



High Peak Borough Council

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Mr Adam Scott
Eden Building Design
Beech Farm Offices
Lymm Road
Thelwall
United Kingdom
WA4 2TG

Mr Craig Dulson
Westshield
Ashcroft House
Bredbury Park Way
Bredebury
Stockport
SK6 2SN

Application no: HPK/2024/0401

Determined on: 23rd December 2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land off Cottage Lane, Gamesley, Glossop, Derbyshire

Description of Development:

51 dwellings, comprising one bedroom flats and two and three bedroom houses.

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 21-559-PO1; Proposed Site Plan 21-559-PO2-F; Blocks A 21-559-PO4-B; Blocks B 21-559-PO5-A; Blocks C 21-559-PO6-B; Blocks D 21-559-PO7-B; Blocks E 21-559-PO8-B; Blocks F 21-559-PO9-C; Blocks G 21-559-P10-B and Blocks H 21-559-P11-B for the reason(s) specified below:-

1. The proposed development would cause significant landscape and visual effects thereby detracting from the wooded character and appearance of the local area, in which it is sited contrary to Policies S1, S5, H1, EQ2, EQ3, EQ6, EQ8 and EQ9 of the Adopted High Peak Local Plan 2016, the Council's Landscape Character SPD and National Planning Policy Framework.
2. The proposed development would constitute poor design and fails to respond to the site's defining woodland characteristics regarding the extensive loss of trees and woodland. Furthermore, the scheme's layout would result in shading impacts leading to an unacceptable poor level of amenity to be experienced by the future occupiers of some plots. Accordingly, the proposal is contrary to Policies S1, S5, H1, EQ6 and EQ9





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of the Adopted High Peak Local Plan 2016, Residential Design Guide SPD (Supplementary Planning Document) 2005; High Peak Design Guidance SPD 2018 as well as the National Planning Policy Framework.

3. The proposed development would not provide for an appropriate range of housing types and sizes that can reasonably meet the requirements and future needs of a wide range of household types including for the elderly and people with affordable or specialist housing needs, based on evidence from the High Peak Housing and Economic Land Needs Assessment (HELNA) dated September 2022 (or successor documents). The scale and type of development proposed therefore represents an unacceptable use of land. Accordingly, the proposal is contrary to Policies S1, S5, H3 and H4 of the Adopted High Peak Local Plan 2016, Developer Contributions Supplementary Planning Document 2023 as well as the National Planning Policy Framework.
4. The proposed development would not provide for an appropriate bridleway connection to provide a full multi-use access on the proposed path running along the east of the application site to the TPT/NCN/Pennine Bridleway. In addition, the arrangements shown for the realigned Public Right of Way (PROW) are unsatisfactory in the interests of community safety matters. Accordingly, the proposal is contrary to Policies S1, S5, EQ6, EQ8 and CF6 of the Adopted High Peak Local Plan 2016, as well as the National Planning Policy Framework.
5. The proposed development would not adequately accommodate the manoeuvring requirements of refuse vehicles in a safe and convenient manner. In addition, the refuse storage facilities would provide insufficient capacity to serve the flats. Accordingly, the proposal is contrary to Policies S1, EQ6 and CF6 of the Adopted High Peak Local Plan 2016, as well as the National Planning Policy Framework.
6. Insufficient information has been submitted with the application relating to the loss of Priority Habitat woodland (including Biodiversity Net Gain requirements) and impacts to protected species. Notwithstanding this, the proposed development would destroy an area of woodland connecting to and buffering the adjacent ancient semi-natural woodland and Local Wildlife Site. Accordingly, the proposal is contrary to Policies S1, S5, EQ5, EQ6, EQ8 and EQ9 of the Adopted High Peak Local Plan 2016, as well as the National Planning Policy Framework.

Informative(s)

1. Prior to the determination of the application, the Council advised the applicant that the principle of such development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principal concerns and thus no amendments to the application were requested.
2. The adverse impacts of the scheme for 51 dwellings would significantly and demonstrably outweigh the benefits housing delivery (including affordable provision)





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and its associated benefits, when assessed against the policies within the National Planning Policy Framework when taken as a whole, having particular regard to key policies for ensuring the mix of affordable housing required meets identified local needs, making effective use of land, prioritising sustainable transport and securing well-designed places as well as protecting and enhancing biodiversity and safe environments.

X *B.S. 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.
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.

