



High Peak Borough Council

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Mr Brindley
6 Grosvenor Mansions Broad Walk
Buxton
SK17 6JH

Application no: HPK/2022/0400

Determined on: 3rd January 2024

**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:

Grosvenor Mansions 6 Broad Walk Buxton Derbyshire SK17 6JH

Description of Development:

Repair and restoration of all sash windows

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: Location Plan, Window Detail, Site Plan, Elevations: Dwg no Brindley/01 for the reasons specified below:

1. The proposed works would result in the loss of historic fabric and the proposed replacement windows are not of an appropriate design or detailing and would result in the installation of a incongruous form of development which is harmful to the special architectural and historic interest of the listed building. This harm has not been outweighed by public benefit. As such, the proposal would be in direct conflict with Sections 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy EQ7 of the High Peak Local Plan and the relevant sections of the National Planning Policy Framework.

Informatives

The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations and identifying matters of concern with the application. In this instance, the nature of the issues with the applicant. The concerns with the development were so fundamental that despite negotiations with the applicant the LPA are unable to grant consent.





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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.

