

**B1    APPLICATIONS    (cont'd)**

**8        Code No:** DER/06/08/00852&  
DER/06/08/00853

**Type:** Full and  
Listed Building  
Consent

1.    **Address:** St Helen's House, and associated buildings including Pearson Building, the Headmaster's House, chemistry laboratories, chapel and temporary classrooms on King Street, Edward Street and Arthur Street.
2.    **Proposal:** DER/06/08/00852 (For full Planning Permission).The change of use of St Helen's House and Pearson Building from a learning centre (Use Class D1) to an Hotel (Use Class C1) and internal alterations and extension to form glazed link, erection of front boundary wall, conversion of Headmaster's House to form 3 dwelling houses, demolition of chapel, temporary classrooms and chemistry laboratory, erection of 46 apartments and 3 dwelling houses, construction of basement car park and alteration to Edward Street access.

and

DER/06/08/00853 (For Listed Building Consent) Internal alterations and extensions to St Helens House and Pearson Building to form a glazed link in connection with the proposed use as an hotel, demolition of rear extensions of St Helen's House, conversion of Headmaster's House, to form 3 dwellings, demolition of chapel, chemistry laboratory, boundary walls.

3.    **Description:** I am sure Members are aware of St Helen's House, with its associated out-buildings and will recall that the premises were the subject of a committee site inspection held along with members of the Conservation Area Advisory Committee (CAAC) and the applicants, on 29 July 2008.

The site stands within but at the southern edge of the Strutt's Park Conservation Area and the World Heritage Site Buffer Zone. King Street lies along the western boundary, Edward Street lies to the north, Arthur Street lies to the east and a length of the inner ring road of St Alkmunds Way, lies to the south.

The north west corner of the site sits over a long redundant railway tunnel that runs under King Street to the immediate west, and continues under the site and Edward Street. The tunnel is known to have been backfilled in the early 1960s. It will be necessary for the developers to resolve what may be complex construction problems associated with this land constraint.

St Helen's House itself has a long history which, along with its age and its architectural importance is considered to be of such importance that

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it has been Listed as Grade 1 on the Statutory List of Buildings of Architectural and Historic Interest. It is considered by those who know, to be one of the finest purpose-built town houses to survive in this country outside of London and is the finest Georgian town house in Derby.

The original St Helen's House building was built in 1767 as a Palladian style mansion designed by Joseph Pickford for John Gisbourne. It was sold to the Strutt family who carried out innovative technological alterations to the house in the early 19<sup>th</sup> century. By 1848 the house was being used as a school and in 1863 the House was sold to the Governors of Derby School. Since 1972 St Helens House has been owned and operated by the Local Authority mainly as an adult learning centre. However the classes were eventually relocated away from the St Helen's House site in 2004 since when the premises has been unused and is now falling into disrepair.

St Helen's House is built in a late Palladian style with a front façade built from brickwork faced in grey sandstone ashlar. The other three elevations are mainly in red brickwork with stone dressings. The roof is of slate. Internally the building is as important as the exterior and it has retained many of its original architectural features, including staircases, plasterwork, doors, door casings and fire places remarkably intact.

During the long history of St Helen's House the wider site has been added to by a number of additional buildings associated with the school use, these include:

- a large 3 storey building known as the Pearson Building circa 1875, built as school rooms, standing immediately to the north of St Helen's House, built from red brick, faced with sandstone ashlar and slate roof;
- a late Victorian Gothic style chapel, built from red brick with stone dressings with a red plain tile roof, about 1894;
- a brick and tile built chemistry laboratory circa 1894,
- a brick and tile built, Arts and Crafts style building known as the Headmaster's House fronting onto Arthur Street circa 1900
- two temporary wooden buildings built in 1934, that were once used as a handicraft room and gymnasium and which stand towards the north west corner of the site close to the junction of King Street and Edward Street.

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- A war memorial dating from 1919 which stands in front of the main St Helen's House building.

As stated above St Helen's House is a grade 1 listed building, standing in grounds with these other buildings. The listing of the whole site has been recently reassessed. This reassessment, included the Pearson Building, the headmaster's house and attached laboratories within the Grade 1 listing. The war memorial in front of St Helen's House is listed grade 2, whilst the chapel and timber classrooms are considered to be curtilage structures and are, therefore, offered statutory protection.

The property is owned by Derby City Council who has sold a lease on the property to the Applicant. Conditions of the lease require a maintenance and repairs programme of works to be implemented to halt the deterioration of the building.

The current proposal seeks to find an acceptable reuse for St Helens House that will meet the aspirations of the Council to:

- retain it in a use that will have some degree of accessibility to members of the general public
- halt the rapid deterioration of the fabric of the building
- lead to a sympathetic restoration of building.

The building has been included on the English Heritage Buildings 'At Risk Register' for some time.

The proposal is to convert St Helen's House and the Pearson Building into an hotel which would include its use as a wedding venue and conferencing facility. The Applicant has provided evidence that the cost of such a conversions is prohibitively expensive to carry out in view of the high costs that will be involved in the listed building restoration work and that without some form of financial assistance the development itself would be uneconomical. To help finance the conversion and restoration the Applicant proposes to carry out a development of new build residential apartments four and a half stories in height, three x 3 storey town houses and conversion of the former Headmaster's house into 3 dwellings, with the intention of being able to cross subsidise the hotel conversion works from profits to be gained by the sale of the residential elements of the scheme. This cross subsidisation would fall under the description of "Enabling Development"

It is intended to construct the apartments on the northern end of the site and this would require the demolition of the existing wooden classroom blocks, the Victorian chapel and the former school chemistry laboratory classroom, to provide sufficient clear site to erect the block of

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apartments and town houses. The demolition of listed and curtilage buildings would normally be contrary to adopted policy but is considered to be necessary for the whole scheme to succeed. In such cases the development can correctly be considered to be “Enabling Development” a term recognised by English Heritage, the Government’s advisory body of Heritage matters. Stringent conditions have to be adhered to for “enabling development” to be considered acceptable, which I shall enlarge upon later.

#### Details of the proposals

It is proposed to retain St Helen’s House and the Pearson Building and, by linking them together, to create a 40 bedroom hotel.

It is intended to convert St Helen’s House itself with minimal intervention within the house to create:

at ground floor level:

- A reception foyer
- Bar and lounge bar
- 2 dining rooms
- Kitchens
- Male and female toilets
- Cycle store.

at first floor level:

- 4 conference rooms
- A tea and coffee preparation area
- Staff changing rooms and toilet
- Male, female and disabled toilets.

at second floor level:

- 3 bedroom suites and a single bedroom. One of the bedrooms would have an en-suite in a separate room and the other three suites and bedroom would have free standing bathroom pods that can be introduced into the original rooms without requiring any significant alteration to the original structure.

On the Arthur Street frontage of St Helen’s House it is intended to demolish a number of later extensions to the building to improve the appearance of this rear elevation.

The Applicant considers that the Pearson Building is more suitable for adaptation and consequently this proposal would subject it a greater

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degree of change than St Helen's House itself. This will include the insertion of a new mezzanine floor at first floor level, which will divide up the high ceiling assembly hall/gymnasium; and former classrooms remodelled to form hotel accommodation.

#### The Pearson building would have the following works:-

at ground floor level:

- Repositioning of internal corridor centrally down the length of the building restoring it to its original position
- Formation of 9 bedrooms with en-suite bathrooms, created by subdivision of existing spaces.

at first floor level:

- Insertion of a new floor at first floor level to subdivide the high ceiling first floor gymnasium/assembly hall into two separate floors.
- Formation of 9 bedrooms with en-suite bathrooms.
- Formation of store room and lobby.

at newly created second floor level:

- Formation of 9 bedrooms with en-suite bathrooms
- Formation of store room and lobby.
- Alterations to the top flight of the existing staircase to rationalise the access to the second floor.

at third floor level:

- Formation of 9 bedrooms with en-suite bathrooms
- Formation of store room and lobby.
- Alterations to the top flight of the existing staircase to rationalise the access to the third floor.

Between the St Helen's House building and the Pearson Building it is proposed to demolish a linking ground floor corridor and toilet block and replace it with a glazed three storey linking block. This linking block will act as the main entrance to the hotel. The front elevation of this will be of a contemporary idiom utilising a recurved curtain wall mainly of glass.

The Link Block will provide the following accommodation:

at ground floor level:

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- Entrance foyer reception area
- Lift
- Store room
- Corridor link between St Helen's House and The Pearson Building.

at first floor level:

- A lounge
- Lift
- Corridor link with stairs between St Helen's House and The Pearson building.

at second floor level:

- Store room
- Corridor link with stairs between St Helen's House and The Pearson Building.

at third floor level:

- Lift

The link block is set back about 8 metres behind the main front wall of St Helen's House and about 0.5 metre behind the front wall of The Pearson Building, which is itself set back about 10 metres behind the main front wall of St Helen's House.

A ramp and stepped access will serve the main entrance set behind a small wall.

To the rear of the link block at ground floor level would be constructed a new office fronting onto Arthur Street, built from masonry rather than the glazing used for the majority of the link block.

**The Headmaster's House** This is to be converted from a single dwelling to three dwellings. This is to be achieved by sub-dividing it internally with the northern 2/3 being split from the southern third, by a vertical division, resulting in a small two storey two bedroomed house and the northern 2/3rds being split horizontally to give two single bedroom flats. Externally a bin store would be added to the north side. An abutting building, former chemistry laboratory class rooms, would be demolished otherwise the house itself would be little altered.

