

DELEGATED DECISION REPORT

HPK/2025/0403
Valid 17/12/2025

LODES BARN FARM
UNNAMED ROAD
ADJACENT BATHAM GATE
PEAK FOREST

RETROSPECTIVE PLANNING APPLICATION FOR THE WIDENING OF OUR EXISTING AGRICULTURAL ACCESS TRACK AND THE ADDITION OF A PEDESTRIAN FOOTPATH, SEPARATED BY A ROW OF BEECH HEDGING. THE PLANS ALSO INCLUDE RETROACTIVE PLANNING FOR A SMALL HARDCORE AREA USED AS A CAR PARK FOR VISITORS AT THE ENTRANCE TO THE PROPERTY SO VISITORS CAN WALK ALONG THE PROPOSED FOOTPATH TO SEE THE ANIMALS IN THE FIELDS NEXT TO IT.

(FULL - MINOR)

MAIN ISSUES

- Principle of development.
- Character and Appearance
- Residential amenity.
- Historic environment.
- Highway safety.
- Ecology & Biodiversity Net Gain.
- Drainage.
- Nutrient neutrality.

DESCRIPTION OF SITE

The application boundary of site (for the proposed alterations/extension to the access track) falls within the boundary of High Peak Borough Council. The access drive facilitates access to Lodes Barn Farm. Lodes Barn Farm is located within the boundary of the Peak District National Park Authority. The boundary between the High Peak and Peak District National Park authorities runs along the northern and eastern boundaries of the application site.

Dove Holes Quarry is located to the south and west of the application site.

The 'Peak Forest & Old Dam Extension' Conservation Area is located over 1km to the north-east of the site, within the boundary of the Peak District National Park Authority.

There are several public footpaths (FP's 30, 32 and 33) and a bridleway (No.44) within the vicinity of the site.

The wider site of Lodes Barn Farm is subject to an array of activities, largely centred around animal rescue/rehabilitation and community engagement. It is understood through discussion with the agent that the animals do not form part of any agricultural enterprise, and that community groups, schools, people from disadvantaged backgrounds, and people with additional needs are able to visit the site (pre-arranged booking necessary) free of charge and interact with the animals on-site. It is also understood that the applicant has aspirations to increase and expand the leisure offer at the site with facilities such as a café, farm shop, meeting/event space, and holiday/camping accommodation.

At the time of the Council's site visit (January 2026), no evidence of agricultural activities taking place across the site and wider landholding were observed, despite claims made within the application. In addition, further works on the implementation of the access track appear to have been undertaken on site after the Council's enforcement team visited.

PROPOSAL

The development seeks planning permission for amendments and an extension to the site access track. The width of the access track has already been increased along its length without planning permission, to the approximate extent that is proposed. At present, the extended track comprises of hardcore stone, but it is proposed that this area be finished with tarmac, as per the existing access track. The original track measured 2.8m in width, with the new extension of the roadway also being 2.8m wide.

New 20cm high kerb edging is proposed along the western side of the access, to create a hard margin to the track. Beyond the kerb edging, to the west, a 50cm wide soft landscaping strip is proposed, with the applicant proposing the planting of beech hedging along the length of the access.

To the west of the landscaping strip a new 2m wide pedestrian footway is proposed, utilising MOT stone and dust. The footway and soft landscaping area are proposed to be sited approximately 20-30cm higher than the roadway.

In summary, the original access track was 2.8m wide with grass verges. The proposed development would result in an access (including the footway and landscaping strip) totalling approximately 8.1m in width.

Planning permission is also being sought for the retention of a hard surfaced (hardcore) car park at the entrance to Lodes Barn Farm, which has already been implemented.

The amendments to the access have been undertaken principally to facilitate ease of vehicle movements for visitors in relation to wider site activities taking place within the boundary of the Peak District National Park.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Borough Council Local Plan (2016):

Policy S 1 Sustainable Development Principles.
Policy S 1a Presumption in Favour of Sustainable Development.
Policy S 2 Settlement Hierarchy.
Policy S 6 Central Sub-area Strategy.
Policy EQ 2 Landscape Character.
Policy EQ 3 Rural Development.
Policy EQ 5 Biodiversity.
Policy EQ 6 Design and Place Making.
Policy EQ 7 Built and Historic Environment.
Policy EQ 9 Trees, woodland and hedgerows.

National Planning Policy Framework (December 2024):

Part 2 – Achieving Sustainable Development.
Part 4 – Decision-making.
Part 9 – Promoting Sustainable Transport.
Part 12 – Achieving Well Designed Places.
Part 15 – Conserving and Enhancing the Natural Environment.
Part 16 – Conserving and Enhancing the Historic Environment.

Supplementary Planning Documents (SPD):

High Peak Design Guide (2018).
Landscape Character (2006).

The Planning (Listed Buildings and Conservation Areas) Act 1990.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The track, subject to this application, leads to a property known as Lodes Barn Farm. Lodes Barn Farm itself falls within the boundary of the Peak District National Park Authority. Therefore the following applications are considered to be of relevance within each of the Council areas:

High Peak Borough Council:

- None of relevance.

