

The Planning Inspectorate

QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference	APP/H1033/W/18/3207659
Appeal By	PERSIMMON HOMES (NORTH WEST) LTD
Site Address	Land at Leek Road Buxton Derbyshire SK17 6UH Grid Ref Easting: 403922 Grid Ref Northing: 372191

PART 1

1.a. Do you consider the written representation procedure to be suitable? Yes ☐ No ☒

*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

1.b. Do you wish to be heard by an Inspector at; Inquiry ☒ Hearing ☐

1.c. How long do you expect an inquiry would last? 6 day(s)

1.d. How many witnesses do you intend to call? 4

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes ☒ No ☐

2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? Yes ☐ No ☒

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes ☒ No ☐

Please describe

The site is used for grazing so it is possible animals could be on the land at the time of a site visit.

3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? Yes ☐ No ☒

3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? Yes ☐ No ☒

PART 2

4. Does the appeal relate to an application for approval of reserved matters?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
5. Was a site ownership certificate submitted with the application?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
6.a. If a press advert notice was published, please upload a copy <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			
7. Does the appeal relate to a county matter?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
8. Please indicate the development type for the application to which the appeal relates.			
Major Developments			<input checked="" type="checkbox"/>
Minor Developments			<input type="checkbox"/>
Other Developments			<input type="checkbox"/>
8.a. Major Developments			
Dwellings			<input checked="" type="checkbox"/>
Offices/R and D/light industry			<input type="checkbox"/>
General industry/storage/warehousing			<input type="checkbox"/>
Retail and services			<input type="checkbox"/>
Traveller caravan pitches			<input type="checkbox"/>
All other major developments			<input type="checkbox"/>
Is the appeal site within:			
9.a. A Green Belt?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
9.b. An Area of Outstanding Natural Beauty?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

PART 3

11. Would the development require the stopping up or diverting of a public right of way?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
12.a. Is the site in a Conservation Area?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
12.b. Is the site adjacent to a Conservation Area?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
13.b. Would the proposed development affect the setting of a listed building?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
16. Is any part of the site subject to a Tree Preservation Order? Please send a plan showing the extent of the Order and any relevant details. <input checked="" type="checkbox"/> see 'Questionnaire Documents' section	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
19.a.i. If YES, was it necessary to consult Natural England? Please attach the comments of Natural England <input checked="" type="checkbox"/> see 'Questionnaire Documents' section	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
19.b. Are any protected species likely to be affected by the proposals?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

PART 4

Environmental Impact Assessment - Schedule 1

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
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Environmental Impact Assessment - Schedule 2

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
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20.c.i. Have you issued a screening opinion (SO) Please attach a copy of the SO that was placed on the planning register, and any other related correspondence <input checked="" type="checkbox"/> see 'Questionnaire Documents' section	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
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20.c.ii. Did the SO state that the proposed development is EIA development as defined by the EIA Regulations?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
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Environmental Impact Assessment - Environmental Statement (ES)

20.d. Has the appellant supplied an environmental statement?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
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Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development.	Applies	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/>
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21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
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Please attach copies of any comments that you have received in response.

☒ see 'Questionnaire Documents' section

PART 5

22. Do you wish to attach your statement of case?

Yes

☐ No



For appeals dealt with by written representations only

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?

Yes

☒ No



Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal;



☒ see 'Questionnaire Documents' section

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;



☒ see 'Questionnaire Documents' section

Deadline

20/09/2018

24.c. all representations received from interested parties about the original application;



☒ see 'Questionnaire Documents' section

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;



☒ see 'Questionnaire Documents' section

☒ see 'Questionnaire Documents' section

24.e. any representations received as a result of a service of a site ownership notification;



24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);



You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.

☒ see 'Questionnaire Documents' section

☒ see 'Questionnaire Documents' section

List of policies

S1, S1a, S2, S3, S7, EQ1, EQ2, EQ3, EQ5, EQ6, EQ7, EQ9, EQ10, EQ11, H1, H2, H3, H4, CF3, CF4, CF6, CF7

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;



24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;



24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;



In the case of emerging documents, please state what stage they have reached.