**The chemistry laboratory classrooms** These are to be totally demolished to make room for redevelopment.

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The Victorian School Chapel This is to be totally demolished to make room for redevelopment.

The temporary wooden classrooms These are to be totally demolished to make room for redevelopment.

New Build The enabling development will require the demolition of the chapel, chemistry laboratories and temporary wooden classrooms referred to above. It involves the construction of two blocks of completely new residential development. One is a large 4½ storey block that would house 46 apartments. It would be Georgian in architectural styling and have a partial crescent shaped footprint. Its northern most extremity would lie close to the junction of King Street and Edward Street. The front elevation would generally face towards King Street and transcribe an arc of approximately 71 metres in length, with the outside, convex face, facing towards King Street, this is the reverse of the well known Crescent in Bath whose front elevation is a concave arc.

The proposal, referred to by the Applicant as Kings Crescent, would provide 10 apartments on each of the ground, first, second and third floor in a mix of 1 and 2 bedroomed apartments. The fourth floor would provide three two bedroomed penthouse apartments giving a total of 43 one and two bedroomed apartment in the Kings Crescent Block.

A second new-build block would be constructed on the northern side of the site on the Edward Street frontage, free standing, immediately alongside the northern end of the Kings Crescent Block and adjacent to an existing apartment block known as Alkmund Court. This would be three stories in height and provide three x 3 bed roomed town houses.

In total the new build proposal would provide 46 new build dwellings with 3 further dwellings in the old Headmaster House conversion.

Parking will be provided for 40 cars in basement level parking beneath Kings Crescent. The basement would also accommodate plant and equipment and bicycle and motor cycle parking. Inside the arc of the crescent, to the rear, there would be a landscaped courtyard, and bin/recycling store. Vehicular access to the site and basement car would be down a ramp leading from Edward Street.

The Kings Crescent complex would be constructed from facing brickwork, stucco render, slate tiles and architectural masonry.

Part of the existing boundary wall towards the north end of the King Street frontage is to be removed. A 50 metre length of wall to the south of this is to be retained and a new wall about 2 metres in height is to be

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constructed around the western and southern boundary of the site immediately to the front of St Helen's House itself to provide a secluded private garden. The wall will surround a newly formed formal garden immediately in front of the main St Helen's House façade. It is envisaged that this area would be used by visitors and guests, typically for wedding photos.

Surface parking for 20 cars for hotel usage and 9 spaces for residents will be provided in the main forecourt.

One tree standing at the junction of King Street and Edward Street would need to be felled to make room for the new development. It appears that all other trees on the site are to be retained as part of the landscape scheme that will be concentrated around the immediate frontage of St Helen's House in a classical design consisting of an elliptical series of gardens, planting beds and York Stone paths radiating from a central point in front of the main entrance door to St Helen's House.

**4.    Relevant Planning History:    None.**

**5.    Implications of Proposal:**

**5.1    Economic:** The proposal would bring St Helen's House and the Pearson building back into economic use.

This is an exciting development opportunity for an extremely important building and gateway site. The proposals are very much supported from an economic development perspective. No doubt further scrutiny will be given to the development appraisal, but even if the applicant cannot commit to a section 106 agreement there should be a voluntary Recruitment and Training Agreement to mobilise partners in support of the hotel related jobs.

The proposal is supported by Enabling Development to fund the restoration of the listed building.

**5.2    Design and Community Safety:** I have no objection in principle to the change of use to hotel and conference facilities for St Helen's House and the Pearson Building which will allow for minimal changes to the buildings and is closely associated with the original use of the main house, which is now not practical for use as a single dwelling.

The Conservation and Development Plan suggest that a new landscaped garden would enhance the setting of the house and this proposal is in line with this suggestion... A stronger boundary recreated

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with the new boundary wall is essential to restore the setting of the house, which currently leaks into the noisy road adjacent.

See comments from Police Architectural Liaison below in connection with Community Safety.

#### **5.3    Highways:** Accesses to the proposed development are located at existing access points on King Street and Edward Street and will require improving to facilitate the development.

Although the site has an existing use, the properties have been vacant for some time, and therefore, a development of this scale and nature will have an intensification of vehicular movements to and from the site and an impact on the surrounding road network. Overall parking allocation seems to be higher than our guidelines for the Central Area of Derby where we would normally seek a provision less than the maximum quoted in the CDLPR in an area which the Transport Assessment states is sustainable. However in this instance, the car parking provision shown for the hotel and residential development is considered to be acceptable.

Servicing arrangements are to be provided from Arthur Street for deliveries and refuse collection and Edward Street is to be utilised for kerbside pick up for waste recycling from the residential development element of the proposal. This is considered to be acceptable but storage will be required for a combination of bin types as suggested by the Waste Management Section i.e. normal 'wheelie bin' and larger 1100 litre containers.

A section 106 contribution would normally be sought for sustainable transport improvements in the area to encourage people to utilise other modes of transport.

There are no highways objections subject to the imposition of a number of conditions on any planning permission that may be granted.

#### **5.4    Land drainage:** The proposals do not materially affect the existing drainage or flood potential of the site.

#### **5.5    Disabled People's Access:**    The measures that have been incorporated within the proposals to deliver full access for all users to the development are fully supported. Further consideration needs, to be given, however, to:

- Repositioning the disabled person's parking bay from bay 20 to bay 8

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- Ramped approaches to St Helen's House and the new link should be a condition of any permission
- Five new lifetime home dwellings would normally be required
- Ramped access required to the raised feature courtyard
- A full and more detailed access statement is required.

**5.6 Other Environmental:** There are trees on site whilst not being covered by a Tree Preservation Order are considered to have a particular public amenity value.

### 6. Publicity:

|                                        |    |                                            |  |
|----------------------------------------|----|--------------------------------------------|--|
| Neighbour Notification letter          | 81 | Site Notice                                |  |
| Statutory press advert and site notice | *  | Discretionary press advert and site notice |  |
| Other                                  |    |                                            |  |

**7. Representations:** Two letters has been received from neighbouring residents stating that the conversion looks interesting and beneficial to the area but express concern over the impact of the proposed apartments on daylight which will be lost from property as a result of the position and height of the apartment block that there would be a loss of privacy, inadequate parking provision and there could be technical problems associated with the underground parking as a result of the presence of the redundant railway tunnel.

A further letter has been received from Strutt's Park Residents' Association who strongly support the application but are concerned at the level of off street parking provision which they consider to be inadequate and also consider the provision of apartments to be inappropriate in that part of the City which they consider is over provided with such dwellings; town houses would be more appropriate.

... Copies of these letters are reproduced.

A further point raised is the possibility of the development causing structural problems with the nearby property possibly exacerbated by the redundant railway tunnel that lies under part of the site.

### 8. Consultations:

CAAC - The Advisory Committee raised no objection in principle to the change of use and internal alterations to St Helen's House, the Headmaster's House and the Pearson Building, subject to officer satisfaction with details. The following comments were made to the details of the proposal:

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1. Demolition of the chapel and chemistry laboratory - The Committee raised concern about the demolition of the Chapel but accepted that this building may have to be sacrificed to secure the restoration of the principal listed buildings on the site. The Committee, therefore, raised no objection subject to confirmation of the development appraisal by an independent source.
2. Insertion of a new floor and modification to the existing staircase within the Pearson Building - The Committee raised no objection.
3. Design of the proposed glazed link between St Helen's House and the Pearson Building - The Committee expressed concerns that the revised plans had not addressed their original concerns about the effect of the reflective nature of the glass. The Committee recommended refusal because their previous objections had not been sufficiently addressed.
4. General building works and repairs within St Helen's House and the Pearson Building - The Committee expressed concern that the submitted plans contained no details of the proposed wall and gates to the fore/side of St Helen's House and requested such details be sought from the applicant. The Committee recommended deferral of this amendment pending these details.
5. Highways amendments - The Committee raised no objection.
6. Scale and mass of the proposed enabling development - The Committee considered that the minor amendment to the scheme failed to address its previous objection to the scheme of enabling development, and in particular the crescent-shaped nature of the proposal, and therefore, its original objections to these proposals still stand.
7. CAAC recommended that planning permission and listed building consent be refused and urged the development of an alternative option.

#### **Environmental Health (Pollution Control)**

- Noise - The noise report submitted with the application indicates that the site is within NEC C/B and suggests a suitable noise mitigation scheme. There would be no objection to the application on noise grounds, provided that the mitigation measures mentioned in the report, including restrictions on internal machinery, windows and ventilation, are submitted to and agreed in writing with the Local Planning Authority prior to construction taking place.

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- Contaminated land - Part of the site is potentially contaminated, therefore, before the commencement of any development a preliminary site investigation report shall have to be submitted to and approved by Derby City Council and can be conditioned accordingly.
- Air Quality -This proposed development will bring sensitive receptors, (the occupants of housing) within 14 metres of a busy road or junction. Consequently, the future occupants are at risk of exposure to pollution levels exceeding the annual average nitrogen dioxide, National Air Quality Objective of 40 ug/m<sup>3</sup>.

The developer should refer to Derby City Councils 'Supplementary Planning Guidance – Air Quality and New Development and submit an Air Quality Impact Assessment for approval. This assessment will need to include mitigation measures, which will minimise the likelihood of exceeding the annual average nitrogen dioxide objective.

