

Treville Properties Ltd and Great Places
C/o Agent



High Peak Borough Council

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Mr Rawdon Gascoigne
Emery Planning Partnership
Hobson Street
Macclesfield
Cheshire
SK11 8BS

Treville Properties Ltd and Great Places
C/o Agent

Application no: HPK/2023/0061

Determined on: 11th December 2023

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:

Land to the west of Bridgemont Whaley Bridge Derbyshire SK23 7PB

Description of Development:

Outline planning application for affordable housing (up to 42) with access considered and all other matters reserved (resubmission of HPK/2020/0180)

In pursuance of their powers under the above mentioned Act High Peak Borough Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref: Existing Site and Location Plan 31106 01 P3 and Visibility Splays and Access Dimensions SCP-200341-F03-Rev D for the reason(s) specified below:-

1. Construction of new buildings is inappropriate in the Green Belt save where an exception allows, such as paragraph 149(f) of the NPPF. It is not considered that paragraph 149(f) applies because the site does not comply with Local Plan Policy H5 'Rural Exception Sites'. No other exceptions apply. The proposed development would therefore be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and there are no very special circumstances to outweigh those considerations. In addition, the proposed development would not preserve the openness of the Green Belt and therefore conflicts with the purposes of including land within it, including in relation to safeguarding the countryside from encroachment. The proposal is therefore contrary to Policies EQ4 and H5 of the Adopted High Peak Local Plan 2016 and the NPPF.





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2. The proposed development would cause significant adverse landscape and visual effects therefore detracting from the rural character and appearance of the area, in which it is sited contrary to Policies S1, S6, EQ2, EQ3 and EQ6 of the Adopted High Peak Local Plan 2016, the NPPF and the Council's Landscape Character SPD.
3. Insufficient information has been submitted with the application relating to the landscape and visual effects of the scheme on the Peak District National Park area and its setting in order to assess adequately the impacts of the proposed development having regard to matters of avoiding or minimising adverse impacts on the national park and its setting. In the absence of this information, it has not been possible to demonstrate that the proposed development would comply with Policies S1, S6, EQ2, EQ3 and EQ6 of the Adopted High Peak Local Plan 2016, the NPPF and the Council's Landscape Character SPD.

Informative(s)

The scheme 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.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council





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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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
3. 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.

