

DELEGATED DECISION REPORT

HPK/2022/0486 & HPK/202/0487	1 SIMMONDLEY HALL SIMMONDLEY VILLAGE SIMMONDLEY GLOSSOP	FULL PLANNING AND LISTED BUILDING CONSENT FOR REPLACEMENT OF SINGLE GLAZED WINDOW PANES MORTARED INTO STONE MULLIONS WITH STANDARD INSULEAD UNITS (FULL - HOUSEHOLDER)
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MAIN ISSUES

- Design & Conservation

DESCRIPTION OF SITE

Both applications for Full Planning Permission and Listed Building Consent relate to Simmondley Hall, a Grade II Listed Building which is thought to be one of the oldest properties in Simmondley Village. The property is split into two dwellings (Nos.1 and 2) with these applications relating to No.1.

The site bounds Simmondley New Road to the south, with the principal southern elevation constructed in a natural stone, characterised by a large leading gable with consistent window design throughout.

PROPOSAL

The applicant seeks Full Planning Permission (HPK/2022/0486) and Listed Building Consent (HPK/2022/0487) for the replacement of the existing single glazed timber windows with standard insulead units. The existing windows all contain deep chamfered jambs, lintels and mullions and hood moulds to most of the openings. A total of 33 windows would be replaced with metal frames. It is unknown what colour the window would be powder coated. The justification for the proposed development is to improve the standard of amenity for occupants and ensure the quality ongoing upkeep of the building.

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
EQ7 Built and Historic Environment

National Planning Policy Framework 2021

Achieving Sustainable Development	Chapter 2
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The site has a lengthy planning history, although no application has been considered within the past 20 years. Nevertheless, none of the planning history has any bearing on the assessment and determination of these applications.

CONSULTATIONS

Publicity

Site Notice expiry date: 12th January 2023
Neighbour consultation period ends: 2nd January 2023
Press Advert: 12th January 2023

Public Comments

None

Town / Parish Comments

N/A

HPBC Conservation Officer

The scheme shows both an aesthetically appropriate and respectful approach to high quality window upgrade in this Grade II dwelling. I don't foresee a level of harm arising from this intervention. I note that the application offers some imagery of window furniture. Black stays with monkey tail handles would be appropriate in this case.

No objection subject to following conditions:

1. The development shall be carried out in accordance with the specification outlined in Drawing refs: "*Standard 28mm DGU Steelyte II Drawing No.1 and Standard 28mm DGU Insulead Drawing No.1*"

I note from the photograph provided of an elevation of the building that an inappropriate and insensitive repair has been undertaken by way of the application of large amounts of generic mortar onto historic stone. From preliminary investigation there is no previous Listed Building Application outlining this intervention. Happy to advise.

Derbyshire County Council Highways

No highway safety comments to make.

OFFICER COMMENTS

Principle of Development

The application seeks window replacements to a Grade II Listed Building that lies within the Simmondley Conservation Area. As such, the application is subject to Local Plan Policy EQ7, and relevant restrictive national planning policies relating to heritage conservation contained under Chapter 16 of the NPPF, underpinned by Sections 66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

The principle of development can thus only be supported if the application can demonstrate compliance with such policies and any other relevant material planning considerations.

Design & Conservation

Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ7 has regard to the Built and Historic Environment. It 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.

Paragraph 199-202 of the NPPF sets out how a local planning authority should assess the significance of a heritage asset and the potential impact of a development proposal upon such assets. 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 existing property is Grade II Listed, understood to originally date from the 17th Century, and has a high level of historic significance, being one of the oldest buildings in the locality, being situated in a prominent location in the street scene in the heart of the Simmondley Conservation Area. Any alterations to the external elevations including fenestration detail should therefore be handled in a careful and sensitive manner.

The application is accompanied by a (brief) Heritage Statement that offers little in the way of assessing the historic significance of the building, alongside scaled plans for the existing and proposed window detailing. All plans and documentation have been reviewed by the Council's Conservation Officer who offers full support subject to a compliance condition. The plans show that the replacement window would represent a sympathetic change to the dwelling, which enhance the importance of the heritage asset.

The recommended compliance condition would be covered within the standard approved plans condition. In addition a condition is recommended to secure an appropriate colour. Whilst it is acknowledged that potentially unauthorised development has been identified, it is the view of Officers that this issue can be resolved separately and does not prevent these applications being determined.

In light of the above, it is considered that the proposed changes to fenestration preserve the historic fabric and significance of the Listed Building and the wider setting of the Simmondley Conservation Area, thus demonstrating compliance with LP Policies S1 and EQ7, and relevant policies contained under Chapter 16 of the NPPF, underpinned by Sections 66 and 72 of the Act 1990.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

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 applicant seeks Full Planning Permission (HPK/2022/0486) and Listed Building Consent (HPK/2022/0487) for replacement windows relating to No.1 Simmondley Hall, Simmondley New Road, Simmondley. An assessment of the application, having regard to all plans and documentation and material considerations, most notably the comments of the Council's Conservation Officer, has concluded that the proposed changes to fenestration would preserve the historic fabric and significance of the Listed Building and wider setting of the Conservation Area.

As such, the application is considered to demonstrate compliance with LP Policies S1 and EQ7, and relevant policies contained under Chapter 16 of the NPPF, underpinned by Sections 66 and 72 of the Act 1990. The application therefore constitutes a sustainable form of development, and in line with LP Policy S1a and paragraph 11 of the NPPF, is recommended for approval subject to conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 2nd February 2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council