

**HIGH PEAK DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

23rd October 2023

Application No:	HPK/2019/0231	
Location	Cafe Pavilion Gardens St Johns Road Buxton	
Proposal	Listed Building Consent For Glazed Screen & Double Doors To Main Entrance.	
Applicant	Parkwood Leisure Limited	
Agent	N/A	
Parish/ward	Buxton	Date registered: 29 th May 2019
If you have a question about this report please contact:Rebecca Bowers, email: Rebecca.Bowers@highpeak.gov.uk		

REFERRAL

The application is before committee as the development is on council owned land.

1. SUMMARY OF RECOMMENDATION

APPROVAL

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site is located within the Pavilion Gardens, which are located to the west of Buxton town centre. The Pavilion Gardens are primarily landscaped gardens and comprises a patchwork of open grassland and wooded areas, within which are a chain of lakes and ponds, as well as a lakeside pavilion, bandstand, and formal and informal play areas connected by a network of paths and bridges.

2.2 To the north of the Pavilion Gardens is a series of Pavilion buildings comprising the Buxton Opera House, the Conservatory, Buxton Cinema, Central Hall (Tea Room, Market Place, Ice Cream space and offices), the Octagon and Buxton Swimming and Fitness Centre, with formal promenade to the south overlooking the gardens, and separate two-storey and ground-level car park.

2.3 The Central Hall and attached Promenade is a Grade II listed building, located within the grounds of the Pavilion Gardens which is a Grade II* Registered Park and Garden and within the immediate proximity to several listed buildings/structures.

2.4 The listing description for the Central Hall and attached Promenade is as follows:

BUXTON SK0573SE ST JOHN'S ROAD, Pavilion Gardens 616-1/4/108 (South side) 04/10/88 The Central Hall and attached Promenade GV II

2.6 Central hall and promenade, now coffee shop, restaurant and small shops. 1870, central hall burnt 1982 , rebuilt 1984. By Edward Milner. Narrow coursed millstone grit with ashlar dressings, cast-iron and glass under Welsh slate roofs. EXTERIOR: single storey long range and two 2-storey halls. South front 18 windows, divided into 15 window single storey range to east and 3 window 2 storey block to west. East range has low stone walls and rusticated ashlar pilasters between windows, glazed roofs with ornate cast-iron ridge railings with crown finials. From left to right a gabled entrance with double doors and sidelights, a 4-light, a 2-light, a 3-light and a 2-light cross casement window, then 2 doorways both with glazed doors and overlights, then six 5-light similar windows, a pair of double doors and beyond a 2-light cross casement. Set-back behind bays 4, 5 and 6, a 2 storey square hall with 3 windows to 3 glazed facades, under glazed hipped roof. Central 3-light windows flanked by 2-light windows with cast-iron columns between and at corners. Central, square plan hall to west, 2 storeys, 3 windows, projects slightly. Divided 3:5:3 lights with window panels between floors, central section projects, with broad pediment to top. Ground floor has 9-pane lights and upper floor 12-pane lights. Tall cast-iron columns at corners and between windows, all with very ornate cast-iron capitals. Broad fascia board at cornice level, and slate roof topped by central octagonal cupola with 8 round headed windows and 2 stage octagonal spire. INTERIOR: open well to central hall with some free standing cast-iron pillars; they are octagonal on spreading base and have ornate capitals. The base bears the inscription N Bailey/SON AND CO /engineers /MILES /PLATTING /MANCHESTER. There are also ornate iron roof trusses, supported on stone corbels to rear and engaged iron columns to front. This hall and promenade were built as part of the complex of entertainment buildings constructed on the north side of the Pavilion Gardens, which were donated to the town by the 7th Duke of Devonshire. (The Buildings of England: Pevsner N: Derbyshire: Harmondsworth: 1953-1986: 117).

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 Listed building consent is sought for the construction of a single timber framed glazed screen with double doors painted in white within the main entrance.

3.2 Details of the application scheme can be viewed at:

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=232592>

4. RELEVANT PLANNING HISTORY

HPK/2022/0184- Installation of a new boiler and boiler flu- Approved

HPK/2022/0128/ HPK/2022/0127- Listed Building Consent and FP For Minor alterations and refurbishment of existing East Pavilion building + adjacent North Entrance, Pavilion Gardens, Buxton. Alterations: New glazing bars to East Pavilion roof, to match those on the Octagon refurbishment. Cracked/georgian glazing panes to North Entrance to be replaced with ribbed/clear glazed panes to match existing. New timber fenestration and timber panelling to East Pavilion with accoya 'like for like'. New stainless steel glazing clips to East Pavilion dry glazing in lieu of existing

copper clips. Structural works to East Pavilion roof in accordance with Structural Engineer's comments. New upgraded internal lighting to North Entrance- Approved

