



High Peak Borough Council

working for our community

Mr Knight
2 Phoside View
Hayfield
SK22 2JN
Application no: HPK/2023/0009
Determined on: 4th April 2023

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

REFUSAL OF PLANNING PERMISSION

Location of Development:

Phoside View 2 Chapel Road Hayfield Derbyshire SK22 2JN

Description of Development:

Parking area, access to track to create a safe means of access to existing house, change of use of part of the field into access track, parking area for 2 Phoside View

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; Site Plan; Swept Path Analysis; Visibility Splays; Proposed Side Levels; Proposed Track Cross Section; Proposed 'Turn In Off Main Road onto Track' for the reason(s) specified below:-

1. The proposed development and engineering operations by virtue of siting, scale, and visual appearance, would fail to preserve the openness of the Green Belt and the purposes of assisting in safeguarding the Green Belt from encroachment into the open countryside, and thus constitutes inappropriate development in the Green Belt. There are No Very Special Circumstances that outweigh the substantial harm to the Green Belt by reason of inappropriateness and any other harm (openness), contrary to Local Plan Policy EQ4 and relevant restrictive policies relating to the Protection of Green Belt Land contained under Chapter 13 of the National Planning Policy Framework.
2. The proposed development and engineering operations, by virtue of its highly sensitive and prominent location, and its siting, scale, and visual appearance, would result in the introduction of urban and man made features to a naturally open steeply sloping parcel of agricultural land, thereby resulting in significant harm to the immediate and wider rural landscape character, contrary to Local Plan Policies S1, EQ2, EQ3 and EQ6, the Landscape Character Assessment SPD (2006), Design Guide SPD (2018), and relevant paragraphs under Chapter 12 of the National Planning Policy Framework.





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Informative

1. The Local Planning Authority has where possible sought to work in a positive and proactive manner with the applicant to address and overcome all relevant planning considerations associated with the proposed development to achieve a sustainable form of development, as required by the National Planning Policy Framework. However, in this case, there are not considered to be any amendments or alternatives that can address the outstanding issues, which has therefore led to the application being refused.

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.
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.
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



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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.