Local monitoring has shown that beyond 14 metres from the kerbside pollution levels are unlikely to exceed the National nitrogen dioxide objective. ... Where this physical separation is not possible and sensitive development are proposed, within 14 metres of the kerbside of a busy road or junction, the Air Quality Impact Assessment will need to demonstrate that the chosen mitigation measures will minimise the likelihood of pollution levels exceeding the annual average nitrogen dioxide objective.

Environmental health (Food) - Comments relate to the hotel element of the proposal. Details of a suitable and sufficient ventilation system should be submitted to and approved by Derby City Council, before the use is commenced. This shall be for the purposes of allowing all windows and doors to remain closed at all times when the premises are in use so as to minimise the likelihood of noise nuisance to nearby residents.

Police Architectural Liaison - As a principle the proposed development is welcomed to breathe some life back into the area. A mix of residential and commercial uses should extend occupancy times and a broad ownership of the semi-private realm.

The Georgian architecture with its generous fenestration brings a strong streetscene, excellent opportunity for overlooking of the external environment and consequently increases the likelihood of self policing. The period detailing with ornamental railings gives a strong definition between public and private space again discouraging casual trespass and encouraging ownership.

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One negative observation is that there is no indication of access control into the enabling development basement car park, which would be beneficial. The Applicant is advised to specify a secure entrance into the basement with suitable access provision for vehicle access and egress.

Derbyshire County Council, County Archaeologist - St Helen's House is a Grade 1 Listed Building, and the curtilage buildings are, therefore also Grade 1 Listed by association. The site is located in the Strutts Park Conservation Area and the buffer zone of the Derwent Valley Mills, World Heritage Site. It is 20 metres outside of the boundary of an Archaeological Alert Area as defined in the City of Derby Local Plan. The site also includes a grade 2 listed war memorial and a stone plaque in the site boundary wall.

The archaeological interest in the site falls into two areas: the historic fabric of the Grade 1 listed buildings and the potential for below ground archaeological remains.

The significance of the historic buildings is addressed in the Architectural and Archaeological Analysis submitted to accompany the application. This document provides a detailed assessment of the historic fabric and the likely impacts of the proposed development but does not make specific recommendations for mitigation.

The over-riding concern in redevelopment of the site is to secure a long term, sympathetic and sustainable future for the exceptional Grade 1 building of St Helen's House, currently disused, and subject to rapid deterioration. While the curtilage buildings proposed for demolition (chapel, chemistry laboratory and temporary class rooms) have some significance as group values, I accept the conclusions of the Architectural and Archaeological Analysis, that these buildings are unlikely to have been individually listed without their association with St Helen's House. If the City Council is convinced that the current scheme offers a sympathetic long term future for St Helen's House, and it is only achievable with demolition of curtilage buildings as proposed then the loss of these buildings could be considered an acceptable concession.

I recommend that a programme of building recording should be carried out to mitigate the impact of internal alterations to St Helen's House, the Pearson Building and the Head Masters House and the demolition of other curtilage buildings. This will comprise an initial phase of survey to be carried out; before any demolition or conversion work, covering all standing buildings on site, and a building watching brief to be carried out, during the conversion work on St Helen's House. I should be contacted at the earliest opportunity for a written brief from which this

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work will be carried out the document will set detailed levels of recording for each building, as defined by English Heritage.

The Architectural and Archaeological Analysis also identifies that the northern segment of the original forecourt wall of the house survives; this should be retained in-situ within the development. The grade 2 listed memorial and stone plaque in the boundary wall should also be retained.

The Architectural and Archaeological analysis unfortunately does not consider the below ground archaeological potential of the site. The site is located just outside the medieval town ditch of Derby, and recent excavations on the western side of King Street, within 15 metres of the site boundary, suggest that stratified medieval deposits survive in places in the area. Areas of St Helen's House site have remained undeveloped in post – medieval times and there is some potential therefore for the survival of medieval archaeology on the site. The impact of 18<sup>th</sup> and 19<sup>th</sup> century landscaping on this potential archaeology survival is unknown although the 1870s 'cut and cover' tunnel of the Derby and Staffordshire railway, cuts across the north western corner of the site and would have removed any earlier archaeology in this area . The tunnel itself, however, is of some archaeological interest.

I recommend, therefore, that a programme of archaeological field evaluation is carried out for those areas to be subject to significant ground impacts as part of construction or landscaping. This work should be carried out following demolition and clearance of curtilage buildings but before any construction or landscaping groundwork.

Corporate Services, Estates - Fully support the proposal which is in accordance with the sale agreement with the Applicant.

Derby Civic Society - The Derby Civic Society is very pleased with the proposals suggested. However, there is a feeling that the glazed atrium linking St Helen's House with the Pearson Building could be one floor less thus enabling both buildings to have prominence and show off their grandeur.

Derbyshire Wildlife Trust - The bat survey was carried out at a sub-optimal time of year (March 2008), when bats will generally be in hibernation and evidence of their presence, in particular on external features and elevations, may have been removed by the weather.

A data trawl for the site and surroundings does not appear to have been undertaken. We hold a number of bat records for the vicinity.

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It is recommended that prior to granting planning permission a further day time bat survey of all buildings to be affected by the works is completed during the active bat season (April – October) and that evening and dawn bat survey work is also completed to try to determine more fully the presence or absence of roosting bats at the site.

In addition it is recommended that in line with PPS9, suitable roosting opportunities for bats and nesting opportunities for birds are incorporated into the development design.

Victorian Society - Raises serious concerns regarding the demolition of the Chapel and the proposed enabling development.

The complex of buildings, which includes St Helen's House and the Pearson Building, the Headmaster's House and the school room and chapel has considerable group value and a strong collegiate feel. As we stated in our previous letter, “ *although originally built as a private residence, St Helen's House was in educational uses from the 1860s up until it closed in 2004. This was a substantial period in the building's history and the other buildings on the site are physical evidence of its past use as well as being of architectural interest in their own right.*” The loss of any one of these buildings would have a detrimental impact on the special architectural and historic interest of the site as a whole. We would strongly urge you to develop a scheme whereby all of these buildings can be retained. We would certainly need very strong evidence that all alternative options, which do not involve demolition, have been explored and tested financially.

To allow these school buildings to be retained the current proposals for enabling development - if enabling development is deemed to be acceptable – would have to be reconsidered. We believe that better use can be made of the vacant land to the north of the site by moving away from the proposed crescent design which we feel does not:

- 1) make economical use of the space,
- 2) relate well to the shape of the site: or
- 3) contribute to the streetscape.

Instead the Applicant should seriously consider a denser, acute angled block on the King Street intersection which would provide adequate enabling development and allow for the retention of the group of historic school buildings.

The demolition of the chapel and the school room is not supported and the design of the enabling development is not considered to be acceptable.

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The Georgian Group - Although the proposed new uses for the site are acceptable in principle the group remains extremely concerned by the quality of the scheme.

Although outside of the groups date remit to comment it is of the opinion that the (Victorian) chapel should be retained as it forms an important part of the setting of St Helen's House and is a notable building within the conservation area.

Concerns were raised over the lack of information supporting the need for the proposed new development. If the need for enabling development could be financially justified it should be redesigned to allow for the retention of the chapel with the chapel acting as a break or step, between the high density new build and the original mansion.

The proposed car parking to the front of the site should be relocated or more affectively screened.

The Group maintains its view that the proposed glazed link would be damaging to the setting of the Grade 1 listed building, that the chapel forms an integral part of the setting of the G1 listed Georgian Mansion and so its loss would be damaging to the special architectural and historic setting of the site.

English Heritage - Has made extensive comments and observations during the course of the application and in pre-application advice. These are summarised as follows:

#### Comments dated 1 August 2008, on initial submission

St Helen's House has been included on the English Heritage Buildings at risk register for some time and efforts to identify a new use for the building culminated in the most recent marketing exercise by Derby City Council who have decided to sell the leasehold of the land to the applicant... It has previously been accepted by English Heritage that if a case for enabling development was made any development should be located on the site of the timber class room.

English Heritage is broadly supportive of the concept of converting St Helen's House and the Pearson Building to use either as office or hotel. However, we have significant concerns regarding the proposal as presented in this application.

No detailed condition survey has been supplied to demonstrate on what basis any conservation deficit has been calculated, an essential document.

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The case for demolition of the chapel and laboratory building remains to be convincingly made and is dependent upon the financial justification for the level of enabling development proposed...

Despite pre application advice the design of new build has not been amended and is not convincingly Georgian in its design.

The implications of the work to convert the Pearson Building and St Helen's House to either office or hotel are not clear and an Impact Assessment is required.

On the basis of the information provided we unfortunately do not believe that your authority can grant either planning permission or listed building consent for the development at this stage.

Proposals for the conversion of St Helen's House and the Pearson Building to hotel or office use, demolition of the chapel and the form of any enabling development can only be considered in the light of an overall justification for the level of enabling development proposed. For example a damaging intervention into the main hall of the Pearson Building is proposed which will have a significant impact on its character, such an alteration could only be considered acceptable in light of an overall beneficial scheme for the site. Such a justification remains to be established.

Commenting on the design of the proposed new build – a Georgian Style crescent – English Heritage considers that this form of development can only be successful if done excellently and authentically. The details of the scheme and its authenticity are questioned.

