



Appeal Decision

Site visit made on 10 December 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 31 December 2019

Appeal Ref: APP/H1033/W/19/3239066

11 High Street, Buxton, Derbyshire SK17 6ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Sharon Tunnicliff against the decision of High Peak Borough Council.
 - The application Ref HPK/2019/0197, dated 29 April 2019, was refused by notice dated 25 July 2019.
 - The development proposed is retention of security grille.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The security grille has been installed to the front of the premises. I have therefore determined the appeal on the basis that retrospective permission is sought for the development which has already been implemented.

Main Issue

3. The main issue is whether the development preserves or enhances the character or appearance of the Buxton Central Conservation Area.

Reasons

4. The appeal property is a 3 storey end of terrace property currently in use as a furniture shop. It has a traditional double frontage with a central recessed door. It is in a relatively prominent location near to the Market Place in a row of largely traditional shop frontages in the designated town centre, which supports a mix of ground floor commercial uses.
5. No 11 is within the Buxton Central Conservation Area (the CA), which includes the Pavilion Gardens, Buxton Crescent and the surrounding area, the Market Place and High Street. The significance of the CA derives in part from the historic and architectural quality of its buildings dating back to the Georgian period. The part of High Street that includes the appeal property is characterised by the sense of enclosure resulting from the predominantly tall 3 storey buildings to either side of the street. Properties are largely finished in stone and there is a regular and reasonably consistent appearance to the front elevations, including the ground floor shop frontages. In this context, the traditional appeal property makes a positive contribution to the CA.

6. The security grille is fitted to the front of the central door recess such that when in use it is flush with the shop frontage. While it does not extend across the whole frontage, the submitted photographs illustrate that it is nevertheless dominant and incongruous in juxtaposition with the glazed windows to either side. Moreover, although finished in black to match the existing paintwork and of a perforated design, it is a contemporary feature that does not relate well to its traditional surroundings. Although less prominent during the day, the side guides are visible in front of the stone stallriser and the shutter housing is a bulky and discordant feature that does not respect the frontage of the host property.
7. I appreciate that the overriding character of this part of High Street is due in large part to the densely developed and tall buildings that line the street. However, the individual buildings nevertheless contribute to the historic and architectural quality of the area as a whole. In this respect, the introduction of an overtly modern feature into an otherwise traditional shop frontage has resulted in a detrimental effect on the host property and consequently the street scene. Furthermore, in combination with other contemporary features elsewhere in the area, the scheme contributes to cumulative harm to the historic built environment.
8. Therefore, the security grille fails to preserve or enhance the character or appearance of the CA. However, the scheme is modest in the context of the CA as a whole and consequently it causes less than substantial harm to its significance as a heritage asset. Nevertheless, the National Planning Policy Framework (the Framework) advises that great weight should be given to the asset's conservation. Paragraph 196 of the Framework states that where a development would lead to less than substantial harm to the significance of the heritage asset, that harm should be weighed against the public benefits of the proposals.
9. In this case, the evidence before me suggests that the scheme enhances the security of the premises and that it reduces the potential for anti-social behaviour in the immediate vicinity. While this would be a public benefit, and planning decisions should aim to create safe places, there is little before me to demonstrate that similar benefits could not be provided by an alternative means that would be less harmful to the heritage asset. Taking account of the great weight that is attached to the importance of conserving heritage assets, the benefits would not outweigh the harm to the CA. Therefore, the appeal scheme conflicts with the Framework.
10. In reaching this conclusion I have had regard to the advice and guidance contained within the High Peak Design Guide Supplementary Planning Document Adopted February 2018 (the SPD) and the Designing out Crime Supplementary Planning Guidance and Advice Adopted March 2004 (the SPG). While acknowledging the need for security, they recommend that proposals reflect the character and architectural style of the building and area and encourage sympathetic internal and open security measures.
11. As a result of the harm to the CA, the proposal conflicts with the development plan including Policies EQ6 and EQ7 of the High Peak Local Plan Adopted April 2016. These require, among other things, that development contributes positively to the character of the area, avoiding unacceptable visual intrusion, respecting the special interest of the host building and its setting and

conserving heritage assets. It also conflicts with the shop front design aims and guidance in the SPD and the SPG.

12. There are properties elsewhere in the area where metal shutters and uPVC windows have been installed. The use of plastic windows in the CA is not directly relevant to the appeal scheme. Moreover, on the basis of the evidence before me, it appears that at least some of the shutters were implemented historically without the benefit of planning permission and are likely to now be lawful due to the elapse of time. I cannot therefore be certain that they are directly comparable to or that they provide a justification for the appeal scheme, which must in any case be considered on its own merits.

Other Matters

13. I note that there are several third party representations in support of the scheme. However, given the importance attached to the conservation of designated heritage assets, this support does not outweigh the harm that I have identified.

Conclusion

14. I have concluded that the scheme conflicts with the development plan and there are no other considerations, including support, that outweigh the conflict. For this reason, the appeal is dismissed.

Sarah Manchester

INSPECTOR