

Item	Element	HPBC PP*1 Notification	CONSULTEES COMMENT	Drawing / SHS / AHS	BENCH ARCHITECTS RESPONSE	Email	Site meetings responses from HPBC & Historic England: 02.03.26 HPBC - RR+Jane Colley and from HE 16.03.26 - Jess Jenkinson & Tim Allen MA FSA during trial holes.	Action	Date	Status
[A] - HISTORIC ENGLAND - 11.11.25 and 17.11.25 - Jessica Jenkinson Inspector of Historic Buildings and Areas (Nottinghamshire and Derbyshire) - jessica.jenkinson@HistoricEngland.org.uk - 0121 625 6888										
1	ASHLAR REPLACEMENT		[Paragraph A4] -The proposal is to restore the fountain through reconstructing elements of the structure, reinstating the urn vase and re-landscaping the surrounds with cast iron railings. It is proposed that over half (about 70%) of the existing sandstone would be replaced: <u>this would harm the fountain’s architectural value through the loss of the stone’s patina and authenticity</u> which indicates its age and long use in the marketplace. [Paragraph A8] - Ideally, we would like to see more of the original sandstone structure retained and repaired as this would conserve the historic patina and integrity of the fountain and therefore reduce harm in line with paragraph 208 of the NPPF.		The condition of the ashlar is illustrated on drawings E-032-E050 and photographs within the SHI. The Condition Survey has been updated to include close-up photographs of every ashlar component with text noting masonry deterioration patterns. The decayed ashlar includes: A) freeze-thaw shattering; B) Splitting and deformation due to excessive loading; C) Delamination due to vertical positioning of the bedding planes; D) Granular disintegration due to salt crystallisation and binder dissolution. The Heritage Impact Assessment we be expanded to accommodate Historic England's [HE] comments. Severely decayed, no longer structurally performing ashlar components, would require mechanical suspension from a supporting structure, which could comprise a brick-core. <u>A maximum ashlar retention will require caveats, including:</u> A) some ashlar components may not be repairable on dismantling and inspection; B) https://www.rmeaton.co.uk will not guarantee retained masonry which has excessive deterioration; C) Decayed or excessively decayed ashlar components will require future maintenance and/or replacement; D) Such components would be detailed to be removable and non-loadbearing, hence the independent structural to the cistern.		HE noted that they had not appreciated the scale of the ashlar deterioration and that BA's HPK/2025/0336 and 0367 application documentation was now considered appropriate. JJ.HE - 01.04.26 email - "<u>Having reviewed the pre-app documents and having now seen the conduit on site, we understand that the scale of rebuilding proposed to the conduit is necessary due to the scale of delamination of stone/cracks and fractures seen across the structure</u> . <i>As discussed on site, at application stage it would be beneficial for wording which allowed for the stonemasons to assess individual piece at their yard should salvage be an option."</i>	BA		

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2	HISTORIC MASS-STONE SLAB FOOTINGS vs CONCRETE FOUNDATION		Whilst we acknowledge the application's mention of ground subsidence, <u>the proposal to set the stone fountain on a reinforced concrete slab</u> would be harmful to its architectural significance. Concrete is a non-compatible material to sandstone <u>because it can trap water</u> and lead to stone erosion and cracking (particularly after frost) thus catalysing decay. The use of a concrete slab would also appear incongruous beneath the fountain instead of a traditional stone base. [Paragraph 10] - Furthermore, we think the reinforced concrete base could harm the stone structure as a non-breathable material which is incompatible with sandstone. If a STRUCTURAL SURVEY has been undertaken, <u>it would be useful to see the justification for concrete as well as other options to secure the structure against subsidence.