

CONSERVATION AREA ADVISORY COMMITTEE
Informal Notes of non-convened meeting
deadline date 03.09.20

ITEM 04

Members: Chris Collison (Chair)
Carole Craven, Georgian Group
Maxwell Craven, Georgian Group.
Ian Goodwin, Derby Civic Society
David Ling, Derby Civic Society
Paul McLocklin - Chamber of Commerce
John Sharpe, Ancient Monuments Society
Chris Twomey, (Vice Chair) RIBA
Chris Wardle, Derbyshire Archaeological Society
Cllr Mike Carr, Elected Member
Cllr Hardyl Dhindsa, Elected Member
Cllr Robin Wood, Elected Member

Officer Support: Chloe Oswald, Conservation Officer

Further to the email of Lindsay Stephens dated 25.08. 2020 advising "Chair/Vice Chair to send joint recommendation to CAAC Members by email following this agenda" please see below the recommendation of Chair and Vice Chair

Chair's Announcement

The Chair stated that it was with much regret that, since the last meeting, he had advised the Committee that Joan D'Arcy has passed away. Joan had been a highly valued Member of CAAC over many years. She had very ably represented the Derbyshire Archaeological Society. Her knowledge of heritage in Derby and beyond was immense, and she had undertaken much detailed research herself. Joan's contributions at CAAC meetings were always well-considered, constructive, and regarded as most valuable by fellow Committee Members. Joan will be sadly missed.

1. Declarations of Interest

Maxwell Craven, Georgian Group declared an interest in 20/00858/FUL 10-14 St Helen's Street.

2. CAAC Informal notes of non-formally convened meeting Deadline date 02.07.2020

Recommendation of Chair and Vice Chair – That the informal notes of the non-formally convened meeting deadline date 02.07.2020 be accepted as a true record.

3. Applications not being considered following consultation with the Chair

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

Recommendation of Chair and Vice Chair – That the applications not being considered be noted. Individuals or groups being represented at CAAC can independently send their comments on any of these applications direct to DevelopmentControl@derby.gov.uk

4. Applications to be considered

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

No Conservation Area

Application No. & 20/00072/FUL – Full Application
Location: Bramble House, Kingsway Hospital, Kingsway, Derby DE22 3LZ
Proposal: Demolition of existing buildings and erection of three accommodation blocks comprising an 80 bed care home and 66 extra care assisted living units (Use Class C2) accessed from Kingsway, associated with car parking and landscaping.

Resolved: Objection

This proposal will result in the loss of a locally listed building. The NPPF states *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”* Bramble House is of a scale and nature of development that lends itself to sensitive modification to achieve suitable accommodation that could be used as a care home and extra care assisted living units. The case for demolition is extremely weak.

Strutts Park Conservation Area Grade 1

Application No & 20/00158/FUL – Full Application
Location St Helen’s House, King Street, Derby DE1 3EE
Proposal Change of use to the Pearson Building and Headmasters Cottage to form the five commercial units, one office and four apartments complete with associated landscaping and erection of boundary treatments

Application No & 20/00159/LBA, Listed Planning Consent - Alterations
Location St Helen’s House, King Street, Derby DE1 3EE
Proposal Alterations in association with change of use to the Pearson Building and Headmaster’s Cottage to form five commercial units, one office

and four apartments complete with associated landscaping and erection of boundary treatments. To include demolition of boundary wall and “lean to”, installation of a mezzanine and stud walls and removal of stud walls

Resolved: Holding objection until the justification of the extent of internal alterations to the Headmaster’s House has been explored further.

The NPPF states *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”* and *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: ... assets of the highest significance, notably ... grade I listed buildings ... should be wholly exceptional.”* It is considered the proposals represent less than substantial harm to the Listed Buildings. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Proposals relating to the Headmaster’s House - The proposed partial re-pointing, repair and cleaning works are all appropriate. The extent of removal of some internal walls, replacement and repositioning of the staircase, and the formation of new door openings and windows openings has not been adequately justified. It is recommended the extent of these changes should be explored further.

Whilst the loss of the lean-to walkway between the former school and headmaster’s house will remove an indicator of the historical development and use of the site it appears to be beyond repair. Removal of the lean-to will better reveal the form of the two buildings it connects. The removal of the lean-to covered walkway is not considered to be a significant impediment to approval and its removal has been adequately justified.