In our pre application letter of 10<sup>th</sup> March 2008 we commented that it will be essential for your authority to assess the figures provided and be satisfied with their accuracy and that the level of enabling development proposed is the minimum necessary to secure the future use of the heritage asset. Unfortunately insufficient information has been provided for your authority to carry out such an analysis. Therefore we must regretfully conclude that on these grounds alone the current application is inadequate and must be refused.

If the case for the level of enabling development proposed is established to your authority's satisfaction, further consideration is required of both design of the Enabling Development and the implications of converting the Pearson Building to either hotel or office use. A justification for demolition of both the chapel and laboratory building is also required to demonstrate why it is not possible to retain

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them. Neither listed building consent nor Planning permission should be granted on the basis of the submitted drawings.

English Heritage comments    dated    4 December 2008. commenting on revised submission.

*With regard to the proposed enabling development;* It is understood that an independent financial appraisal has been carried out    and that if anything, this concludes that even with the level of enabling development proposed the potential developers profit is marginal. EH believes that your authority is satisfied with both the appraisal and costs submitted by the applicant and in providing our advice we are working on this assumption.

The revised proposals confirm that demolition of the chapel, chemistry building and temporary laboratory buildings is seen as necessary in order to generate sufficient funds for the conservation of St Helen's House and the remaining structures via enabling development. The revised design and access statement    provides a series of options for alternative site layout which allow for the retention of the chapel    and chemistry building    and the provision of the enabling development in another form. In all cases the level of enabling development which the site could accommodate does not allow for the generation of sufficient funds to address the conservation deficit or the forms of enabling development required in order to do so would be unacceptable – a six or seven storey tower block. In this case many of the usual tests for demolition as found in PPG15 3.16 – 19 do not apply as the justification for demolition relates directly to the proposal for enabling development.

In conclusion we now believe that the applicant has provided sufficient information to answer the queries expressed in our original letter. On balance English Heritage accepts that the scheme delivers wider benefits for the whole site and principally St Helen's House, the outstanding building in the complex. We believe that the scheme conforms to advice contained within our Policy Documents Enabling Development    and the Conservation of Significant Places (2008)    and have no further comments to make.

Arboricultural Officer - Paragraph 3.3 of the submitted tree survey refers to the need for an Arboricultural Method Statement for works including the demolition or re-surfacing of parking areas. I agree with this statement and believe one should be provided.

As well as the above a tree protection plan should be submitted detailing the locations of all protective fencing.

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I anticipate that a section of the new Crescent Apartment block will be subject to heavy shade in the future from T12 and T11 and as such possibly present future pruning pressures on these trees.

**9.        Summary of policies most relevant:    CDLPR Policies:**

- GD1   - Social Inclusion
- GD4   - Design and Urban Environment
- GD5   - Amenity
- CC1   - City Centre Strategy
- CC7   - Residential Uses within the central area
- H11   - Affordable Houses
- H12   - Lifetime Homes
- H13   - Residential Development
- H14   - Reuse of underused buildings
- E9     - Trees
- E10   - Renewable Energy
- E18   - Conservation Areas
- E19   - Listed Buildings and Buildings of Importance
- E20   - Uses within Buildings of Architectural or Historic Importance
- E21   - Archaeology
- E23   - Design
- E24   - Community Safety
- E27   - Environmental Art
- E29   - Protection of the World heritage Site and its Surroundings
- L2     - Public Open Space Standards
- L3     - Public Open Space requirements in new development
- T1     - Transport Implications of New Development
- T4     - Access, Parking and Services
- T10   - Access for disabled people

*The above is a summary of the policy that is relevant. Members should refer to their copy of the CDLPR of for the full version.*

**10.      Officer Opinion: St Helen's House, Pearson Building and glazed link.**

**Land Use Policy**

The proposed change of use to hotel, with conference and wedding facilities, of the St Helens House and Pearson Buildings is one of the Council's preferred re-uses for these historic buildings particularly for St Helen's House itself. This is reflected in the lease agreement made between the Derby City Council as freeholder, and the applicants, which gives the acceptable uses as residential, hotel, offices or education. National guidance is that the best re-use of historic buildings is in a use related to the original use. St Helens House was built as a dwelling but a house of this grandeur will have been built with a view to

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provide hospitality and entertaining the friends and associates of the owner. It is considered that use as a hotel and conference venue will see it re-used as a place of hospitality to entertain members of the paying public. Although the Pearson Building was purpose built as a part of a school, it is so closely related to St Helen's House itself that it is most preferable that both buildings share the same or a similar usage.

The Council has expressed a view that preferably any re-use should allow some degree of public access which would reflect the public ownership and the historical access that been allowed in more recent years when it has been used as an adult educational centre . The proposed use as an hotel, with wedding and conferencing facilities will permit such access, and the conversion that is proposed allows for minimal intervention and alteration to the original fabric of St Helen's House. It is considered that in principle such a use would be acceptable in terms of the proposed alterations that would be necessary to the St Helen's House.

In location terms CDLPR Policy EP 16 (Visitor Accommodation) allows for the development, expansion, or improvement of visitor accommodation and related facilities , including conference facilities, in a number of different locations within the City, including the City Centre. The policy refers particularly to sites that are well served by the public transport network and areas that are well related to existing or new visitor attractions. The site is only just outside the inner ring road, and so can be considered to be in a City Centre location, and is also well related to existing visitor attractions such as the museums and art gallery, the Cathedral, World Heritage site and the Assembly rooms. I am therefore satisfied that the use itself is acceptable.

The repair, maintenance and conversion of the St Helen's House and the Pearson Building could not be achieved without the support of some extra funding over and above that which would be realised by the conversion itself. In this case it is intended to provide that additional funding by the provision of residential development on the site a proportion of the profits from the sale or rental of the residential development being used to cross subsidise the St Helen's House conversion.

The site is in an area of mixed uses including education, retailing, church and residential. The educational use would be extinguished if this proposal were to be approved. I consider that the principle of residential development is appropriate for this site, it would help to meet City-wide housing requirements, would be an appropriate form of development on brownfield land and it would not significantly prejudice the existing surrounding uses. I therefore consider that in principle the

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creation of residential development in this location would be acceptable. There are however considerations such as the loss of listed and curtilage buildings, and impact on neighbouring properties and their occupiers that would in other circumstances render the proposal unacceptable.

#### **St Helen's House**

The conservation and conversion of St Helen's House will leave most of the internal spaces as originally conceived when it was first built, removing some of the partitions that were added in later years when it was in educational use.

The ground floor rooms will act as the main reception areas with a separate entrance for functions and grand reception area/foyer, two dining rooms and a large bar. The first floor will be used principally as conference rooms and the second floor will be converted to the main show piece bedroom suites.

A comprehensive 'Survey of Condition of St Helen's House and associated buildings', was undertaken in October 2004, commissioned by St Helen's House Trust. This details the majority of building defects that need attention and which are adding to its deterioration. It incorporates an outline schedule of repairs. This has been used to inform the current conservation proposals and these will be undertaken as part of the conservation of the building.

There are no objections raised to the conservation or conversion works from English Heritage, The Victorian Society or the Georgian Group. Full details of working methodology, use of materials etc. can be controlled by conditions attached to any planning permission or listed building consent that may be granted.

The proposals for the internal arrangements and layout of rooms, are currently somewhat speculative as at present there is no hotelier directly involved. The applicants are however in discussion with a number of hoteliers who may be interested in taking on the scheme. Individual hoteliers are likely to have their own detailed requirements for internal fit out. Final fit-out details, if they do not conform to those in the current proposal, would have to be subject to revised planning and listed building consent applications. The applicant has made it clear however that it is essential that a valid planning permission and listed building consent are in place before any hotelier is likely to commit to taking on the proposal and so a notional but fully credible scheme needs to be agreed at this stage. I believe the current proposals constitute such a credible scheme.

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The Pearson Building will bear the brunt of the conversion works. It will also provide the majority of bedrooms for the hotel. In the past years the internal arrangements of the ground floor appear to have involved the repositioning of the original central corridor running the length of the building, off-setting it to one side. The current proposals for ground floor would involve the re-establishment of the central corridor by the repositioning of walls to achieve a balanced arrangement of floor spaces either side of the corridor, and the subdivision of the space into 9 en-suite bedrooms.

At first floor level the existing building has a single large high ceiling sports/assembly hall effectively two stories in height that occupies almost the whole of the first floor. It is here that the greatest degree of alteration is proposed. This would involve the insertion of a totally new intermediate floor to create a first and second floor. This would totally alter hall/ gymnasium which is perhaps the single most interesting feature of the internal aspect of the Pearson Building. The applicants have justified this level of intervention by saying that only by providing the majority of bedrooms in the Pearson Building is it able to carry out a credible hotel conversion, without requiring additional, more damaging alterations to St Helen's House itself. The new first and second floors would each contain 9 bedrooms with a further 9 in the 3<sup>rd</sup> floor.

The existing windows serving the Pearson building hall, are tall, double storey in height. It is intended to leave the external appearance of the windows themselves unaltered but the insertion of a new floor would cut across the window openings approximately halfway up the height of the windows and so this alteration will have a visual impact that will be seen from outside the building. I believe that an appropriate method can be devised to disguise the new floor from sight when viewed from outside and further constructional details of this may can be required and controlled by condition should planning and listed building consent be granted. Submitted drawings already show how this may be treated with the centre window panes boxed out and opaque glazed panels being inserted where the floor cuts across. It is considered that the insertion of the mezzanine floor would be reversible.

