

Mr Miller
9 Merilias Close
Westcliff on Sea
SS0 0AE



High Peak Borough Council

working for our community

Mr Jason Dugdale
Wiplow Ltd
Byron House
10-12 Kennedy Street
Manchester
M2 4BY

Mr Miller
Clements Courts Properties Ltd
9 Merilies Close
Westcliff on Sea
SS0 0AE

Application no: HPK/2018/0150

Determined on: 16/08/2018

**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 At Lambgates Lane Hadfield Glossop Derbyshire

Description of Development:

Construction of 4No.detached 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: Location Plan; Proposed Site Plan: 2295 - PL-A-700; Proposed Plot 1: - 2295 - B1-EL-A-200-01 and 2295 - B1-PL-A-200-01; Proposed Plots 2, 3 & 4: 2295 - B2-EL-A-200-01 and 2295 - B2-PL-A-200-01.

1. Local and national planning policy guidance expect new development to contribute to a sense of place by taking account of the distinct character, townscape and setting of the area and securing high quality and locally distinctive design. In particular, NPPF para 130 states: *Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.* The scheme layout proposing a staggered property alignment would be at odds to the more uniform grain of the surrounding context. As well, the scheme proposes a property type of a suburban design with a prominent frontage gable feature, wide footprint and steeply pitched roof. This would be in direct comparison to the existing situation of a predominant character of terraced buildings in linear rows and would result in a scheme, which is not considered to be appropriate or in keeping with surrounding development. In these circumstances, the layout, scale and appearance of the scheme would be contrary to Policies S1, S5, H1, H3 and EQ6 of the Adopted High Peak Local Plan 2016, the Residential Design SPD, and High Peak Design Guide along with guidance contained in NPPF.

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Informatives

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 as the applicant has declined to amend the application further.

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.