

Persimmon Homes
30 - 34 Crofts Bank Road
Urmston
Greater Manchester
M41 0UH



High Peak Borough Council

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Application no: HPK/2015/0573

Determined on: 17/06/2016

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:

Land Off Macclesfield Old Road Buxton Derbyshire SK17 6XQ

Description of Development:

Proposed Residential Development of 15 dwellings, along with Landscaping, Public Open Spaces, Access and Associated Works (Demolition of Existing Buildings).

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: MORB LOC 01 Rev D, MOR/SDA/REP1 Rev U, MAC1510_LL01, 1301-01C, HB-WD01 Rev A , MB-WD01 Rev A - Plot 3, MB-WD01 Rev A - Plot 6, MB-WD01 Rev A - Plot 9, MB-WD01 Rev A - Plots 1, 4 & 8, MY-WD10 Rev A, RD-WD02 Rev A, MOR/SDA/GAR-01, D5318.001, D5318.002 Rev C D5318.003 Rev B, D5318.004, SDF02b, SDW12, SDW09, SDF05, SDF11a for the reason(s) specified below:-

1. The layout and design of the scheme is not considered to respect the character, identity and context of the area in terms of, layout, appearance, materials, and the relationship to adjacent buildings and landscape features contrary to Policy EQ6 Design and Place Making of the Adopted High Peak Local Plan 2016.
2. The layout of the site fails to ensure that the development can be safely accessed contrary to Policy CF6 Accessibility and Transport of the Adopted High Peak Local Plan 2016.
3. The applicant has failed to demonstrate that the development is essential for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and that there

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is no satisfactory alternative. Consequently, the development does not meet the three tests set out within Regulation 53 of the Conservation of Habitats and Species Regulations 2010.

Informatives

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

X *B.J. Haywood*

Signed by: Haywood, Ben

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.

