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SK12 1NP

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37-39 Shakespeare Street
Southport
PR8 5AB

Application no: HPK/2022/0377

Determined on: 5th April 2024

**PLANNING (LISTED BUILDING AND CONSERVATION AREAS ACT 1990)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

GRANT OF LISTED BUILDING CONSENT

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

Location of Development:

Grove Parade Grove Hotel Terrace Road Buxton Derbyshire SK17 6AJ

Description of Development:

Listed Building Consent for 17 apartments with two extensions to the rear elevation and front canopy renovation

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):

Time Limits

1. The works hereby granted listed building consent shall be begun before the expiration of three years from the date of this consent.

Reason:- To comply with Section 18 of the Listed Buildings and Conservation Areas Act 1990

Approved Plans

2. The development hereby approved shall be carried out in accordance with plan drawings as follows:
 - L001 Rev E Location Plan





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- P1000 Rev G Proposed Site Plan
- P001 Rev J Proposed Ground Floor Plan
- P101 Rev G Proposed First Floor Plan
- P201 Rev G Proposed Second Floor Plan
- P301 Rev G Proposed Third Floor Plan
- P401 Rev F Proposed Third Floor (Higher level)
- P500 Rev B Proposed Planning Section
- C600 Rev J Proposed Roof Plan
- C700 Rev B Proposed Elevations - Sheet 1
- C701 Rev B Proposed Elevations - Sheet 2

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

3. Notwithstanding any description of external building or hard surfacing materials within the application details and / or approved plans, no above ground construction works relating to the extension of the development hereby approved shall take place until wet and dry samples and full specifications of facing materials to be used externally on the approved building's extension and hard surfacing within the site area have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

4. No works to the external or internal fabric of the building relating to the development hereby approved shall take place until a revised schedule of works to repair the historic fabric of the building, including the external glazed canopy and informed by the principles established by the updated Gazetteer, Room Significance Overlay and Staircase Addendum have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

5. No works to repair the existing windows and doors of the building relating to the development hereby approved shall take place until a detailed schedule of repairs for existing windows and doors, including details of secondary glazing and their position within the reveal to a scale of not less than 1:10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.





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Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework. In addition, to protect the amenities of the future residents by reason of excess noise and to comply with Policies EQ6 and EQ10 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

6. No works to repair and reinstate the internal ceilings of the building relating to the development hereby approved shall take place until a detailed method statement for both the repair and reinstatement of all internal ceilings in a traditional lath and plaster finish has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

7. Notwithstanding any description of boundary treatment / enclosure within the application details and / or approved plans, no above ground construction works relating to the extension of the development hereby approved shall take place until full details of the design, external appearance and decorative finish of all fences, gates, walls and other means of enclosure within the approved site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

8. Notwithstanding any description of proposed windows for the building within the application details and / or approved plans, no works to install the proposed windows relating to the development hereby approved shall take place until full details of the design, external appearance and finish of the proposed windows, including glazed curtain walling and roof lantern together with details of their position within the reveal (where applicable) to a scale of not less than 1:10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework. In addition, to protect the amenities of the future residents by reason of excess noise and to comply with Policies EQ6 and EQ10 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

9. No works to install the intercom system relating to the development hereby approved shall take place until a detailed scheme, including method statement for the installation of the





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intercom system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

10. Notwithstanding any description of extractor vents, heater flues, meter boxes and / or rainwater goods within the application details and / or approved plans, no works to install any extractor vents, heater flues, meter boxes and / or rainwater goods relating to the development hereby approved shall take place until a detailed scheme, including method statement for the installation of the extractor vents, heater flues, meter boxes and / or rainwater goods has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

11. No works to install the plumbing pipework and electrical wiring relating to the development hereby approved shall take place until a detailed scheme, including method statement for the installation of pipework and wiring has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

12. No works to install the external lighting relating to the development hereby approved shall take place until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. Any artificial lighting associated with the development must conform to requirements to achieve compliance with the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01-21. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the adopted High Peak Local Plan 2016 and the National Planning Policy Framework. In addition, to protect the local amenities of the local residents by reason of excess of illuminance and to comply with Policies EQ6 and EQ10 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

13. No works to install the bird and bat boxes relating to the development hereby approved



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shall take place until full details of a bat and bird box scheme, including positions, specifications and numbers has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development and thereafter maintained for the lifetime of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework. In addition, in the interests of protected species and habitats for the occupation phase of the development and to comply with Policies EQ5 and EQ6 of the Adopted High Peak Local Plan 2016 and National Planning Policy Framework.

14. No works to install the internal cycle stores relating to the development hereby approved shall take place until full details of the internal cycle store facilities has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development and thereafter shall be maintained for the lifetime of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework. In addition, in the interests of sustainable travel and to comply with Policies EQ6 and CF6 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

15. Notwithstanding any description of the refuse store within the application details and / or approved plans, no above ground construction works relating to the extension of the development hereby approved shall take place until full details of the external refuse store, together with a refuse management plan confirming refuse bin collection arrangements have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the approved details and prior to any first occupation of the development and thereafter shall be maintained for the lifetime of the development.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and to preserve the character and appearance of the conservation area in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

Informative(s)

Proactive Working:

1. The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and accord with the development plan. These were incorporated into the scheme and / or have been secured by planning condition. The Local Planning Authority





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has therefore implemented the requirements of Paragraph 38 of the National Planning Policy Framework.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council



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NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: 0333 880 2000.
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.





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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 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.
9. Developers should also be aware of the provisions of the Gas Safety Regulations 1972 and Gas Safety (Installation and Use) Regulations 1984. It is possible that the existing gas service pipe which lies within the area of the proposed extension of alterations which will contravene the provisions of these Regulations. It is necessary that you contact British Gas, North West House, Gould Street, Manchester, M4 4DJ, who will advise if the existing gas service pipe requires alterations.