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Mr Mel Cranmer
1 Park Crescent
Little Hayfield
High Peak
SK22 2NP

Mr Paul Race
Bower House Farm
Mellor Road
New Mills
Derbyshire
SK22 4QG

Application no: DET/2022/0014

Determined on: 15/11/2022

TOWN AND COUNTRY PLANNING ACT 1990

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) (AS AMENDED) ORDER 2015**

**PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED
REFUSED**

Location of Development:

Highwood Farm, Mellor Road, New Mills, Derbyshire, SK22 4QG

Description of Development:

Change of use of agricultural building to a dwelling under class Q of the general permitted development order

High Peak Borough Council in pursuance of powers under the above mentioned Acts hereby **REFUSE** approval for the development proposed above in accordance with plans ref: MC.L, MC1, MC2, MC.3, MC.4, MC.5, MC.6, MC.7, MC.8, MC.9, MC10, MC.11, and MC.12 for the reason(s) specified below:-

1. The proposal would not be permitted development because the area of curtilage as demonstrated within the application would exceed the permissible area of curtilage for change of use confirmed by Schedule 2, Part 3, Paragraph X Interpretation of Part 3, of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore, the proposed change of use would not be permitted development under Schedule 2, Part 3, Class Q a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).





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2. The application has been accompanied by insufficient information for the LPA to determine whether the development complies with limitations and restrictions of Q.1(a), Q.1(b), Q.1(d), Q.1(g) and Q.1(i) of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which indicate where development is not permitted under Class Q.
3. The application has been accompanied by an out of date application form which relates to an earlier permitted development right under Class MB, of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended). This is no longer relevant legislation to which the application relates. The application therefore does not provide the necessary statement relating to the provision of smaller dwellinghouses, larger dwellinghouses and cumulative delivery of dwellinghouses under Class Q. Therefore the application fails to provide the necessary information required by Paragraph W(2)(bb) of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
4. The submitted floorplans fail to indicate the total floor space of the proposed dwelling, and also do not demonstrate the dimensions and use of all rooms within the proposed dwelling. Therefore the application fails to provide the necessary information required by Paragraph W(2)(bc) of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

X *B.J. Haywood*

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.

1. 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.

2. If this is a decision to refuse planning permission for a minor commercial 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.

3. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.





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4. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
5. The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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.
6. 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.

