

DELEGATED DECISION REPORT

HPK/2025/0102
Valid 25/03/2025

2 LONGDEN COURT
BUXTON

APPLICATION FOR LISTED
BUILDING FOR
RETROSPECTIVE CONSENT
FOR THE ADDITION OF TIE
RODS AND PLATES THAT
MATCH EXISTING. REMOVAL
OF CABLES AND
INSTALLATION OF EXTERNAL
LIGHTS

(LISTED BUILDING CONSENT -
ALTERATION)

MAIN ISSUES

- Impact of historic significance of Listed Building

DESCRIPTION OF SITE

The application relates to the three storey residential dwellinghouse No.2 Longden Court, Buxton, a Grade II Listed Building that is situated immediately south of the Spring Gardens shopping thoroughfare characterised by an exterior finished in a natural stone with tiled roof, benefiting from a small area of amenity space to the rear.

The building is understood to date from the 18th Century originally built as a factory or workshop before being converted into a cottage during the 19th Century.

The existing property sees the current ground floor being in use as an Office (Class E(g)(i)), with the first and second floors functioning as a residential dwellinghouse (Class C3) made up of three bedrooms, two living rooms, kitchen, bathroom, and WC.

The site is subject to pending applications for full planning permission and Listed Building Consent for minor internal alterations to the existing layout of the first and second floor adding one bathroom on each floor and creating a further two bedrooms and the conversion of the ground floor into a self-contained two bedrooms flat from commercial use.

PROPOSAL

The application seeks retrospective Listed Building Consent for the addition of rods and plates that are described as matching the existing, the removal of cables and the installation of external lighting.

The application is supported by photographs of both the interior and external of the building, providing further detail that is not readily visible on the submitted plans.

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
EQ7 Built and Historic Environment

National Planning Policy Framework 2024

Achieving Sustainable Development	Chapter 2
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0002/6065	Three small shop units at ground floor (Approved 10/10/1986)
HPK/2004/0409	Change of use from existing offices to dwelling (Refused 28/07/2004)
HPK/2004/0872	Change of use from existing offices to dwelling (Approved 15/11/2004)
HPK/2005/0660 & HPK/2025/0661	Full Planning and Listed Building Consent for Change of use from offices to three flats, internal alterations and elevational adjustments (Approved 03/11/2005)
HPK/2011/0677	Listed Building Consent for proposed internal alterations (Approved 27/01/2012)
HPK/2024/0135 & HPK/2024/0136	Minor internal alterations to the existing lay-out of the first and second floor adding one bathroom on each floor and creating a further 2 bedrooms. Conversion of the ground floor into a self-contained two bedrooms flat from commercial use (Pending)

CONSULTATIONS

Publicity

Site Notice expiry date: 1st May 2025
Neighbour consultation period ends: 1st May 2025
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Lead Local Flooding Authority

No comments

Historic England

Refer to LPA Conservation Officer

Derbyshire County Council Archaeology

There are no below ground archaeological implications from the development. However, Longden Court to the rear of 54 Spring Gardens is a Grade II Listed Building and you should therefore seek the advice of the Council's Conservation Area.

HPBC Conservation Officer

Summary of Significance

The proposal would involve alterations to Longden Court, which is a Grade II Listed Building situated in Buxton Hardwick Conservation Area.

Longden Court (Grade II) is a late-18th century lodging block, constructed in millstone grit with a slate roof. The significance of the building derives from its retention of historic fabric and plan form, illustrative vernacular construction and historic association with the growing tourism in the Georgian period for Buxton.

The Hardwick Conservation Area boundary encompasses the eastern part of Buxton centre, which includes villa housing to the east of open space of The Terrace and the commercial buildings along Spring Gardens. The villa housing is typically large detached or semi-detached housing in large plots surrounded by dense vegetation and mature trees, which accentuates their social status and privacy. The commercial buildings along Spring Gardens are laid out in a more tightly knit grain, with buildings typically facing immediately onto the highway. Whilst Longden Court is set back from

the main street, the building still makes a positive contribution to the character and appearance of the Conservation Area through its vernacular construction and association with the development of Buxton as a tourist destination.

