



High Peak Borough Council

working for our community

Neville Fuller
Blik Design
25 South Street
Wooldale
Holmfirth
HD9 1QH

Miss Anita Lorenzo
One Stop Stores,
Melandra Castle Road
Gamesley
Glossop
SK13 6UQ

Application no: HPK/2023/0113

Determined on: 06/06/2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

One Stop Stores, Melandra Castle Road, Gamesley, Glossop, SK13 6UQ

Description of Development:

Variation of condition 7 relating to HPK/2022/0428, opening hours

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 refs: Site Location Plan
for the reason(s) specified below:-

1. The application site is surrounded by residential properties which is a sensitive land use. In the opinion of the Local Planning Authority, the proposed late night opening of a hot food takeaway, during unsociable hours, would have an unacceptable effect on the living conditions of the occupants of nearby dwellings through noise and disturbance. The development proposals would therefore be contrary to Policy EQ6 of the High Peak Local Plan 2016 and relevant paragraphs under Chapter 12 of the NPPF.

Informative(s)

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the





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LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. In this instance little justification for the development was provided, any alteration would require detailed justification and technical reports which would not be a minor change.

X *J. Colley*

Signed by: Jane Colley Signature

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 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



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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.