DOC/2021/0089- Discharge of conditions 1, 2, 3, 4, 5, 6, 8 & 9 relating to HPK/2020/0553- Approved

HPK/2021/0251- Minor alterations and refurbishment of existing East Pavilion building and adjacent North Entrance, Pavilion Gardens, Buxton. Alterations: New glazing to East Pavilion roof with the addition of 4nr actuated openers. Removal of retrofitted downpipes and reinstating original cast iron column downpipes to East Pavilion. New drainage channel internally to lower level of East Pavilion, with external drainage outlet to link to existing drainage. Potential location of lightning protection- approved

HPK/2020/0553- Listed building consent for repairs to the core buildings within the Pavilion Gardens complex.- Approved

HPK/2019/0230- Listed building consent for new entrance lobby within the tea room- Pending

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak Local Plan

5.1 The Development Plan comprises the Local Plan Development Document (adopted September 2020).

5.2 The following Local Plan policies are relevant to the application:

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 7 Built and Historic Environment

5.3 The following sections of the NPPF are particularly relevant to this application:

- 2: Achieving sustainable development
- 4: Decision making
- 5: Delivering a sufficient supply of homes
- 9: Promoting sustainable transport
- 12: Achieving well-designed places
- 16: Conserving and enhancing the historic environment

6. CONSULTATIONS

Public response to consultation

6.1 none received

Parish Council

6.2 No comments were received.

Conservation Officer

6.3 No objections subject to agreeing what they are matching to as there are good and bad examples on site (to avoid submitting drawn details). When I was last on site on 26th Sept we looked at sections to match to but this needs to be agreed in writing. We could determine this application now and condition the exact joinery details but it might be quicker to have a photo of the area of joinery they are matching to, have details of opening mechanism and ironmongery. We need exact joinery details that will be matched to showing the glazing bar profile and mitred construction. We need the exact method of opening and ironmongery.

7. OFFICER COMMENT AND PLANNING BALANCE

Main Issues

7.1 The main issues relate to the Impact on the designated heritage asset

Principle of Development

7.2 The application is for works to a listed building. In principle repairs and renovations are welcome and, in some cases, do not require consent however this proposal includes the erection of a new lobby within the tearoom. The LPA has a duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 have very special regard to maintaining or enhancing its special interest.

Impact on significant of designated heritage asset.

7.3 Paragraph 199 of the NPPF states 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.

7.4 Policy EQ 7 states that the Council will 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 in accordance with sub area strategies S5, S6 and S7.

7.5 The Central Hall and attached Promenade is a Grade II listed building, located within the grounds of the Pavilion Gardens which is a Grade II* Registered Park and Garden and within the immediate proximity to several listed buildings/structures. The application proposes to install a glazed screen & double doors to the main entrance.

7.9 The application is supported by a heritage statement which states that the purpose of the proposed entrance lobby is to reduce heat loss at the main entrance.

7.10 The comments from the Conservation Officer have been taken into consideration and they considered this part of the pavilion pre-dates the Dome extension added in 1875 and is to the immediate right of the original corner pavilion. The veranda at the front (current entrance doors) was added in 1935. The structure was substantially rebuilt/refurbished after a fire in 1983. The proposal to install inner doors is actually on the original building frontage so there is a precedent for a screen in this location.

7.11 The screen will be painted softwood incorporating double doors and will be single glazed. The Conservation Officer has no objections to the development but requested further details of the exact screen they are matching, and details of opening mechanisms, ironmongery and installation are required as it would be quicker to agree these details before determining the application. These details were requested from the applicants agent but no details are forthcoming. As such these details will be conditioned on any subsequent approval. Therefore considering the above the development is not considered to harm the significance of the building.

Planning Balance & Conclusions

7.12 Therefore, in giving considerable importance and weight to the duties at section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in consideration to NPPF, NPPG and Policy EQ7 of the High Peak Local Plan it is recommended that listed building consent be approved.

8. RECOMMENDATION

A. That LISTED BUILDING CONSENT be approved subject to the following conditions.

1. The development hereby permitted must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

**Site Location Plan: Dwg no 01
Pavilion Ice Cream Entrance: Rev A**

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. All external joinery including windows and doors shall be of a timber construction only. Details of their design, including glazing bar profile and mitred construction, specification, ironmongery, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning

Authority before the windows and doors hereby approved are installed. The works shall be carried out only in accordance with the agreed window and door details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building.

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 Development Control Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

This recommendation is made following careful consideration of all the issues raised through the application process and through 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. However, the applicant has declined the opportunity to amend the scheme.