</u>		Trial-pitting is recommended - to reduce construction risk and ascertain the extent and condition of the existing footings. Core-holes would be useful to ascertain soil characteristics, and if possible the depth of the bedrock. The structure has significant movement in multiple directions caused by excessive loading and failed ashlar-to-ashlar connections. Therefore all structural solutions involve the dismantling of the Cistern. Option 1 - Dismantling the Cistern footings (if extent), replace defective slabs, and improve the load capacity of the subsoil. Excavation and installation of Type 3 - self draining hardcore. Reinstate the footings. Option 2 - If a reinforced concrete slab [RCS] is required, (or already placed during WW2)*, regular centrered vertical drainage holes between the reinforcement would be provided. Concrete footings are employed effectively and without detriment below masonry-structures, ashlar paving, and steps. To avoid standing water, thick 30-40mm self-draining mortar beds are utilized with concrete laid to falls, and/or with regularly spaced drainage holes within the concrete; seeping-water percolates via falls and the drainage holes to a Type 3 crushed stone hardcore substrate Option 3 - If sound, the Cistern's footings could be retained in situ, undisturbed. <i>[*Ironwork removals were made possible under Sections 50 and 53 of the Defence (General) Regulations of 1939, which allowed for the compulsory seizure of iron including railings].</i>		The 16.03.26 trial-holes confirmed the geometry and condition of the existing footings and level of the Bee Low Limestone bed-rock. Refer to drawing E-049 which documents the trial holes. The bed-rock is high and only 520mm below the gritstone paving which surround the cistern. The cistern has two courses of gritstone foundation ashlar onto the bed-rock. It is probable that the ashlar railing-plinth had been removed along with the cast-iron railings circa 1939 under the Defence (General) Regulations of 1939 allowed for approved contractors to remove iron railings under Section 50 and 53 of the act. Repurposed gritstone kerbs were bedded on cement mortar onto a roofing slate levelling course onto an extant limestone footing. An ash-lime mortar has been used to level the Bee Low bed-rock. <u>The trial holes have evidenced that the cistern and railing plinth footings are sound, and the bed-rock high; therefore the footings can be retained in situ to support the reassembled cistern ashlar and railing plinth.</u> There are no requirement for concrete footings other than two small 500mm cubed padstones to support Buxton Well Dressing's annual displays.			
	SURFACE WATER MANAGEMENT		[Paragraph 10] - We would also encourage the <u>design of the plinth to incorporate a gradient which would help direct water away from the fountain.</u>		In order to preserve the mass-stone slab foundation (if it still exists) it is essential to manage surface and seeping water around the structure. This includes the avoidance of standing water with graded falls away from the structure, along with the provision of a permeable substructure. The proposed paving designs already illustrate falls between the cistern and railing plinth which are gradient to the west, and surface water drains to the road.		The compacted clay bedding to the gritstone paving, (which is subject to heave) is to be replaced with a well compacted Type 3 - limestone hardcore. The gritstone paving slabs are to be bedded on a moisture permeable lime mortar.	-	-	
3	LIME MORTAR		We are pleased to see that lime mortar is proposed elsewhere on the structure.							

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4	NEW BRICK STRUCTURAL CORE		The rebuilding of the inner 'cistern' in a non-like for like manner would also <u>harm an ability to understand the traditional construction of the fountain.</u>		During WW2 the interior and operating mechanisms of the Cistern were removed along with the railings and railing plinth. The interior of the Cistern is empty, a void. This was noted in item 2.3 of BA's 19.08.25 HPK/2025/0366-0367 Assessment of Heritage Impact. All structural solutions involve dismantling the Cistern ashlar for urgent masonry repairs - the structure has significant multi-directional movement (8-27mm), which is caused by excessive loading and failed ashlar to ashlar connections. Severely decayed and no longer structurally performing ashlar components require mechanical support, restraint or renewal. A brick-core would provide such constraint. Traditional ashlar fixings, and an internal stainless-steel frame are also under consideration.		Live stills from a borescope inspection camera evidenced that the Cistern has been denuded of all interior operating mechanisms. Refer to drawing E-049.			
