

Steve Shiels
Sheils Design Ltd
19 Lane Drive
Grotton
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High Peak Borough Council
working for our community

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Mr Tom Pollock
2 Lea Bank
St Marys Road
New Mills
Derbyshire
SK22 3BW

Application no: HPK/2023/0496

Determined on: 21/02/2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

2 Lea Bank, St Marys Road, New Mills, Derbyshire, SK22 3BW

Description of Development:

Proposed dropped kerb and formation of off-road parking facility

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 refs: Site Plan Planning

for the reason(s) specified below:-

1. The site is located within the setting of the New Mills Conservation Area, which is a designated heritage asset. The existing stone boundary wall makes a positive contribution towards the character and appearance of the Conservation Area setting. The proposed removal of the boundary wall, creation of open frontage and off street parking, would result in an incongruous form of development that would be prominent within the streetscene and erode the prevailing character of the area. Therefore, the proposed development would cause demonstrable harm to the streetscene and setting of the New Mills Conservation Area. The proposals would cause less than substantial harm to the significance of the heritage asset, where no public benefits exist to outweigh the harm. The development proposals would therefore be contrary to Policies S1, S6, EQ6 and EQ7 of the High Peak Local Plan 2016, the High Peak Residential Design SPD (2005), the Design Guide (2018), and relevant paragraphs under Chapter 12 and 16 of the NPPF.
2. The proposed off street parking area is of insufficient depth to provide convenient parking arrangements. Therefore the development would have the potential to lead to vehicles overhanging the footway which would be a danger to other road users.





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No turning facilities are provided within the plot leading to vehicles reversing on or from the public highway. The creation of a new vehicular access to St Mary's Road, will introduce traffic movements to and from the public highway at a point where the exit visibility is severely restricted due to boundary walls and third party land and the proposed layout will thereby lead to a danger and inconvenience to other highway users. The development proposals would therefore be contrary to Policies S1, EQ6 and CF6 of the High Peak Local Plan 2016 and guidance contained within the NPPF.

Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. In this instance amendments to the scheme to overcome the concerns would not be minor and as such have not been suggested.

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 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.

