

DELEGATED DECISION REPORT

HPK/2024/0478 37 HIGH STREET
Valid 21/11/2024 BUXTON

**LISTED BUILDING CONSENT
FOR ILLUMINATED AND NON-
ILLUMINATED SIGNS TO THE
EXTERIOR OF THE BUILDING.**

**(LISTED BUILDING CONSENT -
ALTERATION)**

MAIN ISSUES

- Impact on historic significance and architectural interest of the Grade II Listed Building including its setting

DESCRIPTION OF SITE

The application relates to No.39 High Street (also known as the Cheshire Cheese), which is a Public House, a Grade II Listed Building that lies within the Buxton Central Conservation Area.

The Historic England describes the building as follows:

Coaching inn, now public house. c1787, with C19 and C20 alterations. Dressed stone to front, the right-hand block with mock rusticated ashlar, with ashlar dressings. The rear is of uncoursed rubble with gritstone dressings. Welsh slate roof and stone stacks. EXTERIOR: 2-storey, 6-window street front arranged 1:2:3. Slightly later right section higher with rusticated ashlar facade. Single cantilevered bay window to left with glazing bar sashes and splat balustrade, above 3 glazing sashes in painted ashlar surrounds. Left block, single storey to left with pair of plain sashes in ashlar surrounds, to right a very large 9 window semi-circular bay window topped with splat baluster, beyond to right a projecting glazed porch and to left a single 2/2 sash with painted surround. Above 2 similar sashes. Right return cantilevered with single plank door and similar plain sash above. Rear, 5 window irregular elevation set-back to left. Central doorway with plank door, to left a 3-light window, a C20 casement, a small blocked opening and a plank door. To right a 3-light casement with glazing bars and beyond a plank door and glazing bar window. Above off-centre pair of 6-pane sashes, flanked by 2 similar sashes all with painted lintels. INTERIOR: much altered inserted moulded stone fireplace with decorative spandrels to lower room. Beams exposed to main left-hand range, one with rough chamfering. Pegged tie beams to 1st floor; the central section cut through to form corridor: side purlins also evident. This block has vaulted stone cellaring. SUBSIDIARY FEATURES: ornate iron railing to front with fleur-de-lys and urn topped uprights also square section railing with acorn posts.

The principal elevation fronts the public highway with an array of various signage being present on the elevations and within the associated curtilage between the front of the building and the public highway.

PROPOSAL

This application seeks Listed Building Consent for various illuminated and non-illuminated signs to the exterior of the building as detailed on the submitted revised plans received 08/01/2025, summarised as follows:

- A Refurbish 2no. sets of individual letters finished gold with new black drop shadow backs adding a solid black shadowback to help visibility by improving the contrast between the gold letter and the uneven grey background. New troughlights to illuminate
- B Refurbish existing sign to far left on front elevation with car park directions
- C 2no new logos to replace existing
- D 1no. internal vinyl to porch window
- E 1no. amenity board to right of entrance
- F Refurbish 1no. welcome sign
- G 1no. new car park disclaimer sign to car park area
- H 2no. new logos to post pictorial sign
- I 1no. double sided pictorial panel illuminated by linolites
- J 2no. car park signs to post sign
- K Replace 2no. ground floor fixed floodlights and cages with warm LED lights
- L Replace existing floods with warm LED floodlights. Quantity and positions to be as per existing
- M 2no. white vinyl logos to refurbished lantern with new warm bulb
- N Refurbish 1no. existing double legged post, car park directions sign

A separate Advertisement Consent application has been submitted and is currently under consideration under HPK/2024/0479.

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

Supplementary Planning Documents

Design Guide SPD (2018)
Design Guidance for Signs SPD

National Planning Policy Framework 2024

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/2940 & HPK/0003/2941	External Illumination Of Existing Signs (Approved 01/12/1993)
HPK/0003/8104 & HPK/0003/8105	Internal Alterations And Change Of Use Of Store To Public House and block up external door (Approved 30/06/1999)
HPK/0003/8306 & HPK/0003/8307	External Signage (Approved 09/09/1999)
HPK/2011/0294	Signage (Refused 18/08/2011)
HPK/2011/0332	Signage (Refused 19/08/2011)
HPK/2013/0377	Listed Building Consent For Reglaze Of Front Porch, New Extract Duct To Rear & Addition Of Joinery Items Internally (Approved 16/09/2013)
HPK/2013/0560	Listed Building Consent Proposed Signage (Approved 27/11/2013)
HPK/2018/0194	Installation or replacement illumination and non illumination signs to the exterior of the building (Approved 28/08/2018)

