

DELEGATED DECISION REPORT

HPK/2026/0277 **1 THE SQUARE**
Valid 17/07/2026 **BUXTON**

**LISTED BUILDING CONSENT
FOR PROPOSED BATHROOM
ALTERATIONS AT FIRST AND
SECOND FLOOR LEVELS**

**(LISTED BUILDING CONSENT -
ALTERATION)**

MAIN ISSUES

- Principle of development.
- Historic environment.
- Nutrient neutrality.

DESCRIPTION OF SITE

The application site is a Grade II* Listed Building, located within the built-up area of Buxton, within the Boroughs Buxton sub-area.

The site falls within the remits of the Buxton Central conservation Area, and the designated town centre boundary.

There are a significant amount of heritage assets within the immediate vicinity of the application site, including amongst others, the Crescent (Grade I), Natural Mineral Baths (Grade II), and The Slopes (Grade II P&G). The site also falls within the Buxton Central Conservation Area.

The site also falls within the Nutrient Neutrality SSSI Catchment, Flood Zones 2 and 3, and the Buxton Groundwater Source Protection Zone.

Given the nature of the proposal, comprising internal alterations to a listed building, the Flood Zone and Groundwater Source Protection Zone constraints are not relevant.

PROPOSAL

Following a review of the application submission and a visit to the site, some concerns were raised in relation to the proposed air conditioning unit, regarding its visual impact and associated harm to heritage assets, and also in relation to potential harm to the amenity of nearby noise sensitive receptors from a noise perspective. As such the air conditioning unit was removed from the application, and the description of development updated accordingly with agreement from the agent.

The accompanying full application (HPK/2026/0276) for the air conditioning unit was also withdrawn as the extent of the proposal now relates to internal alterations only, suitably captured by this application for Listed Building Consent.

The scheme now before the Council for determination consists of the following works:

- a) First Floor:
 - a. The existing bathroom will be converted into a home office.
 - i. (The separate WC will be retained and reorientated).
- b) Second Floor:
 - a. The existing bathroom will be enlarged and become an en-suite shower room serving bedroom 1 (front bedroom).
 - b. A new en-suite shower room will be created to serve bedroom 2 (rear bedroom), which will result in floorspace being lost within bedroom 1.
 - c. A separate WC to be created on the landing area.

Provision of mechanical extraction within the proposed ensuites to help control moisture are also proposed. The extraction will discharge via an existing extract vent within the roof tiles, sited behind the chimney stack, as identified in the application submission/photographs.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Borough Council Local Plan (2016):

Policy S 1 Sustainable Development Principles.

Policy S 1a Presumption in Favour of Sustainable Development.

Policy S 2 Settlement Hierarchy.

Policy S 7 Buxton Sub-area Strategy.

Policy EQ 7 Built and Historic Environment.

National Planning Policy Framework (August 2026):

DM3: Determining development proposals.

DM6: Use of planning conditions and obligations.

S3: Presumption in favour of sustainable development.

S4: Principle of development within settlements.

HE4: Securing the conservation of heritage assets.

HE5: Assessing effects on heritage assets.

HE6: Proposals affecting designated heritage assets.

HE9: Conservation areas.

Supplementary Planning Documents (SPD):

Buxton Central Conservation Area character appraisal.

Planning (Listed Buildings and Conservation Areas) Act 1990.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The historic planning applications considered to be the most relevant to this application are:

HPK/0001/8729 - Proposed Change Of Use From Single Dwelling House To 5 No Bed Sit Units - Approved.

HPK/0002/3614 - Taking Off Existing Roof And Re-slating Using Second Hand Westmorland Slate, And Re-leading Of Existing Lead Flat Roof - Approved 09/09/1985.

HPK/2011/0527 - Listed Building Consent For The Sealing Of A Window And The Opening Of Blind Window - Approved 08/12/2011.

HPK/2026/0276 - Proposed bathroom alterations at first and second floor level and an air conditioning unit to the side elevation at 2nd floor level - Withdrawn.

CONSULTATIONS

Publicity

Site Notice expiry date: 01/09/2026.

Neighbour consultation period ends: 11/08/2026.

Press Advert: 20/08/2026.