Peak District National Park Authority

- It is understood following engagement with the Peak District National Park Authority that there is no established use at the site, with a number of buildings on-site being unauthorised.

CONSULTATIONS

Publicity

Site Notice expiry date: 02/02/2026.

Neighbour consultation expiry date: 12/01/2026.

Press Notice: N/A.

Public Comments

No written representations received.

Derbyshire County Council Highways

- No objections – no material impact upon the public highway.
- There is a discrepancy between the stated widths and the dimensions shown on the drawings, including those for the access and footways. However, as all proposed works are to be carried out within the applicant's land, they will not affect the public highway.

OFFICER COMMENTS

Principle of Development

The application site is located within allocated countryside, where new development will be strictly controlled in order to protect the landscape's intrinsic character and distinctiveness, including the character, appearance and integrity of the Peak District National Park, including its setting (HPBC Policy EQ 3). Policy EQ 3 also seeks to permit development that will facilitate sustainable rural community needs, tourism and economic development. Several criteria are listed within Policy EQ 3 as to how these policy goals will be achieved. The proposed development is considered not to meet any of the policy criteria, and therefore is considered to represent an inappropriate form of development within the countryside.

The application submission identifies the current use of the site as agricultural, and makes reference to the changes to the access track facilitating the movement of wider, more modern, agricultural vehicles. As observed at the time of the officer site visit, the wider land holding is considered not to constitute an agriculture enterprise. However in any event, no detailed information such as tracking plans has been submitted to identify issues with access widths, or the inability for vehicles to pass, or how often they occur. The need for the full extent of hardstanding has also not been justified.

The proposal has resulted in the engineering works encroaching into fields along the length of the site access. The NPPF (December 2024), at Paragraph 187, seeks to enhance the natural environment by recognising the economic and other benefits of best and most versatile agricultural land. It has been identified that the areas of the application site affected by the development has an agricultural land classification of Grade 4, and as such, would not constitute best and most versatile agricultural land.

Character and Appearance

Policy Basis

HPBC Policy EQ 2 seeks to protect, enhance and restore landscape character, and requires new development to:

- a) Have particular regard to maintaining the aesthetic qualities of natural and man-made features within the landscape.
- b) Be sympathetic to distinctive landscape character areas, as identified in the Landscape Character SPD, and also take into account landscape sensitivity, landscape impact and the setting of the Peak District National Park, and where appropriate incorporate landscape mitigation measures.
- c) Protect and/or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park.
- d) Resisting development which would harm or be detrimental to the character of the local and wider landscape.

The above principles are also reflected in HPBC Policy EQ 3, insofar as they seek to ensure that new development protects the landscape's intrinsic character and distinctiveness, including the character, appearance and integrity of the Peak District National Park, including its setting (as discussed above).

HPBC Policy EQ 6 requires development to be well designed, and to respect the character, identity and context of the landscape whilst also protecting, enhancing and/or restoring landscape character, particularly in relation to the setting of the Peak District National Park.

Paragraph 135(c) of the NPPF (December 2024) requires new development to be sympathetic to the surrounding landscape setting. Paragraph 187(b) of the NPPF also recognises the intrinsic character and beauty of the countryside.

Landscape Character:

The application site lies within the Plateau Pastures landscape character area, within the White Peak. This landscape consists of a gently rolling, upland limestone plateau characterised by nucleated limestone villages, dry stone walls, a pastoral land-use and open and expansive views.

The Council's adopted 'Landscape Character' SPD (2006) identifies various key landscape characteristics of this area, which include:

- a) Gently rolling upland plateau that are free draining due to the permeable nature of the limestone.
- b) Semi-natural habitats confined to dry stone walls and trees due to the dominant pastoral land use.
- c) Straight roads with wide verges.

The 'Landscape Character' SPD also identifies that new development should create wildlife habitats where possible, which are suitable to the local landscape type. For the application site, the primary and secondary habitats are lowland calcareous grassland, and neutral grassland and ancient and semi-natural broadleaved woodland, respectively.

It is important these characteristics are carefully considered during the assessment of the application to help maintain the strong local character and identity of this part of the High Peak.

Assessment:

The access track runs through an existing field, and leads to a cluster of buildings at Lodes Barn Farm. The new hard surfaced car park occupies a position adjacent to the access, which was formally a grassed field.

To the south-west of the application site is the Dove Holes Quarry, although given its position, the wider workings of the quarry are not readily visible within the surrounding landscape when viewed from or adjacent the application site. Therefore aside from the buildings at Lodes Barn Farm the site is surrounded by undeveloped open fields, with the site and immediate landscape setting having a traditional open, rural character and appearance, with open and long distance views due to the area's topography.

The alterations to the access drive and resultant development, with particular regard to it's surfacing, width, formalised hard kerb edges, amenity planting and footway is considered to be an over-engineered feature within the landscape, which will have a harmful urbanising impact upon the rural character of the countryside, in particular its openness, in this location.

