

Demolition of Derby Assembly Rooms

Planning Statement

Derby City Council

August 2020

Quality information

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1. Introduction

- 1.1 This Planning Statement supports a planning application for works associated with the demolition of the Assembly Rooms and the adjacent multi-storey car park fronting Market Place and Full Street in Derby City Centre.
- 1.2 The Assembly Rooms is a performance venue and entertainment space which has been closed since 2014 following a fire in the plant room, rendering it inoperable. Since 2014, it has remained vacant with no active use other than a restaurant unit and the tourist information centre fronting Market Place.
- 1.3 An application for the refurbishment of the venue and adjacent multi-storey car park was submitted by AECOM on behalf of Derby City Council in June 2019, with approval granted in September 2019.
- 1.4 Following approval, the Council determined that the maintenance of the vacant site was proving to be a significant expense, and the repair and refurbishment plans financially unviable. Recent surveys discovered structural issues relating to the Assembly Rooms building, with reinforced autoclaved aerated concrete used in the construction of the roof panels presenting a significant health and safety concern.
- 1.5 It was determined that demolition of the site would be the most logical and cost-efficient solution to allow for the future regeneration and growth of Market Place and the City Centre. A meanwhile use of temporary A1 and A3 food and drink stalls is proposed for the site following demolition whilst plans for a permanent use at the site are being considered by the Council.
- 1.6 A modern, purpose-built performance venue is now being progressed at Becketwell, as part of the regeneration of the area. This will have a capacity of 3,500 and will have the facilities to accommodate a wide range of performance types including concerts and touring West End musical shows, representing a significant improvement on the Assembly Rooms building.
- 1.7 This Planning Statement provides details of the proposed demolition and explains the key reasons as to why the demolition of the building and adjacent car park are the most suitable and sustainable solution to secure a successful and thriving future for the site and wider area. The Planning Statement also demonstrates how the proposed demolition is consistent with local and national planning policy.
- 1.8 The documents and drawings that have been submitted with this application are listed in Tables 1 and 2 below.

Table 1: Schedule of Accompanying Documents

Document	Prepared by
Application form and certificates	AECOM
Planning Statement	AECOM
Outline Demolition Method Statement	AECOM
Heritage Statement	AECOM
Structural Report	AECOM
Economic Viability Statement	Faithful & Gould
Arboricultural Impact Assessment	AECOM
Preliminary Ecological Appraisal	AECOM
Bat Re-Entry Survey Memo	AECOM

Table 2: Schedule of Accompanying Drawings

Drawing	Reference	Revision
Site Location Plan	029.41.09	1
Demolition Plan	029.41.08	1
00 - Existing GA Plan - Ground Floor	DAR PEV 01 00 DR A 1000	P04
01 - Existing GA Plan - Mezzanine	DAR PEV 01 01 DR A 1001	P05
02 - Existing GA Plan - Civic	DAR PEV 01 02 DR A 1002	P04
03 - Existing GA Plan - Balcony	DAR PEV 01 03 DR A 1003	P05
04 - Existing GA Plan - Lighting Rig	DAR PEV 01 04 DR A 1004	P04
05 - Existing GA Plan - Roof	DAR PEV 01 05 DR A 1005	P02
Existing Sections	DAR PEV 01 ZZ DR A 2000	P02
Existing Sections	DAR PEV 01 ZZ DR A 2001	P01
Existing External Elevations	DAR PEV 01 ZZ DR A 3000	P02
Existing External Elevations	DAR PEV 01 ZZ DR A 3001	P02
Car Park - B01 / 00 - Existing GA Plan - Basement / Ground	DAR PEV 02 ZZ DR A 1010	P01
Car Park - 01 / 02 - Existing GA Plan	DAR PEV 02 ZZ DR A 1011	P01
Car Park - 03 / 04 - Existing GA Plan	DAR PEV 02 ZZ DR A 1012	P01
Car Park - 05 / 06 - Existing GA Plan	DAR PEV 02 ZZ DR A 1013	P01
Car Park - 07 / 08 - Existing GA Plan	DAR PEV 02 ZZ DR A 1014	P01
Car Park - 09 / 10 - Existing GA Plan	DAR PEV 02 ZZ DR A 1015	P01
Car Park - 11 / 12 - Existing GA Plan - Lower Plant / Upper Plant	DAR PEV 02 ZZ DR A 1016	P01
Car Park - Existing Sections	DAR PEV 02 ZZ DR A 2010	P01
Car Park - Existing External Elevations	DAR PEV 02 ZZ DR A 3010	P01

1.9 The remainder of this section is structured as follows:

- **Section 2** describes the application site and its immediate context;
- **Section 3** outlines the relevant planning history of the site prior to the submission of this planning application;
- **Section 4** provides details of the demolition proposals;
- **Section 5** sets out the planning policy context relevant to the determination of the application;
- **Section 6** provides an assessment of the proposed demolition having regard to relevant planning policy and other material considerations; and
- **Section 7** provides conclusions about the planning merits of the proposed demolition.

