

The Planning Inspectorate

LISTED BUILDING CONSENT APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/H1033/Y/24/3340639

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Address

Phone number

Email

Preferred contact method Email ☒ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☐ No ☒

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

LPA reference number

Date of the application

Did the LPA validate and register your application? Yes ☒ No ☐

Did the LPA issue a decision? Yes ☒ No ☐

Date of LPA's decision

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes ☒ No ☐

Address

Broad Walk
BUXTON
Derbyshire
SK17 6JH

Is the appeal site within a Green Belt? Yes ☐ No ☒

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes ☐ No ☒

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes ☐ No ☒

Please enter details of the proposed development. This should normally be taken from the planning application form.

Repair and restoration of all sash windows, including replacement double glazing. The proposal seeks to provide the whole property with sash windows which function as they were originally intended, to enable maximum control over internal summer and winter temperatures and to minimise heat loss from the property, which is currently enormous as a result of universally single glazed and ill-fitting windows. The proposal is to repair and retain, and not replace unless absolutely necessary, all the existing wooden sash frames, maintaining and improving their appearance and rendering them fully operational and efficient. New draught proofing will be fitted throughout and the windows will be reglazed and putty pointed to maintain their external appearance. The proposal is to use slimline 11 or 12mm double glazing, as is now increasingly used in listed building, or ultra thin alternatives. The result will be attractive, energy efficient and easy to operate windows in their original wooden frames.

Area (in hectares) of the whole appeal site [e.g. 1234.56] 0.02 hectare(s)

Area of floor space of proposed development (in square metres) 158 sq metre(s)

F. BUILDING INFORMATION

Please indicate the grade of the building

Grade I ☐

Grade II* ☒

Grade II ☐

Has a grant been made under section 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953? Yes ☐ No ☒

G. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused listed building consent. ☒
2. Granted listed building consent for the development subject to conditions to which you object. ☐
3. Refused to vary a condition(s) in a previous grant of listed building consent. ☐
4. Refused to remove a condition(s) in a previous grant of listed building consent. ☐
5. Failed to give notice of its decision within the appropriate period (usually 8 weeks) of an ☐

application for permission or approval.

H. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☒

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☒ No ☐

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☒ No ☐

Please explain.

The local Planning Officer and Conservation Officer have never visited the property, resulting in several "generalisations" in the comments of the Conservation Officer. I do not believe that they fully appreciate the acute need for refurbishment. I believe that they are exaggerating both the evidence, after 160 years of "repairs", of remaining historic workmanship and material; and that they are over-concerned about protecting just a few remaining panes of original glass. I believe that their solution - secondary glazing - would be impractical and unsightly and that they are wrong to reject my efforts significantly to reduce the carbon footprint of the property. I also believe that they are claiming a homogeneity of buildings along Broad Walk, which cannot be supported, whilst undermining the preservation of the buildings themselves by ignoring the need for them to become sustainable as residential properties.

2. Hearing ☐

3. Inquiry ☐

I. FULL STATEMENT OF CASE

☒ see '[Appeal Documents](#)' section

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes ☐ No ☒

(b) Have you made a costs application with this appeal? Yes ☐ No ☒

J. SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see 'How To' guidance for a definition) of any part of the building to which the appeal relates; ☒

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see 'How To' guidance for a definition) of any part of the building to which the appeal relates, as listed below: ☐

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below. ☐

K. SUPPORTING DOCUMENTS

01. A copy of the application form sent to the LPA. ☒
02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form). ☒
03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. ☒
04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☒
05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. ☒
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☒
05. (c) A list of all plans, drawings and documents upon which the LPA made their decision. ☐
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application. ☒
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☒
07. A copy of the design and access statement sent to the LPA. ☒
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☐
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☒
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☒
10. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐
11. Any relevant correspondence with the LPA. ☒

L. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

☐ No



M. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Mr David Brindley

Date

13/03/2024 15:16:19

Name

Mr David Brindley

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

N. NOW SEND**Send a copy to the LPA**

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

O. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Statement of Case.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application form sent to the LPA.
File name:	ApplicationForm.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02. A copy of the site ownership certificate and ownership details submitted to the LPA at application stage (this is usually part of the LPA's planning application form).
File name:	Property Register of Title_20240312_0001.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued), or in the event of the failure of the LPA to give a decision, a copy of the LPA's letter in which they acknowledged the application.
File name:	LBC Decision.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	6GM Location Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	Heritage Statement.pdf
File name:	6GM Site Plan.pdf
File name:	6GM Annexe to Site Plan.pdf
File name:	6GM Elevations.pdf
File name:	6GM WindowDetail.pdf
File name:	6GMC1- Front elevation.jpg
File name:	6GMC2-Front elevation.jpeg.JPG
File name:	6GMD2-Side elevation.jpg
File name:	6GMD-Side elevation.jpeg.JPG
File name:	6GME1-Rear Elevation.JPG
File name:	6GME2-Rear elevation.jpeg.JPG
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers)

	submitted with the application to the LPA.
File name:	05(b) List.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	Image A.JPG
File name:	Image B.JPG
File name:	Image C.JPG
File name:	Image D.JPG
File name:	Image E.JPG
File name:	Image F.JPG
File name:	Image G.JPG
File name:	Image J.JPG
File name:	Image K.JPG
File name:	Image L.JPG
File name:	Image M.JPG
File name:	Image N.JPG
File name:	6GM Window Inventory.pdf
File name:	6GM_Internal Condition of window sashes.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. List of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	06.(b) List.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA. (Note: this does not apply to applications for conservation area consent).
File name:	6GM Design and Access Statement.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	09.a. Copies of additional plans, drawings or documents relating to the application not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
File name:	6GM Updated Window Glass Audit.pdf
File name:	6GM_Updated Internal Condition of window sashes.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	09.b. A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
File name:	09.(b) List.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	11. Any relevant correspondence with the LPA.
File name:	Correspondence.pdf
Completed by	MR DAVID BRINDLEY
Date	13/03/2024 15:16:19