

PRE-APPLICATION CONSULTATION

The following advice has been written without prejudice to any future planning application based on the plans and information submitted to the authority having regard to all relevant local and national planning policy considerations.

SITE LOCATION

The enquiry relates to 56 St Johns Rd, otherwise known as Branksome, built in 1894 to the designs of architect Huon Arthur Matear.

Due to the architectural significance of Branksome it is considered to be a Non Designated Heritage Asset (NDHA) which contributes positively to the character, appearance and heritage of the Buxton The Park conservation area. The property previously functioned as a 33 bedroom residential care home (Use Class C2) until its closure in July 2022. You state that Branksome has been vacant since the closure of the care home.

There is an article 4 direction on the site restricting permitted development rights in respect of dwelling houses.

PROPOSED DEVELOPMENT

The proposed development at 56 St John's Road, Buxton, seeks to repurpose the currently vacant Branksome Care Home, the Matron's and Gardener's Cottages, and associated garages.

It would be converted into six residential units consisting of five three-bedroom dwellings and one four-bedroom dwelling through internal reconfiguration and modest extensions to the southeast elevation of its modern addition.

The Matron's and Gardener's Cottages, previously used as staff accommodation, will be reconfigured to form one three-bedroom and one two-bedroom dwelling, including the demolition of dilapidated external structures and the construction of a new single-storey extension.

The garages will be converted into a two-bedroom dwelling, with alterations to the roof and the insertion of new windows and doors.

Access to the site will be via existing and modified entrances, with parking provision for each unit. The submitted Block plans shows the subdivision of the land providing garden areas for each units with the existing main garden area to the front of the building to be subdivided into garden areas serving units 4 and 5.

PLANNING HISTORY

HPK/2005/0776 - Removal Of Greenhouse Due To Poor Condition And Unsafe Structure
– Decision: Approved

HPK/2015/0206 - Proposed extension to north face of building to create an additional 10 bedrooms – Decision: Approved

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S1	Sustainable Development Principles
S1a	Presumption in Favour of Sustainable Development
S2	Settlement Hierarchy
S3	Strategic Housing Development
S7	Buxton Sub-area Strategy
EQ3	Rural Development
EQ6	Design and Place Making
EQ7	Built and Historic Environment
EQ9	Trees, woodland and hedgerows
EQ10	Pollution and Unstable Land
H1	Location of New Housing Development
H3	New Housing Development
CF5	Provision and Retention of Local Community Services and Facilities
CF6	Accessibility and Transport

National Planning Policy Framework 2021

Achieving Sustainable Development	Chapter 2
Delivering a Sufficient Supply of Homes	Chapter 5
Promoting Healthy and Safe Communities	Chapter 8
Promoting Sustainable Transport	Chapter 9
Making Effective Use of Land	Chapter 11
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Historic Environment	Chapter 16

Supplementary Planning Documents

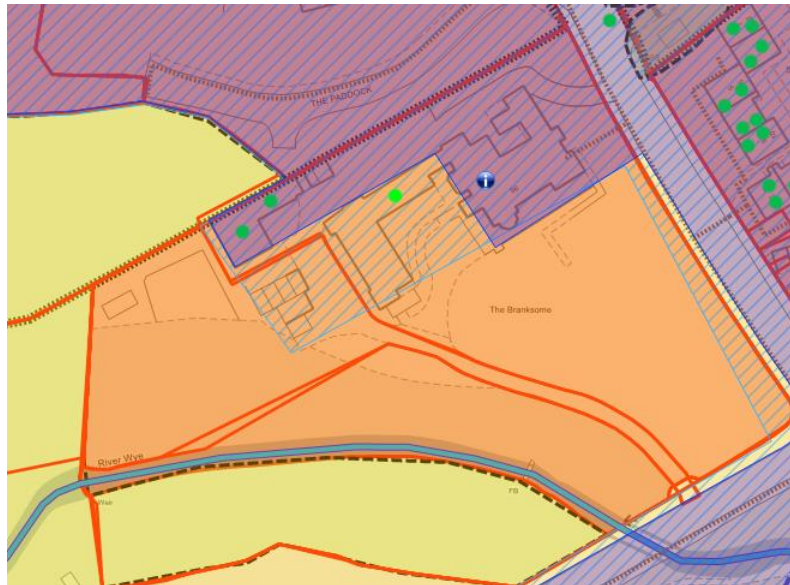
Buxton Conservation Areas Appraisal
Residential Design SPD 2005

OFFICER COMMENTS

Principle of Development

The enquiry seeks advice regarding the change of use of the existing Residential Care Home (C2 Use) to individual residential units (C3 Use), that lies within the built-up area boundary of Buxton and within the Park Conservation Area. A large section of the main

building the garages and the gardens to the south sits within the open countryside and therefore are subject to policies EQ2 and EQ3. While the eastern side of the building lies within the built up area boundary.