Conversion of the Pearson Building is proposed to be achieved without significant harm. Loss of original fabric is minor in nature principally loss of internal walls at second floor level. The introduction of new lightweight walls on that floor are fully reversible. The overall form of the building and in particular the principal elevation is not negatively affected and the achievement of a viable use is welcomed.

Summary of comments added by Members of CAAC:

- Although the main importance of this Grade I listed building rests in the oldest part of the complex, the house designed in the 1760s by Joseph Pickford for John Gisborne, the major additions and alterations to the complex made in the 1870s, and later, in order to convert the site for use as the premises for Derby School, form an important part of the history of the complex. Any conversion of these buildings are bound to result in some loss of significance. Para 199 of the NPPF states that

'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in

part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.'

As far as I can establish, the current understanding of the complex rest largely in documentary research and in what can be learnt from an understanding of the architectural detail. To date little has been learnt from a study of the actual fabric of the buildings. As a result, should the Planning Control Committee be minded to approve the proposal, either in its current form or else in a revised version, a condition ought to be attached to any consent requiring that a record be made of the fabric that will be lost prior to its loss. I would suggest that the County Council Archaeological Advisory Service be consulted as what level of archaeological recording they deem to be appropriate. My suggestion would be that a Level III record as set out in the publication 'Understanding Historic Buildings' issued by Historic England in 2016.

The Headmaster's House at St. Helen's was designed by Percy Heylin Currey FRIBA (1864-1942), one of the region's leading Arts-and-Crafts architects for his old school pro bono, as with the former chapel (now lost).

City Centre Conservation Area Grade 2

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| Application No & Location | 20/00690/LBA – Listed Building consent - Alternations 36 Sadler Gate, Derby, DE1 3NR |
| Proposal | Retention of Installation of dumb waiter food hoist from ground floor restaurant to second floor kitchen |

Resolved: Objection

This proposal relates to the retention of an unauthorised food lift. When considering a previous application that included the food lift in March 2017 CAAC resolved that intervention to the fabric of the listed building for the lift is not acceptable. The NPPF states *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”* and *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”* The food lift amounts to less than substantial harm. The NPPF states *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*. Whilst additional justification has been included in the present application compared to the previous submission this is not considered to be sufficient to demonstrate the public benefits outweigh the harm and is not sufficient to justify the retention of the food lift.

No Conservation Area

Application No & Location 20/00858/FUL – Full Application
10-14 St Helen's Street, Derby
Proposal Demolition of existing buildings and erection of 62 bed student accommodation sui generis) together with ground floor café (Use Class A3)

Resolved: Objection

The NPPF states "*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*" The proposed total demolition of a locally listed heritage asset has not been justified. The buildings proposed for demolition have considerable significance not only representing an important element of the history of manufacturing in Derby but also having association with individuals that contributed to the growth of Derby and helped shape the development of the City, as identified in the submitted Heritage Statement. It is recommended the proposal is refused and a more considered scheme should be encouraged that blends the achievement of suitable new development with retention of elements of the heritage fabric including the parts of the original marble works of 1802, and more generally the exteriors of the buildings to the north and south of the site. A revised scheme should be based on the heritage research undertaken so as to achieve some element of linkage with the history of use of the site.

City Centre Conservation Area

Application No & Location 20/00899/CAD – Relevant demolition in a conservation area
Assembly Rooms, Market Place, Derby DE1 3AH
Proposal Demolition of the Assembly Rooms and adjacent multi-storey car park

Resolved: Objection

A Certificate of Immunity with an expiry date of 11 May 2021 was issued under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, stating the Secretary of State did not intend to list these buildings. The current proposal will result in the total loss of the Assembly Rooms and multi-storey car park. It is considered loss of the multi-storey car park could be achieved subject to a suitable replacement development and re-instatement of connections to the Assembly Rooms main building. The Assembly Rooms however, are the most significant building fronting the Market Place. The buildings designed by Casson Conder & Partners were opened in 1977. The Assembly Rooms is a modernist construction in reinforced concrete designed in a brutalist style. The Assembly Rooms have over time been recognised as being of quality design and a fine example of the style and period of their construction. The NPPF very clear stating "*Local Planning Authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss of the heritage asset.*" The current application fails to offer any certainty of development and indeed is silent as to the nature of any development that may be constructed.

Minutes End

