

DELEGATED DECISION REPORT

HPK/2021/0108
Valid 10/03/2021

FLAT 14
HEATHFIELD GARDENS
PARK ROAD
BUXTON

REPLACEMENT OF EXISTING
TIMBER WINDOWS WITH HIGH
PERFORMANCE UPVC
WINDOWS WITH MATCHING
COLOUR AND DESIGN TO
FLAT 14

(FULL - MINOR)

MAIN ISSUES

- Design and Conservation

DESCRIPTION OF SITE

The application relates to the north-eastern elevation to a block of apartments that forms part of wider group of three blocks within the Heathfield Gardens development; that sits within large grounds and car parking at the end of a private cul-de-sac north of Park Road.

The site lies within the built-up area boundary of Buxton and within The Park Conservation Area.

PROPOSAL

The application seeks to replace existing timber casement windows serving Flat 14 in the apartment block with UPVC windows of a black colour and design. The information submitted with the application shows the replacement windows are produced by Resident 9 (R9) – a company specialising in windows and doors for sensitive areas including conservation areas.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
S2 Settlement Hierarchy
S7 Buxton Sub-area Strategy
EQ6 Design and Place Making
EQ7 Built and Historic Environment

Revised National Planning Policy Framework 2019

Achieving Sustainable Development	Chapter 2
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0002/8644	Erection Of 27 Flats In 3 3-storey Blocks (Approved 07/12/89)
HPK/2020/0474	Replacement of existing timber widows with high performance UPVC windows with matching colour and design to Flats 1-2-4-7-10-11-13-16-17-18 (Approved 26/01/21)

CONSULTATIONS

Publicity

Site Notice expiry date: 19th April 2021
Neighbour consultation period ends: 8th April 2021
Press Advert: 15th April 2021

Public Comments

None

Town / Parish Comments

N/A

HPBC Conservation Officer

Initial Response

I note from the application that permission was given to replace windows with UPVC in Flat 21 in 2018. Would it be possible for the applicant to provide photos of these windows so that we can see how successful they have been in replicating the historic detail and finish. Assuming that these are the same brand/model and that they look OK then I can't see any reason why we should not allow them here. In fact the proposed windows show a flush-fitting casement rather than the existing storm-proof detail which would be an improvement

Further Response

Photographs of Flat 21 show that the choice of window would be acceptable

OFFICER COMMENTS

Principle of Development

The application seeks permission for replacement windows to a flat within an existing building, and thus does not benefit from Permitted Development rights. The block of flats lie within The Park Conservation Area, within the built-up area boundary of Buxton.

As such, the application is subject to Local Plan (LP) Policy EQ7 and relevant restrictive policies that relate to heritage conservation contained under Chapter 16 of the NPPF. New development will only be supported where it can demonstrate compliance with such policies, notwithstanding any other material considerations.

Design & Conservation

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, in terms of scale, height, density, and layout.

LP Policy EQ7 states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment in accordance with sub area strategies S5, S6 and S7.

Paragraph 127 of the NPPF states amongst other matters that new development should add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to the surrounding built environment.

Paragraphs 193-196 of the NPPF sets out how a Local Authority should assess the significance of a heritage asset and the potential impact that a proposed development would have. Where a proposal will lead to substantial harm or total loss of a designated heritage asset, local planning authorities should refuse consent unless there are substantial public benefits that outweigh that harm. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits.

The application has been accompanied by a brochure which contains the detailed information for the proposed replacement windows. This information together with submitted plans and elevations, show that whilst the material will be different, the general visual appearance of the elevation will be maintained in its current form.

After reviewing a photograph taken on site of similar replacement windows to Flat 21, granted planning consent in 2018, the Conservation Officer has confirmed that the chosen product is an acceptable replacement and can be supported.

In light of the above, it is considered that the proposed replacement windows would continue to sustain and enhance the character and appearance of the existing building, The Park Conservation Area, and wider street scene, in accordance with LP Policies EQ6 and EQ7, and relevant restrictive paragraphs under Chapters 12 and 16 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application has been found to comply with all relevant local development plan policies and restrictive policies relating to heritage conservation contained under Chapter 16 of the NPPF. As such, the application is considered to constitute a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 18th May 2021

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council

