

Case Officer: P Staniforth

Application Nos: CHE/21/00801/FUL  
CHE/21/00802/LBC

## ITEM 1

**REFURBISHMENT, ALTERATION AND EXTENSION OF THE GRADE II LISTED STEPHENSON MEMORIAL HALL – POMEGRANATE THEATRE, MUSEUM & ART GALLERY – TO CREATE AN INTEGRATED CULTURAL CENTRE THROUGH THE INTERGRATION OF THE EXISTING THEATRE AUDITORIUM AND MUSEUM SPACES AT CORPORATION STREET, CHESTERFIELD FOR BAUMAN LYONS ARCHITECTS obo CHESTERFIELD BOROUGH COUNCIL.**

Local Plan: Chesterfield Town Centre Secondary Shopping Area

Ward: St Leonards

Plot No: 2/1080

Committee Date: 28.02.22

### 1.0 **CONSULTATIONS**

Ward Members	No representations received
Environmental Services	No comments received
Leisure Services	No comments received
CBC Drainage Engineers	No comments to make
CBC Estates	No comment received
DCC Highways Authority	Comments received – see report
Historic England	Comments received – see report
Economic Development Unit	Supports proposal – see report
Coal Authority	No objection – see report
DCC County Archaeologist	No objection – see report
Chesterfield Civic Society	Comments received – see report
CBC Conservation Officer	Supports proposal – see report
Derbyshire Constabulary	No objection to proposals
Derbyshire Wildlife Trust	Comments received – see report
Chesterfield Cycle Campaign	Supports proposal

Theatres Trust	Concerns expressed – see report
Victorian Society	Concerns expressed – see report
North East Derbyshire Industrial Archaeology Society - NEDIAS	No comments received
Advertisement and Site Notice	4 representations received in support – see report

## 2.0 **THE SITE AND SITE CONTEXT**

2.1 The buildings the subject of the applications are grade II listed buildings of special architectural or historic interest. They are situated at the junction of Corporation Street with St Marys Gate and Holywell Street and are located within the Chesterfield Town Centre Conservation area. The buildings form part of a group of listed buildings in the immediate vicinity including the Grade I Church of St Mary and All Saints (Crooked Spire) and the Grade II\* 2 St Mary's Gate. All these buildings including the tower of the Stephenson Memorial Hall are prominent local landmarks.

2.2 The List description describes the building as:

*1879. Architects Smith and Woodhouse. Built by public subscription as a memorial to George Stephenson the railway pioneer who lived at Tapton Hall and is buried in Holy Trinity Church. Eastern wing added in same style in 1898. Gothic design. Red brick with stone dressings and slate roof. Building generally of 2 storeys. Irregular plan with tower set in north-west angle to Corporation Street. Tower has short spire and corbelled parapet gabled on each facade. Paired lancets below with string courses and a further window set above Gothic arched door. Facades to west of tower along St Mary's Gate and Corporation Street. 2 bays each with additional angled corner window. Gothic arched windows with dripstones, generally unbarred sashes below. 1st floor windows with mullions and transoms set under Gothic arches which break through eaves as gabled dormers with finials.*

*To east of tower, Corporation Street facade includes end (western and eastern) 2 storey gabled advanced blocks each with fluted*

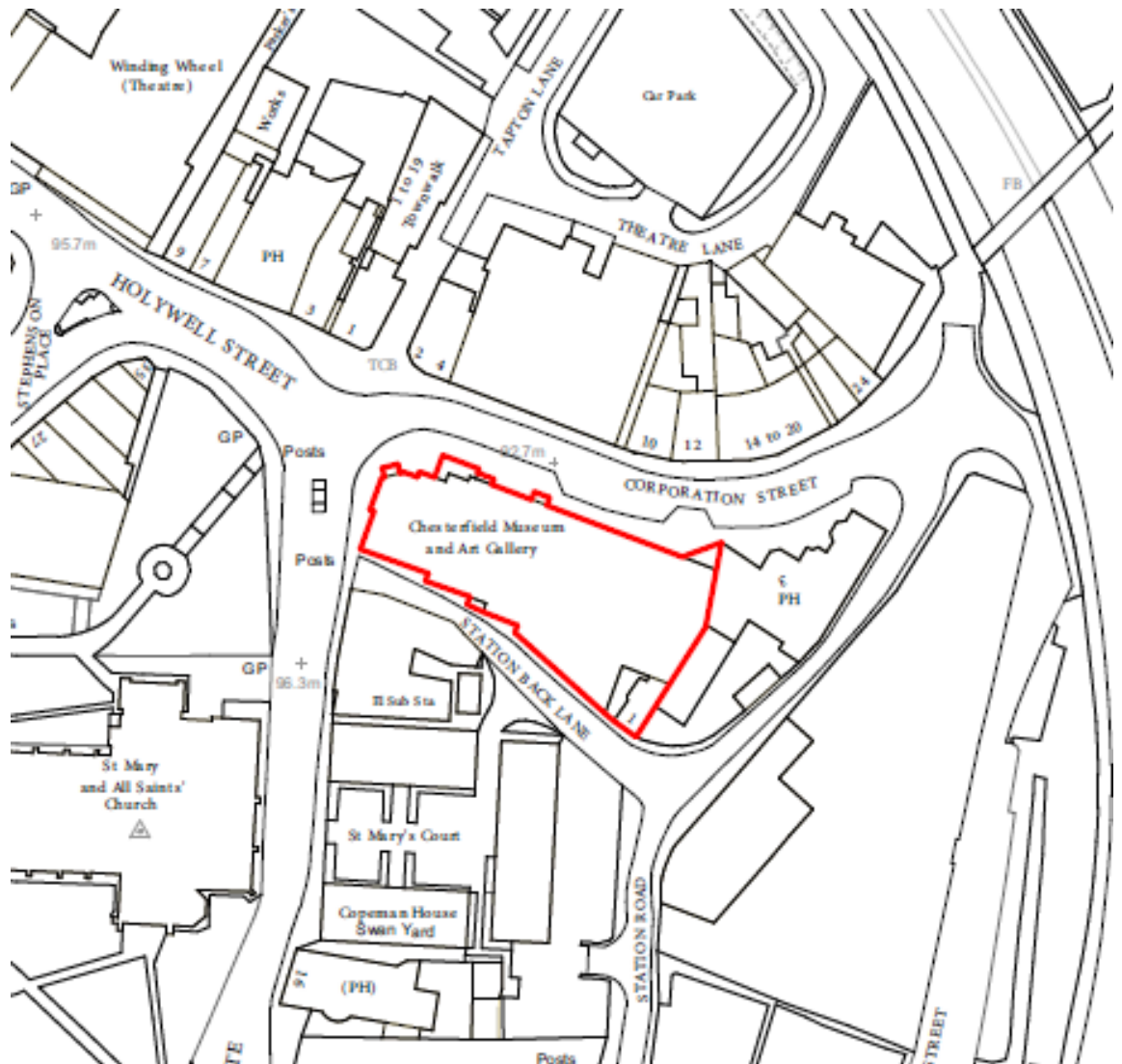
*centre chimney flanked by Gothic arched windows with dripstones, mullion and transoms. Lower advanced section asymmetrically placed between these 2 wings. 1 large Gothic 3 light window in gable end. Flanking this part, to east and west, 1 storey ranges with gabled dormers which break through eaves; parapet and blocking course link these together. Recessed 1st floor of main east-west section rises above these ranges and has similar dormers. The hall and its tower are prominent landmarks. Ref The Builder, July 12, 1879. p. 774.*

- 2.3 Corporation Street is a popular route connecting the town centre area via the footbridge over the A61 bypass with the Railway Station. Those walking from the Railway Station into town have key views of the façade of the building fronting to Corporation Street. This is an important element of the townscape with the Crooked Spire visible behind the roofs of the building from the Corporation Street approach. This route and the building are important parts of the masterplan for the Town Centre and the achievement of a “sense of arrival” in the town when approaching from the railway station.





- 2.4 The site is bounded to the south by Station Back Lane which serves as access for the stage. There is disabled parking and a loading bay currently available to Corporation Street however there is no further parking for the building on the site. Staff, performers and visitors all have to use the number of town centre car parks in close proximity.
- 2.5 The line of the now abandoned Chesterfield Tunnel passes directly beneath the site.



### 3.0 **SITE HISTORY**

3.1 The building dating from 1879 was originally used for lectures, classes, and a library and a room was also originally intended to be used as a museum to hold a collection of geological samples and engineering models. The building was sold to Chesterfield Corporation in 1889 and subsequently extended in 1898 to include a theatre which opened in 1898. The library was then moved to the first floor and the main hall was used as the Council Chamber however these facilities moved when a new Town Hall was built on Rose Hill in 1938 and the library was built on Beetwell Street opening in 1985. In 1949, the building became the first ever repertory theatre to be owned and run by a local council. The following is a list of applications received by the Council.

- 3.2 CHE/0288/0072 – Alteration of Public Library to Community Arts Centre including facilities within adjacent Theatre for CBC – Approved with conditions 15/07/88
- 3.3 CHE/0792/0441 – Alteration and Extension of Library to form museum for CBC – Approved with conditions 16/10/92
- 3.4 CHE/0792/0443 – Listed Building Consent for Alteration and Extension of Library to form museum for CBC – Approved with conditions 18/02/93
- 3.5 CHE/1196/0620 – Listed Building Consent for installation of CCTV cameras for CBC – Approved with conditions 16/04/97
- 3.6 CHE/0203/0083 – Listed Building Consent for enclosure of recess for provision of disabled WC and refurbishment of Interior to create usable space at Theatre for CBC – approved with conditions 10/11/03
- 3.7 CHE/1003/0673 – Infill extension for Disabled WC for CBC – Approved with conditions 20/01/04
- 3.8 CHE/04/00053/LBC – Descriptive plaque for Chesterfield Civic Society – Approved with conditions 15/04/04
- 3.9 CHE/04/00785/LBC – Signage and refurbishment of adjoining main entrance for CBC – Approved with conditions 22/12/04
- 3.10 CHE/06/00641/LBC – Additional Ductwork and Ventilation to lower floor to eradicate high levels of Radon Gas – Approved with conditions 24/11/06
- 3.11 CHE/09/00460/LBC – Internal Alteration to existing bar furniture and fittings for CBC – Approved with conditions 25/09/09
- 3.12 CHE/10/00353/LBC – Renew 4 CCTV cameras at Museum for CBC – Approved with conditions 01/09/10
- 3.13 CHE/11/00199/LBC – Removal of obsolete stairlift and installation of new stairlift for CBC – Approved with conditions 16/05/11
- 3.14 CHE/12/00333/LBC – Internal refurbishment including removal and replacing defective plaster to 3 rooms using lime plaster, replace missing doors and skirts and external repointing for CBC – Approved with conditions 21/09/12
- 3.15 CHE/13/00751/LBC – Technical improvements to auditorium and expansion of seating for CBC – Approved with conditions 28/1/14
- 3.16 CHE/14/00532/LBC – Satellite Dish to south elevation for CBC – Approved with conditions 27/10/14

- 3.17 CHE/14/00686/DOC – Discharge of conditions of CHE/13/00751/LBC – Agreed 04/11/14
- 3.18 CHE/16/00426/LBC – Installation of 5 CCTV cameras at Pomegranate Theatre – Approved with conditions 06/09/16
- 3.19 CHE/16/00488/LBC – Conversion of office to disable toilet at pomegranate Theatre for CBC – Approved with conditions 20/09/16
- 3.20 CHE/18/00702/LBC – New slate roof to Caretakers House for CBC – Approved with conditions 09/01/19
- 3.21 CHE/21/00389/LBC – Commemorative Blue Plaque for Civic Society – Approved with conditions 20/12/21
- 3.22 CHE/21/00462/LBC – Repointing of overflow pipes to rear of high level parapet walls and fabrication of railing to museum entrance for CBC – Approved with conditions 26/11/21

#### 4.0 **THE PROPOSAL**

- 4.1 The applications propose listed building consent for the alteration (both internal and external) and extension of the building together with planning permission for the extensions and external alterations. The proposals can be split into the following component parts:

##### Creating a one building entrance

- 4.2 The existing building has multiple entrances from Corporation Street which are a mixture of historical and non-original entrances. The two main historical building entrances are no longer in use, either closed off or blocked up. The proposal reopens the historic entrance point at the symbolic foot of the tower as the main building entrance for all visitors to both museum and theatre emphasising the transformation of the building to a combined cultural offer. The entrance at the base of the tower offers a focal point to create a new grand main public entrance befitting of a cultural venue. Generously sized steps to the public realm area within highway limits help to clearly signify the entrance point and which are to be integrated with seating. This entrance works with the historic internal circulation and hierarchy of spaces making management of the building easier than multiple

public entry points and begins to create the opportunity of a combined cultural offer.



4.3 The second historic entrance, which has been previously insensitively infilled with modern brickwork, will be revealed with a new glazed opening to a lobby space.



4.4 The existing entrance ramping within highway limits is to be removed and the pavements re-instated. The architectural metal additions over these entrance points will also be removed and the doorway to the museum on the splayed corner will be re-instated as a matching window as original.



#### Integrated theatre and museum spaces

4.4

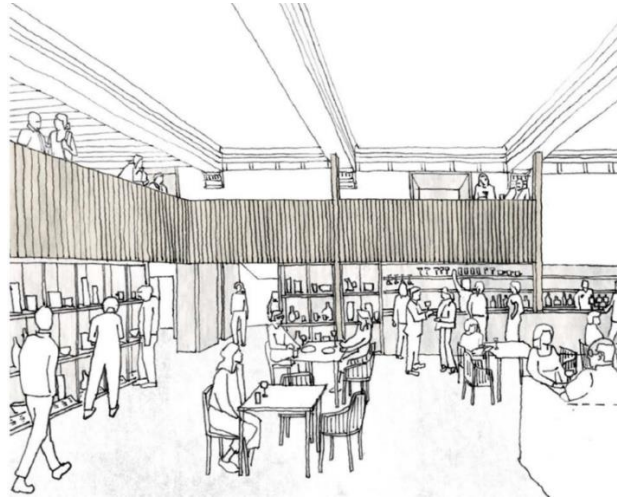
The scheme involves the re-imagining of the ground floor as a series of entrance spaces shared between the museum and theatre and which allows for an integrated cultural offer and a single entrance for all visitors. The new entrance is to be provided with a welcome foyer, retail space, and a relocated bar/café offer. The welcome desk offers visual connections across the ground floor spaces, to the entrance and through to the café/bar and auditorium and which make the most of the generously proportioned existing spaces, such as the former lecture hall and latterly council chamber as the café/bar and entrance to the theatre auditorium.

Immediately inside the entrance point to the building will be a new lift providing access to all floors including the high quality top floor spaces which are currently used as storage. The intention is to locate key objects and displays from the museum collection throughout the building, increasing the potential for stories to be told and people to engage with heritage on their visit. This includes relocation of the medieval builder's wheel which will form a backdrop to the foyer space.

#### Connecting the theatre

4.5

A café/bar occupies the former lecture hall/Council Chamber and which will connect to the other ground floor uses and forms the entrance to the auditorium. New openings are to be formed in the wall between the theatre auditorium and the bar/café space to enable this space to become the main new entrance space to the theatre and which would be a more efficient and high quality circulation route than the current arrangement. The ground floor would feed to the back of the stalls and a new mezzanine floor to the circle. The insertion of a small area of new floor structure, in an area of very high floor-ceiling height above the existing theatre entrance, allows for accommodating a front of house office space and accessible WC whilst still maximising floor area for café/bar.



#### Stalls entrance and improved comfort

4.6

A new, wide entrance to the stalls from the café/bar allows for accommodating visitor flows, getting people in and out of the auditorium quicker at beginning, interval and end of shows. The existing control room is proposed to be relocated from the rear of the auditorium to allow for a new circulation stair and ramp, providing fully accessible access to the stalls from the café/bar.

The proposal involves changes within the auditorium to improve seating numbers and comfort, conditioning of the space and to offer much improved theatre visitor experience.

The auditorium currently has 597 seat capacity and the proposal increases this to 633. This is achieved by reconfiguration of the dress circle to include 2 additional rows by extending the cantilever forwards and by changing the rake of the seating to increase the height of the rear most seats and improve visibility of the stage. This has an impact on the balcony balustrade/frieze which will be reduced and brought forwards towards the stage and one of the metal tie rods in the roof which is shown to be removed. The raked stage floor is also to be removed and replace with a lowered flat floor. The forestage area is to be removed from the scheme allowing additional seating rows to the front of the auditorium. All seating in the stalls is to be replaced.



