

DELEGATED DECISION REPORT

HPK/2024/0431
Valid 25/10/2024

FAR WOODSEATS BARN
FAR WOODSEATS LANE
CHISWORTH

INSTALLATION OF A PIPE
ARRAY TO SERVE A GROUND
SOURCE HEAT PUMP

(FULL - MINOR)

MAIN ISSUES

- Principle of the Development and Impact upon the Openness of the Green Belt
- Design and visual impact
- Impact upon Residential Amenity

DESCRIPTION OF SITE

The application site relates to an agricultural field which lies adjacent to Far Woodseats Barn, which is a recently converted barn. The site lies within the countryside, within the Green Belt.

PROPOSAL

The application seeks planning permission for the proposed installation of a pipe array to serve a ground source heat pump at Far Woodseats Barn. The array would comprise of three trenches. Each trench would be 1200mm deep, and 900mm wide and would include two pipes being laid in each. The chamber would have a solid base (comprising concrete or MOT 40mm, dependent on ground conditions). The pipes would be surrounded by a layer of soft fill or pea gravel and trenches backfilled.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 2 Settlement Hierarchy
EQ 3 Rural Development
EQ 4 Green Belt Development
EQ 5 Biodiversity
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

Supplementary Planning Documents

Residential Design Guide SPD (2005)
Design Guide SPD (2018)

National Planning Policy Framework

Chapter 2 - Achieving Sustainable Development
Chapter 12 - Achieving Well Designed and Beautiful Places
Chapter 13 – Protecting the Green Belt

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Reference no. HPK/2024/0042
Description: Lawful Development Certificate for a proposed installation of a pipe array to serve a ground source heat pump.
Decision: Refuse (30/09/2024)

There are also a number of planning applications which relate to the adjacent barn conversion and farm buildings which are judged not to be relevant in this instance.

CONSULTATIONS

Publicity

Site Notice expiry date: 20/12/2024
Neighbour consultation period ends:
Press Advert: N/A

Public Comments

One neighbour objection has been received. Their comments are summarised below:

The route of the trench cuts across a public & private right of way, how will access be maintained during works?

The trenches in the field cut straight through the route of a water supply which feeds both my domestic supply and some animal feed troughs. The existing water flow is at a depth of approx 1 metre, and is perpendicular to the proposed trench. Plans are available to show this along with details of the easement. Notwithstanding the likely loss of this water supply, the thermal impact on the water flow has not been considered. Studies have shown that GSHP systems can cause freezing of such supplies.

There is no mention of an environment agency licence, or discussion on why this development should be considered exempt. This is despite the existence of an underground domestic water supply within the proposed system, or the ancient woodland (Boarfold Wood) which is adjacent to the site. It is not clear where the

plant room is to be located - is this in the domestic property? or in the outbuilding, which currently does not have planning permission itself? On a process note, as a consultee I have not received any paperwork on this application, and no site notice has been displayed.

Additional comments received show correspondence between the neighbour and Environmental Health to confirm that the applicant is on a private water supply.

- Issues regarding private water supplies are a civil issue and are not under the remit for consideration of a planning application.

Town / Parish Comments

No comments received.

Environmental Health (No Objection)

Correspondence has been received from the Environmental Health Team regarding the neighbouring objection and concerns that their private water supply would be cut off. It was confirmed that water supply disputes are not a material consideration and no further comments or objections were received from Environmental Health.

Derbyshire County Council Highways (No Objection)

The extent of the publicly maintainable highway ends before the application site with the pipe works between the proposed heat pump and the dwelling being within the applicant's land. Therefore the engineering works required to install the pipe work will have no impact on the highway network.

Based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Derbyshire Wildlife Trust (No Objection)

The most recently submitted metric has reverted to the original proposal to reflect the modified grassland as lost and then recreated in good condition. This will achieve +0.0123 habitat units (16.89%). Tree planting is no longer proposed.

As per our previous responses, this does not strictly accord with the User Guide. However, the ecological implication of works at this site are so minor, that we do not plan to comment further on this application. The LPA should be aware that the calculations are not in strict compliance, for the reasons set out in our letter DWTHPK761a dated 20th January 2025, however the grassland on site is of low ecological value and will essentially be re-seeded after works. The required gains are demonstrated in the metric. We advise that the grassland is re-seeded with a

more diverse seed mix upon completion, with a view to achieving the good condition stated in the metric.

As advised previously, given the minor nature of the habitat enhancements, these should be secured through a condition for a simple landscape plan, unless re-seeding details are submitted at this stage. Monitoring is not considered proportionate in this case.

OFFICER COMMENTS

Principle of Development

This application seeks planning consent for works in an agricultural field associated with Far Woodseats Barn outside of the built-up area boundary wholly within the Countryside and the Green Belt. The application is therefore subject to Local Plan Policies EQ3 and EQ4 and relevant restrictive policies relating to Green Belt development contained in the NPPF.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness. The policy supports extensions and alterations to existing dwellings provided they are subsidiary to the building and do not have an adverse impact on the character of the landscape. LP Policy EQ4 relates to Green Belt development and requires all development proposals in the Green Belt to be assessed in line with national policy.

Paragraph 153 of the NPPF outlines that Inappropriate development is by definition harmful to the Green Belt. and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 154 identifies that development in the Green belt is inappropriate unless one of the following exceptions applies.

