

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

16th August 2021

Application No:	HPK/2021/0237 & HPK/2021/0238 (Listed building consent application)	
Location	The Pump Room, The Crescent, Buxton, SK17 6BQ	
Proposal	HPK/2021/0237 – Removal of modern skylight and replacement with zinc roof aluminium clad plant enclosure housing new fans (and associated ducts etc) to provide increased ventilation to the Pump Room HPK/2021/0237- Listed Building Consent for Removal of modern skylight and replacement with zinc roof aluminium clad plant enclosure housing new fans (and associated ducts etc) to provide increased ventilation to the Pump Room	
Applicant	Buxton Crescent Ltd	
Agent	Mr Andrew Ryan	
Ward/Parish	Buxton Central	Date registered 12.05.2021
If you have a question about this report please contact: Faye Plant, faye.plant@highpeak.gov.uk 01538 395400 ext. 4995		

1. REFERRAL

The application is referred to the Development Control Committee due to HPBC interests in the site.

SUMMARY OF RECOMMENDATION

APPROVE subject to conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The Grade II Pump Room was designed by Henry Curry for the 7th Duke of Devonshire in 1894 and was built to alleviate overcrowding at the previous well in the Natural Baths. The building became the focal point for the source of the thermal spring water in the early 20th century and it was last used to “take the waters” in the 1970s. With the exception of the enclosure of the arcade to the front and the later removal of the two domes, the building has largely remained unaltered.

2.2 The building has been in use as a Micrarium until 1994, following which it was a temporary summertime only art gallery. At this time the building suffered extensive water ingress. A series of internal and external refurbishment works began in 2012 and the building has been restored as part of the recent Crescent renovation and is now managed by the Buxton Crescent Heritage Trust. Since March 2019 the building has been in use as Buxton Visitor Centre.

3. DESCRIPTION OF THE PROPOSAL

3.1 At the rear of the Pump room is a flat roof section of building that sits directly above the pool. There has been a skylight within the flat roof since at least 1912. The current flat designed skylight was given consent and installed in 2015/2016.

3.2 Naturally occurring gases percolate through the water which can be seen when looking into the oval pool within the Pump Room. Ventilation issues have proved so significant that it is necessary to remove the modern skylight and replace with a mechanically assisted means of ventilation.

3.3 Planning and Listed Building Consent is sought to replace the modern skylight with a lantern style zinc roofed aluminium clad plant enclosure which will house new fans and their associated ducts etc that will increase the ventilation to the Pump Room. The fans will increase the air flow through the Pump Room to manage Radon levels and improve the heating of the historic fabric thus reducing the occurrence of damp. The scheme has been developed with expert advice and with input on other key stakeholders such as Historic England, National Lottery Heritage Fund.

3.4 The modern flat glazed roof light will be removed and replaced by a 2.2m x 2.4m enclosure that will replicate the shape and style of the skylight on the building in the early 20th century. The enclosure will sit below the bottle balustrade and will be finished in zinc and coated aluminium finished in dark grey all to match the existing zinc flashings.

3.5 Revised plans and additional information was received during the course of the application which centrally aligned the louvre on the eastern elevation and clarified the noise output of the fans to 44dB, equal to the 'noise of normal living; talking, or radio in the background'. The fans will run on a trickle basis with an increase in speed for occasions when radon levels run higher.

3.6. The application and details attached to it - including the plans, supporting documents, representations and responses from consultees - can be found on the Council's website at:-

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=247293>

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=247294> (Listed Building Application)

4. RELEVANT PLANNING HISTORY

Most relevant applications:

HPK/2004/1004	Change of use from offices public baths and museum to hotel/spa retail and pump room Approved 20.09.2005
---------------	---

