consideration with the exception of access.

Full Planning Permission – Demolition of buildings (former Debenhams building, United Reform Church, and associated ground floor units) and the erection of two buildings for residential use (Class C3), including 342 apartments with flexible commercial space (Classes A1, A2, A3, A4, A5, B1 (a), D1, D2) at ground floor level, with access, car parking, servicing and the creation of a new public square with associated works.

### **Resolved: To Object**

1.The proposals are entirely inappropriate and will cause significant irreparable harm to the historic core of Derby City Centre

The National Planning Policy Framework requires permission to be refused for development of poor design that fails to take opportunities for improving the character and quality of an area. National policy requires developments to be sympathetic to an area's prevailing local character and history. Great weight should be given to the conservation of designated heritage assets and their setting in a manner appropriate to their significance. The proposals fail to have regard for these elements of national policy.

The development is far too high; completely out of context; and would represent a lasting hindrance to successful regeneration of the locality. At 19 storeys this speculative proposal would detrimentally compromise the City's important historic skyline and block south light from one of the City's most important and impressive streets. The new buildings would cause irreversible harm to the setting of adjacent Statutory Conservation Areas and many Statutorily Listed Buildings, most importantly the former Royal Hotel and Athenaeum (Robert Wallace 1837-1839 LGII), the former Corporation Tramways Offices (Alexander MacPherson of Nottingham 1904 LGII), and the former Head Post Office (James Williams 1868, 1871, 1883; Sir Henry Tanner 1898, 1904 & David Nicholas Dyke 1934, LGII) as well as those in The Strand, St. James Street corner and in The Wardwick, east end, as set out in Section 66 (1) of the 1990 Act and subsequent advice in the National Planning Policy Framework and Planning Practice Guidance.

## 2.The proposal is partial

Consideration should be postponed until a comprehensive scheme for the entire site has been prepared. It is unacceptable that only phase one should be put forward in detail because: (i) it is highly contentious in its detrimental townscape terms, and (ii) the danger is that, having taken their profit the applicant will offload the remainder of the site unbuilt, and a huge opportunity will be lost. The impression being given currently is that what is being sought is merely an opportunist profit-driven scheme and not part of a positive, coordinated, sustainable, well-thought out scheme that will enhance the City. There are alternative ways to secure 300 plus housing units in a compact development of appropriate density without building an eyesore tower that will blight the City for decades.

## 3.Additional Issues

a). Consideration should be postponed until the City's Tall Buildings Strategy has been approved later in the year. The impression currently being given is that the applicant is aware of this timing and has submitted an application with the aim of obtaining consent in advance of this happening.

b). CAAC would wish to be made aware of Historic England's view before passing final judgement upon a scheme of this size and potentially damaging impact on the historic environment.

c). The proposal is lacking in essential detail. Consideration of the proposals should be withheld until such time as consent for the adaptation of Stuart House, Green Lane as a new URC church is obtained, and clarification is obtained concerning the historic stained glass and other relics now incorporated into the present URC structure in Victoria Street.

d). The proposal represents inappropriate response to community input. It is disappointing none of the objections and positive suggestions, raised by CAAC with the proposers, have been addressed.

e). There should be no demolition prior to approval of a detailed scheme of sufficient quality to enhance the designated heritage assets, and a statement of assurance is submitted that demonstrates the scheme is viable and deliverable, and will proceed.

f). The scheme should adopt a sustainable energy-conscious approach based on renovation (modification including re-frontings) wherever possible, rather than replacement.

g). Archaeology has been inadequately investigated

h). The scheme is inward looking and fails to recognise the potential to have regard for important buildings adjacent to the application site, in particular the Grade II Listed Building Hippodrome site.

i). There is inadequate consideration of views both into and out of the site.

**Minutes End**