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- i. mineral extraction;
- ii. *engineering operations*;**
- iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The applicant has previously submitted a LDC application (Ref no. HPK/2024/0042) for the works as proposed via this application.

The officer report for application HPK/2024/0042 identified that “ *The overall extent of the works would indicate that the proposals are an engineering operation and therefore an act of development. To reaffirm this Schedule 2, Part 14, Class L of the GPDO, which relates to the installation of ground source heat pumps to non-domestic properties, refers to the “total area of excavation” (not exceeding 0.5ha). This would indicate that excavation in association with the installation of a ground source heat pump is development.*”

Therefore the proposed works in this instance are again deemed to constitute an engineering operation. Whilst it has previously been established that the proposed development constitutes an engineering operation, to ensure that the works comply with the exception under Para 154 the development must preserve the openness and not conflict with the purposes of including land within it.

Openness

The proposed development would not have any detrimental impacts upon openness as the proposed works would involve the digging of trenches to lay the pipe work which would then be refilled and the re-grassed over the top and therefore once the construction phase is complete the works would be entirely underground and no longer visible. Therefore the proposed pipe array would not have any harm upon the openness of the Green Belt and as such complies with the exception outlined in Paragraph 154 (H, ii) of the NPPF.

The proposed development is considered to be acceptable in principle in accordance with Local Plan policies S2, EQ 3, EQ 4 and national policy outlined in the NPPF subject to compliance with other material considerations such as impact upon residential amenity, design, appearance and impact upon the surrounding area.

Design

The proposed works would be underground with the pipe array inserted into trenches which are to be refilled and re-grassed. Therefore, the proposals would not have any detrimental impact upon the character of the host dwelling or that of the surrounding area as once the construction phase is complete, the works would no longer be visible.

The neighbouring objector makes reference to the fact that there are no details as to where the Ground Source Heat Pump array is to be sited. Whilst this is correct the planning application in this instance seeks only to obtain planning permission for the pipe array element and therefore there are no requirements to show the location of any Ground Source Heat Pump.

The proposed development would not have any unacceptable impacts with regards to design and visual amenity in accordance with Local Plan Policy EQ 6, SPD's and the NPPF.

Amenity

The proposed works would be located underground and would not increase the built footprint of the site, nor would they result in any additional outlook towards neighbouring properties. The development would remain completely invisible once the construction phase is complete.

The neighbour comments makes note of the lack of Environmental Licence and that the proposed pipe array would cut off their private water supply. The proposed development takes place entirely within the applicants own land and any issues relating to Environmental Licences and Water Supply issues are considered to be non-material considerations in the evaluation of this planning application. The Council's Environmental Health team have raised no objections.

The neighbour objection also states that no paperwork had been sent to them and no site notice had been displayed. All of the documents were made publicly viewable on the High Peak Council Website. It is also noted that the neighbour objection was received 22/11/2024 and a site notice was displayed for a period of 21 days from the 29/11/2024.

Although the plans do not show the plant room, this application relates only to the pipe array as illustrated by the description of development.

The proposed development would not have any adverse impacts upon neighbouring amenity in accordance with Local Plan Policy EQ6, SPD's and the NPPF.

Biodiversity Net Gain

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

A Small Sites Metric and Landscape Management Plan as requested by Derbyshire Wildlife Trust (DWT) have been submitted in support of this application.

The proposals would dig trenches to lay the ground source heat pump pipe array and then re-cover and resow once the pipework has been laid. DWT have removed their previous objection although the proposals do not strictly adhere to the User Guide for BNG development the development has been assessed to be so minor and that the existing grassed area is of a low ecological value and will essentially be reseeded once the works are complete. DWT have identified that the required gains are demonstrated in the metric and advise that the grassland be re-seeded with a more diverse seed mix upon completion.

DWT have confirmed given the existing ecological value of the site and the extremely minor nature of the proposed development that the habitat enhancements be secured via condition and monitoring of the site is not required in this instance. It is therefore proposed that the standard statutory condition should be imposed to cover this .

The proposed development has been assessed to comply with local plan policy EQ5 and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Highway Safety

DCC Highways have confirmed that they have no objections to the proposed works as the property is located off a private road with the extent of the publicly maintainable highway ending before the application site with the pipe works between the proposed heat pump and the dwelling being within the applicant's land. Therefore the proposals would have no impact upon the highway network.

The neighbour objection makes note of the fact that the proposed pipe array would cross a public footpath. Council mapping shows that this would not be the case with the nearest public footpath (HP9/24/1) starting 50m to the north of the proposed pipe array.

Ancient Woodland

With regards to the neighbour comments, Far Woodseats Wood is a designated area of Ancient Woodland, Derbyshire Wildlife Trust have raised no objections to the pipe array and given the proposed works would be undertaken no closer than 160m from the Ancient Woodland it is therefore considered that the proposed pipe array would not have any detrimental impact upon the Ancient Woodland.

CONCLUSION / PLANNING BALANCE

The proposed development is considered to not have any harm to the openness of the Green Belt and is acceptable principle and will not result in any adverse impacts upon visual or residential amenity. The proposals are in accordance with the relevant policies of the High Peak Local Plan, and the National Planning Policy Framework.

Therefore, the application is recommended for approval subject to conditions.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Stuart Talbot

Recommendation Date: 17/09/2025

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council