#### Mezzanine bar and new connections

4.7

The mezzanine first floor is to be accessed from the central circulation core of the building with access from the foyer and café/bar areas. Proposals for a mezzanine bar, rear circle access, and new extension to Corporation Street enable the maximum integration of existing spaces in the building and visitor flows. Converting and opening up the existing gallery mezzanine creates a more open feeling to the café/bar area and provides an additional circle bar with seating overlooking the space below. These spaces enable the serving of additional interval drinks, helping to support the revenue position in the business plan. A new, centrally located, opening in the rear wall to the circle level of the auditorium creates another connection from the café/bar spaces to the auditorium. An altered seating layout, new seats, and building out the fronts of the circle provide more space for improved comfort levels for theatre users.

#### Creating a gateway impact

4.8

A new 'link gallery' is proposed to the Corporation Street frontage by connecting through to the mezzanine bar area. The space can be used together with the other areas of the bar as interval spill out space, connecting to a side entrance to the circle and an additional escape stair, or can be closed off to be used for a separate function whilst maintaining the escape route. The new spaces are intended to be multi functional and flexible and which can be used for example as education space, temporary dressing room space for choir use or separate function space. A new stair and lift provides a circulation route to the secondary street entrance/exit as well as down to the lower ground floor and the WCs.

The new extension will be a contemporary addition to the façade comprised of a flat roof with zigzag façade made up of 50% glazing units and 50% paternated bronze clad walling sat above a zigzag glazed tile plinth. This extension involves the removal of the pitched slate roof behind the 4 No smaller projecting gables to the Corporation Street façade with the new extension set back behind the existing retained gable features. The extension also has an impact on the 4 No set back upper level gabled windows where the lower sections are to be infilled. To ensure the connections within the internal spaces the intention is to connect through the side walls of the larger projecting gable to Corporation Street.



#### Reimagining the museum experience

- 4.9 The existing museum storage and office space on the upper floor is proposed to be permanent museum exhibition spaces and which would be connected to the building entrance spaces by a proposed new passenger lift and central circulation stairs.

#### Increasing capacity and accessibility

- 4.10 The proposal involves the introduction of two new lifts on the Corporation Street side of the building and which together with the third lift in the back of house area increase the accessible areas of the building from 30% up to 95%. This is achieved via new main circulation routes connecting all floors of the building to the ground

floor spaces including the café/bar areas, museum, auditorium and back house areas. The main passenger lift is a larger capacity lift when compared with the back of house and secondary lifts proposed. Accessible routes are created within the building by replacing the existing stepped accesses with ramped routes. New wheelchair accessible spaces are included in the auditorium area and which can be accessed via accessible routes from outside the building. The scheme proposes new WC facilities throughout the building including relocating the existing stepped accessed bar and toilets from the semi-basement level. Increased WC provision in line with modern building requirements is proposed and the scheme also includes provision of a changing places facility.

#### Overhauled back of house areas

- 4.11 The back of house spaces for performers are proposed to be transformed and overall provision increased by relocating all dressing rooms to a rebuilt Station Back Lane building. The new 3-storey building will include the provision of a lift enabling all dressing room spaces to be fully accessible. Additional storage space is provided in a widened, covered stage get in with increased bin storage accessed directly from street level and in close proximity to the kitchen. A new crossover will be provided for staff and performers to pass from one side of the stage to the other without crossing the stage.

#### Rebuilt Station Back Lane building

- 4.12 The scheme involves the replacement of the rear Station Back Lane back of house buildings which comprise of the single storey range between the Auditorium and Station Back Lane. The new building is proposed as a three storey flat roofed extension and which will be integrated into the accessible spaces within the main building. At lower level the extension provides covered access to the stage get-in, a workshop, waste storage and circulation spaces. At each of the first and second floors there are two dressing rooms and WC/Shower rooms and all floors are connected by a lift and staircases/ means of escape. There will be an increase in the overall dressing room area compared to the current provision. The extension also provides space

to accommodate new mechanical plant equipment to enable improved auditorium comfort.

The new extension will have a contemporary appearance whilst utilising a similar palette of materials to the existing building. It will incorporate a zigzag feature in the façade which will accommodate recessed glazed brick features and glazing units. The lower two storeys are to be constructed of brick which match the existing building and which are to be topped with a decorative glazed tile band in a zigzag formation. The top floor is to reflect the Corporation Street zigzag extension including 30% glazed units and 70% zinc cladding. The new extension provides the opportunity to create backlighting to the stained glass windows on the side walls of the auditorium and which will add to the character of the interior of the theatre before lights are dimmed. These windows are currently covered within the auditorium with a crude painted corrugated sheeting.



#### 4.13

##### Repair Works

- DOFF (high temperature steam) cleaning to all facades;
- Masonry repairs with matching materials;
- Removal of all external services, signage, modern plastic grills and make good holes in brickwork and stonework;
- Replacement of all rainwater goods with cast iron/cast aluminium;
- Replace roof covering with matching slate and new lead flashings and leaded valley gutters including any timber repairs;

- Refurbishment of all windows with new seals, glazing where broken, timber repairs and decoration. The former leaded Council Chamber window to Station Back Lane is to be retained but is to have the existing external polycarbonate cladding removed and which is to be replaced by metal framed double glazed units opening outwards.



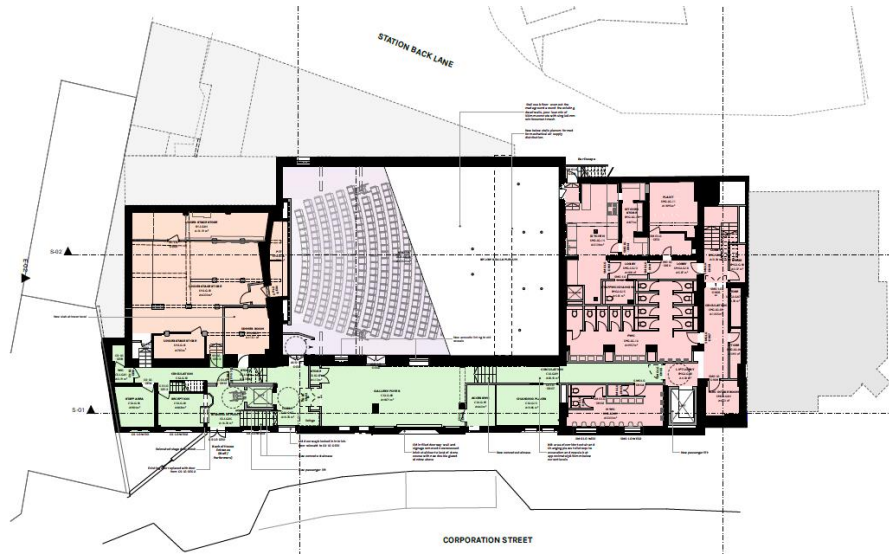
4.14 Integrated solar photovoltaic panels are proposed to the south facing pitch of the auditorium roof, subject to further structural feasibility. The area proposed extends to 16.5 metres by 4 metres.

The existing Caretaker's House has recently undergone repair and refurbishment work and which will continue generally unaltered to be used for office and crew space.

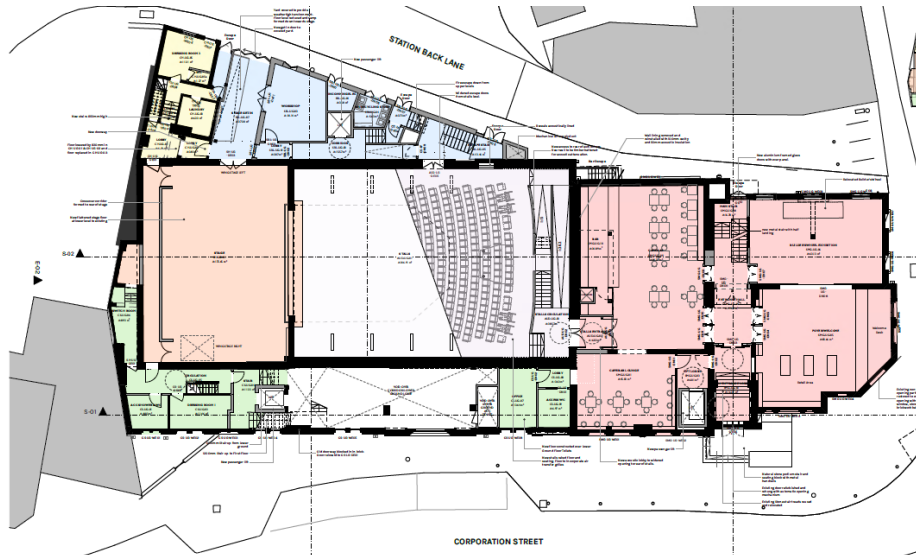
4.15 The application is accompanied by the following supporting documents:

- Design and Access Statement (Incorporating Heritage Impact Assessment) by Bauman Lyons Architects Ltd dated October 2021;
- Plans (the full of list of plans is itemised in condition 2 of recommendation);
- Re-Imagining Stephenson Memorial Hall – Visitor Experience Approach by Core Visitor Experience Design dated 7<sup>th</sup> October 2021;
- Access Statement RIBA stage 3 by Burdus Access dated 7<sup>th</sup> October 2021;

- Heritage Statement by Ferrey & Mennim Architects dated October 2021;
- Noise report by Charcoalblue dated October 2021;
- Ecological Bat roost Suitability Assessment by Brooks Ecological dated 14<sup>th</sup> September 2021;
- Contaminated Land and Geotechnical Desk Study by Ramboll dated September 2021;

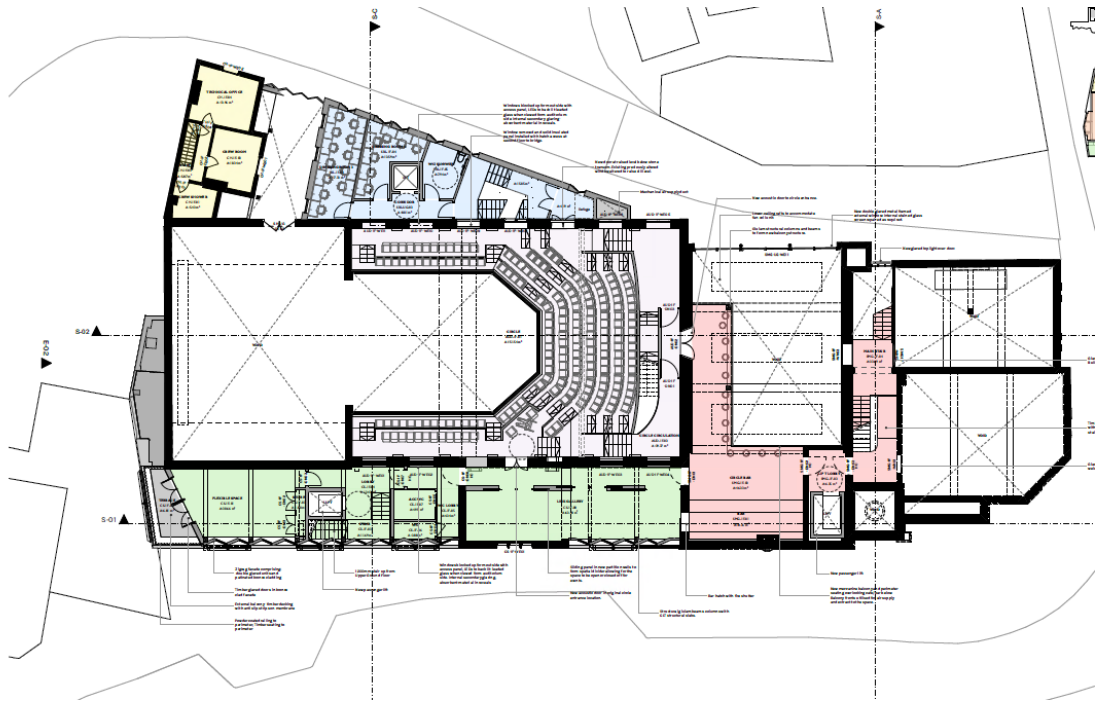


Lower ground floor

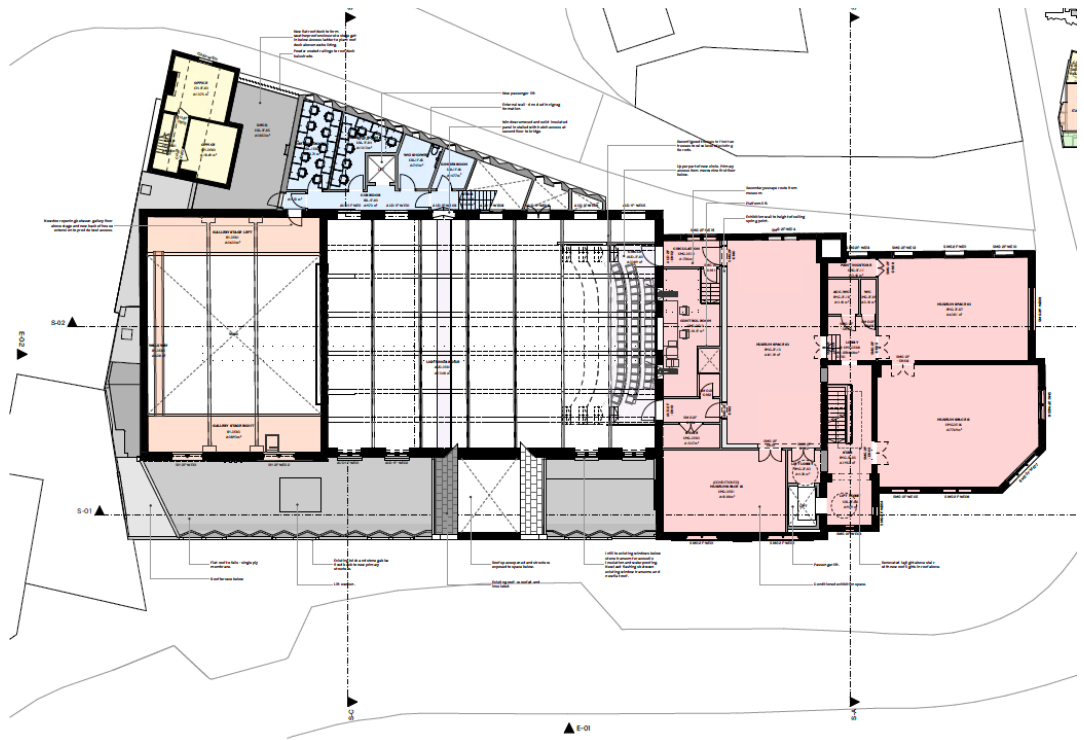


Upper ground floor

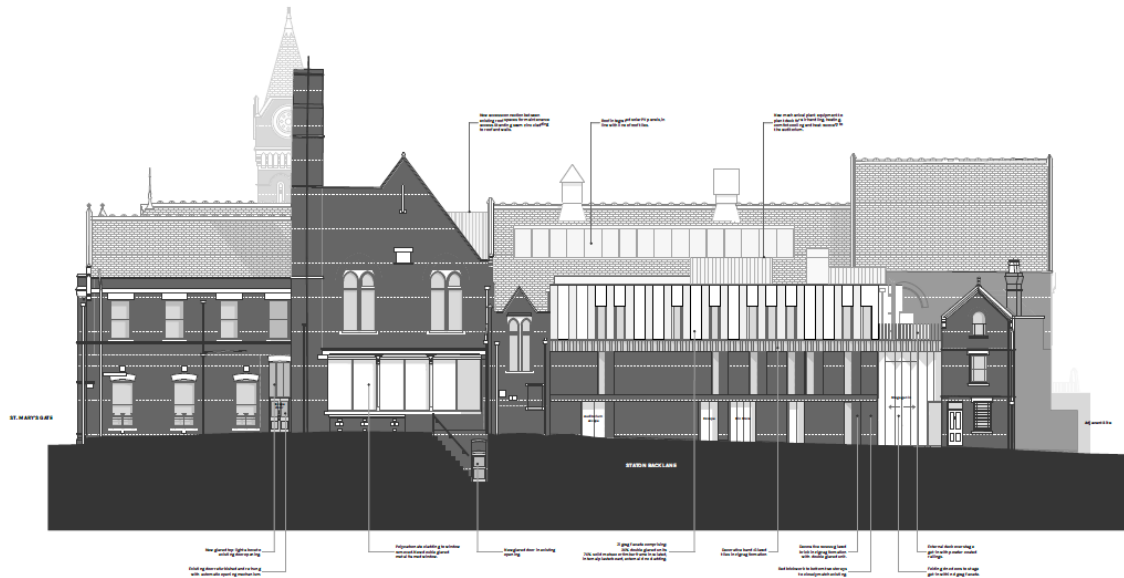




First Floor Mezanine



Second floor



## 5.0 **CONSIDERATIONS**

### 5.1 **Planning Policy**

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, ‘applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise’. The relevant Development Plan for the area comprises of the Chesterfield Borough Local Plan 2018 – 2035.