2. Application Site

- 2.1 The Assembly Rooms site is located at Market Place, located east of Iron Gate, and west of Corporation Street in Derby City Centre. The site is located within the City's Cathedral Quarter and the Derby City Centre Conservation Area. The Assembly Rooms site also includes a 13-level car park, located on Full Street, which is an independent structure that is connected to the Assembly Rooms building through link sections. This application proposes the demolition of both the Assembly Rooms and adjacent multi-storey car park.
- 2.2 The original Assembly Rooms building was constructed between 1765 and 1774, however a fire in 1963 resulted in irreparable damage to the original structure.
- 2.3 The Assembly Rooms in its present form was redeveloped in 1976 to designs by Casson, Conder & Partners and Derby City Council. The new Assembly Rooms was subject to further fire damage in March 2014, destroying the plant room above the multi-storey car park adjoining the venue, and rendering the venue inoperable. The venue is largely vacant at present and has not been in use as a performance venue following the fire in 2014.
- 2.4 The main Assembly Rooms building and adjacent multi-storey car park are described in further detail below.

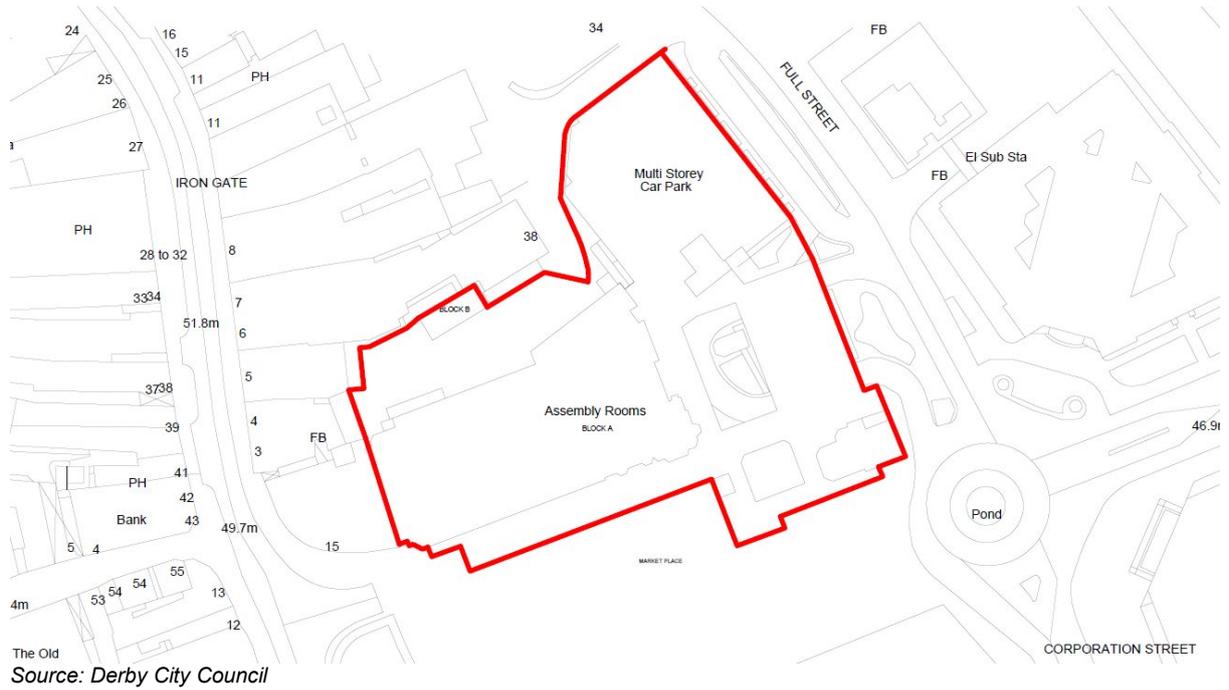
Main Assembly Rooms Building

- 2.5 The primary structure of the Assembly Rooms building consists of a reinforced concrete frame, comprising concrete columns and primary and secondary beams, including a number of feature projecting deep cantilever beams to the southern and eastern elevations. This structure supports suspended concrete floors and steel frames including long span steel roof trusses to the main auditorium and the smaller performance area. The flat roofs comprise precast reinforced autoclaved aerated concrete (RAAC) panels supported on the steel roof beams and trusses.
- 2.6 The architectural style of the building is defined as monolithic brutalist, and is considered to be a heritage asset, presenting an example of good brutalist architecture. The building, however, does not meet the criteria for statutory designation, receiving a Certificate of Immunity from Listing in 2016. The Assembly Rooms building provides accommodation over four storeys.
- 2.7 The ground floor comprises the main entrance points to the venue, the main ticket hall, a tourist information point, a former police station and a vacant restaurant unit.
- 2.8 The mezzanine level comprises storage space beneath the main theatre auditorium and provides the main loading bay for service yard deliveries.
- 2.9 A third level, known as the civic level, houses the main auditorium and stage area, a main reception and visitor space, alongside a bar and refreshment area.
- 2.10 The fourth level comprises the main balcony seating facing the auditorium.

