

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/H1033/W/21/3272745

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

...

Company/Group Name

Treville Properties Ltd

Address

C/O agent - Emery Planning
Unit 2-4 South Park Court Business Centre, Hobson Street
MACCLESFIELD
CHESHIRE
SK11 8BS

Preferred contact method

Email



Post



B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes



No



Name

Sir / Ma Emery Planning

Company/Group Name

Emery Planning

Address

Units 2-4 South Park Court Business Centre
Hobson Street
MACCLESFIELD
Cheshire
SK11 8BS

Phone number

01625 433 881

Fax number

01625 511 457

Email

support@emeryplanning.com

Your reference

19-429:RG

Preferred contact method

Email



Post



C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	High Peak Borough Council
LPA reference number	HPK/2020/0301
Date of the application	22/07/2020
Did the LPA validate and register your application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Did the LPA issue a decision?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the appeal relate to an existing property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Address	Taxal Edge, 184 Macclesfield Road Whaley Bridge HIGH PEAK SK23 7DR
Is the appeal site within a Green Belt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please enter details of the proposed development. This should normally be taken from the planning application form.	
Demolition of the existing building known as "Taxal Edge" and the detached garage building and the erection of 7 no. dwellings	
Area (in hectares) of the whole appeal site [e.g. 1234.56]	0.49 hectare(s)
Does the proposal include demolition of non-listed buildings within a conservation area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.
2. Refused permission to vary or remove a condition(s).
3. Refused prior approval of permitted development rights.
4. Granted planning permission for the development subject to conditions to which you object.
5. Refused approval of the matters reserved under an outline planning permission.
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.
7. Refused to approve any matter required by a condition on a previous planning permission (other

than those specified above).

8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.

9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

2. Hearing

3. Inquiry

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

[see 'Appeal Documents' section](#)

(a) How many witnesses do you intend to call?

(b) How long do they need to give their evidence?

(c) How long do you estimate the inquiry will last?

H. FULL STATEMENT OF CASE

[see 'Appeal Documents' section](#)

Do you have a separate list of appendices to accompany your full statement of case? Yes No

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes No

(b) Have you made a costs application with this appeal? Yes No

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Mr Gary Cullen & Mrs Gail Cullen, Elmwood House, Church Lane, New Mills, SK22 4NP - 21/02/2022

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

- (a) None of the land to which the appeal relates is, or is part of, an agricultural holding.
- (b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.
- (b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.
02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).
03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
- 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
07. A copy of the design and access statement sent to the LPA (if required).
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application;
- (b) all plans sent at outline application stage;

- (c) the original outline planning permission.
12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes No

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Date

Name

On behalf of

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018. Further information about our Data Protection policy can be found on our website under Privacy Statement.

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	CHOICE OF PROCEDURE
Document Description:	Document containing detailed reasons why an inquiry is necessary.
File name:	19-429 - Letter to PINS requesting inquiry.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	19-429 - Statement of Case - Taxal Edge - Final.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	19-429 - ApplicationForm-1.0-.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	411179 10 P4 - Site Location Plan-1.0-For Submission.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	Taxal Edge - Image 2a-1.0-For Submission.jpg
File name:	Taxal Edge - Image 3-1.0-For Submission.jpg
File name:	Taxal Edge - image 1-1.0-For Submission.jpg
File name:	19-429 - Cover letter for planning application_1.1-1.0-.pdf
File name:	Planning DAS for 7 dwellings_1.1-1.0-.pdf
File name:	Taxal Edge - Tree Schedule Update 18.06-1.0-For Submission.pdf
File name:	411179 10 P4 - Site Location Plan-1.0-For Submission.pdf
File name:	411179 20 P14 Proposed Site Plan-1.0-For Submission.pdf
File name:	411179 19 P4 Existing Site Plan-1.0-For Submission.pdf
File name:	2020 01 02 Taxal Edge Landscape Plan-1.0-For Submission.pdf
File name:	Taxal Edge - Tree Condition Report Update (MK)-1.0-For Submissio.pdf
File name:	411179 24 P3 New Garage to Existing House-1.0-For Submission.pdf
File name:	Taxal Edge Phase 1 Habitat Survey Report-1.0-For Submission.pdf
File name:	411179 23 P7 6 Bed House Type C-1.0-For Submission.pdf
File name:	411179 21 P8 Typical 4 Bed House Type A-1.0-For Submission.pdf
File name:	411179 22 P7 Typical 4 Bed House Type B-1.0-For Submission.pdf
File name:	42028R1 Taxal Edge Resi, Whaley Bridge P1 Iss RevA - Ground cond - reduced.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