### 5.2 **Chesterfield Borough Local Plan 2018 – 2035**

- CLP1 Spatial Strategy (Strategic Policy)
- CLP2 Principles for Location of Development
- CLP6 Economic Growth
- CLP7 Tourism and Visitor Economy
- CLP8 Vitality and Viability of Centres
- CLP10 Social infrastructure
- CLP14 A Healthy Environment
- CLP16 Biodiversity, Geodiversity and the Ecological Network
- CLP20 Design
- CLP21 Historic Environment
- CLP22 Influencing the Demand for Travel

### 5.3 **Other Relevant Policy and Documents**

National Planning Policy Framework (NPPF 2019)

- Chapter 12 – Achieving Well Designed Places;
- Chapter 15 – Conserving and Enhancing the Natural Environment;
- Chapter 16 – Conserving and Enhancing the Historic Environment.

### 5.4 **Key Issues**

- Principle of development – National and Local Policy;

- Heritage Impact – Alteration of and Setting of Listed Buildings and Archaeology;
- Design and Appearance;
- Highways Impact;
- Noise Impacts;
- Coal Mining and Ground Stability;
- Biodiversity and Impact on Ecology;

## 5.5 **Principle of Development**

5.5.1 Policies CLP6, 7 and 8 promote sustainable economic growth of the town which benefit tourism and visitors but also the vitality and viability of Chesterfield as a centre.

Policy CLP6 states that “*development should deliver sustainable economic growth by supporting existing jobs and businesses and delivering inward investment*” and that “*Proposals that facilitate a mix of uses will be encouraged.*”

Policy CLP7 states that “*The Council will promote and enhance tourism development in the borough where it is:*

- a) located in areas that can accommodate additional visitor numbers without detriment to the environment or the vitality of existing centres;*
- b) appropriate to the local environment and context;*
- c) contributes to sustainable economic growth and the delivery of the Local Plan;*
- d) in locations that are well connected to other tourist destinations and amenities, particularly by public transport, walking and cycling. In particular, proposals for tourism development will be encouraged where they are related to:*
  - i. enhancing the offer of existing centres;*
  - iv. railway and industrial heritage;*
  - v. connections with the Peak District National Park*”

Policy CLP8 states that “*The council will support the role of the town, district, local service centres and local centres in providing shops and local services in safe, accessible and sustainable locations. New development within centres shown on the Policies Map should make a positive contribution to the centre’s viability and vitality and be of an*

*appropriate scale.*

*To ensure the vibrancy, inclusiveness and economic activity of the borough's centres, main town centre uses including health, leisure, entertainment, community facilities, sports, offices, art, food and drink, cultural and tourism facilities will be supported".*

5.5.2 The Councils Corporate Plan 2019-2023 is based on the Council vision, 'Putting our communities first' - '*Chesterfield Borough Council is here to serve and support our communities including our residents, tenants, businesses, visitors, students and voluntary groups. Together we will continue to make our borough a great place to live, work, visit and invest.*' This vision feeds into three core objectives; Making Chesterfield a thriving borough; improving the quality of life for local people and providing value for money services. Within these three objectives the following are most relevant to the proposal being considered:

- Increase the number of overnight stays in the borough and increase the contribution of tourism to the borough's economy year on year.
- Deliver high quality, value for money services and maintain customer satisfaction ratings.
- Increase footfall with a range of events and specialist markets each year.
- Reduce the subsidy (net operational costs) further for our theatres and leisure centres.

5.5.3 The Pomegranate Theatre and Chesterfield Museum are great assets to Chesterfield and which contribute to the economic wellbeing of the town. The proposals are a part of a wider scheme within Chesterfield to regenerate the town centre and which is the subject of the recently announced Levelling Up Fund (LUF) award. The proposals for this building seek to refurbish, reconfigure and conserve Stephenson Memorial Hall to provide an integrated cultural venue in the town to ensure the future ongoing use of what is an important heritage asset. The LUF has also been secured to deliver significant public realm works in the town between the Theatre/Museum on Corporation

Street, Rykneld Square, Burlington Street through to the Market Place area. In so far as the Stephenson Memorial Hall the key objectives for the proposals include:

- Creating one main building entrance and integrating the theatre and museum spaces.
- Providing an enhanced experience for all building users including staff, visitors and performers.
- Creating a gateway impact as part of the wider regeneration of Chesterfield town centre.

The proposals seek to provide a rejuvenated facility by re-configuring the internal layout of the building where necessary, rationalising access points and modernising the theatre offering for all users. In addition to this, to maximise integration throughout the whole building, a contemporary first floor extension adjacent to Corporation Street is proposed. This will both connect the theatre and museum throughout the building but also provide a multi-functional and flexible space which could be used for a range of different activities to suit demand. On Station Back Lane, the proposal seeks to demolish and rebuild the rear block with a 3-storey extension which will provide a rationalised escape stair serving the whole auditorium and improved back-of-house facilities.

- 5.5.4 Paragraph 8 of the NPPF sets out the principle that achieving sustainable development means that the planning system has to deliver on three overarching objectives, which are interdependent and which need to be pursued in mutually supportive ways. Reference is made to economic, social and environmental objectives.
- 5.5.5 Museum and Theatre projects have the opportunity of delivering substantial benefits to the local communities which they serve and to the wider surrounding area. There will be undoubted and significant positive effects that restoration of the building will have on the quality of life in the area, acting as a focus and catalyst for social, economic and environmental regeneration.
- 5.5.6 In so far as the social benefits are concerned the re-invented building offers up dated facilities which will be open and accessible to all and

which will support a strong and vibrant community by ensuring that updated state of art accessible facilities reflect current and future needs and are provided to support the towns social and cultural well-being. A re-invented museum and theatre would also create a range of economic opportunities and benefits as a part of the scheme by improving the offer available in the town with for example the new café facility, the changing places facilities and the opportunity to attract larger and more significant shows at the theatre. Environmentally the proposed scheme will also contribute to protecting and enhancing the built and historic environment in a sustainable way.

5.5.7 The Economic Development Unit (EDU) is supportive of the application on the basis that there will be significant employment, training and supply chain opportunities created during the construction of the development. The EDU recommends that a local labour / supply chain clause is negotiated and secured via either a s106 agreement or planning condition which would encourage local employment, training and supply chain opportunities during the construction phase to promote such opportunities to local businesses and local people. The procedure of securing benefits for local communities from development activity meets the objectives of the Council Corporate Plan and policies of the Chesterfield Local Plan Core Strategy 2018 – 2035.

5.5.8 During 2018/19, there were 254 professional theatre live performances, 46 amateur live performances and 414 cinema screenings which resulted in a total of approximately 86,000 attendances. The net operational costs for the theatre in 2018/19 was approximately £132,000. The Museum houses a permanent collection, and a series of main exhibitions, events, and smaller exhibitions and in 2018/19 there were approximately 26,000 visitors. The net operational costs for the museum in 2018/19 was approximately £195,000. Both the theatre and museum currently operate at a financial deficit and which therefore requires £327,000 subsidy from the Council. Furthermore, the building is in need of refurbishment to keep operational. Kier carried out surveys in 2018 and identified that approximately £1.8m expenditure was required for the Pomegranate

Theatre over the next 10 years and £700,000 was required for the Museum over the next 10 years.

- 5.5.9 One of the key drivers for the project is therefore to increase revenue opportunities to decrease Council subsidy.
- 5.5.10 A recent audit of Chesterfield's existing visitor offer and future development opportunities states that Chesterfield is easily accessible to a substantial day visit and short break market, with 23 million people living within a two-hour drive of the borough. The paper suggests that there is an opportunity to develop a cultural quarter around the Crooked Spire and the Museum. It points out that while the Crooked Spire attracts around 50,000 visitors per year and the museum 26,000, Chesterfield town centre lacks sufficient 'depth' to encourage large numbers of people to visit or dwell for an extended period. The theatre and museum provide a contributing offer but which is considered to have significant weaknesses in its accessibility since the upper floors of both the theatre and museum are not accessible to people with mobility difficulties, the comfort levels for visitors and the limitations arising from the outdated facilities and technology and the limited seating capacity. Attracting performances will also be limiting due to the poor quality back of house facilities. Restoration of the building is also essential to showcase the architectural heritage of the town as well as for environmental and financial sustainability, to attract producers, directors, performers and audiences in both the medium and long term and to improve physical access to the building. The aims for the proposed scheme should be to create a more sustainable offer in the town which also offers high quality customer experiences which contribute more significantly to the economy of Chesterfield by drawing more visitors to the town. At the same time an integrated approach between theatre and museum can encourage learning about Chesterfield's heritage however to achieve these aims an innovative approach to income generation which maximises the revenue from the site and configures the use of space to maximum advantage is required.



5.5.11 The NPPF makes it clear that planning decisions should support the role that town centres play by taking a positive approach to their growth, management and adaptation. Reference is made to promoting vitality and viability by allowing them to grow and diversify in a way that can respond to rapid changes in the leisure industry. Paragraph 93 states that planning decisions should provide the social, recreational and cultural facilities and services the community needs and should be planned positively for the provision and use of community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities... It is considered that this proposal is acceptable in principle bringing significant opportunities to achieve social, economic and environmental benefits to the town.

6.5.11 In setting out support for the principle of such a proposed scheme as above the NPPF and local plan recognise that such projects will also have a range of impacts that may need to be mitigated to make them acceptable. Such matters are dealt with in the sections of the report below.

## 6.6 **Heritage Impact**

6.6.1 The National Planning Policy Framework sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting and that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. (paragraph 194). At paragraph 195 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise and that they should take this into account when considering

the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 199 states that 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. Paragraph 197 states that the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness should be taken into account.

- 6.6.2 Paragraph 202 sets out that where a development proposal leads 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.
- 6.6.3 The Councils adopted Local Plan includes policy CLP21 which states that when assessing the impact of a proposed development on the significance of a designated heritage asset, the council will give great weight to the conservation of designated heritage assets and their setting and seek to enhance them wherever possible.
- 6.6.4 The applicant has provided a Heritage Statement (HS) by Ferrey & Mennim Architects Ltd which refers in detail to the significance of the heritage asset considering the history of the building, the proposals and details of mitigation measures.
- 6.6.4 The HS considers the evidential, historical, communal and aesthetic value commenting that the Stephenson Memorial building demonstrates significant value in all categories. The HS refers to connections between present and past generations who have enjoyed personal connections and interactions with the building via association with its historical development. Its commemoration to the notable railway pioneer George Stephenson offers significant historical value demonstrating the importance of Chesterfield's rich engineering and

railway heritage. Its construction occurred in response to social and commercial pressures in the area e.g., the community felt it was important to commemorate George Stephenson and it was mainly built by public donations and fundraising. Reference is made to the aesthetic value where, for example, the Listing Entry primarily focusses on the aesthetic merits of the building and it's external detailing. Internally, the building has a number of period features including decorative plasterwork and mouldings, timber detailing and stained-glass windows (including one dedicated to George Stephenson) which all contribute to the aesthetic value of this important building.

### Museum building

6.6.5

The Chesterfield Museum building is to be refurbished but will generally remain in the same plan form. The historic entrance on Corporation Street will be reopened and reinstated in order to provide a single entrance for visitors to the museum and theatre resulting in the existing museum entrance doors being removed and reinstated with a new window to match the original.

The two side by side photographs below show the 1966 building compared to current.



In order to facilitate level access into the building, the re-configured entrance will not be reinstated as it was historically, but will appear original externally. Reference is made in the submission to the original stone staircase underneath the existing floor, to be removed to allow for the formation of a lobby which will provide direct access into the new lift which will be installed on the left side. A new staircase will then

be formed in front of this lobby which will give direct access into the main entrance hall. Inspection on site confirms that the existing stair has been altered and is not stone but is now a cast concrete stair. Externally, the pavement will be regraded to provide level access directly into the lobby. Reopening this historic entrance as the main entrance will result in some loss and impact on the decorative tiled finish, especially where the lift access is provided however a detail can be achieved to ensure the Victorian character of the finishes in this lobby are appropriate reusing existing material. Such alteration is not significant when compared to the opportunities offered to improve accessibility across the building.

- 6.6.6 At the entrance level, other interventions include relocating the builder's wheel, removing the access ramp in the rear museum room and removal of the central staircase balustrade (note, the staircase will be retained below a new floor which will be inserted to cover this void). Doors and/or moveable partitions are to be added in several locations, but generally these are to be fitted within existing apertures without loss of existing fabric. The museum space (previously the Lecture Hall) adjacent to the theatre will be repurposed to house the new café/bar and will also include a new opening directly into the auditorium. The numerous original features in this room including decorative downstands with mouldings and corbels, cornices and timber panelling all of which will be retained. At first floor mezzanine level within the new café/bar a gallery will be formed which will include a new opening directly into the circle. The design and placement of this intervention will be sensitive to the design of this room but will be a reversible intervention, sympathetic to the scale and proportion of the room. These changes will be a minor disruption to the historic fabric. On the second-floor new partitions will be added to form new spaces as required, however, these will be within the historic plan form of the original rooms and will be removeable if required.
- 6.6.7 Within the existing museum store, an air-conditioned space with a lowered ceiling will be introduced which will still allow views toward the windows on the north wall. This room also has a raised floor level. A

proposal to lower this to provide level access throughout the museum was considered too great an intervention especially due to the insertion of the lift which ensures access to all spaces for all building users. Some new openings will be formed within the historic walls to fully integrate the building, however these are not thought to involve significant loss of historic fabric apart from the proposed opening into the auditorium which may lead to a loss of some timber panelling.

#### Corporation Street/extension

6.6.8 As part of integrating the existing museum and theatre it is proposed to develop a connection by building a contemporary first floor extension running adjacent to Corporation Street and which will provide a multi-functional flexible space but primarily one which integrates the whole building. This extension will require the removal of some existing features in the building including the staircase between the theatre lower ground floor and upper circulation space which currently provides the main access into the circle. According to the 1879 floor plan there was always a gallery to the lecture hall, however, it is thought that the extant staircase is not part of the original as built scheme. Whilst this staircase provides a pleasant entrance into the auditorium, which is adjacent to the commemorative stained-glass window of George Stephenson, it is not of particular architectural merit and its removal does not involve a significant loss of heritage fabric. The extension will be modern in design to ensure that it is an obviously new addition to the building and not a pastiche. It will incorporate a lift to provide disabled access to the circle, which is not currently available. The new extension will mask some of the windows on the north side of the first floor which will be blocked up externally and back lit within the theatre. At present, these windows cannot be appreciated from street level and so this will enhance their value to visitors within the auditorium by enabling them to be appreciated in greater detail.

6.6.9 The existing area at ground floor level (area immediately below the extension) will be rationalised and will provide ramped access between the two lifts and a Changing Spaces facility. The remaining areas and those on the upper floors will remain largely unchanged, however, the

use of some rooms are to be reallocated. The original entrance to the theatre will be reinstated (the current entrance doors and canopy will be removed) and which will be a positive intervention to the Corporation Street elevation as the current blocked up opening is not in keeping with a building.

#### Station Back Lane

- 6.6.10 The existing Station Back Lane block is not fit for purpose and so it is proposed to be demolished and replaced with a modern purpose built three-storey extension. The new extension will largely follow the same footprint as the existing building and house dressing rooms, lift access, a bin store and escape stairs from the auditorium and upper levels of the new extension. The extension will be contemporary whilst making use of a similar palette of materials to the existing building. The building to be removed is plain and not of the same calibre of design as the remainder of the building. Due to the limited significance of the existing block, the benefits of the new extension outweigh the loss of this part of the building. This change also offers increased roof space which provides the opportunity to mask plant at roof level. Whilst the new extension will mask the blanked out windows in the auditorium, the opportunity arises to acoustically seal these windows and change them such that they can be backlit for the benefit of those in the auditorium. The proposed extension also provides a remodelling the area and an opportunity to improve egress arrangements from both the stalls and circle within the auditorium. The proposals will allow for including integrated PV panels on the south slope of the main building adjacent to the new extension and which provide a good and reversible opportunity for improving the building's sustainability and provide a potential source of ongoing revenue.