☒ see 'Questionnaire Documents' section

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;



Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your

appeal statement.

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

☐

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

☐

24.m. your Authority's CIL charging schedule is being/has been examined;

☐

24.n. your Authority's CIL charging schedule has been/is likely to be adopted;

☐

24.o. any other relevant information or correspondence you consider we should know about.

☐

For the Mayor of London cases only

25.a. Was it necessary to notify the Mayor of London about the application?

Yes

☐ No

☒

25.b. Did the Mayor of London issue a direction to refuse planning permission?

Yes

☐ No

☒

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

☒

LPA's reference

HPK/2017/0110

Completed by

John Williamson

On behalf of

High Peak Borough Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

John Williamson

Phone no (including dialling code)

01538 395400 Ex 4922

Email

john.williamson@highpeak.gov.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/H1033/W/18/3207659

Appeal By PERSIMMON HOMES (NORTH WEST) LTD

Site Address
Land at Leek Road
Buxton
Derbyshire
SK17 6UH
Grid Ref Easting: 403922
Grid Ref Northing: 372191

The documents listed below were uploaded with this form:

Relates to Section: PART 2

Document Description: 6.a. A copy of the notice published.

File name: 170420 Buxton press list.pdf

Relates to Section: PART 3

Document Description: 16. A plan showing the extent of the Order and any relevant details.

File name: 54_plan.pdf

File name: 54_sched.pdf

Relates to Section: PART 3

Document Description: 19.a.i. The comments of Natural England.

File name: 170601 Natural England initial comments.pdf

File name: 040717 Natural England.pdf

File name: Natural England comments 2.pdf

Relates to Section: PART 4

Document Description: 20.c.i. A copy of the screening opinion (SO) that was placed on the planning register, along with any other related correspondence.

File name: Screening Letter HPK 2016 0008.pdf

Relates to Section: PART 4

Document Description: 21. Copies of any comments that you have received in response.

