

DELEGATED DECISION REPORT

HPK/2020/0443 Valid 03/11/2020	1 , DALE ROAD , BUXTON , DERBYSHIRE , SK17 6LN	REPLACEMENT OF TIMBER WINDOWS AND DOOR WITH PVC WINDOWS AND DOOR ON THE FRONT OF LUCKY HOUSE TAKEAWAY (RETENTION) (FULL – MINOR)
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MAIN ISSUES

- Design and heritage
- Amenity

DESCRIPTION OF SITE

The application site comprises a ground floor takeaway premises located within the Buxton Central Conservation Area. The property occupies a prominent position within the street scene and forms part of a commercial frontage characterised by shopfronts and dwellings.

PROPOSAL

Retrospective full planning permission is sought for alterations to the existing shopfront, including the replacement of the original painted timber windows and entrance door with white uPVC units incorporating top-opening lights.

The application also relates to the replacement fascia sign displayed above the shopfront. As the display of advertisements requires separate consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the signage is the subject of the associated Advertisement Consent application HPK/2020/0484, which has been assessed separately. The assessment within this report therefore focuses upon the operational development comprising the replacement shopfront.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S2 Settlement Hierarchy
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

EQ 7 Heritage

Supplementary Planning Documents

High Peak Design Guide

National Planning Policy Framework

Paragraph 11 The Presumption in Favour of Sustainable Development

Section 4 Decision-making

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2005/0089 – Certificate of lawfulness (Existing) for a hot food takeaway -
Granted

HPK/2020/0484 - Advertisement consent for replacement of timber windows, door
and signage with pvc on the front of lucky house takeaway – pending

CONSULTATIONS

Publicity

Site Notice expiry date: 13/01/2023

Neighbour consultation period ends: 22/12/2020

Press Advert: 10/12/2020

Public Comments

Submission: Objection

Comments: I consider that signage that has been applied to the replacement uPVC shop front is inappropriate for the Conservation Area. It is a plastic sign across the whole of the frontage in garish colours. The signage should ideally be formed in timber, with painted or perhaps raised letters, on a dark-coloured matt background, and should be broken to respect the two bays of the building.

Town / Parish Comments

None received.

Conservation Officer

This is a retrospective application for the replacement of a traditional, painted shopfront with UPVC. There are also slight design changes incorporating stop-opening windows with a storm proof detail. A replacement, externally-sit sign has also been installed. The property is in the Buxton Central Conservation Area and is in a prominent location at the Five Lane Ends Junction. The area is characterised by a high survival rate of traditional, vernacular buildings, consistent historic detailing and traditional shopfronts. The area is covered by an Article 4 Direction recognising the high survival rate of historic detailing, and vulnerability to removal, and has

previously been an area which has received grant aid from the Local Authority for reinstatement of period shopfronts and other historic detailing. The previous shopfront was painted timber with the shop windows simply divided with vertical, moulded glazing bars, narrow corner sections, and individually mounted lettering on the narrow fascia. It had a painted, timber door. The replacement is in white UPVC and the flat sections, without moulding detail, and upper opening lights with storm-proof detail, fail to respect the quality of the previous shopfront and traditional building detailing. The UPVC door fails to replicate a timber traditional shopfront door and the brash, stencilled sign is of poor design compared to the previous individually-mounted letters. The alteration has harmed the historic interest of the building as a whole and had a detrimental impact on the wider streetscene. Approval would set a harmful precedent which may result in the loss of other traditional shopfronts. The loss of historic shopfronts is highlighted in the Buxton Conservation Area Appraisal (P110). There is no objection to the incorporation of upper opening windows to allow ventilation but the traditional detail would normally be inward-opening hoppers to avoid the chunky external frames. This is an unacceptable proposal and a replica of the original shopfront should be reinstated.

OFFICER COMMENTS

Principle of Development

The proposal relates to alterations to an existing commercial premises and does not involve any change of use. The principle of supporting the continued operation of an established local business is acceptable, subject to consideration of the impact upon the character and appearance of the Conservation Area and the visual amenity of the area.

Design and Heritage

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Policy EQ6 of the High Peak Local Plan requires development to achieve a high standard of design and to respond positively to its surroundings. Policy EQ7 seeks to conserve and enhance heritage assets and their settings in a manner appropriate to their significance.