The original cantilevered stair case is to be altered at second floor level to improve and rationalise access at third floor level. Further large scale details of these may also be required and controlled by condition.

Currently at ground floor level, there is a linking building between St Helen's House and The Pearson building containing corridor link and toilets. This is a late addition to the original link between the two buildings. This would be removed to facilitate the erection of a new, modern design glazed link block but it is intended to retain an original linking wall that formed part of the original Pearson Building.

## **B1    APPLICATIONS   (cont'd)**

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The original internal staircase which serves all floors is to be altered between third and fourth floor levels. This is considered to be an acceptable alteration.

#### **Conservation Deficit and Enabling Development**

The more controversial aspects to be considered, are the proposed demolition and removal of curtilage buildings from the site and the form of the new build.

The applicants have demonstrated that the conversion of the principal buildings on the site to a beneficial use, (St Helen's House and The Pearson Building) and the necessary and vital works of repair and reasonable conservation could not be economically achieved without some additional input of financial resources.

Costed estimates based upon Conservation estimates undertaken during the Council's ownership, have demonstrated what is known as a 'Conservation Deficit'. That is, a shortfall between the financial costs involved in the bringing the buildings back into a state of good repair and beneficial reuse, and the returns that could reasonably be expected from the reuse.

In the absence of any or sufficient grant to cover the shortfall, the applicants propose to carry out development on part of the site and use a significant part of any financial returns that may be realised to subsidise the conservation and conversion works of St Helen's House that will see its retention and reuse. At present the only land available to the applicants for this development is within the curtilage of St Helen's House.

The new build scheme comprises enabling development for the restoration of the main listed buildings; enabling development is by definition development that is contrary to policy and unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify carrying it out and which would otherwise not be achieved. The key public benefit to significant places is usually the securing of their long term future. The policy issue in this case is the demolition of listed curtilage buildings and the impact on neighbouring amenity.

In order to consider such development the applicant must submit a variety of information sufficient to understand the nature and significance of the place, how the proposals have evolved, including other options considered and a complete financial appraisal of the scheme. The development has to be subject to financial scrutiny by the Local Planning Authority.

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This information has been submitted and scrutinised by consultants and I can confirm that the information submitted is acceptable in relation to the stringent tests required.

The applicants have shown in their submission a number of alternative proposals in a design appraisal of the site to ascertain the most appropriate form of development for the site. New build development within the site would not under normal circumstances be considered acceptable in view of the conservation considerations. So any works that may be considered would have to fall under the exemptions of "Enabling Development" and the applicants have to demonstrate that the level of new development proposed is the absolute minimum that is required to cover the conservation deficit. The guidelines that govern the acceptability of Enabling Development are laid down in documents drawn up by English Heritage. These set out in great detail what may or may not be acceptable but make it quite clear that enabling development should be capable of providing sufficient financial returns to cover the costs of the enabling development itself, cover the conservation deficit and at the same time permit the developer a reasonable profit. The enabling development should be the minimum required to achieve these ends.

Ideally any enabling development would be undertaken where it does not require any loss of significant historic buildings within the site. In this case this would be on the North West corner of the site which currently houses the temporary wooden class rooms, allowing the more substantial buildings such as the chapel and chemistry laboratories to remain. However the alternative proposals contained within the design appraisal show that this rather small area of land would not provide adequate space to allow for sufficient development to take place to make sufficient profit to cover all the costs, without the building being of such a height as to render it unacceptable on other planning grounds.

The solution preferred by the developer would involve the use of a larger portion of the site to achieve the necessary footprint and this would involve the demolition of the Victorian Chapel and later chemistry laboratory buildings. The design of the proposed new build apartments includes a Georgian style crescent with separate town houses. The Victorian Society has objected to the proposal both on the grounds of the unacceptable loss of the Victorian Chapel and school rooms and on the grounds that the design of the proposed development is unacceptable. They have I believe also misconstrued the financial appraisal in their most recent comments (4<sup>th</sup> December 2008) and have assumed a level of developer profit in the region of 15% which they take to be driving the amount of enabling development being sought. This is not the case and a developer profit far lower than this 15%, is shown

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within the financial appraisal. The applicants' financial appraisal has undergone an independent assessment utilising the Condition Report and schedule of repairs costs information provided. This makes it clear that the level of developers profit is well below the 15 % figure referred to by the Victorian Society and at a level that could not reasonably be reduced without prejudicing the whole scheme.

#### Victorian Chapel and chemistry laboratories demolition

Both the Georgian Group and The Victorian Society have objected to the loss of the Victorian chapel and suggest that the proposed enabling development should be tailored to fit within the area currently occupied by the temporary class rooms. The mock Georgian design of the proposal is also criticised as being inappropriate and a modern architectural solution is recommended. The applicants have commented that the primary aim of the proposal is to safeguard the future of St Helen's House and whilst they recognise that the whole assembly of buildings on the site have both historic and architectural value, have demonstrated that without the demolition of the Chapel and chemistry laboratories the extremely limited ground area that would be available for redevelopment, would dictate a far higher density of redevelopment which would require a significantly more massive building than the ones now proposed. The retention of the chapel would represent the loss of up to twelve units of residential accommodation from the proposed scheme and the difficulty of efficiently and economically converting the building undermines the ability of the enabling scheme to support the repairs to St Helen's House. The chapel was gutted of its original internal features many years ago and was converted into a lecture theatre with projection facilities so only the shell of the Victorian building, remains with a number of stained glass windows.

The chemistry laboratories are in poor condition and architecturally of little merit in their own right, and the principal interest in these buildings is historic as an integral part of the development of the whole site for educational purposes. Their inclusion in the listing rather than being a curtilage building, does however give even greater reason to consider carefully the impact of its removal from the site.

English Heritage (EH) in commenting on the revised drawings for the proposal has raised no objections in principle to the proposed change of use to hotel and conference centre. Although it considers that the proposed demolitions of the chapel and chemistry laboratories are regrettable, it considers that the arguments submitted for their removal are stark, that the level of enabling development required to facilitate the repair of St Helen's House and associated buildings cannot be achieved in an acceptable form if these buildings are retained. On

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balance EH accepts that the scheme delivers wider benefits for the whole site and principally St Helen's House the outstanding building in the complex. EH believes that the scheme conforms to the advice given in its policy document "Enabling Development and the Conservation of significant places (2008)" and has no further comment to make.

My own view is that the greatest priority must be with regard to restoring St Helen's House to a beneficial use and ensuring that it is maintained and conserved to ensure its future and these concerns do over ride the desirability of retaining the whole of the St Helen's house complex of curtilage buildings intact.

In view of the Grade 1 Status of St Helen's House and curtilage buildings, it will be necessary to notify the Secretary of State of the Council's recommendation if that is to grant listed building consent.

Design considerations

A number of concerns have been raised with regard to the design of the new elements of the proposed development which are fairly controversial.

The glazed link block between St Helens' House and The Pearson Building has been criticised as being too modern, too tall and too prominent. It also originally enclosed too many window openings from the original buildings which would as a result need to be in filled for fire safety reasons. A modification to reduce the depth of the glazed link has been received, which now reduces the number of windows that would need to be enclosed. Matters of opinion on design matters are frequently very subjective and views can be quite polarised. With regard to the link block I do consider that the architects have chosen the most appropriate place for the main entrance placing it between the two buildings. It will be uncompromisingly modern but the transparency of the main walls should in my view render it visually subservient to the original buildings and help to maintain the visual gap between the two original buildings.

The internal works to St Helen's House and the demolition of more modern accretions from the rear elevation are sympathetic to the original building and, subject to detailed methodology being agreed, the works to that building seem generally to be uncontroversial.

The alteration to the Pearson Building will also mainly affect the internal appearance of the building in particular the subdivision of the first floor assembly hall by insertion of a mezzanine and alterations to the original stairs. It is argued by the applicant that the Pearson Building is the

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most appropriate building to provide the majority of the rooms for the hotel and that to do this most efficiently the two storey hall would have to be sacrificed to provide these rooms. The insertion of a mezzanine floor would account for 50% of the rooms proposed in this building. Without this insertion the number of rooms falls to a point which would make the scheme unviable as an hotel and further increase the number of new build units required to support any other use.

Although subdivision of the Pearson Building hall would be a significant change to the internal layout and the integrity of the building as a former school, from outside the building it would not look significantly different. English Heritage has accepted that such insertion of a mezzanine floor would be necessary to achieve the aim of conversion to an hotel.

New Build The proposed design of the new build enabling development has received a significant degree of criticism in its own right leaving aside the concerns over the loss of the chapel and chemistry laboratory buildings.

The criticisms received with regard to this proposal are summed up by the following description.

“The Conservation and Development Plan suggests that the new build element which may be required to allow for the repair and conservation of St Helen’s House should not exceed, 3 full stories without roof access or 2.5 stories with roof access, so as not to have an overbearing impact on the setting of the listed building.

The current proposal is for a 4.5 storey building plus basement, does not follow the grain of the site and is of a different architectural style to the main house being of classically proportioned Georgian pattern book style rather than the Palladian influenced Pickford designed town mansion of St Helen’s House. It is not a full crescent, but rather a segment due to the restrictions of the site, and the curved terrace is not a typical feature of Derby. It is acknowledged that there are arrangements of mansions and terraces similar to this in other parts of the country, but do not consider as stated in the design and access statement that there are local influences for this.

