

DELEGATED DECISION REPORT

HPK/2024/0398
Valid 28/05/2025

2
DEVONSHIRE HALL
DEVONSHIRE ROAD
BUXTON

TO REPLACE THE EXISTING
TIMBER CONSERVATORY,
WITH A NEW
CONSERVATORY ON THE
SAME FOOTPRINT AND
REPLACEMENT OF THE
EXISTING WOODEN GATE
WITH A NEW SOLID GATE.

(FULL - MINOR)

MAIN ISSUES

- Design, character and appearance
- Impact upon residential amenity
- Impact upon the designated heritage asset (Conservation Area)
- Nutrient Neutrality

DESCRIPTION OF SITE

The application site refers to a large stone Hall Building which was previously in use as a residential care home and has since been converted into residential apartments in 2002. The site is located off Devonshire Road within the defined settlement boundary of Buxton and also falls within the Buxton Park Conservation Area.

PROPOSAL

The application seeks full planning consent for the removal of the existing timber conservatory with a new uPVC Conservatory. The new proposed uPVC Conservatory would occupy the same footprint and siting as per the existing conservatory.

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)

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/0002/4779: Conversion to nursing / residential home (Approved 18/11/1986)

HPK/0002/5354: Porch, covered corridor and staff shower and w/c Room
(Approved 08/09/1987)

HPK/2002/0069: Conversion of former nursing home and extension to form 12
residential apartments (Approved 26/03/2002)

HPK/2012/0239: Proposed replacement of two casement windows, centre light
opening with two sliding sash windows (Approved – 27/06/2012)

CONSULTATIONS

Publicity

Site Notice expiry date: 22/07/2025
Neighbour consultation period ends: 19/06/2025
Press Advert: 03/07/2025

Public Comments

No comments received.

Town / Parish Comments

N/A.

Conservation Officer (No Objection)

The Conservation Officer had initially placed a holding objection on the grounds of insufficient information. Subsequently additional information has been provided to which the Conservation Officer has responded:

“The existing timber joinery is not original and bulky in appearance. As such the proposed uPVC will appear like-for-like and will sustain, but not enhance, the conservation area. The white wood grain colour is considered acceptable. On that basis I am happy to remove my holding objection.”

Derbyshire County Council Highways (No Objection)

There appears to be no material impact on the public highway and therefore the Local Highway Authority has no 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 in the Buxton Conservation Area within the built up area boundary for Buxton, which is identified as a Market Town under Policy S2 of the High Peak Local Plan (2016).

New extensions and alterations are permitted provided that they are subsidiary to the host dwelling and do not have an adverse impact on the landscape. Accordingly the general principle is acceptable, subject to other considerations including the impact upon the heritage asset and 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 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 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 Conservatory is to be located to the west facing side elevation and is to be significantly set back from the principal elevation and by virtue of its modest size the proposals would remain subservient and subordinate to the host dwelling as per the

existing conservatory. Given that the proposed development would replace an existing conservatory of the same size the proposals are not judged to have any unacceptable impacts upon the character of the existing dwelling.

The Conservation Officer had initially placed a holding objection on the grounds that insufficient information had been provided to warrant the removal of a timber conservatory and its replacement with uPVC and its impact upon the Conservation Area.

Subsequently additional information has been provided to which the Conservation Officer has responded:

“The existing timber joinery is not original and bulky in appearance. As such the proposed uPVC will appear like-for-like and will sustain, but not enhance, the conservation area. The white wood grain colour is considered acceptable. On that basis I am happy to remove my holding objection.”

With regard to the above comments, on the grounds that the existing conservatory is non-original and does not comprise a high-quality design, its replacement with a uPVC conservatory within a relatively well screened plot and set back significantly from the public highway is judged to sustain the character of the Conservation Area.

The proposed development therefore accords with Local Plan Policies EQ6 and EQ7 and the Design Guide SPD further to national policy contained within the NPPF.

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 conservatory is a modest extension which would not extend past the existing arrangement instead seeking to replace the original timber unit with a like for like conservatory albeit constructed from uPVC. The proposed conservatory would not breach the 45 degree line to any neighbouring occupiers and as such would not be overbearing in its nature nor have any detriment with regards to overshadowing.

To the west of the site lies the apartment complex known as Holmlea Gardens which at its nearest point would be approximately 5m from the application site. Whilst there is potential for some overlooking from the rear windows of Holmlea Gardens, as the proposed extension is to comprise the same form, scale and sighting as the existing timber conservatory, the proposals are not judged to have any worse impacts over the existing arrangement.

As such the proposed development complies with Local Plan Policy EQ6, the Residential Design Guide SPD and national policy detailed within the NPPF.

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

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 which would continue to sustain the character of the conservation area, and will not result in any adverse impacts upon visual or residential amenity. 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: 19/08/2025

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council