DELEGATED DECISION REPORT

HPK/2024/0001 **Valid 02/01/2024**	**17C BROAD WALK** **BUXTON**	**PROPOSED CONVERSION OF LOFT INTO LIVING SPACE, INTERNAL ALTERATIONS INCLUDING REMOVAL OF SOME PARTITION WALLS, REPLACING THE CONSERVATORY ROOF.** **(FULL - MINOR)**

MAIN ISSUES

- Heritage Impact
- Design & Appearance
- Residential Amenity

DESCRIPTION OF SITE

The site comprises a three storey semi-detached villa which dates from 1866 and is a grade II listed building. The property sits in an elevated position along the Broad Walk which borders the Pavilion Gardens. All the properties along the Broad Walk, with the exception of Milton Court, are Grade II listed buildings in recognition of their group importance.

The rear of the property backs onto Hartington Road. The villa has been sub-divided into flats and the application relates to flat C which is located on the second floor of the property. The property is located in the Buxton Central Conservation Area which is also subject to an Article 4 direction which controls any alterations to roof as well as other Class A alterations (GPDO Schedule 2 Part 1).

PROPOSAL

The application proposes the conversion of the roofspace to additional living accommodation (two bedrooms, bathroom and snug) which includes the addition of rooflights to the front and rear roof planes. The conversion of the attic space will entail the installation of a staircase in the room which is currently a bedroom (bedroom2) and installation of partition walls to create two bedrooms, bathroom and snug.

It is also proposed to replace the existing conservatory roof with polycarbonate. Revised plans were received during the course of the application's determination reducing the number of rooflights from 6 to 4.

An application for listed building consent has been submitted concurrently (ref. HPK/2024/002).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 6 Design and Place Making
EQ 7 Built and Historic Environment
CF6 Accessibility and Transport

Supplementary Planning Documents

Residential Design Guide SPD (2005)
Design Guide SPD (2018)
Buxton Conservation Area Character Appraisal (2007)

National Planning Policy Framework

Chapter 1 - Achieving Sustainable Development
Chapter 12 – Achieving well-designed and beautiful places
Chapter 16 – Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2002/0832 - Conversion of loft space to living area and insertion of velux rooflight – APPROVED 19.11.2002

CONSULTATIONS

Publicity

Site Notice expiry date: 08.02.24
Neighbour consultation period ends: 08.02.24
Press Advert: 01.02.24

Public Comments

A resident of one of the other flats in no. 17 Broad Walk has raised concerns which principally relate to the structural implications of the proposal such as whether the property can take the additional load of living accommodation in the attic space. They also raise queries relating to ground rent and the management company arrangements.

An objection has been received from a resident of 16 Broad Walk with references the LBC application (HPK/2024/002) which states that they have no objection in principle but the 2002 is out of time and it is unclear if this relates to an identical proposals. They state that the introduction of rooflights on the rear elevation (Hartington Road) is consistent with the sensible use of properties where the listing does not describe the property and there are many reasonable changes across time. They also query the conservation statement, it is true that the roof cannot be seen from Broad Walk but

this is a Group Listing and is to be seen from a wider viewpoint from Pavilion Gardens. Here the introduction of roof lights becomes visually intrusive and inappropriate.

Derbyshire County Council Highways
No objection

Conservation Officer

The proposal sees to transform the roofscape, floorplan and appearance of this listed building into that of which is messy and cluttered. The proliferation of rooflights at all manner of sizes and positions is substantially disfiguring. All of the elevations of these listed buildings that flank the RPG of Pavilion Gardens to the west, are of great aesthetic interest and historic value, and can be seen from a variety of views. It is one of the town's core areas. Cumulatively they form an impressive well survived collection of Paxton designed Buxton villas. The setting of the RPG, and neighbouring listed buildings is not thoroughly realised in the supporting information.

It is not traditional nor is there any precedent for modern features such as this to be cramped into the attic space. This does not have the listing status of the building in mind, nor its long term conservation. It simply looks to transform the classic villa further into an anonymous multi-accommodation type building, it is not sympathetic or an enhancement.

There is very little information describing the intervention at a conservatory, I do not have comments for this.

To conclude; I do not see clear and convincing justification for this scheme. The proposals would fail to preserve the special interest of the listed building contrary to Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposals would also fail to preserve or enhance the character and appearance of the Conservation Area contrary to Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regard to the NPPF the harm would be less than substantial. I do not see public benefits to outweigh this harm as such I cannot provide full support.

No comments were received on the amended proposals.

