



High Peak Borough Council

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Mr Steven Mellor
William McCall
The Old Post Room
34 Chew Valley Road
Saddleworth
OL3 7DA

Mr & Mrs Chorbatcheskyi
Sunny Side
Charlestown
Glossop
SK13 8LF

Application no: HPK/2023/0225

Determined on: 03/08/2023

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order
2015
REFUSAL OF PLANNING PERMISSION

Location of Development:

Sunny Side Charlestown Glossop Derbyshire SK13 8LF

Description of Development:

Proposed change of use of open land to private garden area (residential curtilage) along with the proposed erection of a single storey side extension on the land at the side of Sunny Side,

High Peak Borough Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with the following plans: Proposed Plans and Elevations (Ref: 02-221 Page 2 of 3); Location and Site Plan (Ref: 02-221 Page 3 of 3) for the reason(s) specified below:-

1. The site lies within an area designated for its 'Industrial Legacy' under Local Plan Policy E5, which seeks to maximize the potential of constrained employment sites. This is to be achieved by encouraging proposals for the redevelopment or reuse for employment opportunities, particularly those which support local economic growth sectors. In the absence of any information to demonstrate why the site cannot be used for other economic uses, the development proposals conflict with Local Plan Policy E5 and section 6 of the National Planning policy Framework.
2. The proposed encroachment beyond the existing tightly contained residential plot and side gable, which is a dominant and important architectural feature in the immediate street scene, together with the odd contrived design of the proposed side extension in relation to the conflicting angles between the external walls and roof slopes of the existing development, cumulatively, results in harm to the traditional character and appearance of the property and wider street scene, contrary to Local Plan Policies S1 and EQ6, the Residential Design Guide SPD (2005), the Design Guide SPD (2018), and relevant paragraphs contained within Chapter 12 of the National Planning Policy Framework.





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Informative

1. Officers do not support, in principle of extending beyond the existing residential curtilage of the host property, due to the conflict with Policy E5 and the resultant harm to the character and appearance of the street scene. As such, there are no amendments that could be made that would resolve Officer concerns and thus the application has been refused.

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
2. 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.
3. 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.
4. 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.
5. 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>
6. 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.





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7. 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.

