



High Peak Borough Council

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Planning and Design Practice Ltd
3 Woburn House
Derby
DE1 1UL

Broadhurst
Cotebank Farm
Buxworth
High Peak
SK23 7NP

Application no: HPK/2024/0100

Determined on: 3rd March 2025

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Cote Bank Farm Chinley Derbyshire SK23 7NP

Description of Development:

Erection of a wind turbine

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: 001 (Site Location Plan); 003 (Plans as Proposed); for the reason(s) specified below:-

1. The proposed development does not meet any of the exceptions set out under Paragraph 154 of the Framework and thus comprises 'inappropriate development' in the Green Belt. In the view of the Local Planning Authority, the very special circumstances presented by the applicant only attract moderate weight, and are not found to outweigh the harm to the Green Belt by reason of inappropriateness, and the additional harm to the openness of the Green Belt, which attracts substantial weight. As such the application is contrary to Local Plan Policy EQ4 and relevant restrictive paragraphs contained under Chapter 13 of the Framework.
2. Whilst the introduction of the proposed wind turbine is not considered to be harmful to the immediate rural landscape character of the High Peak, it is the case that owing to its prominence and sensitive location, the proposed turbine would result in significant harm to the setting of the Peak District National Park, thereby resulting in conflict with Local Plan Policies EQ2 and EQ3 and relevant paragraphs under Chapter 15 of the NPPF.
3. In the absence of technical information and/or a detailed assessment carried out by a suitably qualified professional as appropriate, it is not possible for the Local Planning Authority to positively conclude that the proposed wind turbine would not adversely





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impact upon the amenity of nearby residential properties having regard to noise impacts. As such, the application in its current form is contrary to Local Plan Policy EQ10 and relevant paragraphs under Chapter 15 of the NPPF.

4. In the absence of sufficient information, it is not possible at the time of determining this application for the Local Planning Authority to positively conclude that the proposed wind turbine would not adversely impact upon the use of any Public Right of Way and/or the public highway. As such, the application in its current form is contrary to Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

Informative

1. The Local Planning Authority has where possible worked in a positive and proactive manner with the applicant to overcome and address all identified planning issues in order to achieve a sustainable form of development. Whilst it is anticipated that the third and fourth reasons for refusal could be satisfactorily addressed, it is the case that no solutions exist that would overcome the first and second reasons for refusal, and therefore the application has been refused for the reasons set out above.

X *B.J. 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.
2. 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.
3. 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.
4. 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.
5. 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>
6. 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.
7. 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.

