

Corridor Ltd
J Westbrook
10 Belfry Mansions
St Andrews Road
Brockhall Village
Old Langho
BB6 8BS



High Peak Borough Council

working for our community

Mr Simon Gratton
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29 York Street
Derby
DE1 1FZ

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10 Belfry Mansions
St Andrews Road
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Application no: HPK/2018/0154

Determined on: 23rd May 2018

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 Dolly Lane Buxworth Derbyshire

Description of Development:

New vehicular access and visibility splay lines. All drawings/documents should be read in conjunction to a previous application ref: HPK/2016/0108

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: 700.01C, 700.02C, 14178_OGL_REV_3 for the reason(s) specified below:-

1. The proposed development, due to the significant engineering works involved to the verge and loss of trees, would be a prominent visual intrusion into the open countryside which fails to protect and enhance local landscape character. The proposal would result in an undesirable encroachment into the open countryside contrary to Policies EQ2 and EQ3 of the adopted High Peak Local Plan 2016 and advice contained in the adopted Landscape Character Supplementary Planning Document March 2006. The identified environmental harm outweighs the benefits of the scheme; consequently the proposal does not represent sustainable development and therefore does not accord with Policies S1 and S1a of the adopted High Peak Local Plan 2016 or the sustainability thread running through the NPPF.

2. The proposed development would result in the loss of a significant number of trees which make an important contribution to the character and appearance of the area. The proposed replacement tree planting would not adequately mitigate for the loss of these trees. As such the loss of these trees would be harmful to the character of the area and would be

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contrary to Policy EQ9 of the adopted High Peak Local Plan 2016 and Section 11 of the NPPF.

Informatives

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: Ben Haywood

On behalf of High Peak Borough Council





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.