5	NEW BRICK STRUCTURAL CORE STRUCTURAL ASSESSMENT		Furthermore, we are concerned that <u>blue engineering bricks might stress the existing stone of the cenotaph</u> , but we would wish to see a <u>structural assessment</u> to confirm this. [Paragraph 9] - We would extend our concerns to the proposed materials. The application intends to line the stone cenotaph with engineering brick. It is unclear from the application what impact this would have on the sandstone slabs. <u>It would be helpful to see other options put forwards for securing the cenotaph. This could be achieved from a structural assessment.</u>		Severely decayed and no longer structurally performing ashlar components require mechanical restraint from the proposed brick-core. Engineering Bricks have a gross dry density typically around 2190 kg/m ³ - a less dense brick could be used for the core. Historic buildings are commonly comprised of brickwork with ashlar dressings or cladding. "Blue engineer bricks," particularly Staffordshire blue bricks, originated in the West Midlands during the 17th and 18th centuries and became widely used in the 19th century during the Industrial Revolution. The technology for making similar blue bricks in China dates back much further, to the Qin-Han period (221 BC – 220 AD). A brickwork core, allows flexibility in the positioning of masonry fixings. By comparison a structural stainless steel frame would require very precise design and fabrication. As noted above, the retained ashlar components require mechanical restraint from the proposed brick-core and the core supports the weight of the gritstone cornice and urn.		HE noted that the brick-core illustrated in BA's HPK/2025/0336 and 0367 application documentation was appropriate, and would support the massive ashlar cornice and urn. Further the brick-core would prevent the ashlar from being stressed by the weight of the cornice. JJ.HE - 01.04.26 email states - " We also discussed whether a brick or iron frame would be more appropriate internally and concluded whilst brick would be preferable , both options would be considered ahead of further opening up works to ascertain the exact internal composition of the structure ". The application proposals continue to illustrate a brick-core as this has greater practicality and economy than a stainless steel frame; with ensuing flexibility and ease in the placement of the structural fixings restraining the masonry. Further, a stainless-steel frame would require epoxy resin-anchored structural fixings into the cistern plinth, whilst a brick-core's stability is provided by its mortar bedding. It is proposed that H.G. Matthews - Grey Brown handmade imperial bricks with a F2 durability grade and a compressive strength of 50.3 N/mm2. The brick is to be laid in an English Bond with NHL.2 mortar, or a hot-mixed-lime mortar with a pozzolan. Refer to drawing P-520-1 for the bond pattern.			
6	URN VASE		The proposal to conserve and return the <u>urn vase</u> which includes repairing the crack, relining the feature with lead and the creating an urn lid is very positive and would reinstate the fountain's original appearance.							
7	CAST IRON RAILINGS		Reinstating the <u>cast iron railings</u> is similarly positive. The proposed design is carefully researched and offers an enhancement to both the listed structure and the wider marketplace, which sits within a conservation area.							

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8	HE SUPPORT THE PRINCIPLE OF CONSERVATION & RESTORATION OF THE CISTERN		Overall, Historic England welcomes the principle of conserving and restoring the Grade II listed fountain, however, we think the current proposals should be amended to achieve a 'lighter touch' approach to its conservation. [1] <u>We are not convinced that the current proposal for whole dismantling is necessary</u> [2] and the loss of around 70% of the original stone would be regrettable. [3] We would also like to change to proposed materials.		[1] The proposal for whole dismantling of the Cistern is absolutely necessary - AS THE STRUCTURE IS IN A DANGEROUS CONDITION. The structure has significant movement in multiple directions (8-27mm) caused by excessive loading, and failed ashlar-to-ashlar connections. The required repairs and consolidation of the ashlar can only be carried out in workshop conditions. [2] Factoring in the retention of ashlar components 4C and 2C and the area of the consolidated footings (if extant), the masonry retention becomes approximately 60% and the renewal 40%. This retention extent is caveated, further replacement masonry may be required on the uncovering of the footings and the dismantling of the ashlar, due to concealed defects. [3] Subject to a structural assessment - materials could be modified. It is proposed that mass-slab gritstone footings (if existing) are retained and consolidated where required. Structural fixings, and a probable structural core is required to support the decayed Cenotaph ashlar, and cornice and urn above.		HE noted that they had not appreciated the scale of the ashlar deterioration and that BA's HPK/2025/0336 and 0367 application documentation was now considered appropriate. JJ.HE - 01.04.26 email - " <u>Having reviewed the pre-app documents and having now seen the conduit on site, we understand that the scale of rebuilding proposed to the conduit is necessary due to the scale of delamination of stone/cracks and fractures seen across the structure</u> .			
