



High Peak Borough Council
working for our community

Mr Alan Sorah
Planman3D
27 Spring Rise
Simmondley
Glossop
SK13 6US

Mr R France
Owd House
Far Woodseats Lane
Chisworth
Derbyshire
SK13 5RS

Application no: HPK/2023/0272

Determined on: 18/09/2025

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Far Woodseats Barn , Far Woodseats Lane , Chisworth , Derbyshire , SK13 5RS

Description of Development:

Retrospective application for demolition and re-build of existing agricultural barn

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 refs: A3/PM3D 0654 Page No: 01 Rev 0.2 – Cover Page (Issued 06/09/23); A3/PM3D 0654 Page No: 02 Rev 0.2 – Existing Front & Rear Elevations (Issued 06/09/23); A3/PM3D 0654 Page No: 03 Rev 0.2 – Existing Side Elevations (Issued 06/09/23); A3/PM3D 0654 Page No: 04 Rev 0.2 – Existing Floor Plan (Issued 06/09/23); A3/PM3D 0654 Page No: 05 Rev 0.2 – Proposed Front & Rear Elevations (Issued 06/09/23); A3/PM3D 0654 Page No: 06 Rev 0.2 – Proposed Side Elevations (Issued 06/09/23); A3/PM3D 0654 Page No: 07 Rev 0.2 – Proposed Floor Plan (Issued 06/09/23); and Revised Site Plan (received 21/09/23)

for the reason(s) specified below:-

1. In the opinion of the Local Planning Authority, the development is not a building that has been built for agriculture and it fails to meet any of the exceptions for development in the Green Belt, including development on Grey Belt land, and is therefore inappropriate development. Harm to the Green Belt attracts substantial weight against the development. The development would result in additional limited harm through loss of openness and very limited harm by failing to safeguard the countryside from encroachment. In this instance, any benefits of the development are minor and would not attract such weight to clearly outweigh the harm identified. Therefore very special circumstances do not exist. The development is therefore contrary to Policies S2, S5, EQ3 and EQ4 of the High Peak Local Plan (2016), and guidance contained within the National Planning Policy Framework.

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Informative(s)

1. In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive way by taking a proactive approach to development proposals. In this instance the applicant was invited to address some initial concerns relating to the submission. However, the Council has in principle concerns regarding this development and therefore, amendments to the scheme have not been requested.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council





NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Derbyshire County Council.
3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
 - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.
4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.
5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
 - (b) Variation to the approved plans will require the submission of a new planning application.
6. 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.
7. 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





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do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. 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.

