





**High Peak Borough Council**  
*working for our community*

Mr Simon Jones  
SJ Design Ltd  
The Old Co-Op Building  
Church Street  
Hayfield  
Derbyshire  
SK22 2JE

M & W Rathor & Travers  
Torino  
St Marys Road  
New Mills  
Derbyshire  
SK22 3BW

Application no: HPK/2022/0498

Determined on: 14/06/2023

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

## **REFUSAL OF PLANNING PERMISSION**

### **Location of Development:**

Torino, St Marys Road, New Mills, Derbyshire, SK22 3BW

### **Description of Development:**

Raise eaves and ridge of existing bungalow to form two storey dwelling, new front porch, new single storey rear extension and alterations to windows and doors

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: 101 – Existing Plans; 200 – Proposed Plans; and, 100 – Location and Site Plans

for the reason(s) specified below:-

1. The site is located within the setting of the New Mills Conservation Area, which is a designated heritage asset, and is adjacent to the open churchyard of St Mary's Church. The proposed upwards extension to the existing single storey dwelling, by reason of its scale, siting and overall design, would result in an incongruous form of development that would be prominent within the streetscene and also adversely affect views to and from St Mary's Church and its churchyard. Therefore, the proposed development would cause demonstrable harm to the streetscene and setting of the Conservation Area. The proposals would cause less than substantial harm to the significance of the heritage asset, where no public benefits exist to outweigh the harm. The development proposals would therefore be contrary to Policies S1, EQ6 and EQ7 of the High Peak Local Plan 2016, the High Peak Residential Design SPD (2005), and relevant paragraphs under Chapter 12 and 16 of the NPPF.





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**Informative**

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 LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. In this instance amendments to the scheme to overcome the concerns would not be minor and as such have not been suggested.

X *B.J. Haywood*

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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 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.