



High Peak Borough Council
working for our community

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Mr Luigi Raimo
Ivy Cottage,
Unnamed Road From Stubbins Lane to
Tithe Barn Farm
Chinley
Derbyshire
SK23 6ED

Application no: HPK/2023/0068

Determined on: 28th July 2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land adjacent to Stubbins House, Unnamed road from Stubbins Lane to Tithe Barn, Chinley,
Derbyshire, SK23 6ED

Description of Development:

Erection of a stone building to provide a dwelling (part retrospective) and associated landscaping 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: 1263 Location Map, 1263 Proposals Rev 4, 1263 Site Landscaping Rev 2 and bin store, for the reason(s) specified below:-

1. The site lies within the green belt whereby paragraph 147 identifies that inappropriate development is, by definition, considered to be harmful to the Green Belt and should not be approved except in very special circumstances. The proposal would amount to inappropriate development in the Green Belt, which would harm its openness. It is considered that there are no very special circumstances that would outweigh the harm to the Green Belt by reason of inappropriateness. As such, the development would be contrary to the provisions of Policy EQ4 and of the of the High Peak Local Plan (2016) and the NPPF (2021).

2. The application site lies outside of a built up area boundary and within the countryside where new development will be strictly limited to that which has an essential need to be located in the countryside. In principle, and by virtue of its size, scale and design, the





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development would harm the rural locality and have a greater impact on the character of the countryside than the former barn. Moreover, it would fail to enhance its rural setting. Accordingly the development fails to comply with Policies H1, S2, EQ3 and EQ6 of the High Peak Local Plan and the National Planning Policy Framework.

Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

X 

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



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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.

