



High Peak Borough Council
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Application no: HPK/2023/0434

Determined on: 14/12/2023

**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:

Great Low Farm, Unnamed Road Section Of A515 From Brierlow Bar To District Boundary,
Flagg, Derbyshire, SK17 9QE

Description of Development:

Works to bring farmhouse back into residential use. Chimney and roof repairs, new rainwater
goods, new windows. Internal refurbishment with minor alterations. Removal of derelict porch
and formation of 1no. new external opening

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:

Location Plan; 2306.01 Plans as Existing; 2306.02 Elevations (one of two) As Existing;
2306.03 Elevations (two of two) As Existing; 2306.04 Plans as Proposed; 2306.05 Elevations
(one of two) As Proposed; 2306.06 Elevations (two of two) As Proposed; 2306.07 Ordnance
Survey Site Plan; and, 2306.08 Site Plan as surveyed As Existing & Proposed for the reasons
specified below:

1. The site is in a state of disrepair with the Listed Building being in a vulnerable state. Insufficient information has been provided to demonstrate the existing site condition, and the degree of structural works that would be necessary to bring the building back to beneficial use. More fundamental works to ensure the longevity of the Listed Building are likely to be required. The scheme proposes solely cosmetic works to the building both internally and externally. The application provides insufficient clarity to the extent of works which are proposed, while the nature and design of some of the





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works are also considered to be unacceptable. The effect on the historic fabric of the building and features of special interest would have a negative effect on the significance of the Grade II Listed Building. The degree of harm to the building is considered to be less than substantial. The scheme would deliver some public benefits through bringing the building into beneficial use. However, given the fundamental issues surrounding the site, and the lack of clarity and effect of the works proposed, such benefits would not outweigh the harm identified. Having regard to s.16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed works are unacceptable and would be 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. Due to a lack of sufficient information and justification for the proposed works, a significant amount of further information would be required. The applicants have engaged with the Council to seek pre-application advice. However, this advice has not been followed. Therefore, the Council has determined the application based on the information provided, rather than seek amendments. In any event, such amendments would be significant and would require a fresh application.

X 

Signed by: Ben Haywood

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.