



High Peak Borough Council
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Mrs Tiffany Atkinson
Dakin Cottage
Waterswallows Road
Fairfield
Buxton
Derbyshire
SK17 7JJ

Application no: HPK/2022/0419

Determined on: 27/06/2023

**PLANNING (LISTED BUILDING AND CONSERVATION AREAS ACT 1990) TOWN AND
COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015**

GRANT OF LISTED BUILDING CONSENT

This consent does not carry any approval or consent which may be required under any enactment, order or regulation other than Section 8 of the Planning (Listed Building and Conservation Areas) Act 1990.

Location of Development:

Dakin Cottage, Waterswallows Road, Fairfield, Buxton, Derbyshire, SK17 7JJ

Description of Development:

Listed Building Consent for alterations to upstairs layout

In pursuance of their power under the above mentioned Act High Peak Borough Council Planning Authority, **HEREBY GRANTS LISTED BUILDING CONSENT** for the works described above subject to the following condition(s):

1. The works hereby granted listed building consent shall be begun before the expiration of three years from the date of this consent.

Reason:- To comply with the requirements of Section 91(1) of The Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless otherwise required by other condition(s) the works hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-

UK Planning Maps – Location Plan
01-SK177JJ Rev C – Floor Plans
02-SK177JJ – Elevation and Roof Plan
03-SK177JJ – Site Plan

P O Box 136 Buxton SK17 1AQ
Phone 0845 129 77 77 or 01298 28400 Fax 01298 27639 Minicom 0845 129 48 76
E-mail customer-services@highpeak.gov.uk Website www.highpeak.gov.uk
Mobile Text No. 078 0000 2262





Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. Notwithstanding the details contained on approved drawing 02-SK177JJ – Elevation and Roof Plan, no consent is given for the installation of the light well/tunnel indicated.

Reason: For clarity as the light well indicated has been removed from consideration.

4. Notwithstanding the details contained on approved drawing 03-SK177JJ – Site Plan, no consent is given for the installation of the shed indicated.

Reason: For clarity, as the works do not fall under the relevant Listed Building legislation.

5. Any paint applied to the works hereby approved, shall be earthborn.

Reason: In the interest of the integrity of the Listed Building.

6. The rooflight hereby approved shall be a conservation rooflight which shall be designed to minimise its projection above the plane of the roof.

Reason: In the interest of the character, appearance and integrity of the Listed Building.

7. The new plasterboard hereby approved, shall be permeable and breathable.

Reason: In the interest of the integrity of the Listed Building.

8. The plaster to be applied shall be lime based and breathable.

Reason: In the interest of the integrity of the Listed Building.

Informative

1. In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive way by taking a proactive approach to development proposals. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.



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X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council



NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Derbyshire County Council.
3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
 - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.
4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.
5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
 - (b) Variation to the approved plans will require the submission of a new planning application.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must



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do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

