



# High Peak Borough Council

*working for our community*

Mr P Garner  
Garner Town Planning Ltd  
24A, Market Street  
Disley  
Cheshire  
SK12 2AA

Mr P Ardern  
How Green Barn,  
How Green Farm,  
Shiloh Road,  
New Mills,  
Derbyshire,  
SK22 4QR

Application no: HPK/2023/0515

Determined on: 17<sup>th</sup> October 2024

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

### REFUSAL OF PLANNING PERMISSION

#### Location of Development:

How Green Barn, How Green Farm, Shiloh Road, New Mills, Derbyshire, SK22 4QR

#### Description of Development:

Conversion of redundant stable building to dwelling and replacement of existing menage with grassed area to be returned to agricultural 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:

2187 Location plan Rev B 1:1250 @ A3

Block plan 1:500@ A3

Existing Floor Plan, Elevations and Section Drawing Number: 2187/1 dated November 2023

Proposed Floor Plan, Elevations and Section Drawing Number: 2187/2 dated November 2023

for the reason(s) specified below: -

1. The proposal would create a new residential use physically separate and remote from any settlement, and as such would not accord with the strategy of the development plan to locate new housing in defined, sustainable locations with good access to services and facilities. The proposals would not re-use a redundant or disused building and would have an adverse impact on the character and appearance of the countryside. The development would represent an unsustainable form of development in the countryside in conflict with High Peak Local Plan Policies S1, S2, EQ3 and EQ4 and that of the provisions of the





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National Planning Policy Framework (2023).

2. The residential development within a large utilitarian building not suited for residential uses both in its function or form would result in a development which would be out of character with the surrounding rural area. The associated domestic development and paraphernalia, would further erode the open and undeveloped rural character and appearance of this part of the countryside, thereby harming the intrinsic character and beauty of the Countryside. As such, the proposed development would be contrary to the provisions of Policies EQ3 and EQ4 of the High Peak Local Plan and related provisions of the National Planning Policy Framework.

## **Informatives**

1. The local planning authority considers that the proposed development is unacceptable in principle. 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.J. Haywood*

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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.
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





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Part VI of the Town and Country Planning Act 1990.