A summary of the points raised in the submitted comment(s) is as follows:

High Peak Borough Council Conservation Officer:

Comments dated 24/08/2026:

- The Buxton Central conservation area is characterised by its high proportion of Georgian and Victorian buildings.
- The Square is a Grade II* Listed Building. The Square has a 3 storey facade of Ashlar gritstone, with slate hipped roof.
- The Square is nestled within close proximity to a number of heritage assets, dating to the Towns development as a spa town. These include the Crescent (Grade I), Old Hall Hotel (Grade II*), Pavilion Gardens (Grade II* P&G), The Slopes (Grade II P&G), and Natural Mineral Baths (Grade II), among numerous others. Collectively these form a strong group value, contributing strongly to the character and appearance of the conservation area.
- The applications seek consent for the installation of an air conditioning unit onto the southern elevation, and internal alterations. It is proposed to convert

the existing first floor bathroom into an office and W/C, convert the existing second floor w/c into an ensuite, and install an ensuite into bedroom 2 (second floor).

Air Conditioning Unit

- The proposed air conditioning unit would be located on the southern elevation wall, which overlooks the Crescent, Natural Baths and The Slopes. The air conditioning unit would be visible from pedestrian paths on the Slopes garden, which currently allows for views with the Natural Baths in the foreground with a stepped view to the rear showing the new build section of the Crescent, with the Square behind. This creates a wellconsidered, and designed view which contributes positively to the significance of The Slopes and character and appearance of the conservation area. The proposed installation of an Air Conditioning unit on this location will introduce a visually foreign object with a very utilitarian and engineered appearance in a historically sensitive location. Therefore, will cause harm to the Square, the Slopes and the conservation area. As such it is recommended that the air conditioning unit be removed from the scheme.
- No details have been provided as to the internal implications of installing an air conditioning unit.

First Floor W/C and Office

- The existing first floor bathroom and store cupboard to be converted to an office with smaller W/C.
- The alterations will not require the alteration of any historic internal walls.
- The w/c is expected to produce less internal humidity than a bathroom, therefore the loss of natural ventilation (window) to the w/c is considered acceptable.
- No objections subject to a condition requiring details of new plumbing and soil routes.

Second Floor Ensuite to Bedroom 1

- The existing second floor W/C to be converted to a larger ensuite bathroom serving Bedroom 1. The existing W/C is not considered to be historic fabric, and only a small section of historic wall would be removed to form an internal doorway.
- This is considered acceptable subject to condition of the proposed door details.
- Bathrooms including baths or showers produce a high level of humidity. If not properly ventilated can result in damp and over a prolonged period would damage the historic fabric of the Listed Building.
- The existing W/C has an original sash window which provides natural ventilation. As such the conversion into an ensuite bathroom is considered acceptable, subject to provision of details of plumbing and soil routes via condition.

Second Floor Ensuite to Bedroom 2

- An ensuite bathroom is proposed for installation to serve bedroom 2. The proposed ensuite will include a shower and will not include any natural ventilation.
- As outlined above, bathrooms without ventilation cannot be supported within a Listed Building due to the impact of the resulting high humidity upon historic fabric. It is recommended that this ensuite be removed from the proposed scheme if ventilation cannot be sympathetically demonstrated. Alternatively, the proposed ensuite could be made smaller, and limited to a W/C.

Comments dated 03/09/2026:

- The added ventilation resolves the previous concerns regarding the bathrooms.
- As such no further objections, subject to conditions relating to:
 - All internal plumbing routes and any external foul drainage pipes, and
 - The continuous mechanical extraction in the ensuite serving bedroom 2 to be fully operational.

High Peak Borough Council Environmental Health:

- There appears to be a discrepancy between the noise output figures submitted, and those advertised on the manufacturer's website.
- Given the location, in an enclosed courtyard in close proximity to noise sensitive premises, clarification of the sound power output and a BS4142 noise assessment is appropriate at application stage for the proposed air conditioning unit.

Buxton Civic Association:

- No objection, subject to the views of the Council's Conservation Officer.

No other written representations received as part of the consultation process.

OFFICER COMMENTS

Principle of Development:

Local Policy Position:

The site is located within the built-up area boundary.

HPBC Local Plan Policy S 1 seeks to ensure the delivery of sustainable development, by ensuring, amongst other things, the effective use of land, protecting and enhancing the boroughs natural and historic environments, and securing high quality design and amenity standards. Policy S 1 seeks to locate new development in line with the boroughs Settlement Hierarchy.

HPBC Local Plan Policy S 2 sets out the settlement hierarchy for the borough. The application site falls within Buxton, which is identified as a 'Market Town', which is an area which will be the main focus for development and growth.