However it is understood that the layout was designed to create unfolding views and frame St Helen’s House, and also to follow the path of the sun to provide good south aspects, and to reduce traffic noise. In addition, it has been proved through an options appraisal now submitted that this is the minimum amount of development necessary to ensure the conservation of St. Helen’s House. As the option of a modern and distinct design has been discarded we would expect houses copying the pattern book Georgian style to be faithful to the

## **B1    APPLICATIONS   (cont'd)**

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proportions in the pattern books, which hasn't been referenced in the design statement. The order of the window details does appear to be appropriate in regards to the status of each floor.

Whilst this form of 18<sup>th</sup> century style development may not be characteristic of Derby (examples given in the design and access statement within Derby are Victorian), it is accepted that this form of development is the most appropriate given the restrictions of the site and the units required, if a contemporary approach has been rejected, and also accept that the simplicity of the classically proportioned elevations will not detract from St Helen's House. Initial concerns about perpetuating the change in scale begun by the construction of the Pearson building have been considered in relation to benefits outweighing disbenefits, and the fact that the footprint of the Crescent has been reduced in length by 4m, and also that the scale and mass of the proposals are a direct response to the requirements to meet the conservation deficit".

English Heritage comments on the later amended submission. "On balance English Heritage accepts that the scheme delivers wide benefits for the whole site, principally St Helen's House, the outstanding building on the complex. We believe that the scheme conforms to advice contained within our policy document Enabling Development and the Conservation of Significant Places (2008) and have no further comments to make.

In view of these comments from English Heritage, I consider the style and form of the new build proposals to be acceptable.

Highways Considerations – the frontage currently takes two-way traffic. This is to be changed to a one way system once the Inner ring road proposals are implemented which will mean that all traffic would approach the proposed main entrances of the site , from the north. The hotel element of the development would be accessed from a vehicular access onto King Street.

The apartments would be accessed off a main entrance from Edward Street, servicing of the hotel would be from the southern end of Arthur Street.

A Transport Statement was submitted with the application which has been assessed. As the St Helen's House site has been unused for some time, the proposals would result in an intensification of vehicular movement to and from the site. Although this would be the case, I don't consider this to be a realistic assessment of the proposed impact. The site has extant use for educational purposes. The current lack of active use of the site should not be seen as the norm by which traffic activity is

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judged. The site could be restored to any form of educational use without requiring a planning permission and such a use would inevitably lead to an increase in traffic and it has to be the relative change between an active educational use and the proposed hotel and residential uses that has to be compared.

The Transport Statement does not show that there would be a significant increase in traffic movements so there should be no requirement for mitigation measures to be undertaken on the existing highway.

#### **Car parking**

The car parking provision is in two elements, that associated with the residential accommodation and that associated with the proposed hotel use. The majority of the car parking provision associated with the apartments, for forty cars is intended to be in an underground car park accessed off Edward Street. I consider this to be the most appropriate means of providing the necessary amount of car parking without completely swamping the above ground areas. There will also be space in the underground car park for three motor cycles and an unspecified number of bicycles.

Surface level car parking is proposed on the area of land between the proposed flats and St Helen's House, in front of the Pearson Building. This is similar to the area that has been used for car parking in the past and should provide 9 parking spaces for residents and 20 hotel related parking spaces. This would be accessed off King Street and will for the main part be concealed from public view behind a boundary wall.

The level of car parking provision is slightly higher than suggested in highways guidance for the Central Area of Derby. However, this is acceptable. It is considered that any overspill car parking that may be associated with the hotel element of the proposal is likely to take advantage of nearby public car parks, particularly the multi-storey car park on Chapel Street.

#### **Arboricultural Considerations**

Policy E9 states that planning permission will not be granted for development which would seriously damage, destroy, or compromise the long term retention of individual trees, groups of trees or areas of woodland which contribute to the amenity of an area.

The application site has a number of substantial trees along its western side close to the boundary with King Street and along its shorter southern side, facing towards the inner ring road, St Alkmunds Way. As

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the trees lie on council owned land, it has not so far been considered necessary to impose a Tree Preservation Order on these trees although they are certainly worthy of retention. It is intended that all but one of these trees be retained. The one shown for removal lies at the north western most corner of the site close to the junction of King Street and Edward Street. This is a mature lime tree of about 8 metres in height and is considered by the applicant's arboricultural officer to be in condition class 2, with a scale that runs from class 1 for best trees with no significant defects, to class 4, unsuitable trees. Class 2 trees are considered to have minor defects but still suitable for retention as individual trees.

The proposed footprint of the apartments lies across the position of this tree. It would have to be removed to accommodate the apartments. With the site layout and design of apartments that is proposed it would be unrealistic to require the repositioning of the proposed apartments in order to retain the tree. Although this is unfortunate I consider this to be an acceptable loss if helps to facilitate the restoration of St Helen's House.

The Arboricultural Officer has drawn attention to the relationship between a further two trees and the proposed apartments. These two trees identified as T11, and T12, two horse chestnut trees each about 15 metres in height, would lie in close proximity to the apartments. At a height of 15 metres the trees would reach up as far as the 3<sup>rd</sup> floor of the apartments. The intended proximity of the proposed apartments to these two horse chestnut trees is such that the outlook from the apartments and the heavily shading that is likely to fall across the closest apartments is likely to lead to pressure to prune these trees once the apartments are built and occupied. Such pressure may be difficult to resist once the flats are occupied as it is important to ensure living conditions for residents are reasonable.

The applicant's arboricultural consultant makes the following comments with regard to all four horse chestnut trees on the site.

"All four horse chestnut trees will require some crown reduction within the next five years or so, and at intervals thereafter in order to keep them adequately safe for their location next to a very busy main road and their likely further safe life expectancy is probably no more that 30 years.' I consider that if the crown reduction of these trees is likely to be necessary in the near future on safety grounds this could happily coincide with any future request to crown reduce the trees on amenity grounds.

If planning permission were to be granted for this proposal it would be necessary to impose a condition requiring a full working method

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statement and a tree protection plan to ensure the protection of the trees during the course of construction.

Wildlife considerations

Policy E7 for protection of habitats states that development which would materially affect sites supporting wildlife species protected by law will only be permitted where proposals are made to minimise disturbance to and to facilitate the survival of the affected species on the site or an offer of the creation of alternative habitats is made.

The only likely element of wildlife interest of concern that may be related to this site would be bats that may be roosting in any of the buildings and which may be disturbed during demolition of buildings or when building works are carried out.

A bat survey was submitted along with the original application, which revealed no current or previous internal or external evidence of bat roosting activity in any of the buildings.

Similarly no evidence of barn owl activity was noted. Derbyshire Wildlife Trust have commented on these findings and have recommended that prior to the granting of planning permission a further daytime bat survey of all the buildings to be affected should be completed during the bat active season (April – October) and that an evening and dawn bat survey is also completed to try more fully to determine the presence or absence of bats on the site.

Guidance in the circular to PPG 9, states that “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.” Although being aware of this advice I do consider it to be somewhat unrealistic. It implies that where there is even a remote possibility that bats may be present, no planning decisions should be made without an up to date bat survey undertaken between April and October of the year that the application is being considered.

In my opinion any protection that may be afforded to bats by this approach would be completely negated if the building works did not commence within the same year and this seems to imply that planning decisions should all be deferred to an appropriate time of the late spring to early winter. I don't consider it to be reasonable to defer a decision simply to await a further bat survey to be undertaken between April and October. The correct approach in my view is to attach appropriate conditions to any permission that may be granted requiring further bat

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surveys at the appropriate time of year prior to works being commenced and to have a similar survey immediately prior works are being commenced. Certain wildlife including bats benefits from the protection afforded by the Wildlife and Countryside Act which is the most appropriate means of ensuring that bats are protected and their habitats not disturbed. It is my view that concerns for the presence of bats have been given reasonable consideration but that the full protection would be achieved by the imposition of appropriate conditions on any planning permission that may be granted

Archaeological considerations

Policy E21 states that planning permission will not be granted for development that will adversely affect nationally important archaeological remains and where such remains or their settings may only be of local significance then if they are likely to be adversely affected by development physical preservation in situ will be the preferred option and applications may be refused. Within the Archaeological Alert Areas or other areas of archaeological potential where the City Council consider that a proposed development will affect remains of archaeological significance applicants will be required to provide the results of an archaeological evaluation before the planning application is determined in order to enable an informed and reasonable planning decision to be made.

The Derbyshire County Development Control Archaeologist comments are that if the sympathetic long term future of St Helen's House is only achievable with the demolition of the curtilage buildings then the loss of building could be considered an acceptable concession. He recommends a condition be attached to any permission that may be granted to record the existing buildings to mitigate their loss and the impact of alterations on the buildings to be retained.

The submitted architectural and archaeological analysis fails to consider below ground archaeological potential of the site and there is reason to suspect the possibility that there may be potential for the survival of medieval archaeology on the site. The presence of the cut and cover railway tunnel across the northwest corner of the site is also of some industrial archaeological interest. It is recommended that an archaeological field evaluation be carried out of those areas to be subject to significant ground impacts. The County Archaeologist has not suggested that an archaeological evaluation needs to be submitted prior to the determination of the application. I am therefore satisfied that this could be secured by planning condition. Subject to appropriate conditions being attached to any permission that may be granted; no objections have been raised to the proposal on archaeological grounds.

