

DELEGATED DECISION REPORT

HPK/2025/0087
Valid 27/03/2025

6 TORR STREET
BUXTON

ALTERATIONS TO FRONT
BASEMENT WINDOW, REAR
GARAGE DOOR TO FORM
DOORWAY ENTRY AND
REDUCED-WIDTH GARAGE
DOOR

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, character and appearance
- Impact upon residential amenity
- Impact upon the Conservation area

DESCRIPTION OF SITE

The application site refers to a mid-terrace stone dwelling within the established settlement boundary of Buxton. The site as existing is afforded an integrated garage.

The application site sits wholly within the Buxton Central Conservation Area. The surrounding area predominantly comprises terraced dwellings similar to the application site although there is a mix of semi-detached and isolated detached properties within the wider area. The topography of Torr Street is such that the rear elevations of the dwellings are typically one storey lower than the ground floor storeys.

PROPOSAL

The application seeks full planning consent for alterations to the front and rear elevations of the property to improve access from and into the basement level.

The original proposals to the front elevation included the enlargement of the existing front lightwell to create an external staircase and doorway. Following comments received from the Conservation Officer these changes have been amended to retain the front lightwell as a window, remove the proposed steps, railing and lower the sill of the existing window by 500mm.

The proposals to the rear elevation would reduce the existing garage door width, which is currently substandard for a two vehicle garage and oversized for a single garage, and create an internal hall and new pedestrian access through the rear of the property. Therefore it is proposed to reduce the width of the existing garage to

accommodate the new pedestrian access. This rear is accessible from a private track that runs between the rear of Torr St and St James Terrace.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S2 Settlement Hierarchy
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)

National Planning Policy Framework

Chapter 2 - 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/2014/0141: minor alteration to rear fenestration, enlarge kitchen window & fill in existing doorway. (Approved 02/07/2024)

CONSULTATIONS

Publicity

Site Notice expiry date: 22/05/2025
Neighbour consultation period ends: 21/04/2025
Press Advert: 1/5/2025

Public Comments

One public comment has been received (Neutral) which requests that “the planned changes do not extend the existing garage footprint of no 6, either outwards into Back Torr St or sideways encroaching on the neighbouring garages/boundaries, as this would reduce access to neighbouring garages/rear entrances. I would also draw attention to the commercial use of no 6 as a fulltime airbnb/holiday let and query if the required permissions are in place?”

Town / Parish Comments

N/A.

Conservation Officer

In conclusion the introduction of an enlarged lightwell, balustrade and basement access from the principle elevation results in a moderate degree of less than substantial harm the Buxton Central Conservation Area. As explored above this level of harm has not be sufficiently justified in conjunction with the rear elements of the proposed scheme, therefore the application fails paras 213 and 215 of the NPPF. As such the front/principle elements of the proposed scheme should be removed. In the event that these harmful elements are not removed from the proposed scheme refusal of the application is recommended.

Following the above, amendments were requested and have been received. The updated Conservation Officer response is as follows:

I am happy to withdraw my objection based on new plans. However,

1. The new principle elevation window hereby granted consent shall be of timber construction only and no trickle vents shall be installed in the external joinery.
Reason:- In the interests of preserving the historic character of the Listed Building in accordance with Local Plan Policies EQ6 and EQ7 and relevant paragraphs under Chapter 16 of the NPPF.

Derbyshire County Council Highways

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 an extension and alterations to an existing residential property that 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 and other material considerations such as residential amenity.

Design and Impact upon the Conservation Area

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 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 in accordance with sub area strategies S5, S6 and S7. Particular protection will be given to designated and non-designated heritage assets and their settings.

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 proposed changes to the rear elevation would reduce the width of the existing garage, creating an internal hall and new pedestrian access. This alteration is not considered to have any adverse impact upon the surrounding area as it would be a modest alteration which is judged to be sympathetic to the character of the existing building. The Conservation Officer has stated that with regard to these alterations, that “ *it is proposed to reduce this to a single garage and create a rear pedestrian entrance. This rear access is visible from a private rear track which runs between the rear of Torr street and St James Terrace. This rear track may have provided access to workshops characteristic of the area. As such there are no heritage objections to the proposed rear alterations.*” With consideration to this it is therefore judged that the proposed alterations to the garage would not have any harm upon the character of the existing dwelling and would be of an appropriate design to retain the character of the existing dwelling. Given that the external alterations would be modest in their nature they are judged to not have any harm upon the surrounding area and would sustain the intrinsic character of the Conservation Area.

The proposals had previously sought to make a number of changes to the front elevation, however following comments from the Conservation Officer these alterations have been omitted and the existing window retained. However the proposals do propose to lower the sill of the existing window. Therefore to ensure no harm to the existing dwelling or to the Conservation Area, a condition will be placed to ensure that the window to the principal elevation shall be of a timber construction only with no trickle vents in the interest of preserving the historic character of the Conservation Area.

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 proposals would not extend the footprint of the site and would only reduce the width of the existing garage door to create a pedestrian access. As such the proposed works would not be contrary to the 45 degree rule and have no harm with regards to overshadowing and would not be overbearing in their nature.

One neighbour comment was received which mentioned that they do not oppose the planning permission subject to the site *“not extending the existing garage into Back Torr St or sideways encroaching on the neighbouring garages/boundaries”*. The proposed development does not seek to extend the footprint of the garage only altering the internal layout. There are not judged to be any adverse impacts as a result of the proposed development in this regard.

The proposed increase in the size of the glazed window through lowering the sill is not judged to create any further impact upon neighbours in relation to overlooking or lead to any loss of privacy.

The neighbouring comment has also queried the use of the site as a Holiday Let / AirBnB. This application seeks only consent for the alterations to the rear garage and lowering the sill of the window to the principal elevation. Any permission hereby granted by this application does not provide permission for the site as a holiday let and is not subject to assessment via this planning application. However, in most cases, planning consent is not required to use an existing residential property for Air BnB purposes, as both a domestic (residential) and holiday let use fall within the same use class (C3).

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 development is considered acceptable principle, will not result in any adverse impacts upon visual or residential amenity and would not have any harm upon the character of the Conservation Area. The development would sustain the importance of the heritage asset. 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 application is recommended for approval subject to conditions

OFFICER RECOMMENDATION : Approve

Case Officer: Stuart Talbot

Recommendation Date: 30/05/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council