

DELEGATED DECISION REPORT

HPK/2023/0293
Valid 27/07/2023

16B, BROAD WALK,
BUXTON, DERBYSHIRE,
SK17 6JR

PROPOSED CONSTRUCTION
OF TWO OFF ROAD VEHICLE
PARKING SPACES FOR 3
VEHICLES AND 2 NEW
PEDESTRIAN PAVEMENT
CROSSOVERS

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of Development
- Design and visual impact on the Conservation Area
- Neighbour amenity
- Impact on heritage asset (Grade 2 listed 16 & 17 Broad Walk)

DESCRIPTION OF SITE

The application site comprises 16a a dwelling to the rear of two-storey semi-detached dwellinghouses that are Grade II listed (16 & 17 Broad Walk).

The site lies within the Buxton – Central Conservation Area.

In this context, the main issues to be considered are the effect of the works/development on the special architectural and historic interest of the listed building and, linked to that, whether they preserve or enhance the character or appearance of the conservation area.



PROPOSAL

Full planning permission is sought for the formation of a vehicle off-street parking for 3 vehicles and 2 new pedestrian pavement crossovers.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

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

National Planning Policy Framework 2021

Including sections -
2: Achieving sustainable development
12: Achieving well-designed places
16: Conserving and Enhancing the Historic Environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2002/0951 Reconfiguration Of Rear Wing To Form One Additional Dwelling
(Approved 22/01/2003)

HPK/2002/0964 Reconfiguration Of Rear Wing To Form One Additional Dwelling
(Approved 22/01/2003)

HPK/2003/0464 Variation Of HPK/2002/0964 - Relocation Of Entrance To Flat
16a Involving One No. Additional Opening
(Approved 18/07/2003)

HPK/2009/0014 Listed Building Consent For Small Satellite Dish
(Approved 03/03/2009)

HPK/2013/0497 Listed Building Consent For Proposed Cellar Conversion
(Approved 30/10/2013)

CONSULTATIONS

Publicity

Site Notice expiry date: 21 September 2023
Neighbour consultation period ends: 14 September 2023

Public Comments

One representations received during the determination period stating:

The tone of the text in the Statement of Significance and Impact Assessment is dismissive of the extent of the listings for no16 & no17, whereas older listings are generally quite short and not very descriptive. However, the point is that whatever

the applicant and agent consider the merits of the boundary wall and coal stores/sheds of both no16 & no17, they are both curtilage listed and as such are as legally protected as the main buildings.

The text plays down the value of the pair of coal stores/sheds and the boundary walls as less significant than the main buildings and in terms of architectural merit they perhaps are less significant. However, the pair of coal stores/sheds and boundary walls to no16 & no17 have historical value, evidential value and some aesthetic value, all as defined by Historic England (Conservation Principles, Policies & Guidance, 2008). They are probably unique survivors along Hartington Road, contributing towards the record of the domestic arrangements for the grand houses facing onto The Broadwalk.

The pair of coal stores/sheds may not have the same significance as the main buildings, but the applicant and agent have not demonstrated the public benefit that outweighs the harm of demolishing the coal store/shed and most of the boundary wall to no16. Consequently, before the application is approved, this ought to be demonstrated to an appropriate degree, in accordance with the National Planning Policy Framework, paras 194-208.

The existing and proposed elevations from Hartington Road are incomplete, as they do not show the existing pair of coal stores/sheds, which they ought to. The Proposed site plan does not show all of the critical dimensions, which it ought to, as there is no dimension for the width between the boundary for no17 and the rear side wall of no16.

The large tree immediately to the north of the northern proposed single parking space will substantially block the visibility splay for the parking space adjacent and will be within the visibility splay for the proposed southern two parking spaces.

Town / Parish Comments

No comments received during the consultation period

SCC Highways

No comments

HPBC Conservation Officer

Objection –

The Heritage Statement is weak and goes into no exploration of setting, nor does it appear to consider the wider setting that concerns the neighbouring listed buildings. It also does not accurately analyse the listed building directly concerning the application at 16 Broad Walk and appears to misunderstand the merits that warrant these buildings listing designations. Further to this, the Buxton Central Conservation Area designated heritage asset (not correctly identified) and its character is not taken into account at all.

I disagree that some portions of the building are deemed unimportant. This would not solely outweigh harm on the heritage assets. Despite this comment, the supporting information does not come to a conclusion on what level of harm may be imposed or how it is justified.