Multi-Storey Car Park

- 2.11 The multi-storey car park is located to the northeast of the Assembly Rooms building and is an independent structure connected to the main building through link sections. The car park has 13 levels and is constructed of a reinforced concrete frame with concrete columns forming the perimeter walls, and primary and secondary concrete beams supporting suspended concrete waffle slabs. The former plant room was located at the upper levels of the car park prior to fire damage.
- 2.12 The external elevation of the car park fronting Full Street comprises four rows of brickwork supported by concrete columns. The façade is lined with additional parking spaces and planting located at street level.
- 2.13 **Figure 1**, an extract from the Site Location Plan submitted alongside this application, shows the extent of the proposed demolition works.

Figure 1: Site Location Plan (Extract from Location Plan, Ref: 029.41.09)



3. Relevant Planning History

3.1 Table 3 below sets out the relevant planning history of the Assembly Rooms site.

Table 3: Relevant Planning History

Application Reference	Description of Development	Location	Decision
19/00898/FUL	Refurbishment works comprising of front extensions at ground floor level to the Market Place elevation and the change of use of the existing Tourist Information Centre to create new retail (Use Class A1) and restaurant (Use Class A3), together with other external alterations including cladding to the exterior of the multi-storey car park and new plant to the car park roof.	Assembly Rooms Market Place Derby DE1 3AH	Approved with conditions13/09/19

4. Application Proposals

Description of Development

4.1 The works subject to this planning application are as follows:

“Demolition of the Assembly Rooms and adjacent multi-storey car park.”

4.2 The application proposes demolition of all buildings within the red line boundary, including grubbing out of foundations to leave a clear and level site.

Site Preparation, Access and Safety

4.3 The demolition of the Assembly Rooms will require a temporary site boundary to be established using timber hoardings. This is necessary for public safety and to give a practical working space. The location of the site boundary will be established by discussion between the interested parties with the aim of minimising the impact on the Market Place events.

4.4 In order to prioritise safety, all work areas will be fenced separately to a minimum of 1.8m in height and of such a standard to ensure no unauthorised personnel enters the demolition area. The main access on to the site for all staff and contactors will be via the main site entrance off Full Street which will be clearly routed by means of effective signing. Only those involved in the demolition will be allowed access.

4.5 The boundary of the works will be adequately signed with relevant warning signs. These signs will be inspected on a daily basis and maintained at all times.

4.6 In order to ensure public safety, temporary scaffold protection screens and fan crash decks will be erected. These screens and crash decks should provide protection from falling demolition debris to all the adjacent buildings, service roads, highways and pavements

4.7 The feature street light columns in the Market Place adjacent to the southern elevation of the Assembly Rooms are to be taken down and removed off site by Derby City Council under an advance works contract. The highway access from the roundabout having arms to Full Street, Derwent Street and Corporation Street across the Market Place along the current designated route towards the Corn Market and Iron Gate is to be maintained at all times throughout the demolition site works.

4.8 Adequate lighting will be maintained and will include the provision of temporary lights and emergency lights. Appropriate lighting will be installed to ensure that access/egress points and clearly visible during operational hours. Care will be taken to ensure that lighting does not cause a nuisance to neighbouring properties or to distract traffic on adjacent roads.

4.9 The demolition works will be undertaken by specialist demolition contractors, supervised by a full-time Site Manager and be delivered by fully-trained, skilled and experienced staff and operatives.

Demolition Method

4.10 Prior to commencement of any demolition works at the site, the surrounding buildings will be subject to a condition survey. This survey will ensure that surrounding buildings will not be affected by the proposed demolition.

4.11 The demolition will be undertaken using high reach demolition plant with appropriate attachments including combi-cutter crushers, hydraulic pulverisers and hydraulic hammers. This method is best suited to the form of the building and will be the safest method of demolition as it reduces the requirement for operatives to enter the building. The following methods will be employed to demolish each part of the building;

- External cladding and brickwork will be removed using an excavator with a grab attachment. As sections are removed, they will be passed to a smaller attendant excavator which will further process the cladding and load it into segregated waste skips.

- Structural steelwork will be cut using a shear attachment fitted to the excavator to remove sections of the frame. Steel elements will be loaded into segregated scrap skips as they are removed.
 - Steel columns will be cut flush with the building ground slab using oxy-propane cutting equipment.
 - Brickwork wastes arising will stockpiled at an agreed location within the compound in readiness to be removed from site using road wagons.
- 4.12 An Outline Demolition Method Statement is submitted alongside this application which provides a full method and sequence of the proposed demolition.

5. Planning Policy

- 5.1 The Town and Country Planning Act (1990) (referred to as 'The Act'), the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England and Wales.
- 5.2 Collectively the three acts create a plan-led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).
- 5.3 In this instance, the relevant development plan for the site comprises:
- Derby City Local Plan Part 1 (Adopted January 2017)
 - 'Saved' policies in the City of Derby Local Plan Review (2006)
 - Saved policies of the Derby and Derbyshire Minerals and Waste Local plans.
- 5.4 This policy review will also address material considerations, in particular the National Planning Policy Framework (NPPF) (2019) and emerging Derby City Local Plan Part 2 (Site Allocations and Development Management Policies).