#### Auditorium

- 6.6.11 The proposals seek to upgrade the visitor experience and increase occupancy within the auditorium by removing the existing seating and replacing with new in a different configuration without an aisle. All seats within the auditorium will be accessible. The internal control rooms to the rear of the stalls will be removed and relocated to the

second floor into the existing museum store space. A new opening is to be provided connecting the new bar area and access ramp providing disabled access into the theatre. The circle will be reconfigured with the seating and staging replaced to both provide more comfort and increased occupancy. The proposals seek to raise the rear level of the seating platform and make it deeper by removing two bays of the balcony balustrade and moving the remaining balustrading slightly forward towards the stage. This will produce a different steeper rake which will improve visibility of the stage in addition to providing an increased and more comfortable seating arrangement. Due to a change in the line of sight the application proposes that at least one of the metal truss tie rods will need to be removed and the affected truss(es) adapted accordingly. The changes will not result in an adverse appearance of the auditorium from the stage but will be much improved. There will be an increased number of seats available which have an improved view of the stage. The main impact arising will be the forward extension of the balcony by 4 new seating rows involving the removal of two frieze panels each side. The existing hexagonal balcony shape is maintained providing a uniformity to the appearance of the proposal. It will be necessary to secure further detail of the structure of the extended balcony and any supporting columns together with the soffit / underside of the balcony. The impact of the forwards projection of the balcony will potentially impact on the rear seats in the stalls below however it has been confirmed that views would not be unreasonably impeded with just a limit on upwards views from the rearmost seats. There is some uncertainty as to the structural solutions to allow removal of the tie rod. This would be for the rearmost roof truss however it is clear that views from the upper most seats in the circle would be impeded by the existing roof tie rod if it were not removed. It is considered that this issue can be explored further by condition with the opportunity to agree the structural solution provided it is possible.

- 6.6.12 In order to accommodate the new control room, the existing blind arched openings on the west wall will be opened up and glazed however due to levels and technical requirements of the control room

the arch heads may be lost. This loss of detail is considered to be a reasonable and proportionate intervention within the wider development of the building especially since the west wall is not the focus of the auditorium, and such an intervention is necessary from a functional perspective. It is considered that the proposals on balance will not detract from the inherent heritage values and significance of the auditorium as a whole.

### Stage House

- 6.6.13 The Stage House will remain largely unchanged apart from removing the forestage which will allow for increasing seating at the front of the auditorium. The stage depth has been increased since 1952 and is a modern addition and its removal is not considered to be adverse. The stage in door will be raised to improve access for stage apparatus. The current opening cuts through the corner of a blocked-up archway which will be cut into further, but it is not thought that this will be of further detriment to the building. The stage door and its aperture is already large and will be concealed from view from ground level by the new Station Back Lane extension and roof deck.
- 6.6.14 The main consultee in this case is Historic England because an outstanding objection would result in the need for the Council to refer the case to the Secretary of State if it were minded to grant permission (since the Council is the applicant).
- 6.6.15 Historic England (HE) comment that the new structures would support better circulation and facilities both front and back of house through what is a tightly constrained site. In particular they note improvements to capacity, flexibility of offer, accessibility, toilet facilities, dressing rooms and general visitor comfort and convenience, all of which contribute to delivery of public services and sustainability of the venue.
- 6.6.16 HE comment that the proposed works to re-set and reconfigure the seating and circle within the auditorium would not have harmful impact upon the significance of the building and whilst some loss of historic fabric would result (in particular two decorative panel to the circle) the



overall improvement of function and event capacity in the space would appear to justify these works. HE note also that the historic glazing currently concealed by corrugated asbestos cement sheeting to the inner face of windows to the main hall is to be revealed and backlit within the scheme better revealing the historic and architectural quality of this space internally.

HE comment that the proposed rear extension would result internally in the loss of historic spaces but these appear to be of secondary importance, likewise on the Corporation Street side the proposed linkage clasping the mid elevation former main entrance structure would for instance result in the loss of the former ice-cream kiosk, again an interesting element but of secondary importance.

Works to reconfigure the main entrance arrangements from the existing non-historic entry at the corner to the original main entry on Corporation Street are generally beneficial, the detailing of the level access and lobby articulation to the new lift at its left will require submission of further drawn detail. Whilst some loss of historic tiling will result this is acceptable if well finished with recovered tiles used to address historic damage. HE comment that the proposed relocation of the winding wheel within the downstairs space and the transformation of other rooms to exhibition and display space supported by a cafe-bar facility are all beneficial. Improved access arrangements across the scheme will facilitate the removal of much later 20th century intervention and this is to be welcomed as is the retention and refinishing of historic panelling throughout.

- 6.6.17 HE make reference to the current museum stores where there are extensive runs of historic timber library shelving, commenting that this is high quality and offers much to enhance the historic character of the space in the refit. Care must be taken to avoid the loss of this resource when collections are moved to off-site storage and that in the hands of skilled joiner much of this shelving can be reused in the fit out. Overall the scheme offers the opportunity for more effective and functional internal spaces providing significant improvements in capacity, flexibility and access for all both for visitors and performers, the

building presents significant challenges to achieving this functionality in a constrained site with level changes along its main axis.

- 6.6.18 The key area of concern for Historic England is the impact of the proposed structural interventions on the long elevations of the main hall and the prominence of this new work to the Corporation Street façade at the expense of the rhythm and visual integration of the multi-phase neo-gothic work. HE make reference to the list entry “*The neo-gothic treatment of the main hall with dormers to both long elevations is a key feature of the building.*” HE comment that the prominent new linkages across the dormered windows on the Corporation Street face and the capture of the majority of those matching dormered windows by the new structure on the Station Back Lane elevation will result in a high degree of harm to the significance of the listed building. HE recognise that the prominence of the work proposed on the Corporation Street facade is deliberate and intended to provide visual interest within a wider strategy for pathways from the Station to the Town. HE comment that as an overall scheme the exterior interventions present a high level of harm to significance touching as they do on the core architectural treatment of the main body of the building, only the better revealing of interior historic spaces and the support of ongoing historic uses within the scheme draws this back from substantial harm to significance as a whole.
- 6.6.19 Reference is made to the National Planning Policy Framework which states that all harm to designated heritage assets requires clear and convincing justification and to be set against public benefits with great weight afforded to the conservation of the assets significance. Setting effects must also be considered, which in this instance would be the juxtaposition of the new work against the spire of the Grade I listed church of St Mary in views on approach up Corporation Street and more broadly the impacts upon the character of the conservation area. HE refer to paragraphs 194 and 195 which treat the need for sufficient information to be provided by the applicant and for the authority to have access to a sound evidence base and advice in coming to its determination, the authority should seek to resolve conflicts between

any aspect of a scheme and the conservation of the assets, in that context whilst much material has been submitted in relation to significance and impacts some further detailing of works at the new the main entrance is necessary to resolve the plans to determinable point, likewise the union between old and new work on the both long elevations is challenging and will required detailed work to finesse and ensure performance.

Having said this HE comment that the functional justifications are set out in the submitted material and the harmful impact specifically on the long elevations is evident, and HE do not in this instance propose to press for some technical resolution of this tension or for a specifically less prominent design solution. HE say that if the case can be made for the new works to deliver the benefits set out, and if there are not any wholly different means available to deliver those needs, then there appears little opportunity to make the solution more sympathetic. HE stress that the Local Authority in its role as LPA needs to be convinced not just that there is a need which outweighs harm but that the solution is the least harmful deliverable route to addressing that need. The specification of the new facing materials, their weathering and maintenance and the interface between old and new fabric to ensure against leakage or other failure are all of the utmost importance should the Council be minded to give consent.

- 6.6.20 Historic England has concerns regarding the applications on heritage grounds however provided that the issues and safeguards outlined in their advice above can be addressed in order for the applications to meet the requirements of paragraphs 194,199, 200 and 202 of the NPPF then HE would not wish to intervene. In determining the applications the Council should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 6.6.21 The Victorian Society (VS) strongly supports in principle works to the building which will secure both its fabric and its future use. The building has had a number of important civic uses since it was first erected; its current uses as theatre and museum are of considerable communal value to Chesterfield and the Borough Council must be congratulated on its determination to ensure the building's continued civic role. The VS appreciate that both theatre and museum currently run at a deficit, that the buildings are in some ways both thermally and practically inefficient, and that it would be of real public benefit to make changes which address these issues. In broad terms, therefore, the VS think that some harm to the significance of the building could be justified however they have serious concerns about some elements of the current proposals, which will be disproportionately harmful to the significance of both the listed building and the town centre conservation area and remain unclearly justified. They strongly recommend that consent is withheld and revisions are sought.
- 6.6.22 The VS comment that given that most changes are likely to cause harm to significance, it is important at least to address the question as to why the particular changes proposed are considered absolutely necessary to ensure the building's viable future. The VS consider that the significance of the Stephenson Memorial Hall is not clearly articulated in the application documents. Although there is a high-level account of the building's heritage values, a detailed description of the building's significance is lacking, especially with respect to elements that will be altered or removed. They comment that there is, for instance, no account of the contribution made to the significance of the building by the auditorium gallery, even though it is at least partly historic and is proposed to be almost entirely replaced. A gallery of similar form can be seen on the earliest plans: is this the current gallery? Or is the existing structure a later adaptation? If so, how much of the fabric is from earlier phases? What contribution does this surviving fabric make to significance, and how large is this contribution in comparison to that made by the basic form of the gallery, or its decorated panels? Similar questions apply to the building's staircases.

The proposed interventions involve radically rearranging the building's vertical circulation, which includes flooring over the current staircase to the basement and removing its surviving balustrade. Many of the building's staircases are later insertions, but at least this one is historic. There is, however, no illustration of it, and no assessment of its significance in the wider context of the surviving fabric. No assessment has been made of the contribution which the building's plan form makes to its significance. The plan form is a characteristic part of the building's history: the first phase of building was clearly bipartite, with the volumes of the St Mary's Gate building almost entirely separated from the public hall to the east. How the plan form developed when the eastern extension was built is unclear, and subsequent alterations have obscured the clarity of the original design, but way in which the building's different functions were separated from each other and the way in which this separation was reflected in the plan remain legible. This bipartite character was also clearly marked in the building's massing, which is substantially unaltered. Specifically how this separation of the two parts of the building relates to its historic and architectural interest has not been discussed in the application. This is particularly surprising given that the entire thrust of the proposals is to unify the two parts as much as possible, transforming what was built as two distinct entities into one. Indeed, many of the difficulties to which the proposals are a solution are defined by the building's original bipartite planning, which is to say that the proposals are specifically intended to disrupt just this element of the building's historic character. A recognition of this historic character also has implications for the impact of the proposed reconfiguration of the entrances: the building always had two distinct entrances, and whilst the proposals to return the historic entrance to the St Mary's Gate building to use are broadly positive, it has nowhere been recognised that this single-entrance plan is a new and serious alteration to the historic circulation patterns, with wide-ranging consequences. In general, the application lacks detailed descriptions of significance and harm and the application thus fails to meet the requirements of the NPPF, paragraph 194.

### 6.6.23

In respect of the Corporation Street extension, the VS consider this will cause a proportionately large amount of harm to the significance of the building through loss of historic fabric and severe disruption to the architectural coherence of both the building and the wider streetscape. Although the existing building has two distinct phases, it is nonetheless a composition of consistent materiality (red brick, slate, stone dressings) and coherent gothic idiom. The pitched roof above the Corporation Street range is a highly visible part of the composition: it foregrounds the four projecting gablets above the principal windows, as well as the prominent gable above the original entrance hall; it also underscores the tall paired windows to the body of the hall behind, mediating between the wall-planes of the distinct masses and contributing to the complex geometries and sense of depth. The proposed new extension would entail the total loss of a component part of the historic roofscape, and its replacement with an addition of entirely alien form and materials (flat roof, curtain walling of patinated bronze and fully glazed panels). Thus far the building, although it has been extensively altered, has almost entirely retained its designed coherence, at least externally. These proposals would severely and irreversibly disrupt that coherence in an extremely prominent location. The VS appreciate the difficulties to which this extension is the proposed solution. The strictly bipartite nature of the original plan, and the way in which the later addition responded to the topography of the site means that the different floor levels make it very hard to achieve the kind of seamless and efficient circulation which is desirable. The VS appreciate that other options have been considered to solve this problem and understand the reasons for which they have been rejected. The VS remain unconvinced, however, by the need for such an extensive rooftop addition, especially as it provides relatively little new space and causes such severe harm to significance. The application offers some explanations as to why less harmful possibilities, such as a narrower link between the St Mary's Gate building and the projecting gable, have been rejected however the VS find these explanations unconvincing in the circumstances, given the heavy impact the proposed extension will have.

- 6.6.24 In respect of the demolition and rebuilding of the auditorium gallery, the VS consider the provenance of the auditorium gallery is not made clear in detail. It is likely to be at least partly historic in structure, and it makes a strong contribution to the interior of the hall. The proposals are to rebuild it entirely, using extensive new steelwork, at a different rake and with a greater depth. The panels that currently run along the front of the gallery will be reused but will clearly have to be cut down. As the application does make clear, the current form of the gallery is partly due to the hall's historically intended function. Although not ideal for use as a theatre, this form hence makes a contribution to the building's significance which will be diminished by the proposed alterations. The loss of fabric, as noted, will also cause harm to significance and must be weighed against the public benefits which will accrue from the extra capacity and everything it entails. Whilst we support the aim in principle of offering level access to every part of the auditorium, it might be, in this case, that the interventions necessary to achieve this entail so much complication that the advantages they offer are outweighed by the harm to significance that will be caused.
- 6.6.25 In respect of the replacement of the stage, the provenance of the existing stage is not made clear in the application, but the VS suggest that it is the original stage from the principal historic phase of extension. This should be clarified. If the stage is from this phase then removing it will cause harm to significance through the loss of fabric and the destruction of a key part of the historic arrangements.
- 6.6.26 In respect of the consolidation of the entrances, from one point of view it is very positive that the original entrance to the St Mary's Gate (*Corporation Street*) is proposed to be reopened. The entrance is a clear focal point of the original design, and its disuse harms the significance of the building by contradicting the logic of the composition. The VS fully support the principle that everyone should be able to access the building through the main entrance and have no objection to the proposed alterations to the pavement to allow level access. The VS note, however, that some considerable harm will be caused by the demolition and rebuilding of the original internal stairs,

which survive under the later inserted floor. As the original decorative tiling also survives, this intervention will cause some minor harm through the confusion of the coherence of the decorative scheme. From another point of view, the VS consider this rationalisation of the entrances will cause harm. The composition of the building also strongly indicates the original entrance to the theatre which is proposed to remain blocked, and internally, all trace of the original vertical circulation here will be obliterated. More generally, the reordering of the main entrance will have knock-on effects on the entire circulation pattern of the building, erasing all trace of the original stair positions at ground floor level, and necessitating major openings in historic walls to rearrange the routes through the building. This harm must be weighed against the (very real) benefits of improving the facilities for visitors to both theatre and museum.

- 6.6.27 In relation to the Station Back Lane changes , the VS comment that the existing back-of-house element, although altered, is an important functional element of the first phase of the building and retains much of its original form. Replacing this element will straightforwardly cause harm to significance through loss of fabric and the erosion of plan form. The erection of the proposed new block will cause some further harm by intruding a jarring new element into an area which retains an architecturally consistent character, and by obscuring historical aspects of architectural interest, such as the large, blocked windows to the auditorium. The VS appreciate that this elevation of the building has always had a service character and is less sensitive to change than the elevations to the west and north. It nonetheless remains a substantially unaltered part of the historic site. The VS note that the area immediately to the east of the existing stage house is currently a disused beer garden. Although the VS appreciate that there might be insurmountable practical and financial difficulties in acquiring and using it, it nonetheless seems such an ideal site for new back-of-house facilities that the possibility should be taken seriously, and at least addressed in any application.



- 6.6.28 The VS comment that whilst the aims of the applicants are laudable, the application fails to demonstrate that the proposed interventions are the best compromise between ensuring the building's future and minimising the harm to its significance.
- 6.6.29 The Theatres Trust (TT) has also made comment on the proposal as the national advisory public body for theatres with the remit to promote the better protection of theatres' and provide statutory planning advice on theatre buildings and theatre use in England. Given the age of the building and it is sub-optimum provision in terms of accessibility and front and back-of-house provision, as well as there being need for general refurbishment, maintenance and upgrading of services the TT are understanding and supportive of the rationale for a project to seek to address these. The TT refer to the number of interventions resulting in substantial extension and redevelopment along the Station Back Lane and to the northern elevation along Corporation Lane which they consider will harm the external appearance and significance of the building as a heritage asset with loss or obscuring of prominent design features referenced within the building's listing. Reference is also made to the loss of fabric and some internal features of interest. The TT comment that a scheme can be accepted where there is sufficient justification and public benefit however they are currently unconvinced that the proposed plans represent the optimum solution and they believe the brief could be met through alternative approach which is substantially less harmful to the asset. The TT requested a meeting with the Council and its design team to discuss this and allow better understanding of the plans.  
This meeting has taken place and information and justification has been provided and any further response from the TT will be reported at the meeting. The TT emphasise that they are supportive of the principles sitting behind this project and are keen to see improvement of the theatre and the building's other facilities.
- 6.6.30 The DCC Development Control Archaeologist has been consulted on the scheme and he has confirmed that the proposals do not appear to damage the known or potential archaeological interest at the site and

on this basis no objection to the applications are raised and there are no reasons to impose any archaeological requirements upon the applicant.

