



High Peak Borough Council
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Mr P Garner
Garner Town Planning Ltd
24A Market Place
Disley
Cheshire
SK12 2AA

L & G Williams
High Ash House
Sandy Lane
Chisworth
Derbyshire
SK13 5RZ

Application no: HPK/2023/0267

Determined on: 29/02/2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

14 High Ash House, Sandy Lane, Chisworth, Derbyshire, SK13 5RZ

Description of Development:

Creation of menage for personal use

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: GTP1 - Location Plan; 2143/2/C – Sections, and 2143/3/A – Detailed Plan for the reason(s) specified below:-

1. The proposed development, by reason of its siting, design and appearance, would result in an unnatural and incongruous landform which would contrast significantly with the existing landscape. The site is in an open and exposed hillside location close to the A626 and a Public Right of Way and the development would be highly visible in the landscape. The proposals appear incongruous in its landscape setting and would fail to respect the character and appearance of the countryside. The development proposals are contrary to Policies S1, S6, EQ2, EQ3 and EQ6 of the High Peak Local Plan 2016, and guidance contained within the NPPF.

Informative(s)

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 concerns relating to the scheme were raised and amendments





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to the proposal have been submitted. Notwithstanding this, the amendments have not been sufficient to address the concerns detailed above.

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.



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