National Policy

National Planning Policy Framework

- 5.5 The National Planning Policy Framework (NPPF) was published in February 2019. The policies contained in the NPPF supersede all Planning Policy Statement (PPSs) and Planning Policy Guidance (PPGs), and the policies are a material consideration for Local Planning Authorities (LPAs) in decision making.
- 5.6 The NPPF sets out the Government's economic, environmental and social planning policies as well as their requirements for the planning system. At the heart of the NPPF is a presumption in favour of sustainable development, which should be viewed as a 'golden thread' that runs through both plan-making and decision-taking.
- 5.7 The following paragraphs and chapters of the NPPF are of particular relevance to this Planning Application:
- 5.8 **Paragraph 80** of the NPPF encourages opportunities for economic growth. In order to achieve this, *"Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future."*
- 5.9 **Paragraph 92** adds that planning policies and decisions should *"plan positively for the provision and use of shared spaces, 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 and residential environments"*.
- 5.10 **Paragraph 189** of the NPPF states 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"*.
- 5.11 **Paragraph 196** requires that *"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*
- 5.12 **Paragraph 197** requires that the potential effects upon non-designated heritage assets should be taken into account in determining the application, stating that *"in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be*

required having regard to the scale of any harm or loss and the significance of the heritage asset.”

Local Policy

Derby City Local Plan Part 1, Core Strategy

- 5.13 The Derby City Local Plan – Part 1 Core Strategy was adopted in January 2017. The plan sets out the strategic spatial vision for the city until 2028. The Core Strategy seeks to achieve an attractive and vibrant city of regional importance. Spatial objectives include community cohesion, high quality design of new homes, developing a high-quality network of green infrastructure, the provision of sustainable interventions and the strengthening of cultural facilities and the night-time and evening economy.
- 5.14 The regeneration of Assembly Rooms was promoted in the Core Strategy to support re-vitalisation of the city centre and tourism industry. As the delivery of refurbishment is now considered unviable by Derby City Council, the vacant building is proposed to be demolished, with new city-centre development eventually constructed in its place which would better serve the needs of the community and catalyse the regeneration of the city centre.
- 5.15 Relevant policies to the proposed demolition are set out below:
- **CP1(a): Presumption in Favour of Sustainable Development** states the Council will take a positive approach to development that reflects the presumption in favour of sustainable development set out in the National Planning Policy Framework. Where there are no policies relevant to the application or relevant policies are out of date at the time of decision-making, DCC will grant permission unless material considerations indicate otherwise.
 - **CP2: Responding to Climate Change** states that new development should be sustainable, through design and construction measures, efficient use of resources, and through the use of sustainable locations that reduce reliance on cars and promote use of active and public transport. Developments should be flood resistant and resilient and ensure that new development proposals do not increase risk
 - **CP5: Regeneration of Communities** encourages sustainable regeneration of the outer areas and older urban areas within the city through community centred regeneration projects.
 - **CP9: Delivering a Sustainable Economy** states that the Council is committed to realising the vision of a thriving, sustainable economy and encourages proposals that help to make businesses more energy and resource efficient, enable regeneration, unlock the potential of the city’s tourism and heritage assets, and reinforce cultural and leisure facilities in the city.
 - **CP12: Centres** seeks to ensure and sustain the vitality, competitiveness and viability of the city centre, district and neighbourhood centres. The Central Business District is identified as a preferable location for office and leisure development and a sub-regional focus for leisure, culture, commerce and the visitor economy.
 - **CP20: Historic Environment** seeks to protect, enhance and restore the historic environment of the city. Heritage Impact Assessments and Significance Statements will be required for new development which has potential to impact the historic environment.
 - **AC1: City Centre Strategy** encourages a ‘renaissance’ for the city centre through sustainable economic growth and regeneration and improvements to the built environment. The council will encourage new developments that strengthen and enhance the city’s standing as a centre for culture, leisure and tourism.
 - **AC2: Delivering a City Centre Renaissance** prioritises regeneration projects in the city centre that will contribute to visitor growth, employment growth and retain provision, alongside accessibility improvements. The application site is within the Central Business District (CBD) for Derby which is defined as a central hub of economic and leisure activity in the city.

- **AC5: City Centre Environment** highlights that any development in the city centre should meet environmental, heritage, and placemaking requirements, enhance connectivity and enhance the historic street pattern.

City of Derby Local Plan Review (2006, Saved Policies)

- 5.16 The Derby City Local Plan Review was adopted in January 2006. Secretary of State direction in January 2009 confirmed that a number of policies in the plan would be saved, and some are superseded by the Core Strategy Part 1.
- 5.17 Relevant policies to the proposed development at Derby Assembly Rooms are set out below:
- **E12: Pollution** states that planning permission will not be granted where development generates pollutants that would be unacceptably detrimental to the health and amenity of users of the development, users of adjoining land or the environment.
 - **E18: Conservation Areas** emphasises the importance of the preservation and enhancement of the special and historic character of conservation areas within the city, and that this should be a priority for new developments. DCC is also committed to ensuring the physical and economic revitalisation and enhancement of conservation areas as a result of development.
 - **E21: Archaeology** states that the council will refuse proposals which are likely to adversely affect nationally important archaeological remains, whether scheduled or unscheduled, or their settings. In Alert Areas, applicants are required to provide results of an archaeological evaluation.
 - **GD5: Amenity** seeks to only permit development where it provides a satisfactory level of amenity and would not cause unacceptable harm to the amenity of nearby areas. In considering the proposals, DCC will assess noise, vibration, air and light pollution.

