

DELEGATED DECISION REPORT

HPK/2025/0015 & 17 BROAD WALK
HPK/2025/0016 BUXTON
Valid 18/02/2025

REFURBISHMENT OF
EXISTING FLAT INCLUDING
INSTALLATION OF EN-SUITE
BATHROOM IN EXISTING
STORAGE ROOM, CHANGING
THE DOOR FROM KITCHEN
TO CORRIDOR WITH ARCH
FOR OPEN PLAN KITCHEN,
AND REINSTATING THE 2
FIREPLACES

(FULL – MINOR &
LISTED BUILDING CONSENT)

MAIN ISSUES

- Impact upon the designated Heritage asset (Listed Building and conservation area)
- Design, character and appearance
- Impact upon residential amenity.
- Nutrient Neutrality

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 in this instance relates to the ground floor flat. The property is located in the Buxton Central Conservation Area which is also subject to an Article 4 direction which controls any alterations to roofs as well as other Class A alterations (GPDO Schedule 2 Part 1).

PROPOSAL

The application seeks both Full (minor) planning permission and Listed Building Consent which shall both be assessed in this report.

The proposed development comprises the internal refurbishment and installation of an ensuite bathroom in an area currently used as a storage room, the opening up the kitchen entrance and reinstatement of two fireplaces in the lounges, relining the flues and installing wood burning stoves. The proposed works also include retiling painting and decorating and the installation of a railing for access to the basement.

Revised plans were submitted following Comments from the Conservation Officer to confirm that the proposed en-suite bathroom is to be omitted and will be changed to a toilet with sink and cabinet.

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

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/0003/8297: External Ramp and Internal Alterations (Approved 18/08/1999)

HPK/2002/0832: Conversion of loft space to living area and insertion of Velux rooflight (Approved 19/11/2002)

HPK/2009/0720: LBC for replacement of front door and other internal alterations (Approved 03/03/2010)

HPK/2024/0001: Proposed conversion of loft into living space, internal alterations and removal of partition walls. (Approved 10/05/2024)

HPK/2024/0002: LBC for proposed conversion of loft into living space, internal alterations and removal of partition walls. (Approved 10/05/2024)

CONSULTATIONS

Publicity

Site Notice expiry date: 24/04/2025
Neighbour consultation period ends: 21/03/2025
Press Advert: 03/04/2025

Public Comments

No public comments received.

Town / Parish Comments

N/A

Conservation Officer

It is proposed to reinstate 2 fireplaces. One in the sitting room and one in the living room. Officer site visits demonstrated that the original fireplace details have been previously lost and replaced with gas fires. The original chimney breasts are intact. As such the proposed reopening of these fire is considered acceptable and will aid in traditional ventilation and heating of the listed building.

Removal of kitchen wall

It is proposed to open up part of the existing kitchen wall to create an open plan kitchen. Officer site visit demonstrated that this wall is modern in construction. The kitchen to no. 17 would not have originally been in this location, as such the wall was likely constructed as part of the conversion to flats. The proposal will allow for the retention of internal archway detail. As such the walls demolition will not harm the heritage asset.

Utility and shower room

It is proposed removal of the existing shower room, to create utility and new shower room. The existing shower room is located to the rear of the flat, this section to the rear of the flat is likely to have been a scullery or servants entrance. The existing shower room appears to have been installed during the conversion to flats. As such its removal and replacement is considered acceptable.

Ensuite

The proposed ensuite will include the conversion of an existing storage cupboard and relocation of doorway. Officer site visit demonstrated that this room does not have any means of natural ventilation. The proposed plans do not demonstrate any mechanical ventilation within this space. The introduction of a shower to this room will introduce high levels of moisture, with no apparent means of ventilation. This will lead to damp which over a long term period will harm the fabric of the listed building.

As such the application should be required to provide evidence of how the en-suite will be effectively ventilation, or omit the en-suite from the scheme. A W/C may be more appropriate for this space as this will create less harmful levels of moisture than a shower.

In conclusion, a large extent of the proposed work are not considered to impact upon the significance of the heritage asset, and are therefore not harmful. However, the proposed installation of an en-suite with no ventilation presents the possibility of long term damp issues and subsequent damage to the fabric of the building. As such the proposed en-suite is considered to cause less than substantial harm. The applicant should either demonstrate means of ventilation, or omit the en-suite from the scheme.