- 6.6.31 The Chesterfield Civic Society (CCS) comment that they support the idea of remodelling the building but comment on certain aspects of the proposal and that they are very unhappy about the intended changes to the museum displays.
- 6.6.32 The CCS has provided extensive detail on the history of the building commenting that the changes made to the building through its evolution were not entirely successful and to this day the Pomegranate retains the character of a converted lecture hall, not a purpose-built theatre. The CCS comment that although externally the building has not been greatly altered since the eastern end was extended in the 1890s, internally it has been remodelled on several occasions. They comment that most if not all the rooms have been used for more than one purpose since 1879 and few of the original fixtures and fittings survive. In that respect, the CCS comment that it does not mean that the present layout merits retention and in fact potentially removes objections some might have to further change. The present proposals are in essence a reworking of a scheme that was prepared by Borough Council officers in the late 1980s and abandoned because it could not be funded. The CCS consider that the alterations to the theatre gallery proposed on that occasion were superior to those in the present scheme, which we believe are too plain. In 1989–90 council officers prepared revised and cheaper plans, which were executed. The building was stabilised, the theatre reinstated, and the derelict library converted into a museum.
- 6.6.33 The CCS consider the fundamental defect of the proposals to be the problem of access. The Design and Access Statement acknowledges that this is a difficult, sloping site, but claims that to have a single access under the tower will solve the problem. We agree that the insertion of a large lift serving all levels is a great improvement but the CCS consider it disingenuous to claim that this lift will make access for

all easier. All visitors to the building, except for the few who use the lift, will be obliged to climb a flight of steps, both coming and going, instead of the much safer present option of virtually level access in both cases. There will also be more steps to negotiate internally, for example to reach the lavatories and the CCS believe that the present design will make access more difficult for the vast majority of users. The CCS consider that there is some merit in merging the two primary uses of the building (as a theatre and museum) but they would like to see a plausible, better developed business case for this. They comment that there is little or no overlap between the two functions from day to day, and for this reason less justification than the Design and Access Report claims for such a costly and disruptive intervention to the structure of the building as is proposed.

- 6.6.34 On a more positive note, the CCS are glad to see that the designers are aware of the structural implications of the proposed changes and hope that consultant structural engineers will be engaged to ensure that strengthening is incorporated into the detailed design to keep the tower and the auditorium roof safe, and also the new openings in the party wall between the two halves of the building.
- 6.6.35 The CCS would like the plans to be reconsidered with regard to the means of access into and between different parts of the building, so as to ensure that they are an improvement on those that exist at present however they confirm that they are happy to support the design of the new work proposed at the front and back. They comment that rebuilding at the back will be a great improvement on what is there at present. The elevation to Station Back Lane will look much better. The new work at the front, providing for the first time disabled access to the upper level of the theatre, will be a striking addition but we agree that it should be striking and not ape the work of 1879.
- 6.6.36 The remainder of the CCS letter condemns the recommendations contained in the report entitled 'Re-imagining Stephenson Memorial Hall' which contains statements that the CCS state are either historically inaccurate, inappropriate, meaningless or all three

demonstrating a complete lack of understanding of both the history of Chesterfield and how a local museum should interpret that history. The CCS consider the scheme should be a much more straightforward new permanent exhibition, which should continue to explain the history of Chesterfield through and numerous suggestions are made to achieve this. The CCS consider their view on aspects of the history of Chesterfield which both local people and visitors want to be told about, in an attractive and accessible way, drawing on the museum's collections, combined with audio and visual displays, drawings and photographs, maps and plans, models and digital reconstructions. They comment that what is proposed in the report will fail utterly to achieve this and if executed on the lines suggested, the displays will become little more than a monument to what was fashionable in some parts of the museum world c.2022 and it will not tell the story of Chesterfield and once the novelty has worn off visitor numbers will once again drop off.

6.6.37 The Council's Conservation Officer (CO) has responded to the proposals having been involved in the project from its conception stages in March 2020. The CO has stated her support and no objection to the applications. She considers the application submission provides a comprehensive analysis of the building, its development, and the current condition. She confirms that she has visited the site on several occasions, had online meetings with the project team at least once a month for the past two years, been involved with months of investigations, sharing of ideas, amended drawings, options analysis and dialogue. The CO confirms that she is familiar with and fully understands the interventions proposed and rationale for them, the steps that were taken to reach a design solution, and recognise the level of harm that will result from the proposed works and has no objection to any element of the scheme.

6.6.38 The CO concludes that the level of harm is less than substantial and can be justified through the public benefits that will result from the scheme. She concludes that there is no negative impact to the setting or appearance of the Grade I Listed Church of St Mary and All Saints

resulting from the proposed works. She comments that it is by visiting the building that its existing limitations and future potential can be appreciated. Reference is made to what is an ambitious plan which intends to adapt the theatre and museum building through substantial intervention to achieve

- A fully accessible building with lifts, circulation space, accessible backstage facilities;
- improved front of house visitor experience;
- Increased capacity within the auditorium;
- Interconnectivity between the museum and theatre experience;
- Additional multiuser space for workshops, education and performance space;
- Improved sense of arrival, comfort and visitor experience.

Careful attention to the building fabric has been made when considering the options for adaptation, as this is the most significant element of the proposal, requiring extensions to create upper area circulation. The insertion of a lift and internal reconfiguration of staircases and corridor circulation space is a substantial intervention however the CO refers to a number of solutions which have been explored, resulting in the final design concept submitted. It is the CO assessment that the proposal presents a practical and architecturally interesting solution, clearly defining the historic architecture and integrating contemporary style and materials and which takes cues from the existing scale and architectural rhythm and that this is the most appropriate approach to extending a historic building.

6.6.39 The CO acknowledges that the external fabric of the building will be impacted upon however she considers the proposal provides both a contemporary approach to architecture, and is an imaginative and innovative solution to create a 'curtain' wall; linking the building's use with the design. It is the CO assessment that the resulting public benefit outweighs the alteration of the existing roof arrangement to this Grade II Listed building. The increased capacity within the auditorium will impact upon some internal elements of construction and decoration however again it is the CO assessment that the proposed

integration of the existing panels and utilising the existing shape of the balcony will result in minimal harm. The interconnectivity between the use and users of the museum and theatre, plus the shared facilities, will create a destination venue, provide improved economic potential and improved user experience. All to the benefit of the public of Chesterfield.

- 6.6.40 The incorporation of additional multiuse space provides both the theatre and museum with future educational space, potential for workshops, and greater appeal to users requiring a large changing facility for visiting performers, such as dance schools. The CO considers this to be a positive and appropriate use of the additional space created through the extension. Reinstatement of the original grand Victorian entrance provides a sense of arrival, and accentuates the architectural significance of the venue. In addition, alterations such as back lighting the stained glass windows (currently enclosed and unseen) will provide visitors with an experience of the original building, whilst still being able to enjoy modern expectations from a public building.
- 6.6.41 The CO comments that reinstatement and repair of the building will require careful detailing, and it is to be expected that there will be an element of ongoing survey, investigation and planning, for example the tile repair on the walls to the entrance staircase. Detailing such as this can be conditioned as part of any approval however it is the CO assessment that the public benefit outweighs the level of harm in this case.
- 6.6.42 The heritage aspects of this scheme are clearly a major material consideration in this case and which have resulted in clear differences of opinion in the appropriateness of the proposals. The site is a complex range of buildings which is required to deliver a range of solutions to a large number of users, whilst maintaining its public identity. It is clear that the building is also severely constrained by its layout, access, space and facilities and without some level of intervention, investment and progress it is possible that it will continue

to decline to a point where it becomes unviable to continue. The purpose of heritage conservation is to preserve and enhance however this does not mean preventing change from taking place. In this case it is considered that conservation is the management of the change required to produce a sensitive scheme, which preserves the significance of the asset and enhances its appearance and use. It is considered that the proposal will result in a sensitive and innovative scheme that meets the requirements and expectations of users and which will restore architectural details such as reopening the roof lantern glazing, allowing stained glass windows to be uncovered, and re-establishing the main entrance to the building for example. It is also the case that historic assets ideally are required to meet current regulations and standards and in this respect it is vital that historic buildings remain fit for purpose, especially if they are accessed by the public. All too often public buildings fall into disrepair and vacancy as they can no longer deliver the service they were designed for and end up with compromised conversions to housing for example with significant impacts on character and appearance. The ideal solution is clearly that the building remains in its intended use, delivering an ongoing theatre and museum offer.

- 6.6.43 There is no doubt that the changes proposed can be considered to be significant however the scheme as proposed is clearly and fully understood on the basis of the current deficiencies in the offer which exists. There is clearly a benefit to all users of the building, whether they be staff, performers, audience or visitors, for the building to be fully accessible. This broadens the range of shows available and allows for all groups in the community to be involved and attend without limitation. The provision of adequate changing and welfare facilities is crucial to attracting such opportunities. A changing places facility will be invaluable. It is the case that currently there have been occasions where performers have had to hire rooms in pubs across the road to prepare for shows only to have to cross the road to the theatre when ready to go on stage. The scheme is fully supported by the Chesterfield Access Group.

- 6.6.44 There are three significant components of the proposal comprising of the two extensions and the alterations within the auditorium. A number of alternatives to the proposal have been considered as a part of the process and which have been rejected on the basis of their harm (eg adding an upper dress circle level) or on the basis that the alternatives do not deliver on the required accessibility or quantum of space to attract for example school performances. The alternatives considered have also weakened the financial position for the scheme with the returns expected becoming less attainable putting the project at risk. It is the case that each of the component changes to the building are working hard to deliver on the aims of providing an updated viable theatre and museum offer in the town and which reduce the deficit contribution required each year from the Council to maintain such public facilities available for the local community.
- 6.6.45 The proposal seeks to upgrade the facilities but to do so by augmenting the existing structure where possible by restricting demolition and retaining as many original and/or historically significant features as possible. Reference is made to loss of an original stone stair at the entrance to the building and whereas this is beneath a floor and cannot be fully revealed until works commence it appears that the stair has been altered in the past and now has concrete steps. Reference has been made to alteration of the auditorium and stage. This has clearly changed since the original building was constructed as a lecture hall with the stage house added at a later date. It is understood that the original floor exists beneath the current raked floor and further detail to establish what impact will arise on this from the proposal can be secured by condition with the aim of retaining the original floor where possible. The Victorian Society refer to the complete removal of the gallery however this is not the case since the side wings remain unaffected and the rear section will be rearranged above the structure which currently exists accepting that there would be major changes at the front of the balcony where it is to be extended forwards. The Corporation Street and Station Back Lane extensions will change the views of the building from street level, however, these will both be contemporary designs and thus, a deliberate addition and



not a pastiche of the existing building. The Corporation Street extension will result in the loss of the pitched roof form and trusses and ceiling below. The upper section of the windows will still be exposed in the room below since the ceiling and floor is above the top leaded window. The slate roof was repaired/ re-slated in the 1980s however the trusses are not visible as features to the rooms below and it appears that a section of the roof has been previously altered to slope back upwards towards the Stage House with loss of ridge tiles and a change to the roof form. Other interventions such as rationalising entrance points are based on historic precedent and so can be justified. Analysis of the exterior of the building reveals a number of changes over time and which help to catalogue the development of the asset in terms of its contribution to the townscape (eg changes since 1966 to the upper window above the museum entrance). The changes to the architectural design of the building are considered to be measured and restrained and are restricted to areas which are key to the overall vision of the revitalisation of this building. The proposed alterations and works are justified if the building and its community facilities are to be improved. Key to the project is the first-floor extension adjacent to Corporation Street as this is the area which will enable full accessibility for users throughout the building. The communal value of the building is to be enhanced by proposals which improve access to and increased usage of the building. With this in mind the features which make up the special character and appearance of the building and its historic significance have been identified and it is considered on balance that the interventions are proportionate and appropriate having been carefully considered with regard to the level of harm versus the public benefits which will accrue for the scheme and are not considered to be detrimental to the overall significance of the asset. The carefully considered interventions will help to arrest the current deterioration of this asset and secure the optimum viable use in support of its long-term conservation. The opportunity for the Council to arrive at this balanced conclusion between harm and public benefit is set out in the NPPF and referred to by Historic England in their response. The building is grade II and by definition not more than of local interest. Whereas the Victorian

Society have concluded the harm outweighs the benefits the comments made by Historic England have not come to that conclusion. The views of the Councils Conservation Officer and the Civic Society with regard to the extensions are clearly accepting of the proposals to extend the building.

- 6.6.46 The Civic Society comments refer to the appropriateness of the content of the proposed display within the museum and whilst this is of no significance to the material considerations of a planning and listed building application, it is nevertheless appropriate for the applicant to discuss the points raised with the Civic Society as a resource of knowledge regarding the history of the town.
- 6.6.47 It is considered, that there will be impacts however any harm and adverse impacts should clearly be weighed against the significant public benefits arising from the scheme and on balance, it is concluded that the benefits referred to above significantly outweigh any harm. Furthermore, the harm can be mitigated as far as possible through detail and quality so that any heritage significance of the site can be safeguarded as far as possible. It is considered that on this basis the proposed development complies with policy CLP21 and is acceptable in so far as impact on heritage assets is concerned.

## 6.7 **Design and Appearance**

- 6.7.1 Policy CLP20 of the Local Plan states in part that:  
*All development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context. The Council will support outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, provided that they complement the character and appearance of their surroundings.*  
*All development will be expected to:*  
*....a) promote good design that positively contributes to the distinctive character of the borough, enriches the quality of existing places and enhances the quality of new places;*  
*....b) respect the character, form and setting of the site and*

*surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials; ...j) be designed to be adaptable and accessible for all; ...n) be able to withstand any long-term impacts of climate change.*

- 6.7.2 The design rationale for the scheme has been based on a number of key design constraints including reducing the Councils deficit by increasing capacity and facilities on offer in the building, increasing accessibility and improving the front of house experience and comfort, creating additional multiuser space for workshops, education and performance space, interconnecting the theatre and museum spaces and creating an improved sense of arrival.

#### Townscape

- 6.7.3 The Stephenson Memorial Hall building is a landmark building in a key position within the town centre. Its main facades are prominent in views through the town when passing along Holywell Street and St Marys Gate however the two extensions will not be significant in views for those passing along this route. There will however be noticeable enhancement to the streetscene as the building is refurbished and the scheme secures reinstatement of a former window and opening for example at the apex corner where the museum door and canopy are currently located.
- 6.7.4 The route up and down Corporation Street between Railway Station and the Town is a popular route and which provides significant views of the main facades of the building to the street. It is considered that the opportunity arises to create a contemporary extension on this façade which emphasises the gateway sense of arrival in Chesterfield. As part of the Town Centre Masterplan, the building and route along Corporation Street will be a significant part of a key arrival route into Chesterfield town centre and there is an opportunity that the Corporation Street elevation helps to signify this renewal leading to greater engagement with the asset from visitors to and people of Chesterfield.

### 6.7.5

The proposed Corporation Street extension takes the form of a simple flat roofed contemporary block articulated with a zig zag wall made up of glazed and bronzed panels. The extension has a curtain appearance which is linked to the theatrical theme and which will provide glimpses into the building for the passer by providing activity and interest in the street. This will be highlighted with external lighting to provide additional interest in the evening. The new link extension is necessary to create fire safety access, to improve accessibility and movement of audience on the circle level and provide sufficient space to operate a circle bar. The additional accommodation also provides a flexible gallery space and a flexible room for hire, for use as an education space or as additional space to accommodate the number of people which may be necessary on occasion backstage all of which will contribute to improving the long-term viability of the theatre and museum. It is accepted that when viewed from the station approach that the Crooked Spire (behind) is grounded in the Victorian roofscape and that the existing building is a highly articulated and decorative Victorian Gothic building however the main compositional elements of the building are the steep slated upper roofs, the prominent tower, three dominant gables with minor gables above the windows and the chimneys and vents articulating the roof line. The entrance areas along Corporation Street have undergone several adaptations since the original building was built with a new staircase to the circle and various different external canopies. No original entrance doors are currently in use for either the theatre or museum. The roofs that are proposed to be removed are altered and have ceilings which follow the underside of the pitch around the gabled windows and the timbers are not exposed in the rooms below. The proposed extension is to be set behind 4 No smaller less significant gable features which will sit in advance of the zigzag façade of the extension and will assist in integrating the proposal to the original building giving the appearance of it being read as secondary to the principal brick elevation. It is considered that the design of the extension proposes a sympathetic composition of a series of vertical panels that echo the vertical emphasis and proportions of the existing windows. The zig zag helps to soften the extension lines and echo the articulation and texture on

the existing façade. The bronze patinated panels will tonally fit with the existing red brick of the facade. It is considered that the new elevation will celebrate the building's new revitalisation as a cultural hub through attracting passers-by and new visitors, contributing to drawing attention to the historical building.