Material Considerations

Emerging Local Plan

- 5.18 The Derby City Local Plan Part 2 is currently in the early stages of development, with an Issues and Options Consultation published in January 2018.
- 5.19 The Issues and Options consultation covered issues relating to the following themes; Delivering High Quality Places, Heritage, Regeneration, Housing, Green Infrastructure, Delivering a Sustainable Economy, Transport, Health and Community and Development Management Policies (in addition to those in Part 1).
- 5.20 Part 2 of the plan intends to set out further policies to guide development decisions, inform the delivery of 'strategic locations' outlined in Part 1 and allocate sites for new housing and infrastructure. Part 2 will supersede the saved policies from the City of Derby Local Plan Review 2006, alongside Part 1.

Derby City Conservation Area Appraisal and Management Plan (October 2012)

- 5.21 The Derby City Centre Conservation Area Appraisal and Management Plan was adopted in October 2012. The Appraisal shows an appreciation and analysis of the historic features, built form, public realm, historic materials, local details and distinctiveness, and street design of the conservation area and outlines strategies to ensure that future development is sympathetic to these features.
- 5.22 The plan defines 'the 'spine' of the city centre' as a character area within the city centre, this area comprises three sub -areas; Market Place; King Street, Queen Street and Iron Gate; and Corn Market and Market Hall. Within the Market Place sub area, the Assembly Rooms is described as a modernist concrete building which dominates the north of Market Place.
- 5.23 The plan states that proposals for new development in the conservation area will be considered and evaluated by the council in relation to their overall effect upon appearance, setting and character using the analysis and appraisal.

City Centre Masterplan 2030

- 5.24 The City Centre Masterplan for Derby, published in July 2016, sets out a 15-year (2015-2030) framework for investment opportunities to regenerate the city centre, identifying a number of priority projects to be delivered by 2030, which includes the refurbishment of the Assembly Rooms.
- 5.25 The masterplan proposes a vision and ten ambitions for the city centre. The masterplan vision seeks to create a vibrant city centre which offers an attractive lifestyle and living environment, is a connected and smart city with successful and growing cultural and leisure attractions, and offers a successful and thriving central business district.
- 5.26 The refurbishment of the Assembly Rooms is identified as a key focus to guide the economic regeneration of the city centre and is expected to unlock opportunities for future growth in the leisure, office and retail sectors. As the refurbishment plans were found unviable, the demolition and future redevelopment of the site will provide an opportunity to regenerate the site, facilitating the future growth of a variety of sectors, returning the site to active use

Covid-19 Planning Written Statement

- 5.27 A statement was published by Robert Jenrick, the Secretary of State for the Ministry of Housing, Communities and Local Government on 14th July 2020, which sought to prevent the loss of theatres and performance venues in response to the 2020 Coronavirus pandemic.
- 5.28 In relation to the demolition of long-term vacant theatres and performance venues (such as the Assembly Rooms), it states the following; ¹
- 5.29 *"Where an alternative use or demolition for a long-term vacant theatre, concert hall or live music performance venue is proposed, local planning authorities should consider the application in the normal way"*

¹ Ministry of Housing, Communities and Local Government (2020) *Planning update: Preventing Loss of Cultural Venues and Planning Conditions for Holiday Parks*, Written Statement - HCWS367. Available at: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-07-14/HCWS367/>

6. Planning Assessment

- 6.1 This section provides an assessment of the key planning considerations involved in this application and how these respond to the aforementioned planning policies and guidance.

Principle of Demolition Proposals

Economic Viability

- 6.2 In 2018, Derby City Council began planning for the refurbishment of the Assembly Rooms venue, considering a variety of refurbishment and repair options which would return the venue to active use and play a role in the regeneration of the City Centre and Market Place. A budget of £23 million was allocated for the refurbishment. Planning permission was granted in September 2019 for refurbishment works, repairs and enhancements to the venue.
- 6.3 By January 2020, the Anticipated Forecast Cost (AFC) for the project increased from £23 million to £33.5 million and the expected completion date pushed back to February 2022, a programme delay of 18 months from the forecast completion date. The project was therefore put on hold in January 2020 to allow the Council to consider alternative options. An Economic Viability Report has been submitted with this application which provides full details of these refurbishment costs.
- 6.4 The cost of refurbishing the venue to bring it back into use is broadly comparable to the cost of providing a new state-of-the-art venue capable of accommodating 3500 people and attracting touring West-End musical productions. Furthermore, the increase in cost would have necessitated the Council dipping into reserves or undertaking additional borrowing.
- 6.5 In addition, the Council would be required to fund any major capital replacements and it was estimated that the Assembly Rooms would have required an ongoing subsidy from the Council in the region of £350,000 per annum.
- 6.6 In conclusion, the refurbishment of the existing building as a performance venue is not economically viable.