Following the above comments the applicant has submitted revised plans to change the ensuite bathroom to comprise a toilet, sink and cabinet space.

Historic England (No Comment)

In this case we are not offering advice.

Derbyshire County Council Highways (No Objection)

DCC highways has no objections as there appears to be no material impact on the public highway and therefore the Local Highway Authority (LHA) has no further comments to make.

OFFICER COMMENTS

Principle of Development

The application seeks full planning permission for alterations to an existing residential property and listed building situated within Buxton Central Conservation Area. The site lies within the built-up area boundary for Buxton, which is identified as a Market Town under the High Peak Local Plan (2016).

Accordingly, the general principle is only considered acceptable if there is no harm to the designated heritage asset (s) and other material considerations including the residential amenity and nutrient neutrality.

Design

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. The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering domestic properties. Extensions and alterations should

respect the scale and height of the parent building reading as a subordinate and secondary addition and respecting the character and appearance of the building through an appropriate choice of materials.

The application site is a Grade II Listed property, the impact of the proposals upon the designated heritage asset will be assessed below in greater detail.

The application in this instance proposes minor alterations, floor plan alterations and the reinstating of two fireplaces. The proposals would not make any alterations to any exterior elements of the existing property.

Given that the proposed works would not alter the exterior of the existing property it is considered that the works would not have any adverse impacts with regards to their appearance and impact upon the character and design of the property nor would they have any detrimental impacts upon visual amenity. Therefore the proposed works are judged to accord with Local Plan Policy EQ6, Supplementary Planning Documents and the National Planning Policy Framework (NPPF).

Impact upon the Listed Building

Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant consent 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 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 proposed fireplace reinstatement is considered to be acceptable as it will aid the traditional ventilation and heating of the listed property. All original fireplace details have previously been lost therefore the proposed re-instatement of said fireplaces is not judged to lead to any harmful loss of historic fabric.

The existing kitchen wall which is proposed to be removed is non-original with the kitchen originally not being located in the location as existing. The proposed removal of this wall will retain the existing internal archway detail. Therefore, it is considered that its removal is appropriate.

The proposed alterations to the utility and shower room would involve the removal of an internal non-load bearing wall and the existing shower however the existing shower room appears to be a later installation and as such would not result in the loss of any historic fabric and its removal and replacement is therefore considered appropriate.

The proposed ensuite has been amended following concerns raised by the Conservation Officer. The proposed ensuite has now omitted the shower from the plans and will solely comprise a toilet, sink and cabinet. This is considered to be acceptable as it would alleviate the Conservation Officers concerns regarding the creation of damp within the building.

With consideration to the above the proposed works are judged to not have any detrimental impacts upon the character of the listed building. The proposals would not result in the removal of any historic fabric, with the majority of the internal layout of the existing property have previously been changed and altered and are no longer original. Therefore, the proposed works would enhance and sustain the importance of the listed building.

As only internal works are proposed to the building, the proposal would have no impact on the conservation area and therefore would continue to sustain the character and appearance of the conservation area. Therefore the proposed works would enhance and sustain the importance of the heritage asset in accordance with Local Plan Policy EQ7.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy. The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels.

The proposed works would not increase the built footprint of the site or involve any additional windows and would therefore not have any adverse impacts upon neighbouring amenity with regards to overlooking or a loss of privacy.

The proposed works would continue to allow the flat to comply with NDSS as existing and therefore will continue to provide acceptable levels of amenity for future occupiers.

Nutrient Neutrality

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.

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 development is considered acceptable principle, would be of an acceptable design and will not result in any adverse impacts upon visual or residential amenity. Additionally, the proposals would sustain the character and appearance of the Listed Building. The proposals are in accordance with the relevant policies of the High Peak Local Plan, Supplementary Planning Documents and the National Planning Policy Framework.

Therefore, the planning and listed building consent applications are both recommended for approval subject to conditions.

OFFICER RECOMMENDATION : **Approve Planning Permission and
Listed Building Consent**

Case Officer: Stuart Talbot
Recommendation Date: 18/04/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council