

Mr King  
28 Buxton Road  
Stockport  
SK6 8BH





**High Peak Borough Council**

*working for our community*

Mr Tim Stubbins  
Mitchell Proctor  
5 Meadow View Peak Gateway Business Park  
East Moor  
Chesterfield  
S42 7DA

Mr King  
28 Buxton Road  
Stockport  
SK6 8BH

Application no: HPK/2016/0612

Determined on: 17/01/2017

**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:**

Kirstones Land Adjacent Garrison Road Birch Vale Derbyshire SK22 1DQ

### **Description of Development:**

Proposed two storey extension and conversion of redundant outbuilding to form dwelling and installation of small sewage treatment plant

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: 16/640 16/641 for the reason(s) specified below:-

1. The proposed extension, by virtue of its size, scale and design would adversely affect the simple and traditional scale of the building to the detriment of the visual character and appearance of the building and the wider landscape. As such the development fails to comply with Policies S1, EQ3 and EQ6 of the High Peak Local Plan 2016, the adopted Landscape Character Assessment Supplementary Planning Guidance and Section 7 of the National Planning Policy Framework.

### **Informatives**

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. However, in this case the only negotiable solution would be to revert to a single storey extension, which already benefits from planning permission.

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X *B.J. Haywood*

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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.

