

Sheba Manchester Ltd  
Cloud Farm





**High Peak Borough Council**

*working for our community*

Richard Gee  
Roman Summer Associates Ltd  
Lime Leach Studio  
363 Rochdale Road  
Turn Village, Ramsbottom  
Bury  
BL0 0RL

Sheba Manchester Ltd  
Cloud Farm

Application no: HPK/2018/0286

Determined on: 8<sup>th</sup> August 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:**

Turnlee Centre Chunal Lane Glossop Derbyshire SK13 8LF

### **Description of Development:**

Proposed change of use from a Retreat Building to a Class C3 Dwelling

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: Dwg No. 00 Location Plan, J1016191-02A, J1016191-03D and J1016191-07 for the reason(s) specified below:-

1. The proposed development, due to the access, parking and turning areas for domestic and service vehicles, erection of a detached garage and the extent of the proposed garden (curtilage), would prominently encroach into the countryside and have a detrimental impact on the visual amenity and landscape character; this would be contrary to Local Plan policies S1, H1, EQ2, EQ3 and EQ6 and section 12 of the NPPF.

2. Insufficient information has been submitted to clearly demonstrate that the proposal would not have a detrimental impact on landscape character by reason of loss of protected trees and there is insufficient landscaping and tree planting detail to mitigate for this loss; nonetheless, it is considered that the location of the building in relation to the surrounding protected trees does not provide a suitable site for a dwelling due to overshadowing, heavy leaf fall and other debris affecting the properties with associated impacts on residential amenity and long term pressure to fell or prune trees. As such the proposal does not accord





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with Local Plan policy EQ9 and section 15 of the NPPF.

3. Insufficient information has been submitted to clearly demonstrate that the proposal would not result in highway safety issues or would provide a suitable access, access track, parking and turning areas suitable for domestic and service vehicle use and would not impact on safe pedestrian use of the Public Right of Way. As such the proposal does not accord with policy CF6 of the Local Plan or section 9 of the NPPF.

4. The environmental impacts of the proposed development result in the proposal not constituting a sustainable form of development. Overall, the proposal does not accord with Local Plan policies H1, EQ2, EQ3, EQ5, EQ6, EQ9, S1, S1a and S5 or sections 9, 12, and 15 of the NPPF.

### **Informatives**

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Such matters have been discussed with the applicant with a view to seeking solutions, although such solutions have not been possible.

X *B.J. Haywood*

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Signed by: Ben Haywood

**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.

