

## DELEGATED DECISION REPORT

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| HPK/2025/0072 &<br>HPK/2025/0073<br>Valid 09/04/2025 | FLAT 3<br>20 SHERWOOD BROAD<br>WALK<br>BUXTON | PROPOSED WORKS TO<br>INTERNAL NON-STRUCTURAL<br>WALL AND INSTALLATION OF<br>EN-SUITE BATHROOM<br><br>(FULL – MINOR &<br>LISTED BUILDING CONSENT) |
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### MAIN ISSUES

- Design, character and appearance
- Impact upon residential amenity
- Impact upon the Listed Building
- Nutrient Neutrality

### DESCRIPTION OF SITE

The application site refers to a mid- 19th century semi-detached Grade II Listed villa forming a pair with no.19 Broad Walk. The site has previously been altered with 20<sup>th</sup> century alterations. Flat 3 to which this application directly relates is located on the second floor of no. 20. The application site also lies wholly within the Buxton central Conservation Area.

The application sites itself is a Grade II Listed Building. The Historic England register for the building describes it as:

*Formerly known as: Nos.19 AND 20 Cambridge Villas BROAD WALK. Pair of semi-detached villas or boarding houses, now a hotel and flats. Mid C19, with C20 additions. Possibly by Sir Joseph Paxton for the Duke of Devonshire. Coursed dressed, millstone grit with ashlar dressings and Welsh slate half-hipped roofs with 3 stone stacks. EXTERIOR: 3 storeys and attics. Chamfered plinth. Pair of double fronted houses, 6-window range in all. Central doorway to each with wooden pilaster surrounds and glazed doors with overlights, above single 2/2 sashes in moulded surrounds with hoods. Either side are 2-storey canted bay windows with flat lead roofs. Above 6 2/2 sashes, with central raised plaque inscribed CAMBRIDGE VILLAS. Above again No 20 has 3 gabled dormers, the central one has a single sash and the outer ones 2 sashes. Left return, 2-window range with 2/2 sashes and a canted bay window to left. Right return similar with bay window to right. INTERIOR: not inspected. The Broad Walk comprises a series of Victorian villas and a walk overlooking the Pavilion Gardens originally laid out by Paxton c1850, though most of the surrounding houses were built by speculative developers. Some are reputed to be designed in detail by his pupil Edward Milner from 1871, and built by Saunders & Woolcott of London for the 7th Duke.*

## **PROPOSAL**

This application seeks full planning permission and listed building consent for a number of internal and external alterations.

The proposed works include the replacement of an internal wall between the existing kitchen and bathroom areas. The proposed replacement wall in this case is to be a like-for-like replacement.

The works also include the creation of a new en-suite and storage cupboard which will include the installation of a new stud wall and bathroom suite.

Additionally the proposed works include a replacement window to remove an existing timber framed window which serves the bathroom as per the existing layout.

## **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/0002/2581: Dormer window to flat (Refused 18/02/85)

HPK/0002/2988: Dormer window in roof (Approved 29/05/85)

HPK/0003/5814: Conversion of office to one bed flat (Approved 27/11/96)

HPK/0003/7343 & 7344: Formation of patio area and alterations to windows (Approved 21/08/98)

HPK/0003/9785 & 9786: Conversion of existing garage into en-suite bathroom (Approved 21/04/01)

HPK/2002/0101: Change of use bedroom to self contained office (Approved 13/03/02)

HPK/2003/0636: Opening up existing lighting well for cellar, fitting new sash window (Approved 11/09/03)

HPK/2005/0080: New garage door (Refused 21/03/05)

HPK/2007/0015: Change of use to part dwelling to a B1 office (Approved 05/03/07)

HPK/2008/0340 & 0341: Formation of patio area and new roof lights (Approved 22/07/08)

HPK/2014/0176 & 0177: Addition of rainwater gutters and downpipes to existing bay windows of the Sherwood (Approved 03/07/14)

HPK/2017/0452: Proposed conversion of cellar to form self contained flat & alterations/improvements to car park (Approved 23/11/2017)

HPK/2017/0487: LBC for proposed conversion of cellar to form self contained flat & alterations/improvements to car park (Approved 23/11/2017)

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 05/06/2025  
Neighbour consultation period ends: 14/05/2025  
Press Advert: 22/05/2025

### **Public Comments**

No public comments received

### **Town / Parish Comments**

No comments received.

### **Conservation Officer (Holding Objection Removed)**

Initial Comments: 15/05/2025

The proposed scheme of works involves a number of internal and external alterations which are assessed accordingly.  
Replacement of internal wall between bathroom and kitchen:

The existing wall is of a modern construction, likely installed during the conversion of the building into flats. As such the like-for-like replacement of this wall is considered acceptable.

New En-suite and storage cupboard to existing bedroom:

This will include the installation of a new stud wall and bathroom suite. The installation of a bathroom and storage cupboard is considered acceptable in principle. However, insufficient information has been provided regarding the installation of plumbing and electric wiring required and how this will interfere with the original fabric of the building. A plan clearly indicating all existing and proposed plumbing and wiring should be provided. This should include details of if the plumbing will run under or over floorboards, or within internal walls. Furthermore, the submission omits details of how this bathroom will be ventilated. The room will not include a window to provide natural ventilation. The installation of a shower will generate high levels of humidity within the small room with no apparent ventilation. This will lead to long term damp problems within the space, ultimately damaging the fabric of the listed building. A ventilation solution should be provided for consideration. Alternatively the shower could be omitted from the plans.