9	SUBMISSION OF THE CONDITION SURVEY		Whilst we are sympathetic to the issues of long-term disuse and subsidence at this site, we think <u>the application would benefit from a submission of the condition survey cited in documents</u>		Bench Architects Condition Survey has been updated to communicate the current deterioration of the Cistern's ashlar.		Refer to BA's Level 3 Survey and ashlar component condition survey drawings E-032-050.			
10	STRUCTURAL ASSESMENT		furthermore, a <u>structural assessment to allow for a more in-depth understanding of the fountain's fabric and issues for rectification</u> .		Mann William's - have been appointed as consulting Structural Engineers. Refer to https://www.mannwilliams.co.uk/projects		Refer to Mann William's Structural Assessment - Application Appendix D.			
11	REINSTATEMENT OF THE URN VASE AND CAST-IRON RAILINGS VIA DOCUMENTARY RESEARCH ENHANCES ARCHITECTURAL SIGNIFICANCE AND PROVIDES HERITAGE BENEFITS		[Paragraph 11] - We are pleased to see that the proposed reinstatement of the urn vase and cast-iron railings are carefully considered through documentary research. We think both elements would enhance the architectural significance of the conduit and the character of the Buxton Central Character Area of the Buxton Conservation Area, aligning with paragraph 212 of the NPPF. [Paragraph 12] - The local planning authority will also need to weigh the harm, which we assess to be less than substantial, against the public benefits of this proposal, as described in paragraph 208 of the NPPF. We cannot comment on public benefits but can comment on heritage benefits. We think this scheme offers heritage benefits in the form of reinstating the urn vase and the lost cast iron railings.							

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[B] - DERBYSHIRE COUNTY COUNCIL ARCHAEOLOGY -										
1	ARCHAEOLOGICAL IMPLICATIONS OF FOUNDATION DEPTH		[Paragraph B2] -The application is a little unclear in terms of the depths and extents of ground excavation proposed , but there does seem to be an intention to dismantle the fountain and what is referred to as a ‘conduit’ beneath. The applicant notes that they have carried out underground surveys of this but this information does not appear in the application as available to me online. A new concrete base to the ‘conduit’ is proposed, and presumably this will require a certain depth of excavation – and this process may therefore have archaeological implications in exposing and/or impacting on stratigraphy beneath the Market Place with medieval or even Roman origins.		The proposed excavation for a drained RC slab including 150mm of Type 3 hardcore is approximately 650mm from the current paving level. <u>Other options for the retention of the existing footings [if extant] are being considered. Refer to item A2 above.</u>		The 16.03.26 trial-holes confirmed the geometry and condition of the existing footings and level of the Bee Low Limestone bed-rock. Refer to drawing E-049 which documents the trial holes. The bed-rock is high and only 520mm below the gritstone paving which surround the cistern. <u>The trial holes have evidenced that the cistern and railing plinth footings are sound, and the bed-rock high; therefore the footings can be retained in situ to support the reassembled cistern ashlar and railing plinth.</u> The only disturbance to the ground / substrate would be the replacement of the circa 1840 clay fill between the railing and cistern footings with well draining compacted Type 3 limestone hardcore. There are no requirement for concrete footings other than two small 500mm cubed padstones to support Buxton Well Dressing's annual displays.			
2	NPPF para 218 - ARCHAEOLOGICAL MONITORING GROUNDWORKS		[Paragraph B3] - On the information available I recommend that <u>archaeological monitoring of these groundworks would be appropriate in line with NPPF para 218</u> (in addition to any recording recommended by your Conservation Officer), and that this should be secured by a planning condition as follows:		Dr Ian Parker-Heath - Enrichment Through Archaeology ian@enrichmentthrougharchaeology.co.uk 07956987930 has been appointed by BCA to provide a WSI and Archaeological Watching Brief.					
2a	WRITTEN SCHEME OF INVESTIGATION (WSI)		[Paragraph B4] - “ <u>No development shall take place until a written scheme of investigation (WSI) for archaeological monitoring has been submitted to and approved by the local planning authority in writing.</u> For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives ; and:		As item B2.					
2b	PROGRAMME / METHODOLOGY OF SITE INVESTIGATION AND RECORDING		[Paragraph B4] - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works		As item B2.					
