

DELEGATED DECISION REPORT

HPK/2025/0137
Valid 19/05/2025

MASTERMELT LTD
STADEN BUSINESS PARK
STADEN LANE
BUXTON

ALTERATIONS TO EXISTING
CAR PARK AND HGV
LOADING AREA.
INSTALLATION OF 2.4M
FENCE

(FULL - MINOR)

MAIN ISSUES

- Design, Character and Appearance
- Highway Safety

DESCRIPTION OF SITE

The application relates to a parcel of land within the Staden Business Park, Staden Lane, Buxton – a Primary Employment Site as defined under Local Plan Policy E3, that contains 3no industrial units (Building 1, Building 2 and Building 3) and associated hard standing currently operated by Mastermelt Ltd, a company specialising in precious metal recycling.

The site is accessed from and sits adjacent to Staden Lane, which runs parallel with the northern boundary of the site. The access currently feeds into a car park which is situated forward of the industrial unit, which is bounded by a retaining wall constructed of stone.

To the south of the car parking area and to the side of Building 1 is a space designated for HGV loading and unloading and storage of various paraphernalia associated the existing operations. A larger yard area sits beyond this loading and unloading area to the side of Building 2 and in front of Building 3.

PROPOSAL

The application seeks full planning permission for development described as “*alterations to existing car park and HGV loading area and installation of 2.4m fence*”.

In its original form, the alterations showed the extent of the car park to be extended beyond the existing northern boundary. However, owing to an objection raised by the Highways Authority, revised plans have been submitted which show a revised car park layout which does not extend beyond the northern boundary, with additional fencing surrounding a revised HGV loading and unloading area. These amended plans show development which continues to fall within the description of development.

The latest Proposed Site Plan (013-PL-P3) shows the re-modelling of the car park entrance with the HGV loading and unloading area extending further northwards, contained by fencing. The layout of car parking spaces is shown to be amended, with the extension beyond the northern boundary originally shown now omitted.

The latest Elevation Plans (Ref: 013-PL-103-P1 & 013-PL-0102P3) shows the newly modelled HGV loading and unloading areas to be contained by metal fencing that stands approximately 2.4m in height above floor level, which rises in height from the northern boundary, due to changes in ground levels to the rear of the site.

The latest Floor Plans (Ref: 013-PL-102-P3) shows the HGV loading and unloading area to have a lower and a raised area, owing to the rising change in levels described above. The fencing is to be introduced to distinguish the car park from the HGV area and to define a pedestrian access on the western boundary.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S4 Maintaining and Economic Base
- S7 Buxton Sub-area Strategy
- E1 New Employment Development
- E3 Primary Employment Zones
- EQ6 Design and Place Making
- CF6 Accessibility and Transport

National Planning Policy Framework 2024

Achieving Sustainable Development	Chapter 2
Building a Strong Competitive Economy	Chapter 6
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Prior to 2000, the site has a long planning history dating back to 1977 when the industrial unit was first granted planning permission. None of the proceeding history has any bearing on the assessment of this application.

CONSULTATIONS

Publicity

Site Notice expiry date: 17th July 2025

Neighbour consultation period ends: 11th June 2025

Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Network Rail

Informative relating to the following:

- Obligations
- RAMS
- Fail Safe Use of Crane and Plant
- Encroachment
- Lighting
- Drainage Proposals
- Excavation and Earthworks
- Boundary Treatments
- Access to Railway
- Trees
- Parking and Hard Standing Area

Derbyshire Wildlife Trust

We have reviewed the BNG Assessment (Peak Ecology, May 2025) and associated metric. The habitat assessment, classification and calculations appear reasonable. The proposals will result in a net loss of -1.83 habitat units (95.71%). A total of 2.02 habitat units are required to deliver a 10% gain.

We are disappointed to see the removal of mature trees on site, which has already taken place. These have been accounted for in the metric but should be considered against Local Plan Policy EQ9.

Given that there is no scope to deliver these units on site, units should either be purchased from a local habitat bank or delivered on other land owned by the applicant or a third party. If a habitat bank is the chosen option, details can be provided in the post determination Gain Plan. However, if off-site land will be used, detailed must be provided as any requirement for a legal agreement must be determined at this stage.

We agree with the report that a Habitat Management and Monitoring Plan is not proportionate in this instance. Retained grassland will continue under the current management regime.

No protected species constraints are anticipated given the predominance of hardstanding on the site.

Derbyshire County Council Highways

Initial Comments

The application proposes alterations to the existing parking provision and, according to the plans, the creation of a new access to Staden Lane with the existing access remaining.

However, it is not clear from the submitted plan if the intention is to extend the parking area into the grassed verge which fronts the site. The site is bordered by a stone wall which forms the boundary with the grassed verge before the main carriageway on Staden Lane. The stone wall forms the highway boundary with the grassed verge being within the publicly maintainable highway.

The submitted plan seems to indicate that the site boundary is proposed to be relocated forward of the existing boundary wall with, what is currently, the grassed verge being taken into the parking area. A new access is also indicated within this same area.