HPK/2024/0435 &
HPK/2024/0436

Planning and Listed Building Consent for Toilet
Refurbishment and Cyclical Maintenance Works,
including new signage (Approved 17/01/2025)

CONSULTATIONS

Publicity

Site Notice expiry date: 2nd December 2024
Neighbour consultation period ends: 16th December 2024
Press Advert: 28th November 2024

Public Comments

None

Historic England

No comments

HPBC Conservation Officer

Initial Comments:

Sign type L - 25037 Planning_Plan1 shows signage type L 'to be agreed'. This is ambiguous, details of proposed positions required.

No objection in principle to remaining signage scheme. Vastly like-for-like in approach, with some additional signage. Colour pallet and style is acceptable.

Revised Comments:

Revised plans acceptable, no objections.

Environmental Health

Proposed Lighting Guide 05: The Brightness of Illuminated Advertisements (2015) – Institute of Lighting Professionals:

Category of Locations

EZ1	National Parks, Area of Outstanding Natural Beauty
EZ2	Rural or small Village locations
EZ3	Small Town Centres or Urban Locations
EZ4	Town/City Centres with high levels of night time activity

Recommended Lux Levels

EZ3	Up to 10m2 600cdm2
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	Over 10m2	300 cdm2
EZ4	Up to 10m2	600cdm2
	Over 10m2	300 cdm

OFFICER COMMENTS

Principle of Development

The application seeks Listed Building Consent for proposed signage relating to an existing Grade II Listed Building. As such, the application is subject to Local Plan (LP) Policy EQ7 and restrictive policies contained under Chapter 16 of the NPPF, underpinned by Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

The principle can thus only be supported where the proposal demonstrates that the signage will either sustain or enhance the historic significance and architectural interest of the Listed Building including its setting. Where any harm is identified, this must be weighed against any public benefits that arise from the proposed development.

Impact on historic significance and architectural interest of the Grade II Listed Building including its setting

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.

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.

The Design Guidance for Signs SPD provides further useful guidance for the exterior of retail and other such uses within Town Centres. With regards to lighting it states that any lighting incorporated should be discreetly hidden on suitable parts of the building, which can include more sensitive strip or trough lighting. There is also an

emphasis on fascia's being of a reasonable scale that does not detract from the appearance of both the building and the street.

Paragraphs 212-221 of the NPPF sets out how a local planning authority should assess the significance of a heritage asset and the potential impact 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 application relates to a very sensitive (Grade II Listed) building that lies in a prominent location within the Conservation Area and as such any application for both illuminated and non-illuminated signage is required to be handled in a sensitive manner.

The application is accompanied by a Heritage Statement which does not contain any analysis with regards to the historic significance of the building and is very limited in its analysis of the proposed scheme.

Notwithstanding the above, and as shown on the submitted plans, the vast majority of the proposed signage amounts to the replacement of existing signage with regards to its location and design. Officers concur with the comments of the Conservation Officer that the siting and design of the proposed signage including the choice of material and colour pallet are acceptable and respect the visual amenity of the building, the street scene and the Conservation Area.

Revised plans have been submitted which clarify the details of sign 'L' which were previously ambiguous and have been judged to be acceptable by the Conservation Officer.

In light of the above, and subject to appropriate conditions, it is considered that the proposed signage, having regard to the revised plans, would preserve the historic significance and architectural interest of the Listed Building including its setting, and thus amounts to an acceptable form of development that complies with LP Policies S1, EQ6 and EQ7, relevant Supplementary Design Guidance, and relevant policies contained under Chapter 16 of the NPPF and S72 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-date⁸, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii) 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

The application seeks Listed Building Consent for proposed signage relating to the Grade II Listed No.39 High Street, Buxton, which is operating as the Cheshire Cheese Public House. A separate application for Advertisement Consent is currently under consideration under HPK/2024/0479.

Further to revised plans being submitted that clarifies the location and design of sign 'L', the Council are satisfied that the proposed signage would preserve the historic significance and architectural interest of the Grade II Listed Public House and as such accords with LP Policies S1, EQ6 and EQ7, relevant Supplementary Design Guidance, and relevant restrictive paragraphs relating to heritage conservation contained under Chapter 16 of the NPPF.

As such, the application is, subject to standard compliance conditions, considered to constitute a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 21st January 2025

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Signed by: Jane Colley Signature

On behalf of High Peak Borough Council