

DELEGATED DECISION REPORT

HPK/2023/0093
Valid 16/03/2023

11, BROAD WALK,
BUXTON, DERBYSHIRE,
SK17 6JR

REMOVAL OF INTERNAL
CROSS WALL C/W
FIREPLACES. RETENTION OF
EXISTING STACK.
MODIFICATION OF 1NO.
WINDOW OPENING TO SIDE
ELEVATION (LISTED
BUILDING CONSENT -
ALTERATION)

MAIN ISSUES

- Impact upon Listed Building

DESCRIPTION OF SITE

The application site relates to detached dwelling which is located within the built up area for Buxton as defined by the Local Plan Policies Map. The dwelling is a Grade II Listed Building, known as Cavendish House. The official Listing identifies the building as:

Villa or boarding house, now house. Mid C19. Possibly by Sir Joseph Paxton. Coursed millstone grit with ashlar dressings and Welsh slate hipped roof with stone stacks. EXTERIOR: 2 storeys. Chamfered plinth, ground and first-floor bands, first floor panelled impost band and deeply overhanging eaves supported on carved wooden brackets. Symmetrical front, 3-windows range with central round headed doorway in moulded ashlar surround with keystone, and 4-panel part glazed door and fanlight. Cavendish House is inscribed on the keystone. Either side are single canted stone bay windows with hipped leaded roofs, the central 2/2 sash of each round-headed and taller than the fixed sidelights, which are topped with ashlar panels. Above 3 round headed 2/2 sashes with flush surrounds and keystones. Returns, 2 windows with round headed 2/2 sashes. INTERIOR: not inspected. The Broad Walk comprises a series of Victorian villas and a walk overlooking the Pavilion Gardens originally laid out by Paxton c1850, though most of the surrounding houses were built by speculative developers. Some are reputed to be designed in detail by his pupil Edward Milner from 1871, and built by Saunders & Woolcott of London for the 7th Duke.

PROPOSAL

This application seeks Listed Building Consent for various internal and external alterations to the building. These include:

- Removal of internal walls and fireplaces at ground floor and first floor to create open plan kitchen and dining room at ground floor, and master bedroom at first floor;
- Alteration to ground floor window to create doors from kitchen/dining room into garden. Height of opening to be increased by removal of plinth

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

S1 Sustainable Development Principles
 S1a Presumption in Favour of Sustainable Development
 EQ6 Design and Place Making
 EQ7 Built and Historic Environment

Supplementary Planning Guidance/Documents

Residential Design (2005)
 High Peak Design Guide (2018)

National Planning Policy Framework

Section 12: Achieving Well-designed Places
 Section 16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2014/0407 - Proposed Installation / Replacement of Railings around the Property – Approved – 04/12/14

HPK/2014/0423 - Listed building consent for proposed Installation / Replacement of Railings around the Property – Approved – 08/12/14

HPK/2004/0367 – Listed Building Consent - Single storey detached garage and store in rear garden and widening existing vehicular access with new gates – Approved – 17/06/04

HPK/2004/0366 - Single storey detached garage and store in rear garden and widening existing vehicular access with new gates – Approved – 17/06/04

CONSULTATIONS

Publicity

Site Notice expiry date: 25/04/23
 Neighbour consultation period ends: 13/04/23
 Press Advert: 13/04/23

Public Comments

None received

Town / Parish Comments

None received

Historic England

No comments to make - Seek comments from CO

Conservation Officer – Initial Comments

Objection.

See drwg ref: 23005-03001-P01 Floor plans as existing and 23005-41001-P01 Floorplans as proposed. The intervention here demonstrates a substantial loss of historic fabric, and original placement of chimney breasts. It is acknowledged that cosmetic features such as fireplace mantles, hearths and or fire grates may be installed at a later time. Despite this, the historic placement of fireplaces in relation to chimney stacks, and function of the floorplans of these age of properties is traditional, and therefore part of their significance. It is common to find a fireplace or a small hearth to each respective room in large and ornate town houses or Villas.

The eradication of items in this portion of the building is unnatural and looks to eliminate elements of the still legible historic floorplan, to create large anonymous voids. I am not confident this is an enhancement. It would be far more interesting and respectful to create slender alcove doorways with arched heads at the other side of the fireplace at the ground floor, and similarly at first floor, two alcoves of the same; one at 'fitted cupboard' and the second at the other side of the fireplace here. Cornices, mouldings and the like would be preserved and retained this way. Though I note there is not a single photograph of the interior of these rooms provided in order to give a sound response to this, despite a brief survey said to have been undertaken.

See drwg ref: 23005-41002-P01 attic plan as proposed states 'existing stack retained and supported on new structure as engineers detail'. There doesn't appear to be a structural detail accompanying the proposal.

See drwg ref: 23005-75002-P01 Proposed works to existing opening. It would be conducive to see a technical drawing showing the entire elevation that this window is a part of. I cannot provide a clear response to this particular intervention without some context.