File name: 170410 Consultation Response DCC Archaeology.pdf

File name: 170412 Further Consultation Response DCC Archaeology.pdf

File name: PRE APP land at leek road comments.pdf

File name: Consultation Response Arboricultural Officer.pdf

File name: initial Comments - Flood Risk Management Team.pdf

File name: 171024 UU Comments.pdf

File name: 170619 DCC Archaeology response confirmation.pdf

File name: Consultee Response PDNP.pdf

File name: 2017 12 21 - Final response.pdf

File name: consultation response dcc highways 110.pdf

File name: Consultation response DCC Archaeology (2).pdf

File name: PlanCon329-1a.pdf

File name: consultation response derbyshire Wildlife Trust.pdf

File name: Flood Risk Team comments 21.12.17.pdf

File name: 170411 Consultation Response Housing strategy.pdf

File name: Consultation Response DCC Highways.pdf

File name: 170601 Natural England initial comments.pdf

File name:	Leek Road Consultaion Reply.pdf
File name:	Consultation response PDNP.pdf
File name:	consultation response horticultural.pdf
File name:	consultation response environmental Health.pdf
File name:	2017 04 19 Leek Rd Buxton DCC Response.pdf
File name:	Highways comments.pdf
File name:	Flod Risk Team comments.pdf
File name:	Consultation Response Peak District National Park.pdf
File name:	170616 Highways comments re travel plan.pdf
File name:	170616 Additional highway comments re travel plan.pdf
File name:	Flod Risk Team comments 18 12 17.pdf
File name:	consultation response severn Trent Water Ltd.pdf
Relates to Section:	PART 5
Document Description:	24.a. A copy of the letter with which you notified people about the appeal.
File name:	appeal notification letter.pdf
Relates to Section:	PART 5
Document Description:	24.b. A document containing a list of the people you notified of the appeal.
File name:	appeals hearing notification list.pdf
Relates to Section:	PART 5
Document Description:	24.c. Copies of all representations received from interested parties about the original application.
File name:	170306 neighbour list.pdf
File name:	Public Comment The Howard Family.pdf
File name:	130417 Public Comment Chris Walker.pdf
File name:	public comment r ferns.pdf
File name:	public comment g roper.pdf
File name:	120417 Public Comment Arthur Braybrooke.pdf
File name:	public comment the friends of conduit playing fields.pdf
File name:	120417 Public Comment N Pearson.pdf
File name:	170405 Public Comment Jo Bloggs.pdf
File name:	Public Comment R Birtles.pdf
File name:	Public Comment J Bradshawe.pdf
File name:	170330 Public Comment N Collins.pdf
File name:	Public Comment Mr & Mrs C Smith.pdf
File name:	Public Comment M Dowsing.pdf
File name:	Public Comment P J Eccleston.pdf
File name:	Public Comment S Thornley.pdf
File name:	Public Comment J Whibberley.pdf
File name:	Publib Comment R Potheary.pdf
File name:	170424 Public Comment V Longden.pdf
File name:	Public Comment C Plant.pdf
File name:	Public Comment E West.pdf
File name:	170404 public comment ray Thomson.pdf
File name:	170327 Public Comment Jacuies Poots.pdf
File name:	170406 public comment john d timmins.pdf
File name:	170407 public comment robert Forder.pdf
File name:	170327 Public Comment Suzy Gouveia.pdf
File name:	170410 public comment d Moore.pdf
File name:	170412 public Comment B Denno.pdf
File name:	130417 Public Comment Ailsa Walker.pdf
File name:	130417 public comment mr and Mrs P Ryder.pdf
File name:	170417 Public Comment Sarah Brown.pdf
File name:	130417 Public Comment Keith Wood.pdf
File name:	public comment gill & Mervyn Apthorpe.pdf
File name:	170405 public comment maxine Pearson.pdf
File name:	Public Comment Anthony Floyd.pdf

File name: public comment A & P Donnelly.pdf
File name: public comment mr & Mrs Bennett.pdf
File name: 170411 Public Comment Alan Eaton.pdf
File name: public comment mrs wendy Pearson.pdf
File name: public comment I Hill.pdf
File name: public comment collins.pdf
File name: public comment c hollis.pdf
File name: 180417 Public Comment Buxton civic association planning group.pdf
File name: 170403 Public Comment Ruth Franklin.pdf
File name: public comment stuart Lees.pdf
File name: 170406 public comment davies.pdf
File name: public comment dr roger Floyd Green Holm Community Group.pdf
File name: Public Comment Anonymous.pdf
File name: 170412 Public Comment P Foden.pdf
File name: 130417 Public Comment Anne Wood.pdf
File name: public comment s haywood.pdf
File name: public comment barbara Anstock.pdf
File name: 160417 Public Comment Iain Marshall.pdf
File name: 170404 Public Comment Lupton.pdf
File name: public comments Judith Milling.pdf
File name: 170410 public comment teresa Roper.pdf
File name: Public Comment Jeff Slack.pdf
File name: public comment jacqueline Marriott.pdf
File name: public comment beccy Elliott.pdf
File name: 170327 public Comment Holly Bell.pdf
File name: 180417 Public Comment Lynn Spearing.pdf
File name: 170405 Public Comment Stephen Bennett.pdf
File name: public comment mr & mrs donnelly Rosco Building Services Ltd.pdf
File name: Public Comment Mrs Fletcher.pdf
File name: 170405 public comment David Risebrow.pdf
File name: public comment robert Mills.pdf
File name: Public Comment Lisa Salt.pdf
File name: public comment louise Lee.pdf
File name: 170401 public comment Michelle Clifford.pdf
File name: 170406 public comment joanne Hibbert The Buxton Group.pdf
File name: Public Comment Mrs J Howard.pdf
File name: public comment m & J O'Dwyer.pdf
File name: public comment g bennett.pdf
File name: 170404 public comment mr Casey.pdf
File name: 170410 Public Comment Darren Lovatt.pdf
File name: 170410 Public Comment Howard Hodgkinson.pdf
File name: Public Comment Susan Tasker.pdf
File name: public comment will Meredith.pdf
File name: 170404 public comment michelle Clifford.pdf
File name: 170407 public Comment Lyn Morris.pdf
File name: 170410 public Comment Alan Eaton.pdf
File name: 140417 public Comment Anonymous.pdf
File name: public comment green Holm Community Group.pdf
File name: 170403 public Comment C Hollis.pdf
File name: 170410 Public Comment Mr & Mrs P Rolland.pdf
File name: Public Comment Dr A F Hackett.pdf
File name: Public Comment Harold Salt.pdf
File name: 170410 Public Comment Mr & Mrs Campbell.pdf
File name: public comment dr john A Nash.pdf
File name: Public Comment Alyson Phillips.pdf
File name: Public Comment Audrey Salt.pdf
File name: public comment n Gunton.pdf
File name: 170406 public comment nigel Collins.pdf

