

REPORT OF THE ASSISTANT DIRECTOR – REGENERATION TO CONSERVATION AREA ADVISORY COMMITTEE 14 SEPTEMBER 2006

1. City Centre Conservation Area

Code No. DER/806/1247 – 39 Cornmarket – installation of shop front

This application appears to be retrospective. Permission is sought for alterations to a shop front, required in connection with a re-branding of the restaurant use. The building is within the City Centre Conservation Area. An application has also been submitted for advertisement consent. The changes are as follows:

- installation of new aluminium fascia board
- installation of two black lanterns on the fascia board
- new red and white striped awning and overhead trough light
- replacement entrance door
- painting of shop-front

Code No: DER/806/1294 – 39 Corn Market, Derby, display of internally illuminated fascia sign and externally illuminated hanging sign

This is a retrospective application. Advertisement consent is sought for new signs at this property within the City Centre Conservation Area. The signs comprise an internally illuminated fascia board and externally illuminated hanging sign. The plans also show a non-illuminated menu board that would not require consent. The fascia sign would have a striped cream background with projecting red and green lettering and a hanging sign to be located to the side of the doorway entrance. The hanging sign would be cream with red and green lettering and would be lit by overhead trough lights.

The signs replace an internally illuminated fascia sign and externally illuminated trough light installed in connection with the previous Deep Pan Pizza restaurant use of the building.

2. Darley Abbey Conservation Area

Code No. DER/806/1286 - Alterations to form pitched roof, 2b Mileash Lane Darley Abbey

This property is outside the conservation area although the last extension of the area took in the high front boundary wall which is part of the typical sandstone boundaries on the Evans estate.

It is a flat-roofed bungalow dating from the 1960s and permission is sought to provide it with a pitched, hipped, tiled roof. The existing dwelling, when first constructed, was a radical departure from both the historic character of the old village and the somewhat anodyne character of the 1930s suburban expansion. The alterations would be readily visible from within the conservation area.

Code No. DER/806/1343 – Erection of detached garage – 4 Mill Cottages, Darley Abbey Mills, Darley Abbey

Code No. DER/806/1345 – Listed Building Consent - Erection of detached garage – 4 Mill Cottages, Darley Abbey Mills, Darley Abbey

This property is a grade II listed building. In the official list No 4 is described as roughly square in plan and may formerly have been two (or even four) single bay dwellings but now is one house. It has timber sash windows below shallow brick lintels. Probably dates to 1792 and is shown on an 1811 map.

These applications are re-submissions of DER/406/741 and DER/406/749 which were considered by Members on 8 June 2006. The committee resolved to recommend refusal on the grounds that the proposed garage, by virtue of its overall size and double-width door opening, was excessively large and disproportionate to the scale of the listed building and as such would be seriously detrimental to the setting of the listed building and to the appearance and character of the Conservation Area.

I did not accept totally these grounds and refused the applications for the following reasons:

“The proposed garage, by virtue of its size, location on the plot and inappropriate detailing, would be seen as disproportionate to the scale of the listed building and as such would be seriously detrimental to the setting of the listed building and to the appearance and character of the Conservation Area. (See *continuations*.)

Continuation for Planning application

It would therefore fail to meet the objectives of policies H26 (b) and (c), E21 and E22 of the adopted City of Derby Local Plan Review – 2006 and the advice in Planning Policy Guidance Note 15.

Continuation for listed building application

It would therefore fail to meet the requirements of Sections 16 and 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 and the advice in Planning Policy Guidance Note 15.”

The revised scheme attempts to overcome the reasons for refusal. It is of the same overall size, 5.775m square, and location, in the rear corner of the site. The principal changes are that there is now a single-width garage door in timber, a 1200mm wide window is introduced into the front elevation and all windows, doors eaves and verges are shown with more traditional detailing.

3. Friar Gate Conservation Area

Code No. DER/806/1243 – Retention of use as training centre - 119A Friar Gate

The application is for the retention of an existing use of part of the ground and first floors of these premises as a training centre. The building is statutorily listed as part of 118 Friar Gate.

It appears that the parts of the building included in this application have been used for a long time for training purposes but no permission has ever been sought for the use. The application has been made as the current occupiers are relatively new and they need the certainty that the use is acceptable and has planning permission.

The courses are to train nurses from overseas who wish to work in the UK. There would be about 60-80 students on each course and they would normally be accommodated in University Halls of residence within walking distance of the centre. There are no physical alterations being proposed to the building in this application.