The Buxton Sub-area Strategy (Policy S 7) seeks to establish Buxton as England's leading spa town and principal service centre for the Peak District. This will be achieved by, amongst other things, protecting and enhancing the unique character of Buxton's spa heritage, townscape and natural environment, meeting housing needs, encouraging growth of employment opportunities and the local economy, and enhancing community services and infrastructure.

National Policy Position:

Part 20 of the National Planning Policy Framework (August 2026) sets out the national position for considering proposals which affect heritage assets. Policy HE6(1) identifies that when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation, irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

Policy HE4(2) sets out that any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter of the NPPF.

In order to establish whether the principle of the development is acceptable the Council needs to first establish, as per the general duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, whether the proposal will preserve the setting and/or any features of special architectural or historic interest of any nearby Listed Building, or preserve or enhance the character and appearance of the Conservation Area. This will be discussed and assessed later within the report.

Conclusion:

Taking all these factors into account, it is considered that the principle of development at the site may be acceptable in policy terms, subject to all other material planning considerations being acceptable. The proposal currently complies with policies S1, S 2, and S 7 of the adopted Local Plan (2016).

Historic Environment:

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires a Local Planning Authority to have special regard to the desirability of preserving the setting of Listed Buildings, and pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area (Sections 66 and 72 respectively).

Policy EQ 7 of HPBC's local plan (2016) seeks to 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.

Policy HE6(1) of the NPPF (August 2026) identifies that when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation, irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

Policy HE4(2) sets out that any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter of the NPPF.

Policy HE5(2) requires an assessment to be undertaken of the developments potential impact on the significance of the heritage asset, and whether the proposal would have either a positive effect, no effect, or harm its significance. Where harm would be caused, the degree of harm should be identified, comprising either substantial harm where the development proposal would seriously affect a key element of the asset's significance (HE5(2)(c)), or cause the total loss of the significance of a heritage asset (HE5(2)(d)).

The proposed development would require the removal of a small section of original internal walling to form the doorway into the proposed second floor ensuite to serve Bedroom 1. The proposal would therefore result in a very small loss of historic fabric within the building. Provision of mechanical extraction within the proposed ensuite will help preserve the remaining historic fabric in the affected room(s). The proposed conversion of the existing first floor bathroom and store cupboard to an office with separate WC will not require the alteration of any historic internal walls. Therefore it is considered that substantial harm would not arise as key elements of the assets significance would not be seriously affected, nor would the proposal result in the total loss of significance. The consultation response received from the Council's Conservation Officer acknowledges the degree of harm arising from the creation of the new internal doorway, but finds this to be acceptable given the scale of the amendment, and raises no objections subject to a condition requiring details of the new doorway to be submitted for approval. They also raise no objections in relation to the other works and are satisfied that they will not impact upon the historic fabric and significance of the building.

NPPF Policy HE6(3) therefore identifies that any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of Policy HE6. As substantial harm nor total loss would not arise as part of this proposal, Paragraphs 5 and 6 of Policy HE6 do not apply.

Policy HE6(4) however requires any harm to the significance of a designated heritage asset to be weighed against any public benefits resulting from the proposal. The property is an existing residential dwelling which no longer meets the needs of the current occupiers. The proposal would allow the building to evolve to support required living arrangements, and as such, would therefore deliver a public benefit by helping to secure the continued long-term use of the heritage asset in a manner appropriate to its significance, in accordance with NPPF Policy HE4(1).

Given the internal nature of the proposals it is considered that no harm would arise to any other nearby heritage assets within the vicinity.

The consultation response received from the Council's Conservation Officer raises no heritage objections to the proposal, subject to conditions.

The agent has provided their written agreement to the use of pre-commencement conditions for the above matters.

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 principle of the development at the site, located within the built-up area, is considered to be acceptable.

A small amount of harm would likely arise from the development by virtue of the removal of a small section of original internal walling to form the doorway into the proposed second floor ensuite to serve Bedroom 1. However this harm would not amount to substantial harm or total loss of significance. Therefore the harm identified is considered to be outweighed by the public benefits of the scheme, insofar as the

proposal would enable the property to continue meeting the evolving needs of occupiers, thus facilitating the continued long-term use of the designated heritage asset. Given the internal nature of proposal it is considered that no harm would arise to any other nearby heritage assets within the vicinity.

As such, having reviewed all the submitted information, and assessing this against all relevant policies and material planning considerations, within the planning balance, conditional approval is recommended for this application.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Alex Bonser

Recommendation Date: 09/09/2026

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council