The area shown in orange represents the part of the site located within the open countryside, while the area shown in purple indicates the section within the built-up area boundary.

The north/east section of the building lies within the built-up area boundary of Buxton. Buxton is identified as a Market Town in the settlement hierarchy under Local Plan Policy S2 in recognition of it being a sustainable location with access to services and facilities. Policy EQ 3 of the High Peak Local Plan outlines that the council will seek to support development associated the re use of redundant and disused buildings and/or the redevelopment of a previously developed site, where it does not have an adverse impact on the character and appearance of the countryside. Where the existing building is in an isolated location the development should lead to an enhancement of the immediate setting.

Policy S 7 sets out how Buxton will accommodate new development while protecting its unique character, landscape, and heritage. Policy H1 outlines that housing development will primarily be directed to sites within the defined built-up area boundaries of towns and larger villages. Where development lies outside of the defined built up area boundaries, and taking into consideration of other policies within the Local Plan, consideration will be given to sustainable sites provide that:

- The development would adjoin the built up area boundary and be well related with the existing pattern of development and surrounding land uses and of an appropriate scale for the settlement; and
- the development would not lead to prominent intrusion into the countryside or have a significant adverse impact on the character of the countryside; and
- it would have reasonable access by foot, cycle or public transport to schools medical services, shops and other community facilities; and

- the local and strategic infrastructure can meet the additional requirements arising from the development. If necessary, the Council will review the Local Plan to bring forward additional sites for housing.

Therefore, given that part of the site lies within the built up area boundary and the remainder so the site adjoins the built up area boundary, it is considered that although the development would appear to meet the terms of Policies EQ3 and H1, consideration must be given to other relevant material planning considerations, including other policies within the Local Plan. Moreover, as the site lies within the Park Conservation Area, any forthcoming application would also need to satisfy Policy EQ7 and relevant restrictive policies contained within Chapter 16 of the NPPF, underpinned by Section 72(1) of the Act 1990. These sections of policy would need to be regarded when considering the physical alterations to the frontage of the site.

Loss of care Home

The current designated use provides an important care facility for vulnerable residents in the form of a care home although not in use. LP Policy CF5 seeks to maintain and improve local community services and facilities- which includes Care Homes within a list of examples of community facilities. The policy seeks to retain and enhance community facilities and assets, and resists their loss unless it can be demonstrated that the existing use is no longer financially or commercially viable, that there are no other means of maintaining the facility, or an alternative facilities of the same type is available and can be provided in an accessible location. Where a change of use is permitted, some form of community or employment use is preferred. It is noted that no information has been presented in your pre-application request setting out why the care home closed in 2022. Therefore, you would need to demonstrate how your development proposals would comply with this policy.

In the event that a planning application is submitted for this development, a Viability Statement and Assessment would be required to first establish the principle of development. The Viability Statement and Assessment would need to include:

- Findings regarding the financial feasibility of retaining the care home
- Financial Appraisal including projected incomes and development costs to bring the site up to standard (if it is the case that the home is not to CQC standards)
- Justification for the change of use which fully demonstrates that the Care Home is no longer commercially or financially viable, and that the existing lawful use (C2 Use) cannot be retained either by the current occupier or prospective new owner.
- An assessment of other facilities of the same type in an accessible location.

Whilst LP Policy CF5 does not explicitly require an applicant to undertake a marketing exercise to demonstrate that the building is not financially or commercially viable, it is

advised that in a similar way in which a proposed change of use to an existing business to a non-business use would require a marketing exercise to be undertaken (LP Policy E4), it is both reasonable and logical that the same approach be applied to this site. Accordingly, you would also need to demonstrate through a marketing exercise the value of the building as a going concern (as a care home), where it was marketed and the level of interest. Any supporting marketing exercise and financial and viability assessment, would be independently reviewed on behalf of the Council. Moreover, you also need to identify if there are alternative facilities of the same type available and can be provided in an accessible location. This is important because there is a chronic lack of social care provision in the High Peak and the wider country more generally, and therefore the Council must be fully satisfied that all avenues to retain the existing C2 Use, either in its current or alternative form, have been exhausted.

A consultation response from the Derbyshire County Councils Senior Commissioning Officer working in adult social care commented the following :

“We are gravely concerned generally at the lack of residential and nursing care provision in the High Peak, which has real financial impacts on people due to increased fees or travel on costs.