2c	POST-INVESTIGATION ASSESSMENT / SUBSEQUENT ANALYSIS, PUBLICATION & DISSEMINATION / DEPOSITION		[Paragraph B4] - The programme for <u>post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material</u> . This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.”		As item B2.					

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[C] - DERBYSHIRE COUNTY COUNCIL HIGHWAYS										
1	DCC Highways Approval - REQUIREMENT FOR A Section 50 NRSWA Street Works Licence		Highways Development has no objection. As commented in the submitted details, the applicant will require authorisation to undertake the works under S50 of the NRSWA [New Roads and Street Works Act 1991] . Based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.		Derbyshire County Council charges £445 (Under Highway) or £395 (Over Highway) for a Section 50 NRSWA Street Works Licence, covering street works under or over the highway (as of late 2024/early 2025 data). These are discretionary fees detailed in their Economy, Transport and Environment fees document.					
[D] - HPBC CONSERVATION OFFICER										
1	ASHLAR REPLACEMENT EXTENT		[Paragraph D3] - Proposed plans show that a large proportion of the existing sandstone will be replaced during the re-building process. Over 50% (an estimated 70%) of the original sandstone will be lost during the re-building works. This is considered to be an exorbitantly high amount of original fabric to be lost. The application has not included any structural or condition surveys to justify the need for such notable and irreversible loss of the historic fabric. This would harm the evidential and architectural value of the grade II listed cistern creating a pastiche. The 1973 listing description acknowledges the cistern as 'Weathered'. This weathering has continued over the 50 years since the cistern was listed. The weathered appearance adds to the history and authenticity of the listed cistern.		The condition of the ashlar was illustrated on drawings E-030-031 and E050, along with photographs within the SHI. <u>An update condition survey is appended</u> illustrating the structure has significant movement in multiple directions (8-27mm) caused by excessive loading, and failed ashlar-to-ashlar connections. The decayed ashlar includes: A) freeze-thaw shattering; B) Splitting and deformation due to excessive loading; C) Delamination due to vertical positioning of the bedding planes; D) Granular disintegration due to salt crystallisation and binder dissolution. The condition survey justifies the extent of the ashlar replacement illustrated in the original application. BCA's instruction to BA was that following the Cistern's initial repair, BCA repair risk would be reduced to limited periodic maintenance. HPBC statutory approvals appear to depend on the retention of highly defective ashlar components. The retention of such components would require further significant intervention and renewal. HPBC Officers should have inspected the Cistern integral with their reporting, and ascertained that the Cistern has significant structural defects and masonry deterioration. These defects should not be confused with a weathered appearance.		HPBC noted at the 02.03.26 and 16.03.26 site meetings that they had not appreciated or understood the the scale of the ashlar deterioration, and that the scope of ashlar replacement specified in BA's HPK/2025/0336 and 0367 application documentation was now considered appropriate.			

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2	NEW BRICK STRUCTURAL CORE / CONCRETE FOUNDATION		[Paragraph D4] - the proposed plans introduce inappropriate and incompatible modern materials (blue engineering bricks and concrete) . The use of a concrete slab foundation is incompatible with the sandstone cistern, and will allow water to become trapped in the natural stone facilitating stone erosion and cracking.		Concrete has been used (and continues to be used) extensively to strap and underpin historic buildings and structures subject to ground-movement. Refer to Bernard M. Feilden's / Arup's restoration of York Minster. 'Modern Material' are not damaging per say, but their performance and effect on historic structures is dependent on detail. The initial proposals managed surface water around the structure with graded falls away from the structure. As noted in section A2 above - seeping water was managed via vertical drain holes in the concrete slabs into the Type 3 draining hardcore. The brick-core is required to support any of the retained and decayed ashlar.		The trial holes have evidenced that the cistern and railing plinth footings are sound, and the bed-rock high; therefore the footings are to be retained in situ to support the reassembled cistern ashlar and railing plinth. There are no requirement for concrete footings other than two small 500mm cubed padstones to support Buxton Well Dressing's annual displays. HPBC noted at the 02.03.26 and 16.03.26 site meetings that the brick-core illustrated in BA's HPK/2025/0336 and 0367 application documentation was appropriate, and would support the massive ashlar cornice and urn. The proposed brick-core is specified as H.G. Matthews - handmade grey brown imperial bricks with a compressive strength of 50.3 N/mm2. The brick is to be laid in an English Bond with NHL.2 mortar, or a hot-mixed-lime mortar with a pozzolan. Refer to drawing P-520-1 for the bond pattern.			
