

DELEGATED DECISION REPORT

HPK/2024/0049 & HPK/2024/0050	3 THE OLD CLUBHOUSE WATER STREET BUXTON	FULL PLANNING AND LISTED BUILDING CONSENT FOR PROPOSED INTERNAL ALTERATIONS AT SECOND FLOOR LEVEL TO PROVIDE ADDITIONAL RESIDENTIAL FACILITIES FOR THE PUBLIC HOUSE MANAGER. REMOVAL OF EXISTING STUD WALLING, FIXTURES & FITTINGS, AND THE ADDITION OF NEW STUD WALLS, NEW DOORS & FRAMES, NEW SANITARY WARE AND NEW KITCHEN FACILITIES
Valid 09/02/2024		

MAIN ISSUES

- Design and Conservation

DESCRIPTION OF SITE

The application relates to ‘The Old Clubhouse’ Public House, a Grade II Listed Building that situated adjacent to Water Street (to the south, east and west), and the A54 (to the north), between St Johns Church and Buxton Opera House, and within close proximity to the Pavilion Gardens.

A number of sensitive heritage assets lie within close proximity to the site and thus any proposed development to the exterior of the building has the potential to affect their setting, as well as the character and appearance of the Listed Building to which it relates

The site lies within Buxton Town Centre and the Buxton Central Conservation Area as defined on the Local Plan Proposals Map.

The principal elevation of the Public House faces southwards towards the Buxton Opera House, the building being situated in a highly prominent and elevated location when viewed from the south. Likewise, the eastern elevation of the building which fronts a small area of soft landscaping which provides relief from the predominantly urban character, is also prominent.

PROPOSAL

The applications seek Full Planning Permission (HPK/2024/0049) and Listed Building Consent (HPK/2024/0050) for various alteration works to existing Managers Accommodation facilities located on the second floor, to enhance such facilities.

The various aspects of development, as set out within the accompanying Design, Access and Heritage Statement consists of the following:

- Alterations to existing accommodation to remove existing stud walling, doors and frames and internal fixtures and fittings in the show room, and form new stud walls with plasterboard finishes. Provide new doors and frames to form new bathroom and kitchenette area, with new units, cupboards, fixtures and fittings.
- Removal existing carpet floor coverings, retain existing timber floor and provision of new carpet and vinyl floor coverings
- New internal lighting to existing plastered ceilings with new spotlight fittings, recessed within the existing level ceiling areas. The new lighting will re-use existing electrical circuits at this floor level.
- Redecoration to walls, ceilings, doors, door frames and window frames and window cills internally with new painted finishes.

Following positive and proactive discussions with the Council's Conservation Area, the scheme has been the subject of minor amendments as presented within revised plans. As such, the plans subject to assessment within this report are as follows:

- Second Floor Layout as Existing (Ref: 1295-P-201A)
- Proposed Second Floor Layout General Arrangement (Ref: 1295-P-202A)
- Proposed Second Floor Layout Scope of Works (Ref: 1295-P-203B)
- Site Location Plan and Block Plans (Ref: 1295-P-204)
- External Elevations as Existing and Proposed (Ref: 1925-P-205A)

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

EQ6 Design and Place Making
EQ7 Built and Historic Environment
CF1 Town Centres

National Planning Policy Framework 2023

Achieving Sustainable Development Chapter 2
Achieving Well Designed and Beautiful Places Chapter 12
Conserving and Enhancing the Historic Environment Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The site has a lengthy planning history. The following applications have been determined within the last 10 years:

HPK/2014/0630 & HPK/2014/0631	LBC and Full Planning for Proposed Installation of New Internally LED lit Fascia Signs (Approved 03/02/2015)
HPK/2021/0711 & HPK/2021/0712	LBC and Full Planning for Proposed alterations to the external customer seating areas around the Public House building to provide new seating, new timber framed shelter, new paved areas, new plants and new festoon lighting and timber support posts (Not Determined) Appeal Allowed/Dismissed (Split Decision) – 09/01/2023
HPK/2023/0544 & HPK/2023/0545	LBC and Full Planning for Proposed internal alterations and refurbishment of the premises at Ground and First Floor Levels, and external patio area alterations to add a new 4.0m x 4.0m umbrella, new paving, and new wrought iron railings to the stone boundary wall (Pending Decision)
HPK/2024/0114 & HPK/2024/0115	LBC and Full Planning for installation of replacement signs to include. 2x pictorial projecting sign. 3x sets of individual house name letters. 2x door plaques. 15x floodlights. 2x amenity boards. 1x lantern on bow bracket. 2x fence mounted corex signs

CONSULTATIONS

Publicity

Site Notice expiry date: 14th March 2024
Neighbour consultation period ends: 6th March 2024
Press Advert: 14th March 2024

Public Comments

None

Town / Parish Comments

N/A

Historic England

No comments to make

HPBC Conservation Officer

Initial Comments:

I don't anticipate there to be any major issue with the rearrangement, however the materials for the kitchen and bathroom is encouraged to be revisited.