We appreciate that the Branksome was closed about 3 years ago, but we would like to see a recognition of its original planning class in any proposed replacement development. Such facilities are very much needed in this area, as there is a real lack of provision and choice of residential and nursing care.

Three and four bed homes are not likely to be purchased by older adults / last time buyers. The supporting statement additionally notes that the site has good accessibility (which we concur with), making it even more desirable that accommodation is developed for less mobile people / people who are less likely to drive.

Our preference would be to see accommodation developed for older adults, with two-bedroom provision, meeting M4(2) standards, and where purchase is potentially limited to people aged 55 and over. We feel this would mitigate the loss of the C2 facility. Equally, we would support an alternative community benefit such as social housing.”

In order for the principle of development to be supported, it is therefore strongly advised that the property be placed on the open market as a C2 Use for a minimum of 6 months. Any subsequent planning application must be accompanied by a Marketing Report detailing (i) where and how the site was marketed (ii) the initial asking price and any subsequent reductions in price (iii) record of individual enquiries and reasons for individuals or parties withdrawing their interest.

In conclusion, as no information has been presented with the pre-application request to explain and justify the conversion and alteration to the building for residential use, when assessed against Policy CF5, it is highly likely that any redevelopment proposals will not be supported, unless supported by the evidence set out above. I have significant concerns over the loss of the care home, as C2 facility, where shortfall in High Peak has been identified. Although the Council cannot currently demonstrate a 5 year supply of housing land, I consider that the loss of the care home facility would not be outweighed by the modest benefits of the new housing.

Other Planning Considerations

Design & Conservation

The site lies within the Park Conservation Area and as such any application must demonstrate compliance with LP Policy EQ7 and relevant restrictive policies contained within Chapter 16 of the NPPF, underpinned by Section 72(1) of the Act 1990. LP Policy EQ6 and relevant paragraphs under Chapter 12 of the NPPF relate to the importance of good design.

It is recommended that upon submission of a planning application a detailed heritage statement reflecting the significance of Branksome as a NDHA located within the designated conservation area and a detailed heritage statement proportionate to the site's significance is required under NPPF para 207 be submitted.

In relation to the proposed physical alterations to the building and its curtilage, an evaluation was undertaken by the Council's Conservation Officer. Her comments and observations are summarised as follows:

"There are no heritage objections to the principle of converting the building to residential accommodation. However, the conversion must be approached with care, taking the NDHA, character and appearance of the conservation area in to account.

The scheme proposed lacks consideration for the impact upon character and appearance of the conservation area. The block plans propose extensive fencing which would disrupt the pleasant views of the principal elevation of Branksome as viewed from the corner of St Johns Rd and Carlisle Rd. Fencing or new boundary treatments forward of the principal elevation is unlikely to be supported in terms of heritage due to the harm caused to the heritage assets by blocking the view of Branksome's principal elevation.

Similarly, the proposed driveway to unit 5 cuts across the formal gardening to the front of Branksome. The introduction of excessive hardstanding in front of the principal elevation would result in the loss of the formal front gardens and cause harm to the significance of the NDHA. Furthermore, this would harm the character and appearance of the conservation area. Any additional hardstanding and parking should be limited to

the rear and west of the site, avoiding any alterations to the formal landscaping to the front of Branksome.

The proposal currently lacks details which would be expected within a formal submission:

- Details of surviving cobbles (adjacent to garage building) and their retention*
- Full window schedule – including details of the condition of all existing windows and their proposed treatment or replacement. Window plans and sections to a 1:10 or 1:20 scale.*
- Full external door schedule – including details of the condition of all existing doors and their proposed treatment or replacement. Window plans and sections to a 1:10 or 1:20 scale.*
- Details of boundary treatments*

In conclusion, the proposed conversion lacks enough details to allow for support for the scheme in terms of heritage as outlined above. Proposed alterations to the front landscaping are unlikely to be supported due to the harmful impact upon the character and appearance of the conservation area. A detailed and proportionate heritage statement would be required as part a formal submission, which should properly assess the impact of the proposed scheme upon the NDHA and conservation area.”

It is the view of the Council’s Conservation Officer, that any future planning application should fully addressed the above concerns, including the proposed access, parking and fencing arrangements. If a planning application were to be submitted, based on the current proposals, it is likely that harm would be found to the character and appearance of the conservation area.

I would therefore recommend that you revisit the proposed layout of the external areas of the site, including the subdivision of the formal front gardens of the site, the proposed driveway and means of enclosure throughout the site.