Assessment and Impact

The works associated with the application have commenced prior to the submission of the application. The works include the retention of structural ties and plates, as well as the installation of external lanterns.

As set out in the supporting information, the tie rods are designed to maintain the structural integrity of the building and have been installed to replace previous existing tie rods. The only discernible difference with these works is that the current ones have a metal plate visible externally. These plates have a minor harmful impact on the appearance of the building as they distract from the building's traditional and vernacular character. However, there has been clear and convincing justification provided for these works, and they have been designed to help maintain the building in the long-term.

The application also seeks to install lanterns to the exterior. Whilst there is no historic precedent for the examples provided in the supporting information, their design would not compete with or diminish the architectural interest of the Listed Building nor the character of the Conservation Area.

Conclusions and Recommendations

In summary, the proposal would lead to a minor degree of harm to the special interest of the Listed Building and no harm to the character and appearance of the Conservation Area. This would be contrary to s.16 of the Act. With reference to planning policies, this would be 'less than substantial harm' to the designated heritage asset (par.215 of NPPF and policy DC2 of the local development framework), but at the lower end of the scale of harm. Whilst it is regrettable that some of the works commenced prior to an application being submitted, there is clear and convincing justification provided for this level of harm in terms of securing the long-term conservation and structural stability of the heritage asset (par.213 of NPPF). Therefore, there are no objections to the proposal from a conservation perspective.

OFFICER COMMENTS

Principle of Development

The application seeks consent for various works to a Grade II Listed Building and as such is subject to Local Plan (LP) Policy EQ7, relevant restrictive national planning policies contained under Chapter 16 of the NPPF, and Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

The principle of development can thus only be supported where the application demonstrates compliance with the above policy context. Should any harm to heritage

assets be identified, the public benefits must be weighed against this harm in a planning balance.

Impact of historic significance of Listed Building

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 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 16 of the NPPF contains the national planning policies aimed at conserving and enhancing the historic environment. Paragraph 212-221 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 proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. 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.

The proposal would involve alterations to Longden Court, which is a Grade II Listed Building situated in Buxton Hardwick Conservation Area which comprise the retention of structural ties and plates, as well as the installation of external lanterns, as shown in detail by way of plans and photographs that support the application.

As noted by the Conservation Officer, the tie rods are designed to ensure the structural integrity of the building, which replace aspects of a similar nature. The key difference between the ties that existed and those that replace them is that the proposed ties that have been installed without consent contains a metal plate that is visible externally.

Advice from the Conservation Officer states that this element results in a harmful impact upon the appearance of the building, albeit a minor degree of harm, given that they detract from the building's traditional and vernacular appearance. No harm is identified as a consequence of external lanterns being installed, despite there being no historic precedent for such examples.

In light of the above, it is the case that the introduction of the replacement ties would amount to “less than substantial harm” to the historic significance of the Listed Building, resulting in a degree of conflict with LP Policy EQ7 and relevant paragraphs contained under Chapter 12 of the NPPF.

This harm must be weighed against any public benefits associated with the scheme, which includes securing the long term conservation and structural stability of the heritage asset.

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 retrospective Listed Building Consent for the installation of rods and plates, the removal of cables, and the installation of external lighting in relation to 2 Longden Court, Buxton, a Grade II Listed Building.

As evidenced by the plans and photographs that accompany the application, and in regard to the comments made by the Conservation Officer, it is the case that a degree of harm to the historic significance of the Listed Building has occurred by virtue of the replacement of ties includes a metal plate that is not consistent with the traditional vernacular and historic character of the building.

This harm is considered to be “less than substantial” for the purposes of relevant paragraphs contained within Chapter 16 of the NPPF, and as such this harm must be balanced against any public benefits associated with the proposal.

These works are understood to have been carried out as part of a wider redevelopment of the site that would ultimately secure the long term conservation and structural ability of this heritage asset. This public benefit is considered to warrant significant weight in the overall planning balance.

It is considered that when taking all material considerations into account, it is the case that on this occasion, there is reasonable justification for this proposal and sufficient public benefits associated with it that outweighs the less than substantial harm to the heritage asset.

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

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 19th May 2025

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council