#### 6.7.6

The Station Back Lane extension sits to the rear of the building with less exposure to wider townscape views. The rear of the building is much more utilitarian with much simpler detailing. The replacement floorspace is required to accommodate sufficient accessible changing accommodation and back of house facilities including means of escape. The extension is a 3-storey block with the lower 2 storeys being of brick and the upper storey of zinc panels in a zig zag arrangement to echo the proposals on the Corporation Street. The use of zinc for this extension provides a legibility and hierarchy of materials appropriate to the primary and secondary nature of the facades. The material will weather and patinate to a slate/ lead grey to be tonally sympathetic to the existing building. The windows and principal doorways in the brick wall will also have splays of a contrasting brick further echoing the zig zag upper floor form and directing the view down rather across the street to give more privacy to these rooms. A new roof will be constructed from the top of each of the ridges to the gabled windows to drain onto the new flat roof. The windows will be boarded from the outside and back lit so as to return the character of these leaded windows to the auditorium. The new flat roof deck will be accessible for maintenance and will accommodate the mechanical plant equipment which is required to provide adequate conditioning, heating and cooling of the auditorium space. The rear of the building will read differently with the new block concealing more of the elevation behind and the loss of the existing structures however this side of the building always had secondary accommodation to serve the principal spaces and the new proposals are a continuation of that principle. The addition of plant equipment will have an impact, however the equipment will be set back and screened to the rear of the roof and the angles of available views of the building mean that the visual impact will be generally minimised from street level. It is considered

that the proposed extension is sympathetic and contextual and is justified in resolving the circulation, improving accessibility, and providing facilities to the backstage areas in order to ensure the building's continued survival into the future.

#### Accessibility

6.7.6

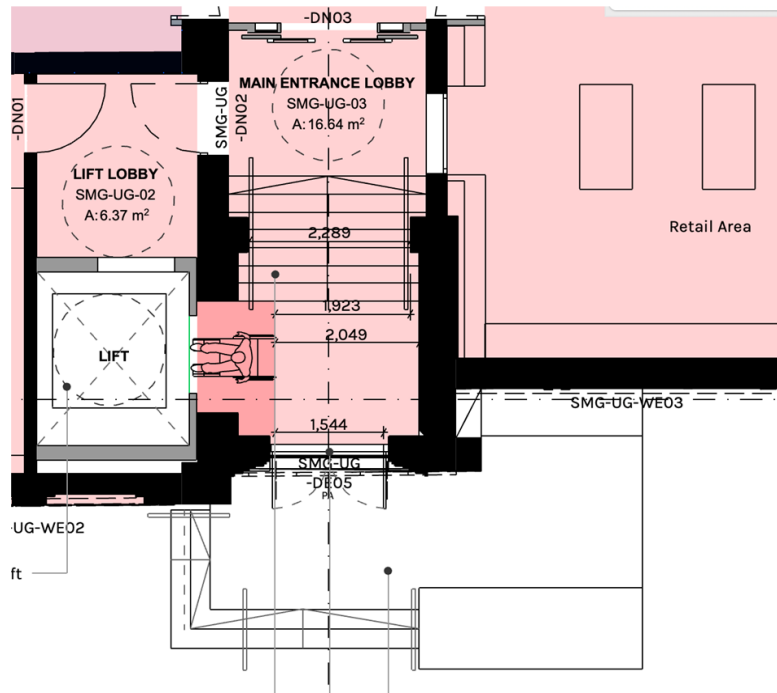
The building currently suffers from accessibility issues with only the ground floor levels of the theatre and museum being accessible to people with mobility difficulties. The application is supported by an Access Statement to RIBA stage 3 by Burdus Access. At present only 30% of the building is accessible and which increases to 43% if the stair lift to the lower bar is included. The proposed plans increase this accessibility to 95% of the building floor area with the only spaces which are not accessible being in the Caretaker's House. This fully aligns with Chesterfield Borough Council's Equality and Diversity Strategy which states *"Our vision at Chesterfield Borough Council continues to be 'putting our communities first'. We are here to serve and support our communities including our residents, tenants, businesses, visitors, students and voluntary groups. Together we will continue to make our borough a great place to live, work, visit and invest. The Council as a community leader, a service provider, employer and commissioner of goods and services, has a clear social and legislative responsibility to prevent discrimination and advance equality. By working to eliminate discrimination and promote equality we will empower our residents and help them to realise their full potential."*

Furthermore, this objective also aligns with Historic England's Easy Access to Historic Buildings publication which states *"Historic England is keen to celebrate access solutions that combine conservation with excellent and innovative modern design. The survival of most historic buildings depends upon their continued, viable use and this may, among other things, require alterations to improve access"*. The guidance states that *"the aim should be to improve accessibility where practically possible, provided that the work does not prejudice the character of the building or increase the risk of long-term deterioration to the building fabric or fittings. The application must demonstrate why*

*any potentially damaging works are necessary or desirable, thus establishing that a balance is being struck between conservation and access.”*

- 6.7.7 The Chesterfield Access Group confirms their support for the scheme following a consultation meeting on the proposals in December 2021.
- 6.7.8 A main feature of the scheme has been to create a single access point for visitors to both the museum and theatre in a unified entrance. The building uses of theatre and museum are currently disconnected and don't benefit from any crossovers in terms of shared offer or facilities. Re-opening the original entrance at the foot of the tower makes good sense in so far as the visually intuitive entry point and which delivers connectivity opportunities across the building. There will be step free access to all levels and spaces including a 'changing places toilet'. Large passenger lifts are able to accommodate the full British Standard range of wheelchairs. Such improvements to facilities will also undoubtedly help to safeguard the ability of the theatre to attract performers in the long term future. The proposal creates an offer that better integrates all of the building uses and creates a consistent visitor experience for all where they can gain a greater understanding of the building as a whole.
- 6.7.9 The scheme delivers on a combination of features including minimising travel distances, allowing space to manoeuvre for wheelchair users, utilising materials and colours to finishes, power assisted doors, signage, induction loop and alarm systems for example. The agent has confirmed further analysis indicates that the circulation spaces within the current building are severely substandard and whilst the proposal increases this from 96 to 286 square metres of available space, it remains 33% below the ideal for the number of seats, however such a compromise is inevitable and is accepted in a such a constrained building. One issue raised has been the relationship of the lift entrance immediately inside the main entrance and whether a wheelchair user for example would obstruct general access to the building. Further information has been provided by the

architect showing the impact of a wheelchair user waiting in the lobby for the lift and which confirms that there will still be more width than the current 1.544 metre wide main entrance doorway as a clear route to the staircase in front and that this is considered to be sufficient and appropriate.



### Sustainability

6.7.10

The Borough Council declared a climate change emergency in the Borough at its full Council meeting on 17<sup>th</sup> July 2019 and consideration is now given to the impact of all development proposals on the



Boroughs Carbon Footprint. The intention is to seek to improve this where possible and this is referred to in policy CLP20.

- 6.7.11 It is also borne in mind that building comfort and user health is important however the current building has extremely poor levels of mechanical or natural ventilation making it unsuitable and substandard. The proposals sensitively integrate mechanical and electrical systems to service the building and make sure they create a safe environment for all who occupy it, further increasing the resilience of the asset into the future. The building is a brick-built structure, with several slate pitched roofs. The walls are likely to be solid walls with no insulation and the roofs are also uninsulated with single glazed windows. The existing building services systems are relatively basic and outdated with an existing gas fired boiler plant located within the Winding Wheel (via district heating scheme), very limited ventilation across the complete building with numerous none working fans, problems with humidity control within the museum where dehumidification is provided and outdated hot water heaters and lighting/lighting controls.
- 6.7.12 The proposals involve the provision of new Public Health (MEP), Mechanical and Electrical systems. The scheme provides a new displacement ventilation system to serve the theatre utilising centralised air handling unit plant at roof level, space heating using existing district heating connection where feasible, mechanical ventilation utilising MVHR units to serve Café/Bar and Museum spaces and natural ventilation to serve dressing rooms, foyer areas exhibition spaces. There will be a new centralised hot water system fed from the existing district heating connection to serve amenity areas. New electrical services are to be provided including specialist theatre equipment, LED lighting and lighting control systems throughout to minimise energy consumption. The new systems have been designed to maximise the opportunities for renewable technologies and sustainable solutions, with the key features being the utilisation of the existing district heating network, improving building fabric by improving u-values and air permeability, provision of a roof mounted PV system

to generate electricity and contribute to the buildings electrically consumption, utilising an air source heat pump to provide heating and cooling to the theatre space via a displacement ventilation system together with high efficiency heat recovery of mechanically ventilated areas.

- 6.7.13 The design of the new systems has been developed to be as sympathetic to the character of the existing building, with services distribution routed where possible within floor and ceiling voids to limit exposed services and distribution routes and use of smaller localised plant items, rather than larger centralised plant, to minimise the size of distribution routes and services throughout the voids and existing structures.
- 6.7.14 It is considered that the proposal has been sensitively considered in respect of the impacts on the special character of the building however a number of conditions will be required to ensure appropriate detailing of the scheme. In overall design and appearance terms the proposals represent a proportionate approach including extensions which are considered to be positive interventions and which underpin the design ethos for the wider scheme. The new extensions will make it clear that the Stephenson Memorial Hall is a destination facility within the town demonstrated by the significant financial investment and high-quality cultural offering.
- 6.7.22 The design and appearance of the scheme is considered to be appropriate and which complies with the requirements of policy CLP20.

## 6.8 **Highways Impact**

- 6.8.1 Policy CLP22 (Influencing the Demand for Travel) focusses on reducing congestion, improving environmental quality and encouraging more active and healthy lifestyles by seeking to maximise walking, cycling and the use of public transport. The policy goes on to state that development proposals will not be permitted where they would have

an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.8.2 It is considered that on the basis the building is already used for the same purpose as proposed and is situated within the town centre close to public transport facilities, the train station and public car park opportunities then the impacts compared with the existing in highway terms will be negligible. Whereas an increase in customers is anticipated this will not be an issue within the town centre area.
- 6.8.3 The Highway Authority has commented that the proposal will involve the Stopping Up of areas of publicly maintainable highway and the dedication of areas of land to highway. This relates to the alteration of the pavements in connection with creating a level access to the new main entrance area together with the removal of the platforms which currently exist where the building entrances currently are. There is also an area of highway on the Station Back Lane frontage which is required to be stopped up since it becomes part of the new rear extension. The Stopping Up procedures would be carried out under Section 247 of the Town and Country Planning Act 1990 (and which cannot be done retrospectively) and the reinstatement of pavement areas under Section 72 of the Highways Act 1980. With regard to Stopping Up it should be noted that the land generally reverts to the land owner and the applicant will need to make sure that this is themselves in order that the proposal could be carried out. Similarly, dedication can only be made by the land owner and again the applicant will need to clarify this.
- The Highway Authority also refers to Utility apparatus fronting the site and that any protection, diversion or relocation of such apparatus will be at the applicant's expense.
- 6.8.4 The Highway Authority has confirmed that the new platform at the proposed new entrance will still allow passing pedestrian unhindered given the width of pavement available at this point. With regard to the extension into the highway area at the rear of the building the Highway Authority has commented that so long as a constant footway margin in

line with dimensions immediately adjacent can be maintained then this is unlikely to present a highway safety issue. The part of footway required for the extension is where the existing building kicks back creating a recessed area. The footway immediately to the east is 1.48 metres in width and the proposed extension maintains this width.

6.8.5 The Highway Authority has recommended conditions be included in any consent as follows;

1. No development shall take place until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for but not necessarily be restricted to the following as appropriate.
  - Parking of vehicles of site operatives and visitors
  - Routes for construction traffic, including abnormal loads/cranes etc
  - Hours of operation
  - Method of prevention of debris being carried onto highway
  - Pedestrian and cyclist protection
  - Proposed temporary traffic restrictions
  - Arrangements for turning vehicles
  
2. No works shall commence until construction details of areas to be dedicated as part of the publicly maintainable highway have been submitted to and approved, in writing, by the Local Planning Authority. The works shall then be carried out in accordance with those details.
  
2. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

- 6.8.6 The conditions are considered to be standard and appropriate. Condition 2 will need to be changed regarding the timing since it is not essential that such matters are undertaken prior to commencement of the development. It will clearly be necessary to have agreed the relevant detail before the specific works are carried out on site. Condition 3 can only relate to the new extensions since the building in the main already exists with an existing surface water disposal system (gutters and downpipes to sewers in the street. It is appropriate however to secure the surface water drainage details for the new extensions and this can be secured via condition.
- 6.8.7 Derbyshire Constabulary has raised no objection to the proposals.
- 6.8.8 It is clear that the highway impacts of the proposal are limited however given the absence of any available space on the site for contractors then the applicant will need to consider how best the construction process can be secured. This is generally secured in the first condition suggested by the Highway Authority however it should be extended to include any site compound for materials, welfare facilities etc. There will be changes to the footpath which will be dealt with as part of a stopping Up Order however the end result will be an enhanced offer for all users of the facility . The proposal therefore accords with policy CLP20 and CLP22 in this respect.
- 6.9 **Noise Impacts**
- 6.9.1 Policy CLP14 states that *“the quality of the environment will be recognised at all levels of the planning and development process with the aim of protecting and enhancing environmental quality. All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers, taking into account noise and disturbance....”*
- 6.9.2 The applications are accompanied by a report by Charcoalblue LLP which states that currently, noise generated within the Pomegranate

Theatre does not create any adverse impact on nearby noise sensitive receivers. The report refers to the fact that the site is located on a road where there are numerous bars and clubs at ground floor level with offices and residential above. The report argues however that any noise generated within the theatre is unlikely to have a negative effect on any residences along Corporation Street. Reference is made to the fact that on occasion noise generated by the clubs and bars spill into the street and propagates towards the site and which in certain instances can creating disturbance during shows. Other uses around the site are not affected by noise generated within the theatre and vice versa.

6.9.3 The two main noise sources that could create a negative impact on nearby sensitive receivers are

- Noise from operations e.g. theatre shows, concerts, cinema.
- Noise from services e.g. external mechanical plant and equipment.

The Councils Environmental Health Officer has not offered any response to the consultation of the applications however considering that the usage of the theatre will not change, the noise levels generated by operations will be of the same order of magnitude to the present situation. The sound insulation performance of the building envelope will not be reduced by the refurbishment works but is likely to be increased where possible such that noise from internal operations do not represent a risk of creating adverse negative effects for nearby noise sensitive receivers.

A new mechanical ventilation system is to be installed and this will require the installation of roof plant to serve the main hall and other spaces. This new plant will require the design of noise mitigation measures to avoid negative impact on nearby noise sensitive receivers and this can be secured by condition of any approval and on this basis Policy CLP14 is satisfied.

6.10 **Coal mining and land stability**

- 6.10.1 Policy CLP14 of the Local plan refers to Unstable and Contaminated Land and states *Proposals for development on land that is, or is suspected of being, contaminated or unstable will only be permitted if mitigation and/or remediation are feasible to make the land fit for the proposed use and shall include:*
- a) a phase I land contamination report, including where necessary a land stability risk assessment with the planning application; and*
  - b) a phase II land contamination report where the phase I report (a) indicates it is necessary, and*
  - c) a strategy for any necessary mitigation and/or remediation and final validation.*
- A programme of mitigation, remediation and validation must be agreed before the implementation of any planning permission on contaminated and/or unstable land. The requirement to undertake this programme will be secured using planning conditions.*
- 6.10.2 The planning application includes both a Contaminated Land and Geo-Technical Desk Study by Ramboll Ltd and which considers the potential for land contamination in so far as the potential for contamination.
- 6.10.3 The report states that as the site has been fully covered with the building occupying the majority of the site and the remainder as hardstanding, it is considered that there is a very low probability of future site users coming into contact with any impacted soils if they are present. In addition, the building will prevent infiltration of rainfall, thus limiting the potential for any impacts to be mobilised to groundwater. The report states that there remains an unknown in regard to the site-specific ground conditions, including the potential for underground coal workings beneath the site, and therefore, the potential for any risks associated with ground gases and in response the report justifies the need for a geo-environmental and geotechnical ground investigation to be carried out in order to facilitate design of the substructures for the proposed works. This should include an intrusive geo-environmental and geotechnical ground investigation, including in-situ and laboratory testing, in accordance with Eurocode 7. The report also recommends

that a Coal Mining Risk Assessment is undertaken for the site to consider the coal mining legacy.

