

APPEAL STATEMENT

Town and Country Planning Act 1990

Appeal Against Refusal of Planning Permission

Appeal Reference: To be confirmed

Local Planning Authority: High Peak Borough Council

Application Reference: HPK/2025/0140

Site Address: 15 Compton Road, Buxton, Derbyshire, SK17 9DN

Proposal: Replacement windows and doors to both the front and rear porches to the side elevation

1. INTRODUCTION

This statement has been prepared on behalf of the Appellant in support of an appeal against the refusal of planning permission for replacement windows and doors to the existing front and rear porches at 15 Compton Road, Buxton.

Planning permission was refused by High Peak Borough Council on 20 March 2026.

The application sought modest replacement works to two existing porches serving residential flats within the property. The proposal did not involve any increase in scale, footprint or massing and was intended to secure the continued safe and practical use of deteriorating structures.

The refusal reason alleges that insufficient information was submitted to justify the replacement of the existing timber porch elements and that the proposed heritage-style uPVC replacements would result in “less than substantial harm” to the character and appearance of the Buxton College Conservation Area.

The Appellant respectfully disagrees with this conclusion and considers that the proposal represents a reasonable, proportionate and sympathetic solution which would preserve the overall character and appearance of the Conservation Area whilst delivering clear practical, environmental and public benefits.

2. SITE DESCRIPTION

The appeal site comprises a subdivided Victorian property located on Compton Road within the settlement boundary of Buxton and within the Buxton College Conservation Area.

The building has historically been subdivided into flats and includes a number of previous alterations identified within the officer’s report, including a dormer roof extension and flat roof rear extension.

The property is served by two side porches which provide access to the residential flats. Both porches are existing structures and form part of the established appearance and function of the building.

The existing porch windows and doors are in deteriorating condition and require replacement works to ensure their continued safe and practical use.

Importantly, the porches themselves are not understood to form part of the original Victorian dwelling. Rather, they appear to be later timber additions, likely dating from the mid to late twentieth century, potentially the 1970s.

Whilst the porches contribute to the current appearance and function of the property, they do not represent original historic fabric of the principal building. The proposal therefore does not involve the loss of primary architectural features of the original dwelling.

This materially reduces the level of heritage significance attributable to the structures and further limits the degree of any resulting harm.

3. THE PROPOSAL

The application sought planning permission for:

- replacement windows and doors to both existing side porches,
- utilising heritage-style composite and uPVC products,
- whilst retaining the existing porch form, scale and arrangement.

The proposal did not seek:

- enlargement of the porches,
- alterations to the principal building form,
- demolition of the main structure,
- or any material change to the character of the site.

The proposal therefore constituted modest replacement and maintenance works to existing structures.

4. RELEVANT PLANNING HISTORY

The planning history and conduct of the application process are highly material considerations in this appeal.

A previous application under reference HPK/2024/0128 sought replacement works to only one porch. During the course of that application, officers advised that they could not support replacement of a single porch because the second porch serving the remaining flats was also in deteriorating condition and the resulting appearance would be visually inconsistent.

The Appellant was advised that a coordinated proposal involving replacement works to both porches represented the appropriate and potentially supportable approach.

In reliance upon this advice:

- discussions were undertaken between all affected residents,
- agreement was secured between the multiple owners,
- and a revised comprehensive proposal was prepared accordingly.

The earlier application was subsequently withdrawn by agreement with the Council in March 2025.

The revised application for both porches was submitted on 31 March 2025. The Council subsequently validated the application on 23 May 2025 and confirmed an anticipated determination date of 18 July 2025.

Despite this, the application was not determined until 20 March 2026 — approximately eight months beyond the statutory target date and almost one year after submission.

Throughout the application process:

- the Appellant engaged constructively with officers,
- additional information was requested,

- including structural and heritage condition information,
- and this information was supplied in good faith.

Importantly, during discussions in late 2025, the case officer indicated that the proposal appeared capable of support subject to additional clarification being provided.

However, despite the Appellant's willingness to continue engaging positively:

- the Council subsequently advised that no further time would be permitted to update or supplement the submitted information,
- yet the refusal decision itself was not issued for a further four months thereafter,
- and only following indication from the Appellant that a non-determination appeal would otherwise be pursued.

The Appellant considers this sequence of events highly material and indicative of an inconsistent and unreasonable approach to the determination of the application.

5. MAIN ISSUES

The principal considerations relevant to this appeal are:

1. Impact on the character and appearance of the Buxton College Conservation Area.
2. Whether sufficient justification exists for the replacement works.
3. Whether any identified heritage harm is outweighed by the public benefits of the proposal.

6. IMPACT ON THE CONSERVATION AREA

The Appellant fully acknowledges the importance of preserving and enhancing the character and appearance of the Conservation Area.

However, the degree of harm identified by the Council is significantly overstated.

The officer's report itself concludes that any harm would amount only to "less than substantial harm".

Importantly:

- the proposal relates solely to replacement windows and doors,
- the existing porch arrangement is retained,
- the proposal does not alter the scale or siting of the porches,
- and the overall appearance and function of the building would remain substantially unchanged.

Furthermore, the building has already experienced historic alterations, acknowledged by the Council itself, including subdivision into flats and additional extensions.

The proposal therefore does not introduce a fundamentally new or alien form of development into the street scene.

The Council places considerable emphasis upon the use of heritage-style uPVC and composite materials. However:

- heritage-style products are specifically designed to replicate traditional detailing,

- the proposed products represent a high-quality modern solution,
- and the proposal would deliver a coordinated and visually consistent appearance between both porches.

