



High Peak Borough Council
working for our community

Mrs Catherine Ellis
Chinley Independent Chapel
The Wash
Chapel-en-le-Frith
Derbyshire
SK23 0QN

Application no: HPK/2023/0140

Determined on: 04/08/2023

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

REFUSAL OF LISTED BUILDING CONSENT

Location of Development:

Chinley Chapel, Unnamed Road From A624 To Malcoff, The Wash, Chapel-En-Le-Frith,
Derbyshire

Description of Development:

Listed Building consent for internal work. We are seeking permission to remove a couple of
pew benches (which we will keep safely), to create a disabled access in the Chapel.

High Peak Borough Council in pursuance of their power under the above mentioned Act
hereby **REFUSE LISTED BUILDING CONSENT** for the works described above in accordance
with plans ref: Chinley Independent Chapel Location Plan; Chinley Independent Chapel Site
Plan; CC-01; CC-02; and, CC-03 for the reasons specified below:

1. The proposed works involve the removal of historic fabric of special architectural and historic importance. The removal of such historic fabric has a negative effect on the significance of the Grade II* Listed Building. Furthermore, insufficient information has been submitted which assesses the significance of the building, the significance of the affected internal features, the impact on such features, or a detailed assessment of alternative options. Having regard to s.16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed works would have less than substantial harm to the heritage asset, which are not outweighed by the public benefits of the proposals and are therefore contrary to Policy EQ7 of the High Peak Local Plan 2016, and the National Planning Policy Framework 2021.

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.

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





High Peak Borough Council

working for our community

Due to a lack of sufficient information and justification for the proposed works, a significant amount of further information would be required. Therefore, the Council has determined the application based on the information provided, rather than seek amendments.

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council





NOTES

1. 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.
2. 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 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.
3. 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.