High Peak Borough Council

working for our community

Rachel Johnson
1 Clifton Road
Buxton
Derbyshire
SK17 6QL

Application no: HPK/2023/0304

Determined on: 22nd February 2024

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

REFUSAL OF PLANNING PERMISSION

Location of Development:
1 Clifton Road Buxton Derbyshire SK17 6QL

Description of Development:
Replacement windows and Skylights.

High Peak Borough Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref:

Location Plan 1:1250 @ A4 Ref: TQRQM23255191245612
Site plan 1:500@ A4 Ref: TQRQM23255190200288
Elevations Existing and Proposed

for the reason(s) specified below:-

The proposed replacement fenestration fails to preserve the character or appearance of the conservation area due to the use of non-traditional material which does not replicate traditional joinery. The harm to the conservation area would be less than substantial but would not be outweighed by public benefits including improved energy efficiency as plastic windows are not sustainable and are environmentally harmful by way of their chemical compounds, and use of oil and gases. As such these replacement windows are contrary to policies S7, EQ6 and EQ7 of the High Peak Local Plan 2016 which taken together seek to ensure that development proposals protect the historic environment, contribute to an areas character, and contribute positively to the character of the built and historic environment. There would also be conflict with paragraph 202 of the National Planning Policy Framework which states, amongst other things, in determining planning applications account should be

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taken of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Informatives

1. The local planning authority considers that the proposed development is unacceptable in principle. It has therefore not been possible to work with the applicant in a positive and proactive way to secure a development that will improve the economic, social and environmental conditions of the area in line with the NPPF.

X B.J. 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.

1. 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.

2. If this is a decision to refuse planning permission for a minor commercial 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.

3. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

4. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

5. The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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.

6. 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

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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.

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