Where there will be imposed on the fabric a lot of moisture and humidity in these areas the use of generic gypsum plasterboard and plastic based paints, i.e impermeable materials are ill advised. Please can a materials list for this intervention be devised to demonstrate appropriate vapour permeable materials. There also does not appear to be ventilation considered so I will query how this will be managed due to the spaces being quite small.

Further Comment:

We still have plasterboard ceilings (gypsum absorbs moisture, and plastic based paints exacerbate condensation and mould) paired with vinyl flooring and such like will create a greenhouse effect. I am not sure I am receipt of a summary of new materials that are vapour permeable? Again, this is a constrained space to be subject to a fair amount of heat within a solid stone walled building.

I see a ventilation unit is proposed, perhaps to mitigate the above? and sent through a grille in the window – is this new? i.e, new glass, joinery alteration etc? As the notes on the drawing say no external window alterations. In either event, this item is not clearly shown in the existing hence the difficulty in reading. This needs to be made clearer. I presume a new internal ventilation unit is to be hooked up to this?

Final Comment:

As there is an extract point those materials are ok on that basis there is in place additional moisture management. No objections subject to positively worded condition

Derbyshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The applications seek full planning permission and listed building consent for various alterations to an existing Grade II Listed Building which lies within the defined Town Centre of Buxton, in a prominent and highly sensitive part of the Buxton Central Conservation Area within close proximity to and within the setting of, a number of other heritage assets, most notably the Buxton Opera House.

As such, the applications are subject to Local Plan Policy EQ7 and relevant restrictive planning policies relating to heritage conservation contained under Chapter 16 of the NPPF, underpinned by Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

As such, the applications can only be supported in principle where the desired alterations amount to no adverse harm to heritage assets, or, where harm is identified, that there are sufficient public benefits that outweigh this harm.

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 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, having regard to matters of scale, height, density, layout, appearance and materials.

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.

Chapter 5 of the High Peak Design Guide SPD (2018) contains useful guidance relating to extensions and alterations of existing building, with the following being relevant:

5.2 Alterations need to be undertaken with care. Insensitive changes can easily spoil a building. The key to a sensitive approach is to take note of what is there already before preparing the design and to work with, and not against, the building's character. The aim should be to revitalise the building without altering its fundamental character.

Paragraphs 205-209 of the NPPF sets out how a local planning authority should assess the significance of a heritage asset and how to assess the potential impacts of a development proposal upon 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 applications seek Full Planning Permission and Listed Building Consent for various works and alterations as described in their final revised form as per plans submitted on 9th May 2024.

Throughout the consultation process, proactive and positive discussions have taken place between the agent, the Planning Authority, and the Council's Conservation Officer. Concerns were initially raised in connection with plasterboard ceilings paired with vinyl flooring, and the impact of moisture, creating a greenhouse effect. Clarification was sought with regards to ventilation, and materials, which have subsequently been addressed by way of revised plans. The Conservation Officer has confirmed that the latest revised plans are acceptable subject to a standard compliance condition requiring the development to be carried out in full accordance with these plans.

Having regard to the above, it is considered that the proposed development preserves the character, appearance and historic and architectural interest of the Listed Building, and, due to the works being internal, would also preserve the wider character and appearance of the Conservation Area, and setting of nearby Listed Buildings, in accordance with LP Policies S1, EQ6 and EQ7, relevant Supplementary Planning Guidance, and relevant paragraphs contained under Chapters 12 and 16 of the NPPF, the latter underpinned by Section 66 and 72 of the Act 1990.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

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 application seeks Full Planning and Listed Building Consent for various aspects of works to the Grade II Old Clubhouse public house. The application has been subject to a constant dialogue between Officers, the agent, and the Council's Conservation Officer, in order to address outstanding issues and matters of clarification that were raised in connection with the plans as originally submitted.

Subject to appropriate compliance conditions, it is considered that all outstanding matters relating to heritage conservation have been satisfactorily addressed, thereby demonstrating compliance with LP Policies S1, EQ and EQ7, relevant Supplementary Design Guidance, and relevant paragraphs under Chapters 12 and 16 of the NPPF, the latter underpinned by Sections 66 and 72 of the Act 1990.

In light of the above, the full planning application (HPK/2024/0049) and Listed Building Consent (HPK/2024/0050) are both recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 18th June 2024

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council