- 6.10.4 The Coal Authority (CA) confirm that the application site falls within the defined Development High Risk Area and therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. Their records indicate that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety. The CA comment that the application is supported by a Study which has been informed by an appropriate range of sources of information and having reviewed the available coal mining and geological information it is concluded that there is a potential risk posed to the development by past coal mining activity. They therefore recommend that intrusive site investigations are carried out on site in order to establish the exact situation in respect of coal mining legacy features and the risks posed to the development. The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary.
- 6.10.5 With regards to Mine Gas the CA comment that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The CA is not aware of any gas issues if their data to indicate that gas emissions have been recorded on the site however, the absence of such a record should not be interpreted to imply that there are no gas risks present. The CA state that local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel. This is most likely to be dealt with under the Building Regulations where in such



circumstances barriers are commonly installed however a condition dealing with ground conditions will also cover this.

- 6.10.6 The CA confirm that have no objection subject to the recommended conditions as follows:
1. No construction works (extensions/additions) shall commence until;
    - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
    - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.
  2. Prior to the new development (extensions/additions) being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.
- 6.10.7 The is a requirement to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework and the applicants agent has accepted the need for further investigations which will be undertaken as a part of the stage 4 process.
- 66.10.8 The report by Ramboll Ltd refers to the need for consideration to be given to the Chesterfield Tunnel which runs beneath the site including

a professional survey undertaken to confirm the location and depth of the tunnel in relation to the site. Again this can be secured by condition in advance of works on the extension to station Back Lane.

6.10.9 The Councils Environmental Health Officer has offered no response to the consultation on the application.

6.10.10 It is considered that the issues in relation to ground conditions and coal mining legacy has been appropriately considered and which can be dealt with by conditions and which satisfies the requirements of policy CLP14.

## **6.11 Biodiversity and Impact on Protected Species**

6.11.1 Local Plan policy CLP16 Biodiversity, Geodiversity and Ecological Network states;

*‘The council will expect development proposals to:*

- protect, enhance and contribute to the management of the borough’s ecological network of habitats, protected and priority species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a local wildlife site or priority habitat; and*
- avoid or minimise adverse impacts on biodiversity and geodiversity; and*
- provide a net measurable gain in biodiversity’*

6.11.2 The application is accompanied by a Bat Survey by Brooks Ecological which considers that the Stephenson Memorial Hall is assessed as providing moderate bat roost suitability due to the opportunities arising from the deficiencies in maintenance of the building (gaps in verges and copings for example). However surveys in August and September 2021 demonstrated the likely absence of bat roosting in Stephenson Memorial Hall and that the proposals therefore present minimal risk of impacts or offences relating to bats. The NPPF and the local plan policy puts emphasis on development delivering biodiversity enhancement, above and beyond mitigating or compensating for any

impacts. To this end, refurbishment works, which remove some opportunity for bats to roost at the site, could include external bat roost and bird nesting features to offer suitable habitat in the long term.

6.11.3 Derbyshire Wildlife Trust (DWT) has reviewed the Bat Survey and advise that the survey work undertaken has been carried out in accordance with current best practice guidance. The survey included a preliminary assessment and two emergence surveys and although there was moderate suitability for bats no roosts were located during the emergence survey work. DWT support the recommendation made in paragraph 47 of the report with regard to action to be taken should any evidence of bats be discovered and DWT advise the LPA to issue an informative advising the applicant that in the event that any evidence of bats is found all works should cease and a professional ecologist be consulted for further advice.

6.11.4 In relation to biodiversity enhancements, DWT comment that there is an opportunity for the development to include the provision of bird and bat nest boxes and they advise that the Council attach a condition requiring the applicant to include biodiversity enhancements such as integrated swift bricks and / or external nest boxes for bats and birds. A suggested wording is set out below:

A Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. It shall be suitable to provide to the management body responsible for the site and shall include the following:-

a) Details of enhancements for roosting bats and nesting birds including the number, location and type of boxes to be used.

b) A plan showing the location of the boxes

c) Requirement for a statement of compliance upon completion of enhancement works.

6.11.5 The conclusions reached is that the ecological and biodiversity issues relating to the site and proposals can be adequately addressed by

planning conditions on any permission and which would comply with relevant planning policy CLP16.

## 7.0 **REPRESENTATIONS**

7.1 The applications have been publicised by advert in the Derbyshire Times on 25<sup>th</sup> November 2021 and by site notices around the site on 17<sup>th</sup> November 2021. In response a total of 4 representations have been received. The following points have been raised:

7.1.1 *“I would like to add my personal support for the renovation of the Stephenson Memorial Hall, especially the restoration of the original entrance and combining the theatre and museum entrance.”*

7.1.2.1 *“I spent many years at CBC improving access to Chesterfield's public buildings, usually on a shoestring budget. I had hope that the grant for the above project would enable big improvements to the old Stephenson Memorial Hall. I am appalled to find that the proposed new main access to both theatre and museum is to be via the steps under the tower. Steps were always a fundamental defect of the original Victorian design. To re-instate them in this present day and age would be a serious mistake. People with mobility problems would no longer be able to enter or leave the building on an equal basis with others but would have to queue up for the single lift while simultaneously obstructing the main entrance for everyone else. Similarly for the long route to and from the toilet facilities. If I were still acting as Access Officer for the Borough I would most certainly reject the plan. My predecessors in CBC's own architect's section drew up a similar proposal in the late 1980s. It was rejected on grounds of both accessibility and cost, requiring wholesale destruction of too much of the original building. It seems that lesson has been forgotten. The architects' own report cannot disguise their basic lack of understanding of what is meant by "Inclusive" and their disregard for the principles laid down in current legislation (Equalities Act,2010 and Building Regulations Part M). Lip service, even with a token lift, is not good enough. Compared with what Chesterfield's museum and theatre goers have enjoyed for the past thirty years, the access proposals are*

*a serious downgrade and a slap in the face for many people with disabilities. To replace level access with steps is also a failure as far as the health and safety of the general public is concerned.”*

- 7.1.2.2 An exchange of correspondence suggested to the objector that the scheme was based on the improvement of access to the building for everyone in the community and that the accompanying documents indicated that currently only 30% of the buildings floorspace has level step free access and the proposed scheme ensures that 95% of the building floorspace is fully accessible and that will directly benefit considerably the performers, staff and customers in a much improved and enhanced arrangement of accesses to the facilities. An opportunity to discuss the issues raised with the scheme was provided.
- 7.1.2.3 The objector responded accepting the percentage floor area figures but commented that the point of entry is the first thing to get right. He contended that *“the same level of improvement could still be achieved without forcing all members of the public through a stepped pinch point. The percentage figures are a little misleading anyway in that thus far there has been no point in spending money the council did not have on areas that were in any case "no go" areas for mobility aids. Only by relocating the museum storage stacks and completely demolishing the theatre stalls and circle could the possibility arise of full accessibility to theses and other parts of the building. Whether this will be worth the candle is yet to be seen. One hopes that there is a realistic business plan to justify the level of investment needed, but I guess that is not a planning issue.*  
*To be fair, there are many good features in the scheme, including the big lift which has always been needed but for which there has never been the budget until now. The re-development of the Station Back Lane frontage seems to be a really good use of hitherto wasted space and I agree with the architects comments”.*
- 7.1.2.4 The issue concerning the single entrance point and how this may affect the flow in and out of the building especially at times when there

are those waiting to use the lift has been considered in the report at para 6.7.9. One of the fundamental objectives driving this scheme is to deliver a one building integrated offer with the theatre and museum mixed throughout. This will enhance the experience for visitors and the opportunity therefore arises to reinstate and reuse the original entrance to the building which is currently unused. Most visitors to the building will simply access via the stair immediately in front of the entrance doors however for those requiring a lift, they will be able to access all floors of the building from the entrance foyer and this will be a level route as a result of works outside of the building within the pavement area. The space available at the entrance is sufficient to allow clear access to the building whilst there are persons waiting to use the lift (ie wheelchair user).

7.1.3.1 *“My husband is unsteady on his feet but is able to walk short distances with the aid of a stick. Should he wish to go to the theatre today he would have no trouble walking up the ramp to take a seat in the stalls. Similarly he would have no problem in exiting. Once the entrance is moved he would be unable to use the stairs unless he could take a rest on the way, so he would have to use the lift. He would then have to use two ramps to access the stalls. Is this improved access? Leaving the theatre would be even worse. Having gone up two ramps he would arrive in a congested area being used by people leaving both the stalls and the circle. If he were able to negotiate this area safely he would then have to use the lift which would take him to an even more congested area where people leaving by the stairs are being channelled through the narrower exit doors. For wheelchair users it does not seem sensible that a wheelchair is manoeuvring in an entrance/exit area, although when accessing the museum or before a show that should not be too much of a problem. However after a show it is positively dangerous for a wheelchair to exit from the lift without warning into a crowded foyer. There is the high possibility of an accident either in the foyer or among people descending the stairs who have to stop suddenly. As Chairwoman of Chesterfield and District Local History Society, I am unhappy about the plans for the refurbishment of the Museum area. I have worked as a volunteer in a*

*museum (not Chesterfield) so that I am aware how much work goes on behind the scenes in museums. Where are the staff working areas? The storage area has been much reduced. What happens to the other items many of which are donated by local residents? Some of the items, such as costume, documents and photographs, are unsuitable for permanent display. What will happen to them? According to Trip Advisor The Museum tells the Story of Chesterfield, from its beginnings as a Roman fort on Rykneld Street to the building of the 'Crooked Spire' Church and its growth as a market town. The Museum also reflects the town's important industrial heritage, tracing the development of coal mining and local industries. Chesterfield's most famous Victorian resident, George Stephenson, the 'Father of the Railways' is also featured. This is what the Museum should be about. Tourists visiting the town often want to know about the town's history, which goes back to the Romans. Where can they find out about the history? Not at the refurbished Museum. Family historians visit the town to find out about their ancestors lived and worked. Where can they find out about the growth of the town and its industrial history? Not at the refurbished Museum. I have the greatest admiration for the staff of the Museum and their excellent web site, and how much they achieve under difficult conditions. Their Facebook page has nearly 6,000 followers, more than the Visitor Centre's followers. People in the town are interested in its history. For a town which is trying to increase the amount of time tourists spend in the town centre, the proposed refurbishment is not the way to do it."*

- 7.1.3.2 The issue concerning the accessibility improvements which are proposed are considered in the report at section 6.7.6 - 6.7.9. It is the case that the stalls are not fully accessible given the fact that the only entrances are via doorways with a stepped level change from the foyer entrance. The comments regarding the content of the museum are also made by the Chesterfield Civic Society and are responded to in paragraph 6.6.45. The scheme will involve relocation of items within the collection to be stored elsewhere however this is a matter for the Council to decide and not a material planning consideration.

7.1.4.1 Councillor Fordham refers to the accessibility statistic quoted commenting that the point made about the main entrance has not been addressed – *“the show piece entrance is a downgrade of access”*. He comments that *“the rest may be an improvement but the first encounter is a retrograde step. I also note that another objector has raised similar concerns about where the lifts exit and enter internally so please do not use the statistic of 95% to disguise the concerns. It does us no good service as an authority.”*

7.1.4.2 There is certainly no intention to disguise any concerns behind statistics. It is clear that whilst there are ramped independent access routes from the street into the theatre foyer and museum, this is as far as the accessibility goes where wheel chair users are generally unable to access the stalls or circle and other than by platform lift the lower level bar and toilets area. The scheme allows for a wheelchair user to access all areas of the building from the street utilising the three new lifts proposed and the new circulation areas where attention has been provided to ensure the optimum specification is being achieved to make the building as accessible as possible. The entrance area at the bottom of the steps has been assessed and is considered to be of sufficient space so as not to hinder the free flow of those accessing and exiting the building as referred to in paragraph 6.7.9 of the report.

## 8.0 **HUMAN RIGHTS ACT 1998**

- 8.1 Under the Human Rights Act 1998, which came into force on 2<sup>nd</sup> October 2000, an authority must be in a position to show:
- Its action is in accordance with clearly established law
  - The objective is sufficiently important to justify the action taken
  - The decisions taken are objective and not irrational or arbitrary
  - The methods used are no more than are necessary to accomplish the legitimate objective
  - The interference impairs as little as possible the right or freedom
- 8.2 It is considered that the recommendation is objective and in accordance with clearly established law.



8.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity, public safety and the special character and appearance of the historic asset and which interfere as little as possible with the rights of the applicant. The applicant has a right of appeal against any conditions imposed.

9.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

9.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraph 38 of 2019 National Planning Policy Framework (NPPF).

9.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The Council has been involved in considerable preapplication discussions on the project since the start of the scheme. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

9.3 The applicant /agent and other interested parties will be notified of the Committee date and provided with an opportunity to address the committee on this report. The report informs all parties of the application considerations and recommendation /conclusion is available on the website.

10.0 **CONCLUSION**

10.1 The proposals are considered to very much accord with the policies of the Chesterfield Local Plan 2018-35 and the wider National Planning Policy Framework. There are significant issues with the building which require addressing and the scheme delivers on realising the improvements required in terms of accessibility, increased capacity, updated facilities, repair and maintenance and a sense of arrival. It is predicted that the scheme will result in the Council addressing the revenue contribution to the running costs of the building. The proposal would bring significant positive public benefits to the town which will assist with wider regeneration proposals in the area, particularly in connection with the public realm works envisaged between the site and the town centre and railway station. The scheme proposes alteration and extension of the listed building which has been fully considered with alternatives being explored and it is accepted that the less than substantial harm is outweighed by the considerable public benefits arising for the scheme. It is accepted that there will be impacts however any harm and adverse impacts should clearly be weighed against the significant public benefits arising from the scheme and on balance, it is concluded that the benefits referred to in the report significantly outweigh any harm. Furthermore, the harm can be mitigated as far as possible through detail and quality so that any heritage significance of the site can be safeguarded as far as possible. The proposals will signify renewal leading to greater engagement with the asset from visitors to and by the people of Chesterfield. The proposed scheme accords with the general requirements of the policies of the adopted Chesterfield Local Plan and the wider National Planning Policy Framework.

10.2 The proposal appropriately deals with the material planning and heritage considerations which are raised and which brings about the prospect of significant public benefit gains.

## **11.0 RECOMMENDATION**

11.1 It is therefore recommended that the applications be **APPROVED** subject to the following conditions:

**CHE/21/00801/FUL**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason - The condition is imposed in accordance with section 51 of the Planning and Compulsory Purchase Act 2004*

2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

SMH-BLA-A-DR-ZZ-ZZ-001-P01-1:1250 Location Plan  
SMH-BLA-A-DR-ZZ-ZZ-002-P01-1:200 Existing Site Plan  
SMH-BLA-A-DR-ZZ-ZZ-100-P01-1:200 Proposed Site Plan  
SMH-BLA-A-DR-NA-LG-015-P02-Lower Ground GA Existing  
SMH-BLA-A-DR-NA-UG-016-P02-Upper Ground GA Existing  
SMH-BLA-A-DR-NA-01-017-P02-First Floor Mezzanine GA Existing  
SMH-BLA-A-DR-NA-02-018-P02-Second Floor GA Existing  
SMH-BLA-A-DR-NA-RF-020-P01-Roof Plan Existing  
SMH-BLA-A-DR-NA-03-019-P02-Grid Floor GA Existing  
SMH-BLA-A-DR-NA-RF-025-P02-Lower Ground Interventions  
SMH-BLA-A-DR-NA-RF-026-P02-Upper Ground Interventions  
SMH-BLA-A-DR-NA-01-027-P02-First Floor Mezzanine Interventions  
SMH-BLA-A-DR-NA-01-028-P02-Second Floor Interventions  
SMH-BLA-A-DR-NA-01-030-P02-Roof Floor Interventions  
SMH-BLA-A-DR-ZZ-ZZ-035-P01-Existing North Elevation  
SMH-BLA-A-DR-ZZ-ZZ-036-P01-Existing East and West Elevations  
SMH-BLA-A-DR-ZZ-ZZ-037-P01-Existing South Elevation  
SMH-BLA-A-DR-ZZ-ZZ-040-P01-North Elevation - Fabric Repairs  
SMH-BLA-A-DR-ZZ-ZZ-041-P01-East and West Elevations - Fabric Repairs  
SMH-BLA-A-DR-ZZ-ZZ-042-P01-South Elevation - Fabric Repairs  
SMH-BLA-A-DR-ZZ-ZZ-050-P01-S-01 Corporation Street Section  
SMH-BLA-A-DR-ZZ-ZZ-051-P01-S-02 Auditorium Long Section  
SMH-BLA-A-DR-SMG-ZZ-053-P01-S-A-St Mary's Gate Section