Trees and landscaping features

Policy EQ9 states that the Council aims to protect existing trees, woodlands, and hedgerows, especially ancient woodland, veteran trees, and species-rich hedgerows from loss or harm. Development proposals should retain and incorporate healthy, mature vegetation unless the benefits of the scheme clearly outweigh the loss. Where appropriate, new developments must include tree planting and landscaping, with any removed trees ideally replaced at a 2:1 ratio. Proposals that could damage ancient or ecologically valuable vegetation will be resisted.

The proposed development involves the removal of several mature trees, therefore a comprehensive arboricultural assessment will be required to evaluate the impact on local biodiversity, landscape character and the wider conservation area, in accordance with relevant planning policy and guidance. The acceptability of the removal of trees will be assessed once an arboricultural assessment has been received. To compensate for any tree loss, replacement trees should be provided on a ratio of 2:1 as policy demands.

Public and Residential Amenity

The Council requires all new residential developments to respond to local housing needs by incorporating affordable housing as outlined in Policy H4, offering a variety of market and affordable housing types and sizes suitable for diverse household groups, including the elderly and those with specialist needs. Developments should contribute to sustainable and inclusive communities by considering the existing housing stock in the area. Additionally, new housing should include options suitable for newly forming local households and support flexible living arrangements through adequate internal space and accessibility features, in line with national space standards and building regulations. Providing a mix of housing that contributes positively to the promotion of a sustainable and inclusive community taking into account the characteristics of the existing housing stock in the surrounding locality.

National Described Space Standards (NDSS) published by DCLG set out minimum internal floor areas for residential dwellings, with regards to individual single and double bedrooms, and overall internal floor area of each residential unit, based on the number of bedrooms and occupants. Any future scheme would need to comply with these standards, along with compliance with M4(2) of Part M of the Building regulations to comply with Policy H3.

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.

LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

Paragraph 135(f) of the NPPF states that planning should create places with a high standard of amenity for existing and future users. Paragraph 196(a) of the NPPF states that decisions must ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination, including risks arising from natural hazards.

The prospective applicant should be minded that any application for new residential development will be assessed against the Nationally Described Space Standards and compliance with M4 (2) of Part M of Building regulations, which will be strictly applied. It is not anticipated that any adverse harm will arise to either the general public or neighbouring properties will occur given the nature of the existing use and its surrounding context.

Parking Provision and Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 115(b) states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

Paragraph 116 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The site is located in a sustainable location partially within the built-up area boundary of Buxton and within walking distance of the town centre and the shops, services, facilities and public transport links therein.

The proposed development provides off-street parking provision in accordance with the scale and type of dwellings proposed, including a minimum of two spaces for each three-bedroom unit and three spaces for the four-bedroom unit. This level of provision is consistent with Policy CF6 of the High Peak Local Plan, which requires new development to be accessible and to incorporate safe and suitable parking arrangements that do not compromise highway safety or the efficient operation of the transport network.

The site benefits from existing vehicular access points off Carlisle Road and St John's Road, both of which are proposed to be retained and improved. Any changes to the existing access arrangements will be subject to consultation with Derbyshire County Council Highway Department. The location is also well-served by public transport, walking and cycling infrastructure, supporting sustainable travel choices and reducing reliance on private vehicles.

In this context, the parking and access arrangements appear appropriate and compliant with both local and national planning policy.

Upon submission of a formal planning application the plans would be subject to assessment by the Highways Authority, to provide further advice.

Other Matters

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.

It is currently assumed that the proposal would not result in an overall increase in the number of bedrooms or occupancy within the building. However, a Nutrient Neutrality Assessment will be necessary to demonstrate this and should be submitted as part of any future planning application. This information is necessary to assess whether the proposal could have a harmful impact on the SAC. Any nutrient neutrality assessment and will ultimately be subject to consultation with Natural England.

Biodiversity Net Gain

The Environment Act (2021) requires all developments to provide a 10% uplift in Biodiversity Net Gain (BNG) which includes compensating for any loss of habitat on site, unless the development meets one of a limited number of exceptions. Policy EQ5 requires all new development proposals to demonstrate that any protected species and habitats within the site will not be adversely affected and seeks to promote a net gain in biodiversity by securing appropriate mitigation and ecological enhancements where appropriate.

Therefore, any future planning application will need to provide a BNG assessment (whether on or off site). Moreover, given the nature of the buildings and the size of the wider land and proposals, I would advise that protected species assessment is carried out.

CLOSING COMMENTS

The pre-application advice set out within this letter has been offered in good faith based on the plans and information provided throughout the pre-application and a site

meetings process and is made and without prejudice to the submission of any future planning application.