



High Peak Borough Council

working for our community

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Dr Levine
C/O Agent

Application no: HPK/2022/0525

Determined on: 24th November 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 off Graphite Way Hadfield Glossop Derbyshire

Description of Development:

Construction of Units for Industrial / Storage & Distribution uses, including associated parking areas.

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: Location Plan A101 Rev A; Proposed Scheme Plan A102 Rev H; Units 1-4 Scheme Plans A201 Rev B; Units 5-6 Scheme Plans A301 Rev B; Sections 1 and 2 Plan A110 Rev A and Sections 3 and 4 Plan A111 Rev A for the reason(s) specified below:-

1. The proposal by virtue of its layout and scale would result in a cramped and intrusive form of development, with resultant and significant tree loss. Consequently, it fails to provide a high quality form of development, which would contribute positively to the area's character contrary to Policies S1, S5 and EQ6 of the Adopted High Peak Local Plan 2016 and High Peak Design Guide SPD 2018. In addition, the proposal would also conflict with the provisions of the NPPF in so far as it seeks new development to provide for high quality design.
2. The proposal would result in significant harm to biodiversity interests and would not provide any satisfactory measures to mitigate against such harm. In addition, insufficient information has been submitted with the application relating to the potential value of the site for invertebrates in order to assess adequately the impacts of the proposed development having regard to the other ecology impacts of the development





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proposal, to conflict with the aims of Policies S1, EQ5 and EQ8 of the Adopted High Peak Local Plan 2016. In addition, the proposal would also conflict with the provisions of the NPPF in so far as it seeks new development to provide net gains for biodiversity.

3. Insufficient information has been submitted with the application relating to drainage in order to assess adequately the impacts of the proposed development having regard to matters of local flood risk of the development proposal. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with Policies S1 and EQ11 of the Adopted High Peak Local Plan 2016 and / or any other material considerations. In addition, the proposal would also conflict with the provisions of the NPPF in so far as it seeks new development not to increase flood risk elsewhere.
4. The development would be detrimental to the interests of highway safety through a potential increase in parking taking place in unsuitable locations on the highway or within the site, taking account of the nature of the proposed development, the location of the site and the predicted number of parked vehicles arising from the development having regard to Adopted Local Plan Parking Standards to conflict with the aims of Policies S1 and CF6 of the Adopted High Peak Local Plan 2016. In addition, the proposal would also conflict with the provisions of the NPPF by taking into account the type and use as well as accessibility of the development when applying maximum parking standards.

Informative(s)

Proactive Working

1. The proposed land use for employment development is considered to be acceptable in principle with regard to the Primary Employment Zone allocation. The scheme, however, would conflict with the development plan as a whole, and there are no other considerations worthy of sufficient weight, including the provisions of the National Planning Policy Framework (NPPF), which would outweigh this finding. It is therefore considered that the applicant is unable to overcome such principle concerns and thus no further amendments to the application have been requested.

Manchester Airport

2. The applicant's attention should be drawn to the procedures for notifying the CAA of cranes and tall equipment use: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>





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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





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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.