New Performance Venue at Becketwell

- 6.7 Since the closure of the Assembly Rooms in 2014, Derby has been without a significant venue in which to hold regional and national cultural events thus depriving the city of a key visitor attraction to support its leisure and night-time economy. This position has only been compounded by the impact of the Covid 19 pandemic
- 6.8 Since it became clear that the refurbishment of the Assembly Rooms was not a viable option, alternative options to provide a performance venue and complementary cultural provision within the City Centre have been explored.
- 6.9 A new performance venue at Becketwell is now being progressed which has been designed to be extremely flexible and will comprise:
- 3,500 capacity venue with the facility to rapidly change the seating arrangements and offer flexibility so that the auditorium can accommodate smaller events (down to 800 capacity space);
 - Secondary space up to a 400 person capacity;
 - A quality acoustic design suitable for a range of music from classical to rock/ pop;
 - Entrance/ foyer and circulation space with hospitality facilities including café, bars and food services
- 6.10 The facility has been designed to be capable of hosting a range of performances and events including:
- A wide range of music events

- Touring West-End theatre/ musicals
 - Comedy
 - Events, conferences and trade shows
 - Banquets and special events
- 6.11 The new performance venue is due to open in 2024 and will be operated by a private operator on a commercial basis and will not require ongoing subsidy (as a refurbished Assembly Rooms would have done).
- 6.12 In this context, the demolition of the Assembly Rooms should not be considered to be a loss of a cultural entertainment venue as an alternative (and better) venue is being re-provided elsewhere in the City Centre, meeting key priorities of the City Centre Masterplan 2030.

Maintenance and Safety

- 6.13 In its current inoperable state, the Assembly Rooms building presents a dead frontage to the Market Place and encourages anti-social behaviour. There have also been a number of instances of trespassers gaining unauthorised access to the roofs which is a significant health and safety risk. The building currently costs the Council approximately £70,000 per annum to maintain; an ineffective use of public money.
- 6.14 A structural survey of the Assembly Rooms commissioned by Derby City Council in 2020 found that the majority of roofs were constructed using reinforced autoclaved aerated concrete (RAAC) which is a lightweight form of concrete used primarily for roofs in offices and schools from the mid-fifties to the mid-eighties.
- 6.15 A Structural Report has been provided with this application which notes that the useful life of this type of roof panel is estimated to be approximately 30 years. The roofs to the Assembly Rooms, which was opened in 1977, are over 40 years old and hence more than 10 years beyond their recommended serviceable design life. It is generally recognised that RAAC concrete cannot be locally repaired using traditional concrete patch repairs due to the nature of material and its fragility when undertaking intrusive works. Hence if the Assembly Rooms building were to be retained then complete replacement or construction of permanent strengthening works would be required. The replacement would require the installation of a new lightweight timber or steel roof structure and roof covering throughout at a cost of approximately £3.8m
- 6.16 The Structural Report sets out that the RAAC panels should be risk managed until a permanent solution is determined, but the risk of failure during this period cannot be discounted. Particular attention should be paid to any further reports of water ingress, and the RAAC panel areas of roof should be treated as 'fragile' with individual risk assessments undertaken prior to access and MEWP's, crawling boards or independent fall arrest systems used if roof repair work or further surveys are undertaken.
- 6.17 The presence of RAAC panels in a public building in 2020 is a cause for serious concern as there are many historic case studies highlighting the structural problems and deficiencies associated with this type of concrete. These include unforeseen structural collapses of a number of roofs on public buildings including schools.
- 6.18 The Structural Report concludes that, given the form of construction and age of the building the Derby Assembly Rooms can be classified in the same category as the public buildings which have exhibited structural collapses. The panels are now beyond their anticipated design life and could fail with debris from an unforeseen collapse falling onto members of the public or operatives or staff maintaining and working in the building.
- 6.19 Having regard to these maintenance and safety issues, there is strong justification for the urgent demolition of the Assembly Rooms on health and safety grounds.

Future Use of the Site

- 6.20 The Council is currently undertaking feasibility work into future redevelopment proposals for the site which indicates that there are various viable options. The Council is giving careful

consideration to these options for the site, having regard to achieving the aims of the City Centre Masterplan. Once a preferred option is selected, a design will be progressed and a planning application submitted in due course.

- 6.21 In the short to medium term following demolition, the site and (adjacent Market Place) will be used to host a temporary market including food and drink stalls with seating areas, public open space and car parking. These temporary meanwhile uses will ensure that the site (and the wider Market Place area) will be put into active use, attracting visitors and supporting the local economy while long term redevelopment proposals are progressed.
- 6.22 The temporary car park may allow for the temporary re-provision of some of the disabled parking spaces which will be lost with the demolition of the existing multi-storey car park, although a separate wider feasibility study will be undertaken by the Council in relation to this issue.
- 6.23 For avoidance of doubt, the temporary uses, and any associated temporary structures, are not subject to this planning application and it is anticipated that they will be implemented under Class BA of the recent Coronavirus permitted development rights. If these permitted rights have expired by the time these uses are due to be implemented, a separate planning application for temporary development will be submitted in due course.
- 6.24 It is noted that this consenting approach is also consistent with the Council's *C-19 Recovery - Temporary Buildings and Structures Guidance*.