4. Leylands Estate Conservation Area

Code Nos. DER/806/1340, DER/806/1341 – Demolition of 29 bed nursing home and erection of 38 residential care units and support facilities, alterations to Eborn House (Grade II) listed building and form extension to provide restaurant, erection of extensions to Fraser Hall, to provide lounge and glazed link, external alterations to Dovedale and Trent Houses to provide 16 residential care units and associated site works at Leylands Estate, Broadway

Applications have recently been received for full planning permission, Listed Building Consent and Conservation Area Consent to undertake demolition, new development and alterations to a listed building at the Leylands Estate, Broadway. The proposals are intended to modernise facilities for the residents by provision of extra care residential accommodation and communal facilities to meet changes in government guidance.

The proposed development and site alterations relate primarily to the residential care accommodation and communal facilities in the central and eastern part of the Leylands Estate. The existing nursing home, which is a large single –storey post-war building would be demolished and replaced with a two-storey development of a similar layout. It would provide 38 self-contained residential care units. Fraser Hall contains communal facilities for the residents and it would be altered and extended to form a residents lounge and glazed corridor linking Eborn House with the new care accommodation. Modest elevational changes to Dovedale and Trent Houses are also proposed to reflect internal changes to the layout of the apartments in these buildings. There would also be site works to the communal areas to form new footpaths and undertake landscaping. On site parking would also be reconfigured and disabled parking provision allocated.

Eborn House is a two storey, mid 19th Century Grade II Listed building, which is currently the administrative centre of the estate. Single and two storey wings to one side of Eborn House would be demolished and a single storey extension erected in its place to form a restaurant.

5. Little Chester Conservation Area

Code No. DER/806/1283 - 19 St Pauls Road, installation of two windows in rear elevation

This application relates to a mid-terrace house, which is covered by an Article 4 Direction on St Paul's Road within the Little Chester Conservation Area.

An application to replace the first floor windows to the bedroom and bathroom with double glazed top hung units in white uPVC was objected to by this Committee on 16 February and consequently refused permission because of the inappropriate materials on this terrace within the conservation area. The new application proposes wooden double glazed units with vertical bars.

6. Railway Conservation Area

Code No. DER/706/1231 - Installation of new shopfront, 8-9 Midland Road

Permission was granted last year for the use of these premises as a restaurant. In April of this year Members considered an application for a new shopfront. (DER/306/397). The resolution was one of no objection. I considered that the detailing was not up to the standard expected in a conservation area and refused permission for the following reason:

“The proposals, as far as can be assessed from the limited detailing, would be out of keeping with the character of the existing premises, detrimental to the visual quality of the street scene and would fail either to enhance or preserve the appearance of the Conservation Area. They are therefore contrary to policies ST2(h), E21 and E26 of the adopted City of Derby Local Plan Review – 2006.”

The current application is a re-submission of that scheme. The properties were combined at ground floor level many years ago with that to the left (No. 8)

retaining a central doorway whilst that to the right had the entire frontage made a window, split into two. The application seeks permission to move the doorway to the left-hand end of No. 8 and install a treatment reminiscent of dummy doors for the remainder of the frontage. Materials are stated as being in stained softwood with hardwood doors.

7. Strutts Park Conservation Area

Code No. DER/806/1312 - Residential development, 40 West Avenue

In August 2004 I reported to this Committee application DER/07/04/1383 for the demolition of 40 West Avenue and nearby garden walls. That application sought Conservation Area Consent for the demolition of one dwelling house, 40 West Avenue, and garden walls to houses in Kedleston Road, that is deemed to be listed by virtue of their inclusion in a conservation area. The demolition is to allow the road construction works for the King Street link (planning application DER/704/1380) to be carried out. I advised that any decision will be made by the Secretary of State. That decision has now been received and is a conditional consent and this decision, together with that at the Seven Stars, is the subject of the final item in this report.

In the original version of phase 3b, those parts of the site of No. 40 that were not required for road works were to be landscaped. Part of English Heritage's objections to phase 3b was to the loss of this prominent and visually important building, the end one of a curved terrace of four, and the resultant widened gap in the street scene.

Since then the City Council, as Highway Authority, has re-examined every aspect of the Five Lamps area to see whether any alternative system could be devised that would meet the essential objectives of the scheme. None was found but it did become clear that there was some scope for rebuilding on the reduced site area available and it was the Council's intention to pursue this and that was one of the factors that resulted in English Heritage withdrawing its objections.

