

DELEGATED DECISION REPORT

HPK/2021/0092
Valid 18/03/2021

THE VAULT
2 - 4
HIGH STREET
BUXTON
DERBYSHIRE
SK17 6EU

REPLACEMENT OF EXISTING
WINDOWS
(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development
- Design and impact on conservation area
- Residential Amenity

DESCRIPTION OF SITE

The application property is a historic 19th century building located on the corner of Chapel Street and High Street Buxton.

The site is located within the Buxton Conservation Area and is not a listed building. It is identified as a 'Focal Point' in the character appraisal within a significant view and therefore is considered to make a positive contribution to the distinctive character and appearance of the Conservation Area

PROPOSAL

This application seeks full consent for replacement of the existing windows.

High Street: Ground floor aluminium frames of two projecting bay windows to be replaced with painted hardwood units, fully opening and to be fitted with double glazed units.

Chapel Street: Ground floor. Replacement of one bay window to match High Street elevation and replacement of two aluminium shopfronts with painted hardwood window units with some top-hinged opening windows and two louvred vents.

All new windows will sit within the existing surrounds.

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

Policy S 1 Sustainable Development Principles
Policy S 1a Presumption in Favour of Sustainable Development
Policy EQ 6 Design and Place Making

National Planning Policy Framework

Section 2 - Achieving sustainable development
Section 12 -Achieving well-designed places

Supplementary Planning Documents and Guidance

Residential Design SPD (2005)
High Peak Borough Council Design Guide SPD (2018)
Buxton Areas Conservation Areas Appraisal 2007

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0002/5789 - Installation Of Automated Teller Machine; Approved
22/09/1987

HPK/0002/9819 – Internally Illuminating projecting sign; Refused 13/03/1991

HPK/0003/2607 – Various Signs; Approved 06/07/1993

HPK/2001/0374 – Conversion to ground floor licensing building; Approved
15/10/2001

HPK/2001/0635 – Proposed signage – 3 Signs – 2 x Fixed and one hanging;
Approved 30/01/2002

HPK/2007/0857 - Alteration Of Transoms For Three Windows To Enable
Bottom Part Of Window To Slide Open; Approved 13/12/2007

Publicity

Site Notice expiry date: 19 May 2021
Neighbour consultation period ends: 19 April 2021
Press Advert expiry date: 27 April 2021

Public Comments

None

Town / Parish Comments

No comments at the time of writing.

Derbyshire County Council Highways

No objections.

(Dated 28th April 2022)

Conservation Officer Comments

The addition of glazing bars into the featureless bay windows is a visual improvement but the joinery details need to show that the design is based on traditional detailing including moulded glazing bars, projecting cill and suitable stallriser. The current stallriser to the High Street elevation is rather high. We require joinery details, including what the windows will look like when open and details of paint finish. Further clarification is also needed for the Chapel Street elevation including ventilation and details of opening lights.

(Dated 18th May 2021)

OFFICER COMMENTS

Planning Policies

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan currently consists of the High Peak Local Plan 2016.

Paragraph 11 of the National Planning Policy Framework (NPPF) explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan they should

be approved without delay; or where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole

Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

National Planning Policy Framework sets a great weight on achieving well-designed places. According to the framework good design is a key aspect of sustainable development, creates better places and helps make development acceptable to communities. Moreover, paragraph 127 of NPPF clearly states that developments should function well and being sympathetic to local character and history.

Principle of Development

The application site located within a built up area boundary, where new development will be directed in accordance with Policy S2. Accordingly the general principle of development is considered to be acceptable, subject to design considerations and the impact on the conservation area, highways safety and amenity policies.

Design and impact on the conservation area

The National Policy Framework (2021) makes it very clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 126).

Paragraph 130 states amongst other matters that new developments 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.

Local Plan Policy EQ6 requires that all development should be well designed and of a high quality, responding to its environment and challenge of climate change whilst also contributing to local distinctiveness and sense of place. The application site lies within the Buxton Central Conservation Area. Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance.

To the High Street elevation, the modern aluminium frames to the two projecting square bay windows at ground floor level are to be replaced with painted hardwood units. To the Chapel Street elevation, the single projecting square bay window is to receive new hardwood opening units to match the new units along the High Street elevation. Additionally, the large remaining aluminium windows to the Chapel Street elevation are to be replaced

with new painted hardwood units with the top lights to one window being fitted with extract louvres.

The proposals introduce a new feature to the façade i.e. fully opening (folding) windows. The replacement of the existing windows with hardwood units is considered to be beneficial and appropriate reinstating the historic dividing mullions. This is considered to be an enhancement to the visual appearance of the building and its wider impact on the character of the conservation area. Moreover, the removal of the existing aluminium windows with their lack of vertical division will remove an uncharacteristic window design to the benefit of the wider conservation area.

The proposed new windows are considered to be acceptable however as set out by the conservation officer, further details including joinery details and the paint finish are required before the new windows are installed. Although the conservation officer comments on the stall risers on the High St elevation, these are not proposed to be changed as a result of this application, which relates solely to the installation of new windows. As such, a pre-commencement condition has been attached to this effect. Overall, it is considered that the proposal would not compromise the character and appearance of the conservation area, indeed they are considered to be an enhancement, which will have a beneficial impact on the character of the host buildings and wider conservation area.

Amenity

Policy EQ 6 'Design and Place Making' requires that '...development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The proposed works are considered to be minimal and would not result in a harmful impact on the residential amenities to the residential amenities of the neighbouring occupiers.

In summary, the development is therefore considered to be in accordance with Policies S1, and EQ6 of the Local Plan 2016, the guidance contained within the Residential Design SPD and Section 12 of the National Planning Policy Framework.

Highway Safety, Parking and Access

Policy CF6 of the adopted Local Plan sets out the need to ensure that development can be safely accessed in a sustainable manner.

Policy CF 6 'Accessibility and Transport' states that development should not 'lead to an increase in on street parking to the detriment of the free and safe flow of traffic'.

The Local Highways Authority were consulted on this application and have raised no objections to the proposed development.

As such, given these site specific circumstances, the proposal is considered to be acceptable from a highways safety aspect and would comply with local plan policy CF6 in this regard. The Highway Authority request that an informative be imposed, requesting that the applicant contact the Highway Authority to agree any necessary measures to protect the safety of pedestrians.

CONCLUSION / PLANNING BALANCE

It is considered that the development proposed would suitably harmonise with the appearance of the host dwelling and the surrounding area, such that it would be in keeping with the character of the host dwelling and of the Buxton Conservation Area.

Accordingly, the proposal is considered to be sustainable development under the terms of the NPPF, and would be in accordance with Policies S1, S1a and EQ7 of the High Peak Local Plan 2016 which seek to provide sustainable residential development. Accordingly, the proposal is recommended for approval.

RECOMMENDATION

APPROVE subject to the following conditions:

1. **Time Limit**
2. **Plan List**
3. **The development hereby approved shall not commence until joinery details including details of paint finish, ventilation details and details of opening lights have been submitted to and approved in writing by the Local Planning Authority.**

Reason: To preserve the character and appearance of the Conservation Area.

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council