The site is located within the Buxton Central Conservation Area, an area characterised by a high concentration of historic buildings and traditional architectural detailing. The previous shopfront comprised a painted timber frontage with detailing that reflected the character of the host building and wider Conservation Area.

The replacement shopfront utilises modern uPVC materials and incorporates design details that do not fully replicate the appearance, proportions and detailing of the former timber shopfront. In addition, the replacement signage is of a more contemporary appearance than that previously in place.

The Conservation Officer and objector, object to the proposal and considers that the replacement shopfront and signage detract from the character and appearance of the building and wider Conservation Area. These concerns are noted and it is accepted that the development results in a degree of harm to the significance of the Conservation Area through the loss of traditional materials and detailing.

It is also noted that the property is located on the boundary of the designated Conservation Area rather than within its principal historic core and occupies a mixed streetscene where modern alterations and residential properties are also present. Whilst the replacement shopfront is visible within the public realm and results in the loss of traditional detailing, its impact upon the significance of the Conservation Area is moderated by its peripheral location and the varied character of the surrounding built environment. Moreover, when viewed in the context of Dale Road to the east, it is noted that many properties along this part of the road have uPVC windows on their front elevations, thereby alleviating the impact somewhat.

However, the proposal has not altered the overall scale, form or function of the building and retained the central splayed entrance. The changes are limited to the replacement of the shopfront and associated signage. Whilst the use of uPVC and the revised signage are not considered to preserve or enhance the character and appearance of the Conservation Area, the resulting harm is considered to be less than substantial and to lie at the lower end of the less than substantial spectrum. Whilst the proposal has resulted in the loss of the former timber shopfront, it has not altered the overall scale, form or function of the building, does not affect any listed buildings and does not undermine the ability to appreciate the wider significance of the Conservation Area.

Paragraph 215 of the NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal. In this case, the development has facilitated investment in the premises and supports the continued operation of an established local business within Buxton town centre. The proposal contributes towards maintaining an active commercial frontage, supporting local employment opportunities and providing a service to the local community, benefits which attract moderate weight in favour of the scheme.

It is also noted that the replacement shopfront has been in situ for a number of years and the premises has continued to operate as an active commercial unit throughout this period, contributing to the vitality and viability of the edge town centre location. Whilst the passage of time does not diminish the identified heritage harm, it demonstrates the ongoing role the premises plays in supporting local economic activity and maintaining an occupied commercial frontage. Taken together, these considerations are considered sufficient to outweigh the identified less than substantial harm to the significance of the Conservation Area.

Having undertaken the balancing exercise required by the NPPF, it is considered that the public benefits associated with the continued viability and operation of the business are sufficient to outweigh the limited less than substantial harm identified to the significance of the Conservation Area.

The proposal is therefore considered to accord with Policy EQ7 of the High Peak Local Plan and the heritage objectives of the NPPF.

Amenity

The proposal relates solely to alterations to the external appearance of the commercial premises and would not result in any unacceptable impacts upon the residential amenity of neighbouring occupiers through overlooking, overshadowing, loss of privacy, noise or disturbance.

The proposal therefore complies with Policy EQ6 of the Local Plan.

Highway Safety

The proposal would not alter the use of the premises, customer numbers, access arrangements or parking provision. Accordingly, no highway safety concerns arise and the proposal complies with Policy CF6 of the High Peak Local Plan.

CONCLUSION / PLANNING BALANCE

The application seeks retrospective consent for the replacement of a traditional timber shopfront and signage with uPVC windows and door at Lucky House Takeaway.

Whilst the proposal results in a degree of less than substantial harm to the significance of the Buxton Central Conservation Area through the loss of traditional materials and detailing, this harm is not considered to be substantial and must be weighed against the public benefits arising from supporting the continued operation and viability of an established local business and maintaining an active commercial frontage.

It is considered that the identified public benefits outweigh the less than substantial harm to the Conservation Area. The proposal is therefore considered to accord with Policies EQ6 and EQ7 of the High Peak Local Plan, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant provisions of the National Planning Policy Framework.

Approval is recommended.

OFFICER RECOMMENDATION :

Approval subject to condition.

Case Officer: Robert Smith

Recommendation Date: 24.06.2026

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council