The current application seeks outline permission for residential development. At this stage the City Council, as developer, wishes to leave open the matter of whether it is one house or flats allied to those at No. 42.

The current application is in outline. In the past outline applications in conservation areas have been discouraged in the sense that applicants have been advised that virtually as much information will be required for an outline as for a full application and it would be more appropriate to make such. However, they have always been valid and it may be appropriate for me to remind Members of the changes in the content of outline applications that came in on 10 August. After that date basic information on layout, numbers, height massing etc. is required along with a design and access statement. These changes will make it easier to judge outline applications in conservation areas.

The detail submitted for this application is similar to what I would expect for outline applications in conservation areas in future. The formal submitted plan simply defines the site but the illustrative material that constitutes the design statement indicates a footprint of some 25sq m and the reproduction of the architectural elements on the current frontage. All external materials are intended to be sourced from demolition of the existing property. The size of the proposal is limited by the space and the good material available; the existing side elevation is cement rendered and the rear is somewhat nondescript. The principle is, in some ways, similar to how Jacobean House in Wardwick was dealt with when Becket Street was created by widening in the 19th century.

The intention is that, subject to the grant of outline permission, the City Council will instruct architects to prepare a detailed scheme that will come into the planning system as a reserved matters application. Approval of that would then allow a contract to be let for the building works to meet the Secretary of State's conditions.

Code No: DER/806/1262 – 38 Arthur Street, Derby, Insertion of door and window in rear elevation

Permission is sought to insert a door and window in the rear elevation of this semi-detached property which is in retail/residential use. The proposals involve removal and bricking up of an existing door and two windows, new brickwork to match the existing, and insertion of a new door at first floor level and a new window at ground floor window. All changes are on the rear elevation.

Code No: DER/806/1352 – Land at rear of 4 Grove Court, Edward Street – Conversion of barn to residential use to form ancillary accommodation to 4 Grove Court

Permission is sought to convert an existing garage/barn to living accommodation to be used in conjunction with 4 Grove Court, a dwelling. Grove Court is situated on the corner of Edward Street and North Parade, within the Strutts Park Conservation Area. The building to be converted is located to the rear of the shared parking area, adjacent to the rear garden areas of 10 Edward Street and 33 and 34 North Parade.

The conversion would involve internal and external alterations. On the front elevation, window and door openings would be replaced. On both side facing roof planes, existing rooflight openings would be enlarged and new conservation velux rooflights installed.

8. Others

Connecting Derby – Inner Ring Road

The item on 40 West Avenue gives me the opportunity to update Members on the general progress of heritage-related applications for the Inner Ring Road.

Applications DER/704/1383, demolition of 40 West Avenue and nearby garden walls, and DER/704/1381, demolition of boundary walls and making good at Seven Stars public house, King Street, were considered by this Committee in August 2004 and, after consideration by the Planning Control Committee, were forwarded to the Secretary of State. The decisions have now been issued and are reproduced after this report as they will be of general interest to Members.

That on 40 West Avenue is unusual in that consent for demolition is tied both to the completion of planning procedures (but not CPO procedures) for the Inner Ring Road and to the completion of planning procedures for the rebuilding on the remaining available land.

The intention is that rebuilding 40 West Avenue will be taken forward as development by the City Council. 85 King Street **may** be dealt with similarly whereas in the other locations where built form is to be promoted as an alternative to landscaping or car parking, that is, land adjoining 10 St Helen's Street and the stable / garage / open land west of Seven Stars, the development will be by others with the City Council using its position as land owner and Local Planning Authority to facilitate the building works. It is hoped that an application for the St. Helen's Street / west of King Street link will be received before the end of the year.

The Secretary of State has granted previously conservation area consent for the demolition of 33-35 Ford Street (DER/704/1382). That consent is tied to the letting of a contract for the construction of the Inner Ring Road. I understand that it will be necessary to demolish the premises earlier under a pre-main works contract so that services can be relocated and I expect that an application will be made for a variation of that condition. For that site it is acknowledged that the Council's residual ownership is insufficient for independent redevelopment and, like the group of sites above, the aim will be to unify it with the larger adjacent site.

Listed building consent has been granted for the demolition of the Stafford Street wall, (DER/1105/1883), subject to a rebuilding requirement. That will be followed unless, before the time of commitment to the work, planning permission and listed building consent have been processed for any alternative arrangement as part of the redevelopment of the Friar Gate Goods Yard.