OFFICER COMMENTS

Principle of Development

The application site is a listed building situated within a conservation area in the built up area of Buxton. By virtue of the property's location within the urban area and already being in residential use, the principle of converting the attic space into further living accommodation is acceptable subject to further heritage and other planning considerations. Indeed permission has been granted in the past for a loft conversion but this permission has long since expired.

Design, Character and Appearance and Impact on Character of Conservation Area

The property is a listed building that lies within the Buxton Central Conservation Area. Policy EQ7 requires proposals that affect a heritage asset and / or its setting to demonstrate how the proposal has taken account of design, form, scale, mass, use of traditional materials and detailing, siting and views away from and towards the heritage asset in order to ensure that the design is sympathetic and minimises harm to the asset. NPPF paragraph 205 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. Paragraph 207 requires that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 requires that, in assessing planning applications in respect to any land or buildings in a Conservation Area the LPA has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The Buxton Conservation Area Character Appraisal assesses the key features and characteristics of the Broad Walk:

"Broad Walk occupies a wide stretch of public promenade, with a row of lodging houses and villas along its south-east side, slightly raised up above the level of the road. Each villa, pair of semi-detached villas, or row of terraced lodgings, was an individual design with a highly decorative, symmetrical frontage. Each building presents itself to the public park and was intended to catch the eye of the visitor. The frontage has been deliberately kept low, without boundary walls. Instead, low, planted flowerbeds or rockeries edge the promenade, so that the buildings are clearly visible, almost like a piece of street theatre."

The CAA notes changes that have occurred to the setting of these listed buildings and the immediate conservation area context:

"In recent years, many of the narrow flowerbeds have been replaced with a mown strip of grass. The buildings are intimately related to the promenade, intended as a place for strolling and enjoying the high quality environment. Over time, this relationship has changed with the development of Pavilion Gardens into a more inward-looking space and the growth of evergreen trees along the south-east perimeter. The main view of the first row of villas to be built on Broad Walk (1861-1870) is now oblique, glimpsed from the north end of Broad Walk."

The application has been assessed having regard to the listed building status, conservation area setting and important features noted in the CAA.

The application originally proposed six rooflights, arranged three on the front and three on the rear roof planes. The Conservation Officer raised concerns about the proposal that it would result in a cluttered appearance which would be harmful to the heritage asset. Planning Officer's agreed, although finding the principle of an attic conversion and installation of rooflights as being acceptable, the addition of six rooflights was considered too many.

Further discussions took place with the Agent and revised plans were submitted to reduce the number of rooflights to four, two on the front and two on the rear. The rooflights now only serve the habitable rooms (rooflights serving the bathroom and hallway were removed). It is also noted that permission was granted in 2002 to convert the attic into additional living accommodation which included the installation of a rooflight to the rear of the property (Harting Road elevation). This permission was never implemented but nevertheless it was determined in the context of the same heritage considerations: listed building and conservation area.

In determining whether it would be acceptable to install rooflights in this listed building, within a conservation area setting, an assessment has been made of the streetscene both along the Broad Walk and Hartington Road. Several of the villa buildings that front the Broad Walk were built with dormer windows in the roof, other properties have added rooflights subsequently.

Examples of properties which have added rooflights along the Broad Walk these include:

- 24/25 Broad Walk: The Argyle - 3 rooflights
- 19 Broad Walk: Roseleigh Hotel - 2 rooflights
- 12 Broad Walk: Derby House - 1 rooflight
- Sandringham Court , Broad Walk - 1 rooflight

Therefore the principle of inserting rooflights to the front elevation along the Broad Walk has been established by other properties adding them. The CAA includes Character Area Maps which identifies significant view and view points and glimpse views. It identifies that there are viewpoints of the property from Burlington Road and at from across the boating lake.

The proposed rooflights would not be clearly visible from the Broad Walk itself as it is difficult to view the full roof planes from the Broad Walk due to the height of the Villa. The rooflights of the above above-mentioned properties can only be seen from slight views such as glimpses from Burlington Road between the trees, as Burlington Road is slightly elevated compared to Pavilion Gardens itself which is significantly lower than the Broad Walk. Views of the Broad Walk Villa roofs can be seen from the boating lake area but is partly obscured by trees.

Accordingly, the addition of rooflights are considered acceptable as they are a relatively common feature and are not considered to have an adverse impact on the listed building or the surrounding conservation area.

The rear of the property backs onto Hartington Road which has an open aspect and provides vehicular and pedestrian access for all the Grade II listed Villa buildings on

the Broad Walk. The street is tree lined with a low stone wall and as a result the rear of the properties are very visible from the street scene.