Summary

- 6.25 The Assembly Rooms in its current inoperable and vacant state does not contribute towards the objectives of the City Centre Masterplan and is currently hindering progress towards the regeneration of Market Place and the creation of a thriving and successful city centre
- 6.26 A new performance venue is being progressed at Becketwell which will provide an improved replacement for the loss of the Assembly Rooms. Given its bespoke design and condition, there is no prospect of the Assembly Rooms building being refurbished for alternative uses and it presents both a significant health and safety risk and an ongoing maintenance burden to the Council.
- 6.27 Although the long-term proposals for the site are embryonic, the demolition of the Assembly Rooms building will help to facilitate its future redevelopment and the LPA can have confidence that a planning application will come forward in due course. In the short to medium term, the site will be brought into active use as an outdoor market area, helping to renew vitality and vibrancy in this part of the City Centre.
- 6.28 Accordingly, there is strong justification and public benefit associated with the demolition of the Assembly Rooms.

Built Heritage

- 6.29 A Heritage Statement is submitted with this application which assesses the impact of the loss of the Assembly Rooms building in its own right, together with the impact of the proposed demolition upon the Conservation Area and other heritage assets.
- 6.30 The Heritage Statement sets out that the Assembly Rooms is considered to be a non-designated heritage asset in recognition of its architectural merit. /The building is a striking example of Brutalist architecture by a notable architectural practice, albeit unlikely to be the work of Casson himself. Externally it remains a striking structure which reveals the adaptability of concrete as a building material and a good example of the Brutalist aesthetic of exposed construction and massive scale. However, in execution it does not have the scale or finesse of some of the practice's work, and there is a greater dominance of brick which reduces the effect of the Brutalist ethos of creating impact and texture through raw concrete. It is for these reasons that it was judged not to meet the criteria of statutory listing when assessed in 2016 and it was subsequently issued with a Certificate of Immunity from listing.

- 6.31 The assessment concludes that the total loss of the Assembly Rooms does amount to harm. As a non-designated asset, the scale of this harm should be balanced against the significance of the asset. It is concluded that the harm to the asset is substantial and this should be weighed against the significance of the asset as a building of local interest.
- 6.32 The Heritage Statement determines that harm to the Conservation Area as a result of the proposed demolition is assessed as less than substantial, as the Assembly Rooms is a building which makes a neutral contribution to the special interest of the area. The building is considered to have significance in its own right, however its contribution to the significance of the Conservation Area as a whole is low.
- 6.33 It is concluded that the Assembly Rooms building does not make a positive contribution to the City Centre Conservation Area or any key views. With regard to the key views outside the Conservation Area, the demolition of the building, particularly the car park, will remove an acknowledged detracting feature.
- 6.34 A photographic survey of the building will be undertaken prior to its demolition. This will be carried out in accordance with an agreed WSI which will adhere to Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice' (2016); the Chartered Institute for Archaeologists' (CIfA) updated 2019 Standard and guidance for the archaeological investigation and recording of standing buildings or structures, and the CIfA Code of Conduct.
- 6.35 It is noted that the Jacobean ceiling within the Assembly Rooms will be carefully removed and relocated to a museum.

Archaeology

- 6.36 The application site lies within Derby's historic core and an Archaeological Alert Area. It has been agreed with the Derbyshire County Archaeologist that the grubbing out of foundations following the proposed demolition will be subject to an Archaeological Watching Brief.

Arboriculture

- 6.37 An Arboricultural Impact Assessment has been submitted with this application which identifies and analyses the likely direct and indirect impacts of the demolition, along with suitable mitigation measures, as appropriate.
- 6.38 The demolition of the Assembly Rooms building and adjoining multi-storey car park, will require the removal six trees; this includes one tree classed as moderate quality (Category B) and five trees classified as low quality (Category C). In addition, one tree classified as very low quality (Category U) which is unsuitable for retention regardless of the Proposed Development is also to be removed.
- 6.39 It is not proposed that the demolition operation will require any retained tree be pruned, however where there is the potential for damage to retained trees, preventative facilitation pruning should be undertaken.
- 6.40 It is anticipated that tree loss will be mitigated through landscaping proposals as part of the long term solution for the site, details of which will be provided as part of a future planning application. It would be premature to undertake replacement planting following demolition as this could prejudice future redevelopment proposals.

Amenity Impacts

- 6.41 An Outline Demolition Method Statement has been submitted with this application which details measures to minimise and control amenity impacts.
- 6.42 In accordance with Local Plan Policy E12, the Demolition Statement details that Best Practice Measures which will be implemented to reduce the risk of any potential pollution, ground, water course or drainage contamination from various liquids and site effluents used on site. The employment of these measures will ensure that the proposed demolition will not create any unacceptable impact to the health and amenity of the surrounding area and the environment.