Photos of the entirety of this elevation, a complete photo showing this existing window envisaged for works and the interior of this window also required. Photos that are provided; showing a possible splice repair to the surround and a very small portion of the stone plinth possibly demonstrating delamination. Cavendish House is in remarkable condition and a well survived example of a classic ornate Villa. This focused area of deterioration on a 100+ year old Villa would not solely justify a total reinvention of the window unit.

To conclude; further clarity is required on the elements noted above in order for me to provide a sound response. Though I am not comfortable in supporting the proposed erasing of a portion of the original floorplan. I don't see this as preservation or enhancement, it is irreversible and poses harm to the listed building.

Conservation Officer – Further Comments in red (20/04/23)

I was called to comment on revised plans, please see in red below for each:

1. 23005-31001-P02 Floor plans working drawings.
Still no photographs. Chimneys and walls still appear to be removed showing irreversible harm to floorplan. Open plan living not traditional and is an insensitive intervention. Confuses buildings history. Section of chimney support – this is a listed building, and it is not justified.
2. 23005-41001-P02 floor plans as proposed.
Looks something akin to a generic hotel room. Not traditional. Does not enhance or preserve the identity of this heritage asset. I do not see clear and convincing justification for this. A bath at the front of the building in a bay window? Conflict and total overhaul of the make up of the building.
3. 23005-41003-P01 indicative internal visual.
An uninteresting sanitised space.
4. Similar works docs.
Not relevant. All applications are determined based on their own merits. I will not pass comment on works determined before I began in post.
5. 23005-75001-P02 proposed works to existing window opening.
Photos of the context I asked for – noted with thanks. See existing side elevation drawing on this doc with unit highlighted in green. Historic uniformity in original window fenestration will be lost. Do not see an enhancement or benefit to this. New unit is contrived and out of place, contrast poses harm. Original fenestration consciously designed to see four arched head slim grandiose units that then marry across all elevations.

Based on the lack of improvement to the plans and now clear cumulative and irreversible harm imposed on this GII; I do not offer full support and recommend refusal.

OFFICER COMMENTS

Impact on Listed Building

S.66(1) of The Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (the LBCA), requires that special regard be had to the desirability of preserving listed buildings, its setting, and any features of special architectural or historic interest which it possesses.

Local Plan 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.

Particular protection will be given to designated and non-designated heritage assets and their settings, including listed buildings.

NPPF paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The main consideration in this instance is whether the proposed works would cause harm to the significance of the heritage asset. The application has been supported by a Heritage Statement and plans which demonstrate the works proposed. The significance of the Listed Building lies within its internal and external architectural qualities, its relationship with pavilion gardens, and also its group value with adjoining large historic villas.

Internally the works include the reorganisation of both the ground and first floor layouts, which includes the removal of the internal walls and fireplaces. The walls would be largely removed in their entirety, with the exception of a small projection where the existing wall meets with the side walls. The walls and fireplaces form part of the traditional floor plan of the building, and their removal would result in the loss of historic fabric of the building. The fireplaces, and chimney breasts as existing, are within 4 rooms and are positioned in association with the chimney stack and clearly form part of the legibility of the historic floor plan of the building. The removal of the walls and internal features results in works which would remove this historic legibility and is considered to be an intervention which would be unacceptable.

Externally, the scheme includes works to an existing external opening within the ground floor side elevation. The side elevation comprises 4 arched sash windows which are provided in a balanced and uniformed manner. The alteration to the ground floor window requires the depth of the opening to be increased which would be done through the removal of part of the existing plinth. While the arched stone work and key stone would be retained, the design of the opening would contrast with the original sash design through the increase in the number of horizontal glazing bars, and the overall thickness of the framework. These works result in the loss of historic fabric and would introduce a feature which would markedly contrast with the existing openings, and the works would imbalance the overall visual uniformity of the side elevation.

In light of the above, it is considered that the proposed works to the Listed Building would fail to preserve the listed building and the architectural qualities which it possesses which attracts great weight against the proposals. The proposals would therefore cause less than substantial harm to the significance of the heritage asset.

The proposals therefore need to be weighed against any public benefits of the scheme. In this instance, it has been advanced that there is some ageing to the existing plinth while it has been highlighted that similar works have been permitted to

other buildings. It is not considered that the ageing plinth would justify the loss of historic fabric proposed. Furthermore, internal works to other buildings does not set a precedent for works to this Listed Building in heritage terms, which ought to be considered on its merits. The proposals therefore do not result in public benefits to outweigh the harm identified.

CONCLUSION / PLANNING BALANCE

Policy S1a of the adopted local plan reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). The application seeks consent for works to a Listed Building and it is considered that the works would harm the significance of the heritage asset. The proposals are not considered to sustain the character and appearance of the Listed Building, in accordance with the Local Plan and policies within the NPPF. As such, the application is recommended for refusal.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Declan Cleary

Recommendation Date: 24/07/2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council