From undertaking an assessment of the street scene along Hartington Road it is apparent that a number of rooflights have been added to the rear of the villas that back onto Hartington Road, these include:

- 16 Broad Walk- 1 rooflight
- 21 Broad Walk - 2 rooflights
- 19 Broad Walk: Roseleigh Hotel – 4 rooflights
- 12 Broad Walk: Derby House - 1 rooflight
- Sandringham Court building - 16 rooflights
- 24/25 Broad Walk: The Argyle - 4 rooflights

Along the northern section of Broad Walk, the properties that back on to Hartington Road, with visible rooflights to the rear include:

- Carlisle House - 2 rooflights
- Grosvenor House - 3 rooflights

It is clearly evident that rooflights are a common feature on the rear roof slopes of the listed buildings (that front onto Broad Walk and back onto Hartington Road) and therefore the addition of rooflights would not be incongruous. It is considered that the addition of the two rooflights would be appropriate and would not have an adverse impact on the listed building or the surrounding conservation area.

In terms of the detailing of the rooflights, no detailed drawing have been submitted. Given the property is listed and within a conservation area setting the rooflights would need to be conservation rooflights. It is recommended that a condition be imposed requiring detailed drawings of the conservation rooflights to be submitted and approved prior to commencement of development.

The application includes the proposal to replace the roof of conservatory with polycarbonate. These works do not require planning permission and are assessed in the corresponding listed building application.

In terms of the NPPF tests of heritage harm, the alterations to be acceptable and would not harm the heritage asset. The proposal is not considered to be harmful to the character, appearance or significance of the Conservation Area in the context of Paragraphs 205-208 of the NPPF. The proposal therefore complies with the general design and conservation tenets of Local Plan policies EQ6, EQ7, S1 and S7 and those outlined in sections 12 and 16 of the NPPF.

Amenity

Local Plan Policy EQ6 requires that all development achieves a satisfactory relationship with adjacent properties. It must 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. Part 9 of the High Peak Residential Design SPD sets out the parameters against which residential extensions will be assessed.

The proposed addition of 4 rooflights would facilitate a loft conversion. A resident of one of the other flats in the building has raised concerns about the proposal but these comments are mainly structural or relate to the management arrangements of the buildings and do not relate to any residential amenity impacts that would be caused by the proposal. Matters relating to the impact on the management of building and how this relates to the other residential flats would amount to a civil issue to be resolved amongst the relevant parties. In addition, the development is likely to require building regulations which will deal with matters such as structural loads. The object considers that outline consent should be sought in the first instance, to give comfort to the applicant before embarking on the appointment of a structural engineer and subsequent building regulations. This would be wholly inappropriate when considering the building is Grade II listed.

The proposed installation of 4 rooflights is not considered to cause any adverse residential impacts and therefore accords with Policies S1, and EQ6, the guidance contained within the Residential Design SPD, High Peak Design Guide, and Section 12 of the National Planning Policy Framework.

Highway Safety

17 Broad Walk has limited car parking, there is an existing vehicular access off Hartington Road which provides access down the side of the property but there are no delineated car parking spaces for the three flats. The Agent has advised that the residents are given parking permits to park on Hartington Road.

The proposal will create a 4 bedroom property, it is currently three bedroom, with the smallest bedroom be lost to provide the staircase up to the attic.

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan, which requires three car parking spaces for a 4 bedroom property.

There is currently no allocated car parking at the site, which is not unusual given the age of the property, so there is already a reliance on on-street car parking. Therefore the proposal is unable to comply with adopted car parking standards. However, the site is situated in a sustainable location, just a few minutes walk away from Buxton town centre and close to bus stops and is therefore a highly accessible location.

Accordingly, the proposal will not result in any adverse impact on highway safety. The Highway Authority also raise no objection to the proposal. The application is therefore considered to be acceptable having regard to LP Policy CF6 and paragraph 110 of the NPPF.

Other matters

The conversion of the attic space will increase the size of the flat. For the avoidance of doubt, a condition will be imposed to ensure that the attic space will remain part of Flat C and not be further sub-divided to provide a separate planning unit. Further sub-division of the property would require planning permission which involve consideration of a range of matters including its listed status and conservation area setting as well as amenity issues including space standards.

CONCLUSION / PLANNING BALANCE

Overall, this planning application is considered to represent an appropriate form of development on this listed building in a conservation area setting. The scale, form and design are considered acceptable and accordingly the application is recommended for approval subject to conditions.

OFFICER RECOMMENDATION : Approve

Case Officer: Rosie Dinnen
Recommendation Date: 09.05.24

X

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council