



High Peak Borough Council

working for our community

Mr Robert Ford
Parkside Park Road
Leek
Staffordshire
ST13 8JT

Mr Jilani
65 Spring Gardens
Buxton
Derbyshire
SK17 6BJ

Application no: HPK/2024/0015

Determined on: 31st 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:

65 Spring Gardens Buxton Derbyshire SK17 6BJ

Description of Development:

Retrospective application for replacement shop front

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: SBG-01; SGB-02A; SGB-03; SGB-12; for the reason(s) specified below:-

1. The proposed shop frontage, by virtue of its siting, design and relationship with the existing building and immediate street scene, in a prominent and sensitive location in an area of Primary Shopping Frontage within Buxton Town Centre, and within the Hardwick Conservation Area, with result in less than substantial harm to the character and appearance of the building and wider Conservation Area, contrary to Local Plan Policies S1, S7, CF1, CF2, EQ6 and EQ7, High Peak Shop Fronts SPD, High Peak Design Guide SPD, relevant paragraphs relating to design under Chapter 12 of the NPPF, and restrictive paragraphs relating to heritage conservation contained under Chapter 16 of the NPPF, underpinned by Section 72(1) of the Act 1990. No public benefit has been identified to outweigh that harm.

Informative

1. The Local Planning Authority has, where possible, sought to work in a positive and proactive manner with the applicant to address outstanding issues associated with the scheme to achieve a sustainable form of development. However, in this instance there are no amendments that could be made without completely redesigning the proposal that will overcome concerns relating to design and heritage and thus the application has been refused.





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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.