File name:	170412 Public Comment P Foden 2.pdf
File name:	Public Comment Barry Hadfield.pdf
File name:	Andrew Doull.pdf
File name:	public comment emma Travis.pdf
File name:	110417 public Comment Andrew Dull.pdf
File name:	150417 public Comment Matthew Wilkinson.pdf
File name:	HPK.2017.0110_Leek Road Burbage_CPRE submission_240417.pdf
File name:	170406 Public Comment J M Cutler.pdf
File name:	140417 Public Comment E Thompson.pdf
File name:	Public Comment P & P Johnson.pdf
File name:	170403 Public Comment K Chadwick.pdf
File name:	leek road..pdf
File name:	310317 R & C Ferns.pdf
File name:	public comment caroline Hollis.pdf
File name:	public comment phil Jones.pdf
File name:	Public Comment David Rix.pdf
File name:	public comment nick Dent.pdf
File name:	Public Comment Paul Waring.pdf
File name:	170327 Public Comment Kerry Cummings.pdf
File name:	public comment lyn Morris.pdf
File name:	public comment e collins.pdf
File name:	public comment g bennett 2.pdf
File name:	170327 public comment sarah Brindley.pdf
File name:	public comment angela Wilkinson.pdf
File name:	170417 Public Comment Richard Brown.pdf
File name:	Public Comment Alan Salt.pdf
File name:	160417 Public Comment Gary Roper.pdf
Relates to Section:	PART 5
Document Description:	24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.
File name:	Committee ITEM 1 REPORT LAND AT LEEK RD HPK 2017 0110.pdf
File name:	Up Dates Sheet Development Control Committee 22nd January 2018.pdf
Relates to Section:	PART 5
Document Description:	24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;
File name:	Printed minutes 22nd-Jan-2018 13.30 Development Control Committee.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Local plan 2016 front page.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	HP LP policy S1.pdf
File name:	HP LP policy S1a.pdf
File name:	HP LP policy S2.pdf
File name:	HP LP policy S3.pdf
File name:	HP LP policy S7.pdf
File name:	HP LP Policy EQ1.pdf
File name:	HP LP Policy EQ2.pdf
File name:	HP LP Policy EQ3.pdf
File name:	HP LP Policy EQ5.pdf
File name:	HP LP policy EQ6.pdf
File name:	HP LP policy EQ7.pdf
File name:	HP LP Policy EQ9.pdf

File name:	HP LP Policy EQ10.pdf
File name:	HP LP Policy EQ11.pdf
File name:	HP LP policy H1.pdf
File name:	HP LP Policy H2.pdf
File name:	HP LP policy H3.pdf
File name:	HP LP Policy H4.pdf
File name:	HP LP Policy CF3.pdf
File name:	HP LP Policy CF4.pdf
File name:	HP LP policy CF6.pdf
File name:	HP LP policy CF7.pdf
Relates to Section:	PART 5
Document Description:	24.i. Copies of extracts from any supplementary planning document, together with the date of its adoption.
File name:	Adopted_Residential_DesignSPD_1.pdf
File name:	Planning_Obligations_SPD_Dec_2005.pdf
File name:	Landscape_SPD_March06.pdf
File name:	High_Peak_Supplementary_Planning_Document_Housing_Need_in_High_Peak_2007.pdf
Completed by	Not Set
Date	21/08/2018 13:29:45
LPA	High Peak Borough Council