

Supporting Statement

December 2025

***Regulation 77 application following Prior Approval (DET/2025/0016)
to convert the existing office (use Class E) to a 1 bedroom dwelling at***

2 Lightwood Road, Buxton SK17 7BP

- **Applicant**
Rebecca East
- **Planning Authority**
HPBC
- **Proposal**
Regulation 77 Application
- **Location**
2 Lightwood Road, Buxton SK17 7BP
- **Agent**
*Simon Jones BSc (Hons), MRICS
SJ Design Limited (Chartered Building Surveyors)
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1.00 General

This Regulation 77 application follows Prior Approval (DET/2025/0016) to convert the existing office (use Class E) to a 1 bedroom dwelling at 2 Lightwood Road, Buxton SK17 7BP.

The decision notice of DET/2025/0016 states:

‘Informative: Important information

Nutrient Neutrality

The applicant is advised that this development is deemed likely to have a significant effect on the Peak District Dales Special Area of Conservation (SAC). In accordance with Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, the Permitted Development cannot lawfully be implemented until an application under Regulation 77 of the Conservation and Habitats and Species Regulations has been submitted and approved in writing by the Local Planning Authority.

Failure to gain approval under Regulation 77 of the Habitats Regulations prior to commencement of the development will render the development unlawful.’

The delegated report of DET/2025/0016 states:

‘Nutrient Neutrality

As the proposal relates to the change of use to include new dwelling(s), it would fall within the scope of Nutrient Neutrality. Permitted development rights and the prior approval process does not override the requirement to comply with other permissions, regulations or consent regimes.

Therefore, in accordance with Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, the permitted development cannot lawfully commence until an application under Regulation 77 of the Conservation of Habitats and Species Regulations has been submitted to and approved in writing by the Local Planning Authority. Failure to gain approval under Regulation 77 of the Habitats Regulations prior to the commencement of development will render the development unlawful.

Although this is an application submitted under Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, the Local Planning Authority is required to determine the application in accordance with the requirements of the Order and the developer will not be required to address the issue of nutrient neutrality at this stage.

An informative will thus be added to the Decision Notice advising that the approval under Regulation 77 of the Habitats Regulations must be obtained before the development can commence.'

The documents submitted with this Regulation 77 application are:

- Supporting Statement
- 101 - Existing Plans (approved under DET/2025/0016)
- 200 - Proposed Plans (approved under DET/2025/0016)
- Application Form DET-2025-0016
- Decision Notice DET-2025-0016
- Delegated Report DET-2025-0016
- Nutrient Neutrality Assessment by Arbtech (NN - The Steps, 2 Lightwood Road, Buxton, Derbyshire, SK17 7BP - V1 - 12.11.25)
- Nutrient Neutrality Calculation by Arbtech (Nutrient_Calculator_Peak_District_Dales_SAC_V_03_01_3 - V1 - 12.11.25)

2.00 Proposal

This application seeks to gain approval under Regulation 77 of the Habitats Regulations prior to commencement of the development approved under DET/2025/0016.

The Nutrient Neutrality Assessment by Arbtech (NN - The Steps, 2 Lightwood Road, Buxton, Derbyshire, SK17 7BP - V2 - 22.12.25) concludes:

*'Based on the calculations presented above, the proposed development is anticipated to result in a **net reduction in phosphate loading** at the site. The existing use is calculated to generate an annual phosphate load of **0.06kg TP/year**, whereas the proposed development would generate **0.03kg TP/year**.*

This represents a net change in phosphate loading of:

- *Existing load: **0.06kg TP/year***
- *Proposed load: **0.03kg TP/year***
- *Net change: **-0.03kg TP/year***

*The proposed development would therefore reduce phosphate inputs to the receiving water environment by **0.03kg TP/year** when compared with the existing baseline scenario.*

*On this basis, the development proposals are considered to be **nutrient neutral**, as there would be no increase in phosphate loading arising from the scheme.*

Furthermore, the reduction in nutrient loading provides additional confidence that the development would not contribute to adverse effects on the integrity of designated European sites.

In particular, it is concluded that the proposed development would not result in a likely significant effect on the Peak District Dales Special Area of Conservation (SAC)

or the River Wye SAC, either alone or in combination with other plans or projects. The scheme therefore accords with the requirements of the Conservation of Habitats and Species Regulations and relevant nutrient neutrality guidance.'

3.00 Conclusions

In light of the above, the development does not result in a net increase in nutrient inputs to the Peak District Dales Special Area of Conservation (SAC) and we respectfully request this application is approved.