

DELEGATED DECISION REPORT

HPK/2024/0485
Valid 20/12/2024

48 WEST ROAD
BUXTON

CHANGE OF WINDOWS ON
THE EXISTING DWELLING TO
A TIMBER EFFECT UPVC

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Impact on Conservation Area
- Nutrient Neutrality Catchment Area

DESCRIPTION OF SITE

The application site relates to a mid-terrace property along West Street, Buxton, which is a predominantly residential area. The site relates to a two-storey mid-terraced property, the dwelling includes a cellar and accommodation within its roof space. A small yard is located to the rear and small area of hardstanding to the front. The site lies within the Buxton Central Conservation Area, which is subject to an Article 4 Direction.

PROPOSAL

The application proposes replacing the existing windows, with UPVC, it is the immediate frames which are to be replaced, and the timber bay and structure are to remain intact.

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
CF 6 Accessibility and Transport

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development
Chapter 12: Achieving well-designed places
Chapter 16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 04/02/2025

Neighbour consultation period ends: 30/01/2025

Press Advert: N/A

Public Comments

The proposed design is poor and does not reflect the profile of the existing timber windows on this property and on nearby properties on West Road where the original windows are still in place. If the Council considers that UPVC is acceptable, a better profile is required, providing a much closer match to the style and appearance, including method of opening, to the existing windows.

Town / Parish Comments

N/A

Conservation Officer

Drawing no 0194-DIA-XX-XX-DR-A-XX-001400 show the proposed profile of the proposed windows shows a poor quality design, which fails to reflect the existing timber sash windows. In particular the front bay windows are currently timber framed sliding sash windows with horns. The proposed windows would to be casement opening window, with no horn details, and thin central glazing bars. This does not appropriately reflect the character of the existing windows, nor the character of West Road.

Similarly, all other windows proposed appear to be inappropriate casement opening windows, lacking joinery details such are horns. All windows should be a sliding sash opening with appropriate joinery details. Such details are not demonstrated within the current plans. The exception to this is the front dormer window which appears an appropriate casement style window, however it is of an inappropriate uPVC finish.

28/03/25:

Remove holding objection to this based on the information submitted subject to an appropriate condition. I note that the revised plans are proposing casement opening windows. The ground and first floor windows should be sash opening. Casement opening sash windows can appear out of place when open, as sash windows are not characteristic of the Buxton CA. The original design and access statement also states that the windows will be a white finish. White often looks bright and out of place, a

cream or off-white colour is considered more appropriate for the Buxton CA. As such they should be a cream as per page 7 of submitted brochure.

The dormer window can be casement opening as this is a different style window, although should also be cream to match.

OFFICER COMMENTS

Principle of Development

The application lies within the Conservation Area for Buxton Central which is subject to an Article 4 direction removing permitted development rights. As such, although usually the replacement of doors and windows would be covered under permitted development, these rights have been withdrawn and permission is required, in order to control the appearance of the Conservation Area.

The property lies within the built-up area boundary of Buxton, which is identified as a Market Town in the settlement hierarchy under Local Plan Policy S2 in recognition of it being a sustainable location with access to services and facilities. Therefore, the principle of development is only acceptable provided that the proposals sustain and enhance the heritage asset.

Design

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.

Section 16 Paragraph 212 of the NPPF 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Section 16 para 215 states "Where a development 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."

LP Policy EQ 6 states that all development should be well designed, of a high quality that responds positively 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 Adopted Residential (SPD) (2005) chapter 9 states that "extensions and alterations to existing houses can have a significant impact on the appearance of a house, neighbouring property and the street scene. It is important, on all types of houses, that domestic development is carefully designed."

The site sits within Buxton Central Conservation area, throughout the consultation period amended plans have been sought, in response to the objection received from the Conservation Officer. These comments were taken on board by the applicant and the revised plans have been received emulating the style of the existing sash windows, with horn detailing, reflecting the character of the existing windows and West Road.

Neighbouring properties along West Road have previously received approval for the replacement of timber windows with UPVC windows of a similar nature, including the neighbouring no.50. It is noted comments received from the Conservation Officer, state that the loss of timber windows cannot be supported at this location. Given the neighbouring property has had replacement upvc windows, and the proposed replacement will be of similar design to existing, it would be considered unreasonable to refuse the application on this basis.

An objection has been received, regarding concerns over the design of the window's, amended plans have since been negotiated, consistent with the design of the existing timber windows on the property and along West Road. The timber bay and structure are to remain intact and the colour is to match those of the existing windows.

The proposed colour of the windows is white to match existing, however, in response to the Conservation Officer's comments it seems prudent to impose a condition to ensure the windows are either cream or off-white as per page 7 of the submitted brochure, which would be considered a more appropriate upvc colour for the Buxton Conservation Area.

Accordingly, the siting, scale and proposed materials are considered appropriate and accord with requirements of policies S1 and EQ6, the Residential Design Guide SPD and the NPPF.

Amenity

Section 12 Paragraph 130(f) of the NPPF states that development should create places with a high standard of amenity for existing and future users.

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 existing windows are proposed for replacement only, no additional openings are proposed. As such there will be no impact upon the amenity of neighbouring properties, compliant with Local Plan Policy EQ6, the Residential Design Guide SPD, and the NPPF, with regards to impact on neighbouring residential amenity.

Highway Safety

The proposal will not impact upon highway safety. As such there are no highway safety concerns, and the proposal complies with local plan policy CF 6.

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 proposal is considered acceptable in terms of design and will not result in any adverse amenity impacts. Subject to conditions the replacement windows will sustain the character and appearance of the heritage asset. The development is considered to be in accordance with the relevant policies put forward in the Local Plan and NPPF. Therefore, the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Jennifer Robb

Recommendation Date: 07/04/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council