SMH-BLA-A-DR-ZZ-ZZ-055-P01- S-C-Auditorium Short Section  
 SMH-BLA-A-DR-NA-LG-110-P08-Lower Ground GA Proposed  
 SMH-BLA-A-DR-NA-UG-111-P09-Upper Ground GA Proposed  
 SMH-BLA-A-DR-NA-01-112-P09-First Floor Mezzanine GA Proposed  
 SMH-BLA-A-DR-NA-02-113-P08-Second Floor GA Proposed  
 SMH-BLA-A-DR-NA-03-114-P03-Grid Floor GA Proposed  
 SMH-BLA-A-DR-NA-RF-115-P03-Roof GA Proposed  
 SMH-BLA-A-DR-ZZ-ZZ-220-P01-Proposed North Elevation  
 SMH-BLA-A-DR-ZZ-ZZ-221-P01-Proposed East and West Elevations  
 SMH-BLA-A-DR-ZZ-ZZ-222-P01-Proposed South Elevation  
 SMH-BLA-A-DR-NA-ZZ-250-P03-S-01 Corporation Street Section  
 SMH-BLA-A-DR-NA-ZZ-251-P03-S-02 Auditorium Long Section  
 SMH-BLA-A-DR-SMG-ZZ-253-P02-S-A-St Mary's Gate Section  
 SMH-BLA-A-DR-SBL-ZZ-255-P02- S-C-Auditorium Short Section  
 1620009278-RAM-ZZ-XX-DR-S-00015 – PO1  
 1620009278-RAM-ZZ-XX-DR-S-00016 – PO1  
 1620009278-RAM-ZZ-LG-DR-S-00100 – PO2  
 1620009278-RAM-ZZ-00-DR-S-00101 – PO2  
 1620009278-RAM-ZZ-01-DR-S-00102 – PO2  
 1620009278-RAM-ZZ-02-DR-S-00103 – PO2  
 1620009278-RAM-ZZ-03-DR-S-00104 – PO2  
 1620009278-RAM-ZZ-ZZ-DR-S-00110 – PO2  
 1620009278-RAM-ZZ-XX-DR-S-00200 – PO2  
 1620009278-RAM-ZZ-ZZ-DR-S-00201- PO2  
 4038-0001-topographical survey

*Reason - In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.*

3. No construction works on the Station Back Lane extension to the building shall commence until:
  - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

*Reason - To fully establish the presence and / or otherwise of any coal mining legacy and to ensure that site is remediated, if necessary, to an appropriate standard prior to any other works taking place on site in accordance with policy CLP14 of the Chesterfield Local Plan 2018-35.*

4. Prior to the new Station Back Lane extension to the building being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

*Reason - To fully establish the presence and / or otherwise of any coal mining legacy and to ensure that site is remediated, if necessary, to an appropriate standard prior to any other works taking place on site in accordance with policy CLP14 of the Chesterfield Local Plan 2018-35.*

5. Development shall not commence on the Station Back Lane extension to the building until a site investigation / phase 2 report for that area of the site has been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.  
The site investigation / Phase 2 report shall document the ground conditions of the site and establish the full extent, depth and cross-section, nature and composition of any contamination. Chemical

analysis, identified as being appropriate by the phase 1 desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods and all technical data shall be submitted to the Local Planning Authority.

A detailed scheme of remedial works shall be submitted if the investigation reveals the presence of contamination and the scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed.

If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.

The extension hereby approved shall not be brought into use until a written Validation Report confirming that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement has been submitted to and approved in writing by the Local Planning Authority.

*Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.in accordance with policy CLP14 of the Chesterfield Local Plan 2018-35.*

6. Development shall not commence on the Station Back Lane extension to the building until investigations to confirm the location and depth of the tunnel in relation to the site together with any mitigating implications for the extension proposed has been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority. The development shall only proceed in accordance with the details which have been agreed.

*Reason - To fully establish the relationship between the development and the Chesterfield Tunnel to ensure the safeguarding of the tunnel in accordance with policy CLP14 of the Chesterfield Local Plan 2018-35.*

7. Prior to development commencing, an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development. The development shall proceed in accordance with the agreed Employment and Training Scheme.

*Reason - In order to support the regeneration and prosperity of the Borough, in accordance with the provisions of Policy CLP6 of the adopted Chesterfield Local Plan.*

8. Before the ordering of any external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development.

*Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.*

9. Within 2 months of the commencement of the development hereby approved, a scheme for biodiversity and ecological enhancement measures to be installed/integrated into the development site shall be submitted to the local planning authority for consideration. The agreed ecological enhancement measures shall thereafter be carried out as part of the development and which shall thereafter be retained and maintained throughout the life of the development.

*Reason - In the interests of achieving a net measurable gain in biodiversity in accordance with policy CLP16 of the adopted*

*Chesterfield Borough Local Plan and to accord with paragraph 175 of the National Planning Policy Framework*

10. Prior to the use of the mechanical ventilation system to be installed in the building full details of the proposed means of mitigating noise shall be submitted to the Local Planning Authority for consideration. The details subsequently agreed in writing by the local planning authority shall be carried out as approved as part of the approved development and which shall be retained as such thereafter.

*Reason - The condition is imposed in order to protect the amenity of surrounding residents in the interests of the area as a whole in accordance with policy CLP14 of the Chesterfield Local Plan 2018-35.*

11. Prior to any works to reinstate the pavements in connection with the removal of the ramps and steps to the existing theatre and museum entrances, full details shall be submitted to the local planning authority for consideration. The works shall then be carried out in accordance with those details which have been agreed in writing.

*Reason – In the interest of highway safety in accord with policy CLP14 of the Chesterfield Local plan 2018-35.*

12. Prior to the commencement of the development on the extensions to Station Back Lane and Corporation Street, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be carried out in accordance with those details which have been agreed in writing and which shall be retained as such thereafter.

*Reason – In the interest of highway safety in accord with policy CLP14 of the Chesterfield Local plan 2018-35.*

13. The development hereby approved shall not take place until a Construction Method Statement has been submitted to, and approved



in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period on any particular phase or area of the site. The Statement shall provide for:

- a. the parking of vehicles of site operatives and visitors;
- b. transportation of materials to the site;
- c. loading and unloading of plant and materials;
- d. storage of plant and materials used in constructing the development;
- e. the erection and maintenance of security fencing including and decorative displays and facilities for public viewing, where appropriate;
- f. measures to control the emission of dust and dirt during construction and
- g. a scheme for recycling/disposing of any waste resulting from demolition and construction works.

*Reason – In the interest of a health environment and highway safety in accord with policy CLP14 of the Chesterfield Local plan 2018-35.*

14. Prior to the installation of the highway pavement changes at the new main entrance to the building full details including materials of construction shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site prior to the opening of the new museum/theatre building and which shall be retained thereafter unless otherwise approved in writing by the Local Planning Authority.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

15. Prior to any works being undertaken to install solar panels on the south facing roof slope, full details and specifications including cross sections to show how the panels will sit on the new roof shall be

submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

16. Prior to the installation of any external lighting scheme, full details and specifications of the lighting units and their positioning shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme and which shall be retained as such thereafter.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

17. Prior to the works commencing associated with the Corporation Street extension, full details and specifications of the means of surface water disposal from the roof of the extension shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme and which shall be retained as such thereafter.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

18. Prior to the works commencing associated with the Corporation Street extension, full details including cross sectional information showing the relationship between the new extension and the retained four gables

shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

19. Prior to the works commencing associated with the infilling of external voids, full details and specifications of the means of bricking up shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme and which shall be retained as such thereafter.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

### **Informative Notes**

1. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
2. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.
3. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes

require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: [www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)

4. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway, measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
5. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
6. The proposed development works entail the use of land which currently forms part of the public highway. No works may commence until the land in question has been stopped up. Pursuant to Section 247 of the Town and Country Planning Act 1990, a stopping up application should be made to the National Transport Casework Team, Department for Transport, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle-upon-Tyne NE4 7AR at the earliest opportunity. As part of the consultation process associated with such applications, the Highway Authority and other interested parties will be given the opportunity to object to the proposed stopping up. It should be noted that the Highway Authority's acceptance of the proposals for planning purposes does not preclude an objection being raised by the Authority at this stage.

7. Construction works are likely to require Traffic Management and advice regarding procedures should be sought from Mr J Adams, Traffic Management, 01629 538628. All road closure and temporary traffic signal applications will have to be submitted via the County Councils web-site; relevant forms are available via the following link - [http://www.derbyshire.gov.uk/transport\\_roads/roads\\_traffic/roadworks/default.asp](http://www.derbyshire.gov.uk/transport_roads/roads_traffic/roadworks/default.asp)
8. The applicant should be aware that any diversion, protection or relocation of Statutory Undertakers apparatus will be at their expense
9. In accordance with condition 9, appropriate ecological/biodiversity enhancement measures could include but should not be limited to:
  - bird/owl boxes
  - bat boxes
  - bee bricks

### **CHE/21/00802/LBC**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason - The condition is imposed in accordance with section 51 of the Planning and Compulsory Purchase Act 2004*

2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

SMH-BLA-A-DR-ZZ-ZZ-001-P01-1:1250 Location Plan  
SMH-BLA-A-DR-ZZ-ZZ-002-P01-1:200 Existing Site Plan  
SMH-BLA-A-DR-ZZ-ZZ-100-P01-1:200 Proposed Site Plan  
SMH-BLA-A-DR-NA-LG-015-P02-Lower Ground GA Existing  
SMH-BLA-A-DR-NA-UG-016-P02-Upper Ground GA Existing  
SMH-BLA-A-DR-NA-01-017-P02-First Floor Mezzanine GA Existing  
SMH-BLA-A-DR-NA-02-018-P02-Second Floor GA Existing

SMH-BLA-A-DR-NA-RF-020-P01-Roof Plan Existing  
 SMH-BLA-A-DR-NA-03-019-P02-Grid Floor GA Existing  
 SMH-BLA-A-DR-NA-RF-025-P02-Lower Ground Interventions  
 SMH-BLA-A-DR-NA-RF-026-P02-Upper Ground Interventions  
 SMH-BLA-A-DR-NA-01-027-P02-First Floor Mezzanine Interventions  
 SMH-BLA-A-DR-NA-01-028-P02-Second Floor Interventions  
 SMH-BLA-A-DR-NA-01-030-P02-Roof Floor Interventions  
 SMH-BLA-A-DR-ZZ-ZZ-035-P01-Existing North Elevation  
 SMH-BLA-A-DR-ZZ-ZZ-036-P01-Existing East and West Elevations  
 SMH-BLA-A-DR-ZZ-ZZ-037-P01-Existing South Elevation  
 SMH-BLA-A-DR-ZZ-ZZ-040-P01-North Elevation - Fabric Repairs  
 SMH-BLA-A-DR-ZZ-ZZ-041-P01-East and West Elevations - Fabric Repairs  
 SMH-BLA-A-DR-ZZ-ZZ-042-P01-South Elevation - Fabric Repairs  
 SMH-BLA-A-DR-ZZ-ZZ-050-P01-S-01 Corporation Street Section  
 SMH-BLA-A-DR-ZZ-ZZ-051-P01-S-02 Auditorium Long Section  
 SMH-BLA-A-DR-SMG-ZZ-053-P01-S-A-St Mary's Gate Section  
 SMH-BLA-A-DR-ZZ-ZZ-055-P01- S-C-Auditorium Short Section  
 SMH-BLA-A-DR-NA-LG-110-P08-Lower Ground GA Proposed  
 SMH-BLA-A-DR-NA-UG-111-P09-Upper Ground GA Proposed  
 SMH-BLA-A-DR-NA-01-112-P09-First Floor Mezzanine GA Proposed  
 SMH-BLA-A-DR-NA-02-113-P08-Second Floor GA Proposed  
 SMH-BLA-A-DR-NA-03-114-P03-Grid Floor GA Proposed  
 SMH-BLA-A-DR-NA-RF-115-P03-Roof GA Proposed  
 SMH-BLA-A-DR-ZZ-ZZ-220-P01-Proposed North Elevation  
 SMH-BLA-A-DR-ZZ-ZZ-221-P01-Proposed East and West Elevations  
 SMH-BLA-A-DR-ZZ-ZZ-222-P01-Proposed South Elevation  
 SMH-BLA-A-DR-NA-ZZ-250-P03-S-01 Corporation Street Section  
 SMH-BLA-A-DR-NA-ZZ-251-P03-S-02 Auditorium Long Section  
 SMH-BLA-A-DR-SMG-ZZ-253-P02-S-A-St Mary's Gate Section  
 SMH-BLA-A-DR-SBL-ZZ-255-P02- S-C-Auditorium Short Section  
 1620009278-RAM-ZZ-XX-DR-S-00015 – PO1  
 1620009278-RAM-ZZ-XX-DR-S-00016 – PO1  
 1620009278-RAM-ZZ-LG-DR-S-00100 – PO2  
 1620009278-RAM-ZZ-00-DR-S-00101 – PO2  
 1620009278-RAM-ZZ-01-DR-S-00102 – PO2  
 1620009278-RAM-ZZ-02-DR-S-00103 – PO2

1620009278-RAM-ZZ-03-DR-S-00104 – PO2  
1620009278-RAM-ZZ-ZZ-DR-S-00110 – PO2  
1620009278-RAM-ZZ-XX-DR-S-00200 – PO2  
1620009278-RAM-ZZ-ZZ-DR-S-00201- PO2  
4038-0001-topographical survey

*Reason - In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.*

3. Before the ordering of any external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development.

*Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.*

4. Prior to any alteration of the new main entrance to the building and the associated lift installation a fully detailed scheme showing how the alterations impact on the Victorian wall tiles and how they are to be altered in the new scheme shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site and which shall be retained thereafter unless otherwise approved in writing by the Local Planning Authority.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

5. Prior to the installation of the highway pavement changes at the new main entrance to the building full details including materials of

construction shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site prior to the opening of the new museum/theatre building and which shall be retained thereafter unless otherwise approved in writing by the Local Planning Authority.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

6. Prior to any works being undertaken to alter the existing museum entrance door into a window full details, including cross sections of the new window re-instated walling beneath, shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

7. Prior to any works being undertaken to install the new double glazed metal framed window units to replace the polycarbonate cladding to the exterior of the former Council Chamber room window fronting Station Back Lane, including cross sections of the new units in relation to the existing windows, shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed*



*building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

8. Prior to any works being undertaken to clean the exterior of the building, full details of the cleaning methodology proposed to be used shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

9. Prior to any repointing works being undertaken to the building a full specification including means of raking out, mortar mix and pointing finish including a small test control panel to be provided, shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme and repointing works should only progress in accord with the agreed test panel on site.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

10. Prior to any works being undertaken to install solar panels on the south facing roof slope, full details and specifications including cross sections to show how the panels will sit on the new roof shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

11. Prior to the installation of any external lighting scheme, full details and specifications of the lighting units and their positioning shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme and which shall be retained as such thereafter.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

12. Prior to the works commencing associated with the Corporation Street extension, full details and specifications of the means of surface water disposal from the roof of the extension shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme and which shall be retained as such thereafter.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

13. Prior to the works commencing associated with the Corporation Street extension, full details including cross sectional information showing the relationship between the new extension and the retained four gables shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

14. Prior to the works commencing associated with the infilling of external voids, full details and specifications of the means of bricking up shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme and which shall be retained as such thereafter.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building and conservation area in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

15. Prior to any works being undertaken to install backlighting to the auditorium windows, full details and specifications including cross sections to show how the units will be provided and accessed for maintenance shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

16. Prior to any works being undertaken to alter or remove the roof tie rod within the auditorium, full details, specifications and structural calculations, including any mitigating alteration to the structural roof timbers shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of

the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

17. Prior to any works being undertaken to alter the arched heads to the blocked windows in the west wall of the Auditorium, full details shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

18. Prior to any works being undertaken to alter the circle balcony within the auditorium, full details, specifications and structural calculations, including detail of the soffit, supporting columns and precisely how the decorative edge frieze will be reused as part of the new scheme shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

19. Prior to any works being undertaken within the auditorium stalls, full details shall be provided showing how the proposed works impact on the original hall floor and where any of the original floor can be retained as part of the scheme shall be submitted to the Local

Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

20. Prior to any works being undertaken to create new openings through existing masonry for new doorways and openings, full details including specifications and cross section information shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

21. Prior to the installation of any new doors or screens in the building, full details, including specifications and cross sectional information of the new doors and screens shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be installed in the building as part of the scheme and which shall be retained as such thereafter.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

22. Prior to any works to remove the original library racks from within the upper floor of the existing museum store, a scheme for their potential

reuse within the building shall be submitted to the Local Planning Authority for consideration. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site as part of the scheme.

*Reason – In order to secure appropriate detail to enhance the appearance of the development and in the interests of the listed building in accord with policy CLP21 of the Chesterfield Local Plan 2018-35.*

### **Informative Notes**

1. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
2. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.