## **B1    APPLICATIONS    (cont'd)**

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Amenity Consideration The proposed new build town houses and apartments will have a significant impact on the amenity of neighbouring residents. The most affected will be those residents that live in the 9 apartments immediately adjoining the proposed town houses on Edward Street. The proposed crescent terrace will have an enclosing effect on these apartments and the 4.5 storey height obstruct daylight and direct sunlight from the south facing windows of these dwellings. From around mid day onwards in the winter time the amount of daylight will be restricted, despite the proposal being further than the minimum separation distance away, as given in the Council's space between buildings guideline. A Sun Path Study submitted with the application shows that there should not be a significant loss of direct sunlight in mid summer. In September the level of overshadowing would begin to affect the ground floors of Alkmund Court around mid day and other dwellings on Arthur Street by 2:00pm. In mid December Alkmund Court would be in greater shadow than the current situation from 11 am onward with properties on Arthur Street also affected.

The south facing elevation of the proposed new town houses on Edward Street will be in shadow most of the time.

The separation distances between the proposal and existing neighbouring dwellings has been designed to maintain the minimum distance between habitable room windows between the new apartments and those on Alkmund Court. Although this distance is maintained the 4.5 storey height would mean that there would be quite a number of habitable room windows capable of having views towards those in St Alkmund Court and this could give a significant perception of being over-looked, to residents in Alkmund Court, despite the distances between being in accordance with the guidelines.

Within the application site itself the relationship between the apartments and the Town Houses is not as satisfactory and the separation distances between habitable room windows in the apartments and those in the rear elevation of the town houses is below the minimum at around 7 metres for some of these windows, albeit that the windows do not face each other directly. The number of windows would lead to little privacy.

However, I consider that this is an occasion when the acknowledged benefits that would result from the reuse and repairs to a significant listed building may be considered to override other amenity considerations.

### Section 106 Requirements

**B1    APPLICATIONS (cont'd)**

**7       Code No: DER/06/08/00852**

A scheme of this type and magnitude, particularly with regard to the residential element would normally attract a requirement for section 106 contributions for highways improvements, affordable housing and public art. In a case such as this, however where the intention is to fund the repairs, maintenance and conversion of a very important listed building by the construction of enabling development, the imposition of costly section 106 requirements would simply erode the profitability of the development and reduce the amount of profit realised by the development thus undermining the level of contribution for the restoration of St Helen's. To recoup that shortfall would require even more enabling development which would have greater negative implications because of the increase in size and scale of the development that would be required. It is therefore recommended that the normal section 106 contributions should be waived in this case.

A section 106 agreement will be required however to ensure that the change of use, conversion and repair and restorative works to St Helens House are implemented along with the enabling development.

**Conclusion**

The proposal to convert St Helen's House and the Pearson Buildings into an Hotel meets with policy consideration for the type of use proposed and locationally it would be appropriate in concentrating such uses close to the City Centre and the visitor attractions that this provides.

The use would accord with the Council's own preferences to reuse the Buildings in a way that would allow some degree of public access, but be sensitive to the architectural and historic interests of the buildings, and the conservation measures that are proposed should provide positive benefits for the two buildings particularly for St Helen's House which will benefit from a maintenance and repairs regime without suffering significant external or internal alterations.

It is unfortunate that the Victorian Chapel and the Chemistry laboratory class rooms need to be demolished to provide sufficient vacant land to accommodate the amount of enabling development that is necessary to generate the funds to support the conversion and conservation of St Helen's House. It is understandable that the Victorian Society has objected to the removal of the chapel and this is one of the major concerns also of the Georgian Group and Conservation Area Advisory Committee, however I consider that the financial appraisal make it sufficiently clear that without the extra land being made available for enabling development, the works required to bring St Helen's House back into use would not be financially viable. I consider that the proposals should be approved in this case.

## **B1    APPLICATIONS    (cont'd)**

**7    Code No:    DER/06/08/00852**

### **11.    Recommended decision and summary of reasons:**

#### **11.1    DER/06/08/00852**

- A.    To authorise** the Assistant Director –Regeneration to negotiate the terms of a section 106 agreement to achieve the objectives set out in 11.5 below and to authorise the Director of Corporate Services to enter into such an agreement.
  
- B.    To authorise** the Assistant Director – Regeneration, **to grant** planning permission on the conclusion of the above agreement, with conditions.

**11.2    Summary of reasons:** The proposal has been considered in relation to the provisions of The City of Derby Local Plan and all other material considerations as indicated at 9 above. It has also been considered in relation to the requirements of section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It has also been considered that the conversion of listed buildings to hotel, demolition of protected curtilage buildings and redevelopment of the site with residential apartments, town houses and the residential conversion of listed buildings is acceptable and justifiable through the wider benefits that would result from the active conservation and re-use of the Grade 1 listed building of St Helen's House and associated retained listed buildings, and the enhancement of the Strutts Park Conservation Area and the appearance of the local streetscene.

#### **11.3    Conditions**

- 1.    Standard condition 09a. Amended drawings on the attached schedule.
  
- 2.    Further details of any pipe runs, flues and vents, extracts and air conditioning units that may be required in implementation of the Change of Use and conversion of St Helens House and the Pearson Building to a Hotel shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
  
- 3.    Further large scale drawings, including sections, of all new joinery features, that may be required in implementation of the Change of Use and conversion of St Helens House and the Pearson Building to a Hotel, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.

**B1    APPLICATIONS    (cont'd)**

**7    Code No:    DER/06/08/00852**

4.    A method statement for the making good of internal walls where partitions are to be removed required in implementation of the Change of Use and conversion of St Helens House and the Pearson Building to a Hotel, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
5.    Samples of the bricks to be used for making good the external walls of St Helens House and the Pearson Building shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
6.    Samples of the copings to be used for making good of the existing copings shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
7.    Samples of new or reclaimed slates to be used shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
8.    Large scale drawings of a sample section of the railings, including 1:1 scale drawing of the finials, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
9.    Large scale drawing of the proposed pedestrian gate, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
10.    Samples of coping and pier capstones to new front boundary wall sections shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
11.    Detailed drawings of new ramped entrance and materials to be used, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
12.    A detailed method statement for the removal of the modern roof lights and detailed drawings and materials specification of the new roof timbers in St Helens' House shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.

**B1    APPLICATIONS    (cont'd)**

**7    Code No:    DER/06/08/00852**

13. Detailed drawings of the method of construction and details of the proposed materials to be used in the construction of the new staircase in the Pearson Building Pearson, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
14. A detailed method statement for the removal of part of the staircase in the Pearson Building and making good of walls shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
15. The occupation of the development authorised by this permission shall not begin until 2 x 2 metre visibility splays have been provided on the highway boundary on both sides of the access with no obstruction within the splays higher than 0.6 metres above ground level and shall be maintained as such at all times.
16. The development shall not be occupied until the vehicular accesses, forecourt and car parking areas have been surfaced with a hard bound material.
17. The gradient of the vehicular access onto Edward Street shall not exceed 1:10 for the first 5 metres behind the highway boundary.
18. The development shall not be occupied until full details of the waste recycling storage facilities have been submitted to and approved in writing by the Local Planning Authority.
19. The development shall not be occupied until details of secure integral cycle storage provision has been submitted to and approved in writing by the Local Planning Authority, and the agreed cycle-parking provision is implemented and available for use.
20. No development shall take place until the applicant or their successor in title has secured the implementation of a programme of archaeological buildings recording in accordance with a written scheme of investigation (WSI) submitted by the applicants and approved in writing by the Local Planning Authority.
21. No development shall take place until the applicant or their successor in title has secured the implementation of a programme of archaeological work in accordance with a written

**B1    APPLICATIONS    (cont'd)**

**7    Code No:    DER/06/08/00852**

scheme of investigation (WSI) submitted by the applicant and approved in writing by the Local Planning Authority.

22.    During the period of construction works, all trees hedgerows and other vegetation to be retained, including any which are on adjoining land but which overhang the site, shall be protected in accordance with BS:5837:1991 ("Trees in relation to construction") To that end before any works are commenced, including any demolition works, an Arboricultural Method Statement for the works near to the trees to be retained and a Tree Protection plan, as suggested in the applicants submitted arboricultural report, shall be submitted to and approved in writing with the Local Planning Authority. Any details that may be agreed shall be implemented in the execution of this permission.
23.    Standard condition 20 ... approval of a landscaping scheme.
24.    Standard condition 21... Implementation of landscaping scheme.
25.    Standard condition 68... Disabled peoples provision.
26.    Standard condition 100... Contamination
27.    Before any development is commenced a scheme for protecting the future residents and guests from noise from King Street and St Alkmund's Way shall be submitted to and approved in writing by the Local Planning Authority. The works that are required to protect each individual element of the proposed development shall be completed before that element of the development is occupied.
28.    Before any development is commenced, including demolition of the existing buildings: a survey of roosting bats and the potential for roosting bats in existing buildings shall be undertaken between June and August immediately preceding the commencement of development. This shall be in the form of emergence/roost survey to determine the exact nature of bat presence on site. Depending on the results of the survey: necessary measures to protect the species through mitigation proposals shall be submitted to and agreed in writing by the Local Planning Authority all such agreed measures shall be implemented in their entirety. A DEFRA licence shall be secured to legitimise destruction of any bat roost
29.    Standard condition 27 modified to read... Notwithstanding the details of external materials submitted with the application, details of all external materials shall be submitted to and be

## **B1    APPLICATIONS    (cont'd)**

**7    Code No:    DER/06/08/00852**

approved in writing by the Local Planning authority before any works is commenced.