File name:	19-429 - Appeal document list.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	2021-03-01 - EP-BP to HPBC re housing mix.pdf
File name:	Taxal Edge Opinion (Nov 2020)_1.0.pdf
File name:	Taxal Edge Opinion (September 2020)(final) (002)_1.0.pdf
File name:	411179 25 P1 Site Sections.pdf
File name:	Bat survey - Taxal Edge.pdf
File name:	Email with bat survey attachment.pdf
File name:	2008 decision notice.pdf
File name:	Taxal Edge Opinion (Nov 2020).pdf
File name:	Taxal Edge Opinion (September 2020)(final) (002).pdf
File name:	location plan stamped 2009.pdf
File name:	location plan 2013.pdf
File name:	location plan 2008.pdf
File name:	2021-01-06 - email chain regarding revisions to scheme.pdf
File name:	application form 2008.pdf
File name:	Birds eye view cut out.jpg
File name:	Birds eye view cut out.pdf
File name:	Original Drone photo taken dec 2020.jpg
File name:	Drone image with proposed development.jpg
File name:	Original Drone photo taken dec 20201.pdf
File name:	Drone image with proposed development.pdf
File name:	2020 01 02 Taxal Edge Landscape Design Ethos.pdf
File name:	411179 25 P2 Site Sections.pdf
File name:	2020 01 02 REV A Taxal Edge.pdf
File name:	Taxal Edge - BS5837 Arboricultural Report - Stage 3 FINAL (MK).pdf
File name:	Taxal Edge - BS5837 Arboricultural Report - Stage 1 & 2 FINAL (MK).pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	19-429 - Appeal document list.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	DRAFT Statement of Common Ground (appellant) - Taxal Edge.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	10. Any relevant correspondence with the LPA, including any supporting information submitted with your application in accordance with the list of local requirements.
File name:	2020-07-30 - validation letter.pdf
File name:	2021-03-23 - EP email to HPBC & PINS re intention to submit appeal.pdf
File name:	2020-07-26 - HPBC acknowledgment HPK-2020-0301.pdf
File name:	2021-01-13 - EP-RG further chasing HPBC-RS for response to email 06-01-2020.pdf
File name:	2020-08-17 - EP to HPBC re comment by Mr & Mrs Whittel in public domain.pdf
File name:	2021-02-15 - EP-RG to HPBC re planning committee.pdf
File name:	2020-07-30 - HPBC validation Letter Agent - App ref HPK20200301.pdf
File name:	2021-01-19 - email chain following info supplied 06-01-2021.pdf
File name:	2021-02-24 - EP-RG to HPBC chasing progress.pdf
File name:	2020-08-03 - EP to HPBC-RS re officer report.pdf
File name:	2020-09-01 - email chain re consultee responses and extension time.pdf
File name:	2020-07-26 - Receipt of application - Agent - App ref HPK20200301.pdf

File name: 2021-03-12 - EP-RG to HPBC querying why not on March committee.pdf
File name: 2021-01-21 - EP-RG to HPBC chain chasing info on LPA website.pdf
File name: 2020-09-28 - EP to HPBC re officer recommendation to refuse.pdf
File name: 2020-08-18 - HPBC response to comment by Mr & Mrs Whittel in public domain.pdf
File name: 2020-09-02 - email chain re extension time and fallback assessment by LPA and committee.pdf
File name: 2020-09-07 - BP to HPBC re comments by Cllr Thomson.pdf
File name: 2020-09-30 - EP to HPBC re consultee comments in officer report.pdf
File name: 2020-09-30 - HPBC response re officer report & EP confirmation not wdl appn.pdf
File name: 2020-10-02 - extension time and deferral from committee.pdf
File name: 2020-10-21 - chasing response re meeting re trees & landscaping & feedback on opinion.pdf
File name: 2020-10-30 - BP response to HPBC re nov committee.pdf
File name: 2020-11-09 - to LPA requesting meeting.pdf
File name: 2020-11-06 - BP email to LPA re opinions - site history - treatment of info.pdf
File name: 2020-11-11 - email to LPA chasing meeting.pdf
File name: 2020-09-21 - EP to HPBC responding re implementation of permissions.pdf
File name: 2020-11-25 - LPA chasing revised sketch & agreed extension time.pdf
File name: 2020-11-11 - emails with LPA re meeting dates.pdf
File name: 2020-11-05 - EP-BP to LPA with opinion of Nov 2020.pdf
File name: 2020-10-30 - email chain re uploading docs and planning committee.pdf
File name: 2020-12-07 - EP-BP further chasing response.pdf
File name: 2020-12-01 - EP-BP to HPBC chasing response on revised sketch.pdf
File name: 2020-10-28 - EP extension time request.pdf
File name: 2020-11-11 - emails with LPA arranging meeting.pdf
File name: 2020-10-01 - EP to HPBC submitting Opinion Sept 2020.pdf
File name: 2021-01-07 - RG-EP chasing HPBC-RS for response to email 06-01-2020.pdf
File name: 2020-11-09 - email to LPA with committee speech.pdf
File name: 2020-10-28 - EP response to HPBC - Rachel Simpkin email.pdf
File name: 2020-10-30 - EP (BP) response re extant permissions.pdf
File name: 2021-03-01 - EP-BP to HPBC re housing mix.pdf
File name: 2020-11-06 - letter inc opinions to committee members.pdf
File name: 2020-09-18 - EP response to HPBC re fallback (Cllr Thomson comments).pdf
File name: 2020-09-21 - issue of TPO.pdf
File name: 2020-11-25 - EP-BP without prejudice response to HPBC with revised sketch.pdf
File name: 2020-11-17 - email to HPBC with info for meeting.pdf
File name: 2020-11-03 - EP-BP to HPBC-RS re tree report.pdf
File name: 2021-01-06 - email chain regarding revisions to scheme - reduced.pdf

Completed by

SIR / MA EMERY PLANNING

Date

08/04/2021 17:44:30