



High Peak Borough Council

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Mrs Clare Gascoigne
Emery Planning
1-4 South Park Business Court Hobson Street
Macclesfield
United Kingdom
SK11 8BS

Mr & Mrs Gallemore
Browside Farm Whaley Road
Whaley Bridge
SK23 7BB

Application no: HPK/2024/0160

Determined on: 20th February 2025

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

4A Browside Farm Stoneheads Whaley Bridge Derbyshire SK23 7BB

Description of Development:

Proposed new dwelling and associated works

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: SW390-PL001, SW390-PL003, SW390-PL005, SW390-PL006 and SW390-PL007 for the reason(s) specified below:-

1. The application site is a sensitive location as part of the site is located within countryside which is designated Green Belt. The proposed dwelling by reason of its siting, scale, form and design fails to respond to the site and its setting. The proposed dwelling is too large for its plot and has a dominating and overbearing appearance. Its design is confused, over fenestrated and includes non-traditional features which result in a discordant appearance that competes with the host dwelling 4A Browside Farm. The development is an inappropriate design and will have a detrimental impact on wider character and appearance of the area and is therefore contrary to Policies S1 and EQ6 of the High Peak Local Plan 2016, the Residential Design Guide SPD, Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF.
2. The proposed dwelling by virtue of its scale, design and siting will have a detrimental impact on the residential amenity of neighbouring properties, 6-10 Stonehands (Brookside Cottages) and the host dwelling 4A Browside creating an overbearing appearance and resulting in the loss of privacy and outlook. The proposed relationship is considered to be





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un-neighbourly and as such the development would have a detrimental impact on the amenity enjoyed by residents of these properties. Furthermore, the proposed dwelling dominates its own plot which result in disproportionately small amount of private amenity space being provided in comparison to the size of the dwelling. The proposals would result in harmful impact on residential amenity and is therefore contrary to Policies S1 and EQ6 of the High Peak Local Plan 2016, the High Peak Residential Design SPD (2005), and relevant paragraphs under Chapter 12 of the NPPF.

3. The Environment Act introduced the requirement for all major and minor developments to provide a mandatory 10% Biodiversity Net Gain. The application alleges that the proposal would be exempt on the basis of it being a self-build dwelling house. However, no evidence was presented with the application to demonstrate that the proposal was a genuine self-build dwelling and therefore the application must provide 10% Biodiversity Net Gain. The proposal is therefore contrary to policy EQ5 of the High Peak Local Plan 2016, Chapter 15 NPPF and the Environment Act.

Informatives

1. The local planning authority considers that the proposed development is unacceptable in principle 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.
2. The applicant is advised to seek pre-application advice in advance of submitting any further planning applications for the site.

X 

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



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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.

