

Mr Hadfield  
Former Thorn Heyes House  
London Road  
Buxton  
Derbyshire  
SK17 9NW





**High Peak Borough Council**

*working for our community*

Mr Andrew Smith  
AJS Architecture  
32 Carr Road  
Buxton  
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SK17 6WF

Mr Hadfield  
Former Thorn Heyes House London  
Road  
Buxton  
Derbyshire  
SK17 9NW

Application no: HPK/2016/0118

Determined on: 25/04/2016

**Town and Country Planning Act 1990  
Planning and Compensation Act 1991**

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

## **REFUSAL OF PLANNING PERMISSION**

### **Location of Development:**

Former Thorn Heyes House London Road Buxton Derbyshire SK17 9NW

### **Description of Development:**

Proposed extension to letting apartments at Thorn Heyes House to provide small function room and managers apartment.

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: Existing 01, Existing 02, Existing 03, Existing 04, Existing 05, Existing 06, Existing 07, Proposed 01, Proposed 02, Proposed 03, Proposed 04, Proposed 05, Proposed 06, Proposed 07, Proposed 08, Proposed 09, Proposed 10, Proposed 11, Proposed 12, Proposed 13, Proposed 14, TEMP STORE 01, SITE 01, PROPOSED SITE PLAN for the reason(s) specified below:-

1. The proposed extension, by virtue of its siting, height and scale will not achieve a satisfactory relationship to adjacent development. The extension will be excessively overbearing to the residents of No. 1 Highlands Close and No. 3 Thorn Heyes Cottages resulting in a loss of privacy and outlook contrary to Policy EQ5 of the adopted High Peak Local Plan, the Adopted Residential Design Supplementary Planning Document and Paragraph 17 of the National Planning Policy Framework.

2. The development by reason of its scale, siting, form, proportions, elevations and fenestration would cause significant harm to the character and appearance of the host building and locality and in conjunction with existing development, within the wider Thorn Heyes site will result in overdevelopment of the site contrary to Policies S7 and EQ5 of the adopted High Peak Local Plan, the adopted Residential Design Supplementary Planning





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Document and paragraphs 56, 57, 60 and 64 of the National Planning Policy Framework.

3. Insufficient details have been submitted with the application to indicate the parking provision to be allocated to the new development or how vehicles will be accommodated within the site following the loss of the existing parking spaces to provide the temporary building materials store. As such the development is contrary to Policy CF6 of the adopted High Peak Local Plan.

**Informatives**

X 

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Signed by: Jane Colley

**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 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.