I do not believe that what feels like exacerbated modern intervention in immediate proximity to a listed building contributes to its setting, its neighbours, or the character of the Conservation Area. It should be noted that the rear of this particular villa on Broad Walk is afforded with interesting change in land levels, which have a direct relationship to the historic pattern and grain of these villas that so neatly mark these original road layouts. The position of no.16 within the landscape somewhat nestled in, with impressive surviving original features contributes to its character and historic interest; the rear forming part of this legibility. This appears to be one of the only villas left with this unusual relationship to the street scene. It is noted that other villas may see modern parking provision, however this is where the amount and scale is feasible in reflection of historic plot sizes and land levels. I am not confident the latter is seen in this case.

To conclude; there is seen to be harm imposed on the Buxton Central Conservation Area and on the listed buildings preventing full support from Conservation.

Severn Trent

Informative information regarding sewer protection and how to access information.

OFFICER COMMENTS

Principle of Development

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

The NPPF identifies three dimensions to sustainable development as being economic, social, and environmental. The Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment.

Whilst the applicant has a need for off street parking, this does not override sensitive design and positioning of off road parking spaces in order not to erode the sense of enclosure to the street in this part of the conservation area.

Design and 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.

Local Plan 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.

Local Plan 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.

Local Plan 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.

Chapter 16 of the NPPF contains the relevant restrictive paragraphs relating to heritage conservation. Paragraphs 199-202 sets out how a local planning authority should assess the significance of a heritage asset and the potential impact of a development proposal on that asset. 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 works propose the creation of three private off-street parking places due to limited public on-street parking in the immediate area. The parking spaces will be for private use for occupants of 16b Broad Walk.

It is proposed that the visible walls will be faced in natural stone reclaimed from the site. Parking areas will be paved with natural stone finish blocks [Marshall or similar].

The proposed works entail the removal of a large section of boundary wall, removal of curtilage outbuildings, and engineering operations to secure ground levels to accommodate the extents of the parking area.

Whilst it is appreciated that there are parking issues on this street, in an urban situation it is not unusual not to be able to park close to your property. The conservation officer has objected to the parking area and expresses concern that insufficient information or assessment of the harm to the setting of the listed buildings nearby, or the wider conservation area have been undertaken. Notwithstanding, the principle of the removal of the wall and erasing through engineering works of the legibility of characterful changes in land level in principle is not supported. The level of harm, even if considered less than significant, must be balanced by public benefit the development brings.

The benefits to the occupants of the dwelling of gaining parking immediately adjacent to their dwelling results from the clearance of the wall and opening up of the

streetscape are largely private benefits. It is not considered to contribute to enhancing the buildings setting, its neighbours, or the character of the Conservation Area. The Conservation Officer notes that:

“the rear of this particular villa on Broad Walk is afforded with interesting change in land levels, which have a direct relationship to the historic pattern and grain of these villas that so neatly mark these original road layouts. The position of no.16 within the landscape somewhat nestled in, with impressive surviving original features contributes to its character and historic interest; the rear forming part of this legibility. This appears to be one of the only villas left with this unusual relationship to the street scene.”

It is noted that other villas have modern parking provision. However those plots have been considered to have been feasible with consideration of historic plot sizes and land levels.

The development proposed on this site does not enhance the property compared to what currently exists. There would be very limited public benefit arising from removing 2 parked vehicles from the road but this would not outweigh the harm which is identified. The proposals as a whole will result in adverse impact on the setting of nearby heritage assets, and significant impact on the wider street scene and the Central Conservation Area.

The application is therefore on balance conflicts with LP Policies S1, EQ6 and EQ7, relevant restrictive policies under Chapter 16 of the NPPF, or Sections 66 and 72 of the Act 1990.

Highway Parking

The Highway Engineer has assessed the application and raises no objection to the proposed development.

CONCLUSION / PLANNING BALANCE

The applicant seeks full planning permission for works to create parking provision in front of No.16b Broad Walk, Buxton, a building that lies within close proximity to a number of heritage assets and within Buxton Central Conservation Area.

There is a necessity to preserve, and where possible enhance, the historic character of the building and wider street scene. The removal of the stone wall and the works entailed to create the area to park the cars will result in a degree of visual harm, the application does not secure any public benefit to outweigh this harm

On balance the proposal would be in conflict with LP Policies S1, EQ6 and EQ7, relevant restrictive policies within Chapter 16 of the NPPF, and Sections 66 and 72 of the Act 1990.

For the reasons outlined above, the proposed development is considered not to accord with the relevant policies contained in the High Peak Local Plan and the NPPF (2021). As such the application is recommended for refusal.

OFFICER RECOMMENDATION: REFUSE

Case Officer: P. Twigg

Recommendation Date: 29.09.2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council