HPK/2005/0122	Enabling works to strip pit redundant services, frames, partitions, ceilings etc (Listed Building Consent) Approved 08.08.2005
HPK/2005/0203	Excavation of trial pits for site, water flow and archaeological investigation (Listed Building Consent) Approved 08.08.2005
HPK/2006/0009	Listed Building Consent for the redevelopment of the Crescent to form spa hotel Approved 27.03.2006
HPK/2006/0700	Planning Permission for redevelopment of the Crescent to form spa hotel Approved 19.04.2006
HPK/2007/0387 & 0396	Listed Building Consent and Planning Permission for the refurbishment of the Pump Room to provide temporary site for the Tourist Information Centre Approved 27.07.2007
HPK/2010/0043	Planning Permission for the redevelopment of the existing spa, Crescent and Pump Room to provide spa Hotel Approved 27.05.2010
HPK/2011/0322 & 0323	Listed Building Consent and Planning Permission for Proposed extension and redevelopment of the Crescent and Pump Room and part of the Old Hall Basement into a Spa Hotel. The change of use of the Bakery at George Street from A1 to C1 for use in conjunction with the hotel Approved 21.10.2011
HPK/2010/0368	Extend The Limit For Implementation Of Hpk/2007/0396 For The Refurbishment Of The Pump Room To Provide A Temporary Office For The Tourist Information Centre – Withdrawn 27/08/2010
HPK/2014/0351 & 0352	Listed Building Consent and Planning Permission for Proposed amendment to planning permission HPK/2011/0322 for the extension and redevelopment of the Crescent and part of the Old Hall into a spa hotel, comprising of new attic dormers and structural intervention to 6np. Queen post Trusses, re-slating of Crescent pitched roof, removal of the lime ash attic floor from the west pavilion through to grid line 07 and new floor construction added, single storey extension to rear of east pavilion, increased

internal footprint of geometry of spa roof and other miscellaneous amendments.
Approved 20.11.2014

HPK/2018/0584 Amendment to LBC HPK/2011/0323 & HPK/2014/0351 for extension and redevelopment of the Crescent and part of the Old Hall into a spa hotel.
Approved 11/09/2020

5. PLANNING POLICIES RELEVANT TO THE DECISION

Adopted High Peak Local Plan 2016

S1 Development Principles
S1a Presumption in Favour of Sustainable Development
S 7 Buxton sub Area Strategy
EQ 5 Design and Place Making
EQ 6 Design and Place Making
EQ 10 Flood Risk Management
CF 6 Accessibility and Transport

Supplementary Planning Guidance

High Peak Design Guide 2018
Landscape Character SPD

National Planning Policy Framework

Paras 2 - 14
Section(s) 6, 9, 12, 13, 14 and 15

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 28 th June 2021
Neighbour letters	Expiry date for comments: N/A
Press Notice	Expiry date for comments: 1 st July 2021

Neighbours

No representations received.

Consultations

Consultee	Comment	Officer response
Historic	On the basis of the information available to date, we do not wish to offer any	

England	<p>comments.</p> <p>We refer you to the expert advice provided by your Senior Conservation Officer.</p>	
Conservation Officer	<p>Comments on additional information – No objection, details are fine.</p> <p>Original Comments June 2021- They are looking to replicate a similar mass and shape to a pyramidal rooflight that existed 1912-2015 and this then evolved into the flat rooflight that is there today. It will sit below the balustrade so that there won't be disruption of views across the roof. So, in principle it all looks acceptable. We will need a construction drawing to show how it is to be assembled and seams finished. I would ask whether the vent panels at the east side can be centrally placed to respect the symmetry. This is a quiet area and we need to be assured that it won't cause noise disturbance or fumes/steam.</p>	
DCC Highways	No highway safety comments to make.	
Environmental Health	No representations received	

7. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE

Policy Context

7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

7.2 Section 38(6) requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the Local Planning Authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the adopted High Peak Local Plan 2016.

7.3 Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development, for decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Principle of development

7.4 Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.5 Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

7.6 In accordance with policies S1 and S1a of the High Peak Local Plan the Council will support development that makes a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

7.7 Development will be directed towards the most sustainable locations in accordance with the settlement hierarchy set out at policy S2. In accordance with the settlement hierarchy, Buxton is regarded as a 'Market Town' where development of an appropriate scale and nature will be allowed.

7.8 The Spatial Strategy recognises that the historic character and distinctiveness of Buxton are key to the success of the town as a thriving tourist destination. The overarching vision of the Place Making Strategy is for Buxton to become England's leading spa town at the heart of the Peak District. The Crescent is an important Heritage feature of national importance that is to be protected. It was built as the centrepiece of the Fifth Duke of Devonshire's plans to establish a fashionable Georgian spa town in Buxton. It serves as a lasting image of any visit to the town and, as a Grade I listed building, is one the most architecturally significant buildings in the country.