- 6.43 A Noise and Vibration contractor will be appointed to undertake a Noise and Vibration Risk Assessment to assess the potential for noise and vibration nuisance on surrounding sensitive receptors.
- 6.44 The Principal Contractor will use the results of the Noise and Vibration Risk Assessment to engage with the Derby City Council EHO and shall seek a Section 61 consent agreement outlining the tasks to be undertaken, duration and timing and mitigation measures to be deployed. Any continuous or attended noise monitoring shall be agreed within the consent. Work will not commence until a Section 61 consent is granted and all works shall be undertaken in line with this consent.
- 6.45 An Air Quality Risk Assessment will be carried out by a qualified Air Quality contractor prior to any demolition works at the site. The Risk Assessment will seek to alleviate any issues associated with air quality and dust and seek to employ measures to mitigate nuisance to nearby properties as a result of the demolition, in accordance with Local Plan Policy E12
- 6.46 In addition, Best Practice Measures will be employed as part of the demolition approach in order to ensure that any potential adverse amenity impacts as a result of the noise generated by the demolition works are minimised. These measures are detailed within the Demolition Statement.
- 6.47 All operations on site will be carried out during the specified hours only and operations will occur as far away from potential receptors as practical.
- 6.48 Mitigation measures may also be employed to control vibration impact upon nearby buildings. Vibration monitoring will be undertaken where necessary to demonstrate compliance with agreed limits. Methods of working and items of plant will be selected and utilised so that the maximum measured ground vibrations do not exceed any agreed Peak Particle Velocity or Vibration Dose Values.

Waste Management and Materials

- 6.49 The Principal Contractor will produce a Site Waste Management Plan (SWMP) to manage construction, demolition and excavation waste associated with the demolition.
- 6.50 The SWMP will include Best Practice Measures to ensure the most effective and high-standard management of waste and materials generated from the proposed demolition. The SWMP will also ensure that the proposed demolition contributes towards the achievement of emerging, current and long-term national and Derby City Council targets for waste minimisation, recycling and reuse of waste arising and materials.

Ecology

- 6.51 A Phase 1 Habitat Survey of the site was undertaken in April 2019 by an experienced ecologist from AECOM. The aim of the survey was to identify the type, quality and extent of habitats present within the site and to identify the potential for these habitats to support protected and/or otherwise notable species. The results of this are presented in the Preliminary Ecological Appraisal submitted with the application.
- 6.52 This confirms that there is little ecological diversity within the site. Although there is no legally defined nesting season, it is widely accepted that to prevent an offence any demolition works between March and August inclusive will require a check for active nests by a competent person. If an active nest is found, then a cordon should be set-up and the area left until the young have fledged.
- 6.53 The overall suitability of the building to support roosting bats has been assessed as Low. All identified features were superficial, therefore they do not have suitable cavities to support roosting bats; however lifted exterior cladding/boarding is present on the exterior of the building and this has **Low** suitability to support occasional usage by an individual bat.
- 6.54 A subsequent bat re-entry survey was undertaken in August 2019 details of which have been provided with this application. No bats were observed re-entering the building during the bat

re-entry survey and no bat species were encountered during the survey. As such the probable absence of roosting bats has been confirmed.

- 6.55 However, it is recommended that the exterior cladding be removed during the bat winter/hibernation period (November-May) when bats will be absent; the feature identified is not suitable to support hibernating bat species as the feature present will not provide stable climatic conditions. If this is not possible, it is recommended that the cladding be removed under a precautionary working method statement/toolbox talk in the unlikely event that an opportunistic bat may occupy this feature.

7. Conclusions and Planning Balance

- 7.1 This Planning Statement, and suite of documents submitted in support of the Planning Application, demonstrates the case in support of the demolition of the Assembly Rooms, located in Market Place, Derby.
- 7.2 This application seeks approval for the demolition of the long-term vacant Assembly Rooms building and adjacent multi-storey car park for safety reasons; to remove an ongoing maintenance burden, and to facilitate future development of the site that is able to regenerate the City Centre and support economic growth.
- 7.3 The Council has previously made concerted efforts to refurbish the building and bring it back into active use, but it is evidently not economically viable to do so. A new performance venue is now being progressed at Becketwell which will provide a modern state-of-the-art replacement facility within the City Centre.
- 7.4 The total loss of the Assembly Rooms building does amount to substantial harm to a non-designated asset and that impact on the wider Conservation Area would be less-than-substantial. It is considered that this harm is heavily outweighed by the public benefits associated with the demolition of a building that has no prospect for any future use.
- 7.5 The proposed demolition is supported in principle by local planning policy, the City Centre Masterplan 2030, and national policy set out in the National Planning Policy Framework. The proposals are also consistent with the relevant development management policies relating to heritage, archaeology, arboriculture, amenity, waste management and ecology and would not result in any significant impacts in relation to these technical issues.
- 7.6 Accordingly, this Planning Statement has demonstrated that the proposed demolition of the Assembly Rooms is in accordance with the development plan and planning permission should be granted accordingly.

