

DELEGATED DECISION REPORT

HPK/2023/0437
Valid 05/12/2023

10B ST JAMES TERRACE
BUXTON

REPLACEMENT WINDOWS
AND DOOR TO REAR
ELEVATION AT LOWER
GROUND FLOOR

(FULL - MINOR)

MAIN ISSUES

- Conservation Area – Article 4 restriction
- Design and appearance

DESCRIPTION OF SITE

10B St James Terrace is a lower ground floor flat within the Buxton Central Conservation area. The flat is entranced by the rear elevation of the dwellinghouse, accessed and visible from Hartington Rd.

The flat currently has timber sash windows of a two over one pane. The flat is accessed by a timber framed glazed rood located in the bay window. Both the windows and doors are finished in an off white paint.

PROPOSAL

Planning permission is sought to replace the existing timber framed windows and door with uPVC replacements. The proposed windows will be by heritage rose aimed to provide a heritage finish.

The proposed windows will be of the same two over one pane sash appearance, of an off white finish. The proposed door will be of the same glazed off-white appearance as the existing door in a composite material.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 2 Settlement Hierarchy
EQ 6 Design and Place Making
EQ 7 Built and Historic Environment
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 4 Decision-making
Section 12 Achieving well-designed and beautiful places
Section 16 Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/2511 Conversion to dwelling APPROVED
HPK/0003/6467 conversion of window into French door APPROVED
HPK/2005/0909 Retrospective Application For Conversion Of Basement Into Three
Bedroomed Flat APPROVED

CONSULTATIONS

Publicity

Site Notice expiry date:
Neighbour consultation period ends:
Press Advert: N/A (*Add date if applicable)

Public Comments

Objection (0)
Neither (0)
Support (1)
'I support the application'

Derbyshire County Council Highways

No objection

HPBC Conservation Officer

Objection
- Insufficient heritage statement
- Impact of setting of listed buildings
- Contrast to upper floors

OFFICER COMMENTS

Principle of Development

LP Policy S 2, which states that development should be directed towards sustainable locations, including Market Towns such as Buxton. The site is situated within this built-up area boundary. Therefore the principle of the development is acceptable subject to consideration of the following policy.

Design and heritage

Section 12 Paragraph 135(c) of the NPPF states that development should be sympathetic to the character and history of the area, while not restricting change.

Paragraph 200 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

LP Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale.

LP Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance.

The HPBC Conservation Officer raised objections in relation to the heritage statement provided. NPPF para 200 requires applications to provide a heritage statement proportionate to the assets importance. The asset under assessment is primarily the Buxton Central Conservation Area. LP Policy EQ 7 reinforces the need for such assessments to be proportionate. The proposed scheme relates to a lower ground level flat to the rear of a dwelling, located within the conservation area. As such the heritage statement provided is considered an appropriate desk-based assessment in line with the relevant policy.

Further objection was raised in regards to the proposed use of uPVC in contrast to the upper floors of the building. The application site of no. 10B is a dwelling under separate ownership to the upper floors of the building. The windows are located to the rear of the dwelling, raised above the road level of Hartington Rd, mostly obscured from view due to the presence of mature vegetation located within the flats curtilage (figure 1). The visibility of the lower ground floor is therefore much reduced in comparison to that of the upper floors. Furthermore the flat does not have any windows located on the front elevation of no.10. As such the front elevation will remain intact. The rear elevation would see a change in material at the ground floor level. However the style of window and colour will remain the same. A high quality uPVC window has been proposed. The proposed windows and door are therefore considered not to harm the conservation area, and are considered acceptable on balance.



Figure 1 – google street view of the application site as viewed from Hartington Rd.

Amenity

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The proposed scheme will replace the existing windows and door, and will not add any additional openings. As such existing amenity will be maintained.

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out "likely significant effects" on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if "likely significant effects" (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an "Appropriate Assessment" where the impact of the plan or project is considered in detail.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not increase overnight stays or surface water run-off from the site. Therefore it will not risk having a significant negative effect on the SAC either on its own or in combination with other proposals and therefore it is not necessary to carry out an Appropriate Assessment.

CONCLUSION / PLANNING BALANCE

The proposed uPVC windows are considered acceptable in terms of heritage, design, amenity and nutrient neutrality. It is considered to be in accord with the relevant policies put forward in the Local Plan and the NPPF. Therefore this application is recommended for approval.

OFFICER RECOMMENDATION : Approval

Case Officer: Rosie Dinnen C/O Rachel Robinson

Recommendation Date: 5th July 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council