



High Peak Borough Council

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Paul Williams
Mosaic Town Planning
Bloc 17 Marble Street
Manchester
United Kingdom

Mr Sidebotham
Waterside Farm
Disley
SK12 2HJ

Application no: HPK/2024/0240

Determined on: 30/09/2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Shallcross Hall Farm Shallcross Road Whaley Bridge Derbyshire SK23 7BZ

Description of Development:

Removal of Condition 2 in relation to HPK/2006/0358 - APP/H1033/A/07/2033715

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 for the reason(s) specified below:-

1. The application site is located outside of the built up area boundary of Whaley Bridge and therefore it is considered a countryside location where policy EQ3 applies which strictly controls development in rural locations to protect the landscape's intrinsic character and distinctiveness. The proposal would introduce new residential dwellings in a countryside location and it does not meet any of the exceptional circumstances outlined in EQ3 and therefore it is contrary to High Peak Local Plan policies EQ3 and H1. Moreover, the proposal would result in the loss of tourism accommodation which is contrary to High Peak Local Plan policies EQ3 and E6 and paragraph 84 of the National Planning Policy Framework.
2. Policy H3 requires all new residential dwellings to meet Nationally Described Space Standards. The proposed dwellings do not meet Nationally Described Space standards for one, two or three bedroom properties. The proposals also provides very limited external amenity space, which would be detrimental to residential amenity and wellbeing of future occupiers. The proposal is therefore contrary to High Peak Local Plan policies H3 and EQ6 of the High Peak Residential Design Guide SPD and paragraph 135 of the National Planning Policy Framework.





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Informatives

The local planning authority considers that the proposed development is unacceptable at this location. It has therefore not been possible to work with the applicant in a positive and proactive way to secure a development that will improve the economic, social, and environmental conditions of the area in line with the NPPF.

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council

NOTES

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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.