The Buxton Civic Association also did not object in principle to the proposal, instead merely requesting further detail regarding profiles and opening methods. This demonstrates that even local heritage consultees did not consider the proposal fundamentally unacceptable.

It is also important to recognise that the porches themselves are later additions of limited historic significance rather than original Victorian architectural features. As such, the proposal should reasonably be viewed as pragmatic repair and renewal works to ageing ancillary structures rather than the harmful loss of significant original heritage fabric.

7. STRUCTURAL CONDITION AND JUSTIFICATION

The Council's refusal is heavily reliant upon the assertion that insufficient evidence was provided to justify the replacement works.

The Appellant disputes this conclusion.

A structural / heritage condition assessment was specifically requested by officers during the application process and was subsequently submitted.

The officer's report acknowledges receipt of:

- a Heritage and Condition Letter,
- Residence 9 details,
- and composite door profile information.

The Council's objection therefore relates not to an absence of evidence, but to disagreement with the level or form of information submitted.

At no stage did the Council:

- provide clear specification requirements for the report,
- explain that the methodology would be considered unacceptable,
- or allow any further reasonable opportunity for amendment before refusal.

This is particularly significant given that:

- the application had already significantly exceeded statutory determination timescales,
- officers had previously indicated support in principle,
- and the Council then took a further four months to issue the refusal after advising that no further information would be accepted.

The Appellant considers this approach unreasonable and inconsistent with the positive and proactive decision-making objectives of the National Planning Policy Framework.

The existing condition of the porches is also a highly material consideration.

The deterioration and structural weakness of the porches is readily apparent even to the untrained eye. The structures display clear signs of decay, weathering and movement, and the need for substantial replacement works is visually evident from site inspection and supporting photographs.

The proposal has therefore arisen not from aesthetic preference, but from a genuine need to address deteriorating and ageing structures which are serving occupied residential flats.

Importantly, the Council has not disputed that the porches are in deteriorating condition. Instead, the refusal focuses solely upon whether sufficient technical justification was provided.

The Appellant considers that the evidence submitted, together with the visibly poor condition of the structures themselves, clearly demonstrates the necessity for replacement works.

Furthermore, given that the porches are later additions rather than original historic fabric, the proposed replacement works should reasonably be viewed as pragmatic repair and renewal works rather than harmful loss of significant heritage assets.

8. COMPARATIVE DEVELOPMENT WITHIN THE CONSERVATION AREA

The Appellant has identified numerous examples within the surrounding Conservation Area of:

- non-original uPVC porches,
- replacement windows,
- and other unsympathetic modern alterations.

These features remain in situ and, to the Appellant's knowledge:

- have not been subject to enforcement action,
- nor required reversal by the Local Planning Authority.

Photographic examples are appended to this appeal statement.

This is material because it demonstrates that:

- the Conservation Area has already evolved over time,
- modern replacement materials are already present within the locality,
- and the appeal proposal would not appear visually isolated or anomalous within the wider street scene.

The appeal proposal would in fact represent a higher quality and more sympathetic solution than many existing examples visible within the area.

9. PLANNING BALANCE

Paragraph 215 of the NPPF requires that where less than substantial harm is identified, that harm must be weighed against the public benefits of the proposal.

The proposal delivers clear and tangible benefits including:

- replacement of deteriorating elements,
- safeguarding the continued use of residential accommodation,
- improved thermal efficiency,
- improved weather resistance,
- reduced maintenance requirements,

- enhanced longevity of the porches,
- and a coordinated visual solution to both structures.

The Council's assessment gives insufficient weight to these practical and environmental benefits.

Furthermore, substantial weight should be afforded to the fact that:

- the revised proposal arose directly from officer advice,
- significant time and expense were incurred by residents in reliance upon that advice,
- and the application process extended over an excessive period before refusal.

In these circumstances, the refusal represents a disproportionate planning outcome for a modest replacement proposal involving existing structures.

10. CONCLUSION

The appeal proposal represents a modest and reasonable replacement scheme to two existing porches serving residential flats within the Buxton College Conservation Area.

The Appellant worked proactively and constructively with the Council throughout the application process, including:

- withdrawing the earlier application in response to officer advice,
- coordinating agreement between multiple residents,
- submitting a revised comprehensive proposal,
- and providing additional technical information requested during determination.

The proposal would:

- preserve the established porch arrangement,
- maintain the overall appearance of the building,
- improve the condition and functionality of deteriorating structures,
- and deliver practical environmental and public benefits.

The Inspector is respectfully requested to have regard to the fact that the proposal concerns deteriorating later additions to the property, rather than original Victorian fabric, and that the replacement works are necessary to ensure the continued safe and functional use of the building for existing residents.

Any heritage impact would be limited and, as acknowledged by the Council itself, amount only to less than substantial harm.

That limited harm is clearly outweighed by the benefits of the proposal.

The Inspector is therefore respectfully requested to allow the appeal and grant planning permission.

APPENDICES

Appendix A – Decision Notice

(Attach refusal notice dated 20 March 2026)

Appendix B – Officer Report

(Attach delegated officer report)

Appendix C – Planning Chronology

(To include key dates, submissions, correspondence and delays)

Appendix D – Previous Application Documentation

(HPK/2024/0128 withdrawal information and relevant correspondence)

Appendix E – Structural / Heritage Condition Report

(Full report and supporting information)

Appendix F – Officer Correspondence

(Emails and notes confirming officer concerns and later indication of support)

Appendix G – Product Specifications

(Residence 9, composite door profiles and technical details)

Appendix H – Comparative Photographs

(Photographs of nearby non-original uPVC porches/windows within the Conservation Area)

Appendix I – Site Photographs

(Existing condition photographs of the porches)

Appendix J – Application Drawings

(Submitted plans and elevations)