30.    Standard condition 38... Disposal of sewage.
31.    Standard condition 104 amended to read... The construction of the new build apartments and town houses shall have full regard etc....
32.    Before it is constructed, full details of the design and materials to be used for the construction of the boundary wall shall be submitted to and approved in writing by the Local Planning Authority. Any details that may be agreed shall be implemented in the execution of this permission.
33.    Before it is installed, full details of the method of construction and installation and the appearance of the new mezzanine floor proposed in the Pearson Building shall be submitted to and approved in writing by the Local Planning Authority. Any details that may be agreed shall be implemented in the execution of this permission. Any details that may be submitted shall take fully into consideration the need for the installation to be reversible without resulting in any significant damage to the existing building.
34.    All windows to the lounge/kitchen facing north towards the apartments at Alkmund Court, in apartments number 13, 22, 32, 42 of Kings Crescent shall be obscure glazed and retained as such at all times.

### **11.4    Reasons**

1.    Standard reason E04... avoidance of doubt.
2.    Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
3.    Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
4.    Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.

**B1    APPLICATIONS   (cont'd)**

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5.      Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
6.      Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
7.      Standard reason E40... In order to safeguard the character and integrity of the listed buildings in accordance with policy E19 of the CDLPR.
8.      In order to safeguard the character and integrity of the listed buildings and the Strutt's Park Conservation Area in accordance with policies E18 and E19 of the CDLPR.
9.      In order to safeguard the character and integrity of the listed buildings and the Strutt's Park Conservation Area in accordance with policies E18 and E19 of the CDLPR.
10.     In order to safeguard the character and integrity of the listed buildings and the Strutt's Park Conservation Area in accordance with policies and E19 of the CDLPR.
11.     In order to safeguard the character and integrity of the listed buildings and the Strutt's Park Conservation Area in accordance with policies and E19 of the CDLPR.
12.     Standard reason E40... In order to safeguard the character and integrity of the listed buildings in accordance with policy E19 of the CDLPR.
13.     Standard reason E40... In order to safeguard the character and integrity of the listed buildings in accordance with policy E19 of the CDLPR.
14.     Standard reason E40... In order to safeguard the character and integrity of the listed buildings in accordance with policy E19 of the CDLPR.
15.     The interests of pedestrian safety, in accordance with policy T6 of the CDLPR.
16.     To reduce the possibility of deleterious materials being deposited on the highway and to ensure that adequate car parking and servicing provision are made to reduce the likelihood of the

**B1    APPLICATIONS   (cont'd)**

**7       Code No:   DER/06/08/00852**

proposed development leading to on-street parking problems in the area, in accordance with policy T4 of the CDLPR.

17.      To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.
18.      To ensure that adequate facilities are provided for operatives to carry out kerbside Waste Recycling collection in a safe and efficient manner without causing conflicts with other highway users.
19.      To ensure that adequate facilities are provided for the safe storage of cycles and to encourage use of a sustainable mode of transport, in accordance with policy T7 of the CDLPR.
20.      To ensure that the historic, archaeological and architectural interest of the buildings and the site are properly investigated and adequately recorded in accordance with policy E21 of the adopted City of Derby Local Plan Review.
21.      To determine the location, extent and survival of any archaeological remains and to enable the preparation, of a strategy to mitigate the effect of the development on such remains and in accordance with policy E21 of the adopted City of Derby Local Plan Review.
22.      Standard reason E24 ... protection of trees... in accordance with CDLPR policy E9.
23.      Standard reason E10... to safe guard and enhance the visual amenities...in accordance with CDLPR policy E17.
24.      Standard reason E10... to safe guard and enhance the visual amenities...in accordance with CDLPR policy E17.
25.      Standard reason E34... disabled people's provision. In accordance with CDLPR policy T10
26.      Standard reason E49... in the interests of public health and safety ... in accordance with CDLPR policy E13
27.      To provide good living conditions and to protect the health and amenity of residents and visitors in accordance with CDLPR policy GD5.
28.      To ensure that the existence of any bat roost at the site is fully investigated and that there is minimal disturbance to, and

## **B1    APPLICATIONS    (cont'd)**

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protection of this protected species in accordance with the principles of Planning Policy Statement 9 - Nature Conservation and CDLPR policy E7.

29.        Standard reason E14 in accordance with CDLPR policies GD4 and E23...Design.
30.        Standard reason E21... to ensure satisfactory drainage in accordance with CDLPR policy GD3.
31.        Standard reason E51 in accordance with CDLPR policy E10.
32.        In order to safeguard the character and integrity of the listed building and the conservation area in accordance with policies E18 and E19 of the CDLPR.
33.        Standard reason E40 in order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
34.        To protect the privacy of neighbouring occupiers.

**11.5    S106 requirements where appropriate:** Agreement will need to be reached to ensure the implementation of the hotel conversion and conservation of St Helen's House and associated listed buildings, and should be related to a phasing agreement for the new residential development elements of the scheme. The phasing shall be in line with the Conservation Management Plan.

**11.6    DER/06/08/00853    -    To authorise** the Assistant Director – Regeneration, to refer the application for listed building consent to the Secretary of State with the advice that the City Council is minded **to grant** consent with appropriate conditions.

### **11.7    Conditions**

1.        Standard condition 09a. Amended drawings (on the attached schedule).
2.        Further details of any pipe runs, flues and vents, extracts and air conditioning units that may be required in implementation of the Change of Use and conversion of St Helens House and the Pearson Building to a Hotel shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.

**B1    APPLICATIONS    (cont'd)**

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3.    Further large scale drawings, including sections, of all new joinery features, that may be required in implementation of the Change of Use and conversion of St Helens House and the Pearson Building to a Hotel, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
4.    A method statement for the making good of internal walls where partitions are to be removed required in implementation of the Change of Use and conversion of St Helens House and the Pearson Building to a Hotel, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
5.    Samples of the bricks to be used for making good the external walls of St Helens House and the Pearson Building shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
6.    Samples of the copings to be used for making good of the existing copings shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
7.    Samples of new or reclaimed slates to be used shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
8.    Large scale drawings of a sample section of the railings, including 1:1 scale drawing of the finials, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
9.    Large scale drawing of the proposed pedestrian gate, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
10.   Samples of coping and pier capstones to new front boundary wall sections shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.

**B1    APPLICATIONS    (cont'd)**

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11.    Detailed drawings of new ramped entrance and materials to be used, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
12.    A detailed method statement for the removal of the modern roof lights and detailed drawings and materials specification of the new roof timbers in St Helens' House shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
13.    Detailed drawings of the method of construction and details of the proposed materials to be used in the construction of the new staircase in the Pearson Building Pearson, shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
14.    A detailed method statement for the removal of part of the staircase in the Pearson Building and making good of walls shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced on the implementation of this permission.
15.    Before it is constructed, full details of the design and materials to be used for the construction of the boundary wall shall be submitted to and approved in writing by the Local Planning Authority. Any details that may be agreed shall be implemented in the execution of this permission.
16.    Before it is installed full, details of the method of construction and installation and the appearance of the new mezzanine floor proposed in the Pearson Building shall be submitted to and approved in writing by the Local Planning Authority. Any details be agreed shall be implemented in the execution of this permission. Any details that may be submitted shall take fully into consideration the need for the installation to be reversible without resulting in any significant damage to the existing building.

**11.8    Reasons**

1.        Standard reason E04... avoidance of doubt.
2.        Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.

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3.       Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
4.       Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
5.       Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
6.       Standard reason E40... In order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.
7.       Standard reason E40... In order to safeguard the character and integrity of the listed buildings in accordance with policy E19 of the CDLPR.
8.       In order to safeguard the character and integrity of the listed buildings and the Strutt's Park Conservation Area in accordance with policies E18...Conservation Areas and E19 of the CDLPR.
9.       In order to safeguard the character and integrity of the listed buildings and the Strutt's Park Conservation Area in accordance with policies E18...Conservation Areas. And E19 of the CDLPR.
10.      In order to safeguard the character and integrity of the listed buildings and the Strutt's Park Conservation Area in accordance with policies E18...Conservation Areas. And E19 of the CDLPR.
11.      In order to safeguard the character and integrity of the listed buildings and the Strutt's Park Conservation Area in accordance with policies E18...Conservation Areas. And E19 of the CDLPR.
12.      Standard reason E40... In order to safeguard the character and integrity of the listed buildings in accordance with policy E19 of the CDLPR.
13.      Standard reason E40... In order to safeguard the character and integrity of the listed buildings in accordance with policy E19 of the CDLPR.

**B1    APPLICATIONS    (cont'd)**

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14.    Standard reason E40... In order to safeguard the character and integrity of the listed buildings in accordance with policy E19 of the CDLPR.
15.    In order to safeguard the character and integrity of the listed building and the conservation area in accordance with policies E18 and E19 of the CDLPR.
16.    Standard reason E40 in order to safeguard the character and integrity of the listed building in accordance with policy E19 of the CDLPR.