



High Peak Borough Council

working for our community

Ms Amy Hubble
High Peak Architects Ltd
Wharf House
Wharf Road
Whaley Bridge
SK23 7AD

Mr & Mrs Johnson
Rivelin
Brookbottom
New Mills
Derbyshire
SK22 3AY

Application no: HPK/2023/0107

Determined on: 29/09/2023

**Planning (Listed Buildings and Conservation Areas) Act 1990
Town and Country Planning (Development Management Procedure) England)
Order 2015**

GRANT OF LISTED BUILDING CONSENT

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

Location of Development:

Rivelin, Brookbottom, New Mills, Derbyshire, SK22 3AY

Description of Development:

Refurbishment works including some opening up works, replacement staircase, changes to openings at the rear, rooflights and a rear glazed canopy

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 permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004 and Section 18 of the Listed Buildings Act.

2. Unless required by any other conditions, the development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-

1774.PL01 – Site Location Plan

1774.PL02 – Existing Plans

1774.PL03 – Existing Elevations

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





1774.PL04 – Existing Sections
1774.PL05 – Proposed Cellar Plan
1774.PL06 Rev A – Proposed Ground Floor Plan
1774.PL07 – Proposed Garage Floor Plan
1774.PL08 – Proposed First Floor Plan
1774.PL09 Rev A – Proposed Elevations
1774.PL10 – Proposed Sections
1774.PL11 – Existing and Proposed Site Plan
1774.PL12 – Window and Door Detail

Reason:- To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. All new or replacement windows or doors shall be constructed from timber. Prior to the installation of any new or replacement window or door, full details of its timber type, colour finish, fixtures, reveal, putty, fittings and mechanisms, means of attachment, along with the proposed cill and lintel details shall be submitted to and approved in writing by the Local Planning Authority. Each window and door shall be installed in accordance with the details approved.

Reason: In the interests of the appearance of the Listed Building and surrounding area.

4. Prior to the installation of the glazed canopy the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - method of construction,
 - drainage details,
 - a detailed section of the proposed structure within this space depicting listed building in situ for context.
 - materials and colour of the framework;
 - details of glazing;
 - design, appearance and material of any rainwater goods; and,
 - the location and means of attachment to the building and groundthe canopy shall be installed in strict accordance with the approved details.

Reason: In the interests of the appearance of the Listed Building and surrounding area.

5. All new roof lights shall be conservation style , fitted as flush as possible with the roof covering and in accordance with the details on page 12 of the Response to Conservation Officer document dated 4th July 2023.

Reason: In the interests of the appearance of the Listed Building and surrounding area.

6. Prior to the installation of any new/replacements stairs as detailed on the approved plans, details of their means of attachment to the internal building fabric shall be submitted to the Local Planning Authority and approved in writing. Where existing building fabric is lost in the locations detailed on the approved plans, details of how the area will be made good shall also be submitted. The stairs shall be constructed in strict accordance with the approved details.



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

7. Prior to any works to alter the internal height of any rooms detailed technical drawings demonstrating the method of construction of height alteration from 1555mm to 1760mm shall be submitted to the Local Planning Authority and approved in writing. The submitted drawings shall include details of any historic fabric to be retained / removed. The works shall be carried out in accordance with the approved details

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

8. Prior to any works to remove the kitchen wall, details of ceiling finish/repair post wall removal shall be submitted to the Local Planning Authority and approved in writing. The works shall be carried out in accordance with the approved details

9. Reason: In the interests of the integrity of the Listed Building.

10. Prior to installation details / drawings to demonstrate ventilation type, and method of installation shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details

11. All lime plaster shall be as detailed on page 13 of the Response to Conservation Officer document dated 4th July 2023, and shall be applied in the locations detailed as such on the approved plans.

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

12. The hardwood floating floors, as detailed on the approved plans, shall not be affixed. Following the removal of existing carpets/flooring should it be found that the existing flooring is unsuitable for the proposed scheme, or of unsuitable condition, then full details of a revised flooring scheme and any means of attachment shall be submitted to the Local Planning Authority for approval, and thereafter installed in accordance with the approved details.

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

13. Notwithstanding the details on the approved plans, prior to installation details of installation an alternative insulation type and an alternative to an insulated plasterboard, for example, cork or woodfibre with insulated lime or hemp plaster, sheeps wool etc. shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt any insulation applied to the historic fabric shall be a breathable insulation system. The works shall thereafter be carried out in accordance with the approved details.

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

14. Following the opening up of the blocked fireplace (in the location detailed on the approved plans), full details of the proposed replacement works, including the extent



High Peak Borough Council

working for our community

of any existing fabric to be removed, and the making good of the area shall be submitted to the Local Planning Authority and approved in writing. Detail shall include existing and proposed drawings of the affected area. The works shall be carried out in strict accordance with the approved details.

Reason: In the interests 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. In this instance the application proposals were acceptable, following amendment, and the scheme has been approved without delay.

X *B.J. Haywood*

Signed by: Ben Haywood

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



High Peak Borough Council

working for our community

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.

