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C/O Mr Cullimore
9 Terrace Road
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High Peak Borough Council

working for our community

Mrs Rebecca Gibson
John Coward Architects Ltd
3 Unsworth's Yard
Ford Road
Cartmel
Grange over Sands
LA11 6PG

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Solicitors
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Application no: HPK/2016/0320

Determined on: 28/07/2016

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 Eccles Road Chapel en le Frith High Peak SK23 9RS

Description of Development:

Outline planning permission with all matters reserved for proposed development of 4 houses

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: 1413 03 for the reason(s) specified below:-

1. The proposed development, does not constitute limited infilling of a small gap capable of accommodating no more than 2 dwellings of a similar size and scale to the surrounding dwellings in an otherwise continuously built frontage and therefore by reason of its siting, scale and design would represent an inappropriate encroachment and undesirable urban intrusion into an area of open countryside as defined by the High Peak Local Plan, which would adversely affect the character and distinctiveness of the immediate area and surrounding countryside. The site does not form part of a continuous frontage and As such the proposal would be unsustainable and detrimental to the established visual amenities of the locality, contrary to Policy H2 of the Chapel-en-le-Frith Neighbourhood Plan, Policies S1, S2, S3, H1, EQ2 and EQ3 of the High Peak Local Plan and Paragraphs 17, 55 and Section 11 of the National Planning Policy Framework.

Informatives

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1. Prior to the determination of the application the Council advised the applicant that the principle of such development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

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.