Can the applicant please confirm that this interpretation of the application is correct? If this is correct, the area within the public highway will not be permitted for the use of the applicant to use as a parking area. Extending the application site boundary forward of its current position would also potentially remove the visibility splay from the side road immediately adjacent to the application site which would not be acceptable to the LHA.

A plan of the publicly maintainable highway extents is attached for information.

Further Comments

Further to previous LHA comments and following the receipt of revised plans of the proposed alterations to the parking area, there are no objections to the application.

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.

Condition

1. The parking and turning facilities shall be provided as shown on the revised submitted drawing(s)

OFFICER COMMENTS

Principle of Development

The application seeks full planning permission for works contained within an industrial site that lies within the built up area boundary of Buxton on a Primary Employment Zone that are required to enhance the ongoing operations of that unit. Local Plan (LP) Policies S1, S2 and S4 when taken together direct the focus of economic growth to the built-up areas of the larger Market Towns including Buxton, whilst LP Policies E1 and E3 together with relevant paragraphs contained under Chapter 6 of the NPPF support the ongoing development and enhancement of existing sites within Primary Employment Zones.

As such, the principle of development is acceptable, subject to a detailed assessment of all relevant material planning considerations.

Design Character and Appearance

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

Paragraph 135 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

In its original form the application sought to extend the overall area of the car park northwards encroaching into the existing grass verge that forms part of the adopted Highway. Notwithstanding issues raised by the Highways Authority, this would also have design implications with regards the overall impact on the street scene.

However, revised plans have now been submitted which now the remodelling of the car parking entrance and parking layout, would be contained wholly within the existing curtilage of the site, having no material impact on the character and appearance of the site or indeed its wider setting.

The proposed fencing is shown to contain the HGV unloading and loading area, as well as demarcating this area from both the car park and a pedestrian walkway that runs parallel to the western boundary of the site.

This boundary treatment with regards to its height and appearance is consistent with those with existing palisade fencing found along the B&Q boundary to the west and is typically seen in urban industrial estates. Therefore subject to a compliance condition which requires this fencing to be painted black (avoiding bright colours), the proposed

development in its revised form is considered to be acceptable with regards to its impact on the character and appearance of the site and its wider setting, in accordance with LP Policies S1 and EQ6 and relevant paragraphs contained under Chapter 12 of the NPPF.

Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 115 of the NPPF states that in assessing sites for specific applications, it should be ensured that safe and suitable access to the site can be achieved for all users.

Paragraph 116 goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact impacts on the road network would be severe.

In its original form the application sought to extend the overall area of the car park northwards encroaching into the existing grass verge that forms part of the adopted Highway. Perhaps unsurprisingly, the Highways Authority raised a strong objection to these works owing to the resultant impacts to exit visibility.

The revised plans, which simply show the remodelling of the existing car park footprint including re-orientation of the access and individual car parking spaces, has been found to be acceptable to the Highways Authority, in as far as demonstrating a safe and suitable access and no unacceptable highway safety impacts.

With regards to off-street parking provision, the Existing Plan shows the provision of 18no off-street parking spaces to serve the existing Industrial Unit. The Proposed Site Plan also shows the provision of 18no spaces, resulting in no change to the overall provision. Given the fact that the plans do not include any increase in floor area to the existing buildings, there is no requirement for any additional car parking provision.

The suggested condition by Highways is not required as this requirement will be covered by the standard approved plans condition.

As such, the application is now considered to be fully compliant with LP Policy CF6 and paragraphs contained under Chapter 9 of the NPPF in its revised form.

Other Matters

The Environment Act (2021) places a legal requirement on all applications to deliver a 10% uplift in Biodiversity Net Gain on site or, where this cannot be achieved, off-site which can include purchasing credits from a registered Habitat Bank.

In its original form, the application sought to increase the area of the car park by encroaching beyond the northern boundary, leading to a loss of existing habitat, which would have been required to be mitigated off-site to comply with the Environment Act. However, in light of revised plans omitting this element, there is no habitat loss on site, as the remodelled car parking will take place on an existing sealed surface and therefore this matter has been satisfactorily addressed.

Network Rail have submitted a detailed comment that requires applicants to engage with Network Rail regarding a multitude of potential issues prior to the commencement of any works. No works will be taking place within 10m of the boundary with Network Rail assets, indeed the works are over 60m from the boundary with the railway to the east. Given the nature of the proposed development as shown on the revised plans, it is not considered that any conditions or indeed an informative is necessary on this occasion.

With respect to the new fencing along the western boundary which would adjoin the boundary with the B&Q building, this building does not contain any windows on the elevation which would be affected.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

The application seeks full planning permission for alterations to an existing car park and new fencing in association with an existing industrial unit located within the Staden Business Park, designated as a Primary Employment Zone under LP Policy E3.

In its revised form, the application has been found to be acceptable with regards to its siting, design and appearance. It would not result in any harm to highway safety, and in light of the works not extending beyond the existing northern boundary, there is no longer a requirement to deliver BNG either on or off site.

For the reasons outlined above, the application is considered to be fully compliant with the Local Development Plan and other material considerations including the NPPF, and as such constitutes a sustainable form of development.

In line with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 20th November 2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council