



High Peak Borough Council

working for our community

Ms Lynn Jones
Emery Planning
1-4 South Park Business Court Hobson Street
Macclesfield
United Kingdom
SK11 8BS

Mr & Mrs Cullen
c/o/ agent

Application no: HPK/2023/0172

Determined on: 23rd June 2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

184 Taxal Edge Macclesfield Road Whaley Bridge Derbyshire SK23 7DR

Description of Development:

Erection of domestic garage/ancillary outbuilding and associated works

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: 411179 50 P1 Location Plan; 411179 51 P1 Existing and Proposed Site Plans; 411179 52 P1 New Garage to Existing House for the reason(s) specified below:-

1. The proposed garage is large in scale and massing and would constitute an overdevelopment of the application site and would not appear subordinate to the host dwelling. It would have a flat patio roof and elevational detailing which is out of character with the host dwelling. The design of the garage is therefore contrary to Policy EQ 6 of the High Peak Local Plan 2016 and the National Planning Policy Framework and the adopted High Peak Design Guide SPD.

Informatives

Prior to the determination of the application the Council advised the applicant that the of such development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such concerns through minor amendments to the application.





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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 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



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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.