7.9 Concurrently, Local Plan policy S7 states that the Council and its partners will seek to establish Buxton as England's leading spa town and consolidate its role as the principal service centre for the Peak District. This will be achieved by protecting and enhancing the unique character of Buxton's spa heritage, townscape and natural environment to maintain the quality of life and act as a catalyst for tourism by, amongst others, supporting the Crescent Spa Hotel project.

7.10 The proposal seeks to improve the air quality within the pump room by reducing damp and radon levels thus ensuring its long term viability. The principle of development is therefore acceptable. Matters such as design and amenity are considered below.

Visual Amenity and Impact on the Heritage Asset

7.11 The Pump Room is a Grade II Listed Building adjacent to the Grade I listed Crescent Hotel, situated in the heart of the Buxton Central Conservation Area. One of the core principles of the NPPF is to conserve heritage assets in a manner appropriate to their significance so they can be enjoyed for the contribution to the quality of life of this and future generations.

7.12 Paragraph 197 of the NPPF advises that in determining planning applications, local Planning Authorities should take account of:

- A) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- B) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
- C) The desirability of new development making a positive contribution to local character and distinctiveness.

7.13 Paragraphs 199 and 200 state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from alteration or destruction, or from development within its setting), should require clear and convincing justification.

7.14 Policy EQ7 recognises that heritage assets should be conserved in a manner appropriate to their significance, taking into account the desirability of sustaining and enhancing their significance and to ensure that development proposals contribute positively to the character of the built and historic environment in accordance with sub area strategies S5, S6 and S7.

7.15 Section 12 of the NPPF places great importance of good design and states that good design is a key aspect of sustainable development. Local Plan Policies S1 and EQ6 set out the design principles of the Borough and require that all development should be well designed and of a high quality, responding to its environment whilst also contributing to local distinctiveness and sense of place.

7.16 The design of the roof light is re-instating a design that has a similar mass and shape to that which existed throughout the whole 20th Century. The lantern housing will sit above the existing stone parapet but will be modest in scale on the flat roof at the rear of the building.

7.17 Concerns initially raised by the Council's Conservation Officer regarding noise, method of construction and the positioning of the vents have been addressed by the submission of revised plans. The Council's Conservation Officer has reviewed the details submitted and have confirmed that no objection is raised.

7.18 The addition to the building will result in less than substantial harm to the listed building but the public benefit of providing a safe internal environment that will secure the future enjoyment and its viability for future generations results in a public benefit far outweighs any harm that the proposed ventilation system may have.

7.19 The proposals are therefore considered acceptable and in accordance with the provisions of Sections 12 and 16 of the NPPF and policies EQ6 and EQ7 of the High Peak Local Plan.

Amenity

7.20 Paragraph 127 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy EQ6 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

7.21 The building sits at the north eastern edge of the Slopes and is set down into the bank side. There are no nearby residential properties although the site is located within the town centre.

7.22 Additional information was submitted that concluded the noise of the fans in use would be akin to the noise of normal living. The proposals will not therefore disturb the relative quiet of this area of the Slopes.

7.23 The proposals comply with para 130 of the NPPF and policies EQ6 of the High Peak Local Plan.

8. PLANNING BALANCE AND CONCLUSION

8.1 This application seeks approval for additional ventilation equipment and its housing on this Grade II listed building. Though harm to the significance of the building has been identified, it is considered to be less than substantial and there a clear and convincing justification for the proposal in order to improve air quality, provide a safe environment for visitors and to prevent the deterioration of the internal fabric of the building.

8.2 The development serves to retain the significance of an important heritage asset, within the setting of the Grade I listed Crescent, and will support the re-establishment of Buxton's spa heritage. The public benefits arising from this development are considered to outweigh the harm caused.

9. RECOMMENDATIONS

A: Approval of HPK/2021/0237 and HPK/2021/0238 (Listed Building Consent) subject to the following conditions.

Conditions

Condition ref number	Brief description	Comment
TL01	Time Limit (and listed building time limit)	
AP01	Approved Plans	

B In the event of any changes being needed to the wording of the Committee’s decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee’s decision.

Informative

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

Site Plan

