

High Peak Borough Council
Planning
Buxton Town Hall
Market Place
Buxton
Derbyshire
SK17 6EL

12th October 2023

To whom it may concern,

Application REF: HPK/2023/0375
Change of use of land to private riding arena

AT: Rivendell Farm, Woodseats Lane, Charlesworth, Derbyshire, SK13 5DT

I write in relation to the above referenced planning application on behalf of my client, Professor Dr. Dr.h.c. (multiple) Terry V. Callaghan CMG, who lives in the property near the application site, and has a legal interest in part of the application site (access and track), as well as being an owner of adjacent land.

My client wishes to raise the following concerns with relation to the planning application referenced above:

- **Impact on Landscape/Visual Amenity** - Although it is appreciated that the introduction of a ménage in the Green Belt is acceptable in principle as it is a development that facilitates outdoor recreation, the ménage proposed will be a stark addition to an area of countryside that is currently free from major structures and its location and orientation are maximally obtrusive. This has been confirmed by the Council in the previous refusal for the ménage/arena in this location. The landscape within which the application site lies is currently scenic and rural in nature and is generally free from major structures such as that proposed. The land sits in a prominent location across the landscape and is viewed from the nearby village of Broadbottom, various dwellings and public rights of way to the north, west, south, and Woodseats Lane, therefore the proposed development will also have an adverse impact on landscape and visual amenity. The scale, appearance and the elevated position of the ménage

would encroach into the open countryside and Green Belt. It would result in a detrimental and negative impact to the immediate and wider surroundings. The proposal is therefore contrary to policy EQ3 and EQ4 of the High Peak Local Plan and Section 9 of the NPPF protecting Green Belt Land. There appears to be nothing within this resubmission that addresses the previous reasons for refusal. In fact, the new proposed tree planting would further reduce the openness of the area.

- **Lack of Information** – The application proposes a large area of land to be taken up by built development, but there has been no detailed assessment on the impact on drainage/flood risk. Furthermore, the potential impact on tree/ecology has not been considered. There is a nearby biodiversity-rich woodland, known as ‘Woodseats Wood’. There are also trees adjacent to the application site, and the fragmentation and loss of habitat all have the potential to be impacted upon as a result of the development. This is contrary to the Government’s drive to provide biodiversity net gain on developments.
- **Biodiversity** – While the planting of trees is usually to be commended, there is a nearby biodiversity-rich woodland, known as ‘Woodseats Wood’. There are also trees adjacent to the application site and numerous nearby copses and woodlands with native ground flora and biodiversity. The scale of the proposed planting does not compensate for the loss of land from construction of the ménage, it reduces the openness of landscape and habitat – the main reason for the refusal of the previous application – and leads to greater fragmentation and loss of habitat. Open habitats such as currently exist are essential for the maintenance and increase in specific biodiversity such as birds of prey. Furthermore, there is no information on the mix of wildflower seeds to be sown and the danger exists of an exotic flora being introduced that could potentially displace the existing native ground flora. Overall, the planned development of the ménage and copse are contrary to the Government’s drive to provide biodiversity net gain on developments.
- **Access** – My client would like to make the point that the proposed access track has been categorised as ‘inadequate and dangerous’ (direct quote) by the applicant in her objection of planning proposal for a barn conversion ([HPK/2020/0241](#)). The current proposal is completely contradictory in implying the access is now usable for the construction and use of the ménage even though the track was further damaged during the construction of the applicant’s stables.
- **Conditions** – Notwithstanding the view that the application should be refused, should the application be permitted, my client would insist on conditions being imposed as suggested below:

- **Access** – Following the stringent conditions on the up-grading of the track imposed on application [HPK/2020/0241](#), the applicant of the current proposal should be subjected to equally stringent conditions for example relating to the structure of the track and passing places. In practice, this will be difficult as the applicant owns none of the track or adjoining land for most of its length.
- **Lighting** – A condition should be attached to ensure that there is no lighting associated with the ménage, due to the sensitive rural and prominent location and proximity to Listed Buildings.
- **Landscaping Scheme** – A sufficient landscaping scheme (the scheme submitted is lacking in any detail) should be submitted prior to any development taking place to screen it and secure biodiversity net gain. This screen should also be incorporated to protect the setting of the nearby listed buildings.
- **Restriction on personal use** – There should be no business or competitive use of the ménage/associated land.
- **Sustainable Drainage** – We feel it would be reasonable to attach a condition securing a sustainable drainage scheme to prevent pollution of water courses and to protect water quality in nearby ponds and water courses.

Overall, this application reinforces the main reasons why the previous application was strongly rejected – i.e. the proposed development would result in inappropriate development within the Green Belt. By reason of the location, scale, materials and context the proposals, the development would fail to preserve the openness of the Green Belt and would conflict with the purposes of including the land in the Green Belt through encroachment into the countryside. This application should be refused due to the negative impact it will have on the local landscape and specific biodiversity, as set out above.

Yours faithfully,

Endaf Roberts
MPlan MRTPI
Director