

Mr Ambrose
2 Level lane
Buxton
Derbyshire
SK17 6TU



High Peak Borough Council

working for our community

Mr Will North
BDS Architecture Ltd
2 Broomfield Cottages
Derby
DE7 6DN

Mr Ambrose
2 Level lane
Buxton
Derbyshire
SK17 6TU

Application no: HPK/2017/0129

Determined on: 18/05/2017

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:

2 Level Lane Buxton Derbyshire SK17 6TU

Description of Development:

Proposed single storey extension to the rear of the existing property also utilising the roof space

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: 1395 LL 002 Rev A, 1395 LL 002 Rev A, 1395 LL 003 for the reason(s) specified below:-

1. The application dwelling is located such that the rear roof slope is highly visible from Macclesfield Road when viewed through the gap that exists between numbers 105 and 103a Macclesfield Road. It is considered that the design of the rear extension is such that the 'zig zaging' roof line, deep roof slopes, its height and inclusion of french doors with Juliet balcony at 'first-floor' level, would result in a disjointed and incongruous design. The size, scale and design of the extension would be out of keeping and visually detrimental to the host dwelling, street-scene and the character and appearance of the area. For these reasons the proposed development does not comply with the design tenets of Local Plan policies S1 & EQ6, the SPD on Residential Design and section 7 of the NPPF.

Informatives

1. Policies





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High Peak Local Plan April 2016

S1 - Sustainable Development Principles

S1a - Presumption in Favour of Sustainable Development

S2 - Settlement Hierarchy

S7 - Buxton Sub-area Strategy

EQ1 - Climate Change

EQ6 - Design and Place Making

CF6 - Accessibility and Transport

SPD - Residential Design (SPD 2), Dec 2005

SPD - Buxton Design and Place Making Strategy, Dec 2009

National Planning Policy Framework

- * Ministerial foreword
- * Introduction (Inc. Achieving sustainable development, presumption in favour of sustainable development, core planning principles, delivering sustainable development
- * 4 Promoting sustainable transport
- * 7 Requiring good design
- * 10 Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance

2. Paras 186 & 187 of the NPPF

The Council has liaised with the applicant regarding the design concerns. The applicant has requested the application be determined as submitted. It is considered that a sustainable form of development has not been secured. Paras 186 & 187 of the NPPF have been adhered to.

3. Plans

The plans on which the decision is based are: 1395 LL 001 Rev A, 1395 LL 002 Rev A, 1395 LL 003.

X 

Signed by: Jane Colley

On behalf of High Peak Borough Council

P O Box 136 Buxton SK17 1AQ

Phone 0845 129 77 77 or 01298 28400 Fax 01298 27639 Minicom 0845 129 48 76

E-mail customer-services@highpeak.gov.uk Website www.highpeak.gov.uk

Mobile Text No. 078 0000 2262





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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.

