



High Peak Borough Council

working for our community

Mr Noble
10 Hurst Crescent
Glossop
Derbyshire
SK13 8UA

Application no: HPK/2023/0428

Determined on: 27th November 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:

81 Hanover Cottage Simmondley Village Simmondley Glossop Derbyshire SK13 6LS

Description of Development:

Listed building application for replacement windows at the rear of the property

High Peak Borough Council in pursuance of powers under the above mentioned Act hereby **HEREBY REFUSE LISTED BUILDING CONSENT** for the works described above in accordance with plans ref: Elevations; 81 Simondley Village Site Plan, Location Plan: Hannover Cottage, and Photos 1 to 8 for the reason(s) specified below:-

The Heritage Statement submitted with the application fails to fully consider the potential harm to designated heritage assets including the listed building and conservation area, or how that harm could be mitigated. Furthermore, the applicant has failed to provide a deterioration assessment of the existing windows, nor technical drawings of the windows proposed. In the absence of such information, the proposal is found contrary to Policy EQ7 of the adopted High Peak Local Plan 2017 and NPPF Paragraph 194.

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Such matters have been discussed with the applicant with a view to seeking solutions, although such solutions have not been possible as the applicant has declined to amend the application.



X *B.S. Haywood*

Signed by: Ben Haywood
On behalf of High Peak Borough Council



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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.