3	PASTICHE FINISH		The present scheme represents a large degree of harm to the significance of the listed building due to the loss of materials and proposed pastiche finish . The pastiche finish will also cause harm to the character and appearance of the conservation area.		The CO's language 'pastiche finish' is inconstant with other BA/HPBC projects - BA's award-winning restoration of the Grade II* Urn 12 - Cresnet Slopes. Project was funded by HPBC Buxton HAZ / Historic England and comprised the complete renewal of the urn and plinth on new concrete footing. 'Modern materials' and design alterations where used to overcome technical deficiencies evident in the decayed original urn.		HPBC noted at the 02.03.26 and 16.03.26 site meetings that they had not appreciated or understood the the scale of the ashlar deterioration, and that the scope of ashlar replacement specified in BA's HPK/2025/0336 and 0367 application documentation was now considered appropriate.			
4			Some minor elements of the scheme are welcomed (the reinstatement of the Urn and iron railings). The potential need for a degree of intervention to conserve the listed cistern is accepted, however, a scheme of intervention should be properly informed by structural condition surveys . An appropriate scheme of intervention should aim to conserve as much of the original sandstone as possible and omit the introduction of inappropriate modern materials . Revisions to this effect would be welcomed, however, due to the degree of harm identified above, it is recommended that the current scheme is refused.		Mann William's - have been appointed as consulting Structural Engineers. HPBC's view of 'inappropriate modern materials' is perhaps oversimplistic. Anaerobically produced bricks have been used in construction since 221 BC - 220 AD and reinforced concrete from the 1850's-1860's. The impact and performance of such materials depends on their detailing when used in conjunction with natural stone. If extant, options for the retention of gritstone slab footings, and if possible the preservation of more of the original sandstone cenotaph are being considered.		Refer to the above text. The scope of works specified in BA's HPK/2025/0336 and 0367 application documentation is now considered appropriate by HPBC and HE.			
[E] - HPBC PLANNING OFFICERS										
2			'Public benefits - improved economic, social, and environmental conditions of the area' -		It is <u>not</u> true that the proposal would not improve the economic, social, and environmental conditions of the area. There is significant public interest in the Cistern, a generous benefactors funding the project, and annual use by Buxton Well Dressing. The Buxton HAZ scheme has provided significant improvements to the economic, social, and environmental conditions. For which Bench Architects have achieved six awards including Civic Trust, DHBT Community Benefit and Restoration Awards. In lieu of a dangerous degraded structure - the repair and restoration of the Cistern would have similar benefits to Upper Buxton as the Spring Gardens HAZ					

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			‘There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable’ -		This statement is misleading. HPBC could have requested amendments to the scheme, a more detailed photographic report supporting the HIA, or a review of masonry components (ideally on dismantling) to ascertain if further ashlar components could be repaired. Further, an extension to the determination period could have requested in order to mitigate any impediments in advance of the HPBC’s final decision. HPBC officers failure to upload important consultation responses received by HPBC between 11.11.25 and 28.11.25. These documents were only upload onto the HPBC Portal post application determination 05.11.25. This mismanagement of key documentation greatly disadvantaged the Applicant and Agent.					

KEY		
Status Closed:	Application items approved by HE / HPBC.	
Status Open:	Consultee objections requiring resolution by BCA	
Status Open:	Consultee requests for further options or reporting.	
Status Open:	Conditioned or procedural issues requiring additional appointments.	
Status Closed:	HE / HPBC supported works.	

Dates Consultation Responses received by HPBC and when uploaded onto the HPBC Portal				
Item	Consultee	Pre/post	Received	Upload
1	Consultation response DCC Highways		22.10.25	22.10.25
2	Consultation Response Historic England		11.11.25	05.12.25
3	Consultation Response Historic England		17.11.25	05.12.25
4	Consultation Response HPBC Conservation		18.11.25	05.12.25
5	Consultation Response SCC Archaeology		28.11.25	05.12.25