Replacement window:

It is proposed to replace an existing timber window serving the existing bathroom. The structural report submitted does not discuss the condition of the existing window. As such insufficient evidence has been provided to demonstrate that this window is beyond repair. Furthermore, insufficient details have been provided regarding the proposed replacement window. No sectional details have been provided to show how the introduction of double glazing will affect the thickness and therefore external appearance of the window. The introduction of double glazing can create thick windows which appear out of character with adjacent single glazed windows. Due to a lack of information and supporting evidence regarding the condition of the existing window, and the proposed replacement in this element of the scheme cannot currently be supported.

In conclusion, the proposed scheme lacks sufficient and convincing justification for the proposed works. The inclusion of a new en-suite without proper ventilation is ill-advised and will over time cause harm to the fabric of the listed building through the introduction of high humidity levels to a small and unventilated space. Furthermore, the condition of the existing bathroom window has not been fully explored. The applicant must first demonstrate that the existing window cannot be repaired, before replacement can be considered. If sufficient justification for its removal can be demonstrated, then additional information regarding the proposed replacement window must be provided as laid out above. Overall, the current submission will result in a moderate degree less than substantial harm to the fabric of the listed building without sufficient justification (as per paras 213 and 215 of the NPPF). Therefore, additional information is requested. In the event that additional information is not provided refusal is recommended.

Updated Comments: 30/10/2025

I can confirm that the revised details are now considered acceptable. However, I would suggest the following condition in order to avoid the new window being flush

with the elevation, as the existing flush window detracts from the architectural interest of the building.

The new window shall be of a timber construction only, and shall be recessed a minimum of 20mm back from the external elevation of 20 Broad Walk, and shall be retained as such for the lifetime of the development.

Reason: To preserve the special architectural and historic interest of the Listed Building in line with High Peak Local Plan Policy EQ7.

## **Historic England**

On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are enclosed.

## **Derbyshire County Council Highways**

No objection.

## **OFFICER COMMENTS**

### **Principle of Development**

The site is located within the development boundary of Buxton, as defined on the adopted Proposals Map. Buxton is classified as a Market Town within the Settlement Hierarchy set out in policy S2 of the local plan and the main focus for all new development. The site is Buxton Central Conservation Area and contains a Listed Building, and as such the application is subject to policy EQ7 of the local plan and restrictive national policies relating to the conservation and enhancement of heritage assets contained within Chapter 12 of the NPPF.

In light of the policy context above, the principle of development can only be considered acceptable providing that the application can demonstrate that it will conserve or enhance the character and appearance of both the listed building and the conservation area as a whole.

### **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.

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.

Further to the listed nature of the site, the application site is located wholly within the Buxton Central Conservation Area and covered by Article 4 Direction which removes permitted development rights for properties within the Article 4 area. The application in this instance proposes minor alterations which are modest in their nature and would not increase the prominence of the site within the existing street scene. The proposed works entirely relate to internal alterations barring the replacement of an existing timber framed window.

The proposals would replace the existing timber unit with a new timber framed window which is to be conditioned to be of a timber construction only and shall be recessed a minimum of 20mm back from the external elevation of 20 Broad Walk. However 20mm is considered to be negligible, when considering the positioning of the other windows found at the property, which are set back further behind the external walls. It is therefore recommended that this be increased to 85mm, which would be similar to the existing windows and create an acceptable shadowing impact. Therefore it is judged that subject to a condition the proposed replacement window unit would create a sympathetic replacement which is judged to be continue to sustain the character of Buxton Central Conservation Area and be in keeping with the wider surrounding area.

Therefore with regard to the above the proposed works would not have any detrimental impacts upon the character of the existing dwelling, the Conservation Area or that of the wider street scheme in accordance with Local Plan Policies EQ6 and EQ7, the Design Guide and national policy contained within the 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.

During the course of the application revised information and plans have been received following the Conservation Officers initial holding objection.

As above the proposed works include the replacement of an internal wall between the bathroom and kitchen areas. Given that the works are to be a like for like replacement and that the existing partition wall is non-original its replacement is considered to be appropriate.

The proposed new ensuite and storage cupboard elements would include a new stud wall which is considered acceptable in principle. The original submission as identified by the Conservation Officer failed to provide sufficient information regarding the plumbing and wiring required and how the bathroom area is to be ventilated. Revised plans have since been shown which adequately showing plumbing and wiring routes as well as a brochure extract of the proposed vent. The Conservation Officer has reviewed the additional details and has confirmed that these are acceptable.

The proposed replacement window element would replace a poor quality existing timber framed window in need of repair with a new timber framed unit. As above the Conservation Officer has confirmed that following additional information submitted over the course of the application and subject to condition the proposed replacement of this window has been appropriately justified and is considered to be acceptable.

Consequently, owing to the above the proposed works are judged to continue to enhance the character of the listed building and would not result in any adverse harm to its historic fabric. The proposed works are therefore considered to be acceptable in accordance with Local Plan Policy EQ7 and national policy detailed 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 window replacement would replace an existing window and therefore would not create any additional outlook from the site. The remaining works relate in their entirety to internal alterations and as such the proposed development is deemed to not have the potential to increase overlooking or result in any loss of residential amenity.

The proposals would not have any unacceptable impacts upon residential amenity in accordance with high Peak Local Plan policy EQ 6, Supplementary Planning Documents and 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 not have any harm to the character of the Conservation Area and will not result in any adverse impacts upon visual or residential amenity. Additionally, the proposals would preserve 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 & Listed Building Consent**

**Case Officer: Stuart Talbot**

**Recommendation Date: 04/11/2025**

X *J Colley*

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Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**