The overall extent of the access alterations, measuring approximately 8.1m in width, and the parking area, in conjunction with the proposed surfacing (tarmac, and MOT stone and dust) would accentuate its stark urban appearance when compared to the surrounding rural grassland habitats.

What's more, given the isolated location of the access track and parking area, the proposed development would have no visual connection or association with any existing infrastructure. The increase in activity, particularly from visitor/customer vehicles, using the access track and parking area will also have an adverse effect on the character of the countryside in this location.

The application proposes the installation of a new landscaping strip along the entire length of the access, to include beech hedge planting on the western side of the access. Whilst landscape planting could be secured via condition to help provide some screening to the development, this would not provide sufficient mitigation against the visual impact. In addition, the proposed landscaping would not reflect the existing landscape, which is characterised by dry stone walls and trees due to the dominant pastoral landscape.

Peak District National Park

The site is situated outside of but adjacent to the boundary of the Peak District National Park (PDNP), which is located immediately to the north and east of the application site. The site and the PDNP are therefore seen together in short-long distance views from within the surrounding landscape, and there is a complementary relationship between the landscape character of the application site and that of the immediately adjoining PDNP, due to similarities in landscape features. The site therefore has a close relationship with, and makes an important contribution to, the setting of the PDNP.

As a result of the proposed over-engineered and urbanising development, the proposal is considered to also have a harmful effect on the character and appearance of the setting of the PDNP. Neither the access track or the parking area

would protect and/or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the PDNP, leading to conflict with Policies EQ 2 and EQ 3 of the HPBC Local Plan (2016), as outlined above. The development would also conflict with Paragraph 189 of the NPPF (December 2024), which requires development within the setting of National Parks to be sensitively located and designed to avoid or minimise adverse impacts.

Conclusion:

Overall it is considered that the proposed access drive and parking area would represent an uncharacteristic intrusion into the landscape, having a harmful urbanising impact upon the traditional rural character and appearance of the countryside in this location, in particular its openness, and cause harm to the character, appearance and local distinctiveness of the landscape and landscape setting of the PDNP.

Residential Amenity

Given the considerable separation distances between the application site and nearby residential properties, it is considered that the proposed development would not have any adverse effects on the amenity of any nearby property.

However it is acknowledged that the development would directly facilitate the undertaking of activities, perhaps at an increased scale/capacity, at the wider Lodes Barn Farm site. As these activities are being undertaken within the boundary of the Peak District National Park Authority, it would be a matter for them to assess as part of any future planning application(s).

Historic Environment

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires a Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area (Section 72). Over 1km to the north-east of the application site is the 'Peak Forest & Old Dam Extension' Conservation Area, located within the Peak District National Park Authority boundary. Given the landscape topography, it is considered that the proposal will not impact upon the Conservation Area, nor upon any other heritage assets within the vicinity.

Highway Safety

The proposed footway adjacent to the access drive is understood to provide a wheelchair accessible pedestrian route for visitors to the main Lodes Barn Farm site. The application submission sets out that visitors can park in the proposed car park by the site entrance, and travel along the new footway to the site whilst passing fields of animals. It has been identified within the application form that the car park will be suitable to accommodate 5 cars.

Paragraph 115(b) of the NPPF (December 2024) requires that new development can provide safe and suitable access to a site for all users. Whilst it has been claimed within the application submission that the access and parking areas at the scale proposed are necessary for vehicle to pass, no technical information has been submitted in relation to the tracks/parking area design (such as section drawings),

traffic use/generation, or drainage details. The need for the full extent of the hardstanding has also not been justified.

NPPF Paragraph 116 identifies 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 impacts on the road network would be severe. Consultation comments received from the Highway Authority raise no objections to the development, and consider that the proposal will have no material impact upon the public highway.

Ecology & Biodiversity Net Gain

The landscape character area associated with the application site (Plateau Pastures) is noted for containing Lowland Calcareous grassland habitat, which is a priority habitat. A priority habitat is one which is considered to be threatened and requiring conservation action. As the application is proposed in retrospect, if this priority habitat existed on site (either in part or in full), it has now been lost. As a precautionary principle it must be assumed that such habitat has been lost on site, and therefore the development has resulted in harm to a priority habitat. HPBC Policy S 1a requires development to improve the environmental conditions of the area. The NPPF (December 2024) further identifies that developments should minimise impacts on and provide net gains for biodiversity (Paragraph 187(d)), and promote the conservation, restoration and enhancement of priority habitats (Paragraph 192(b)).

It is acknowledged that new beech hedgerow planting is proposed, however this is considered not to be sufficient compensatory planting to replace the lost habitat type, and therefore insufficient provision has been made to protect features of nature conservation.

Paragraph 193(a) of the NPPF highlights that if significant harm to biodiversity resulting from a development cannot be avoided, such as through locating on an alternative site, mitigation, or compensation, then planning permission should be refused.

Biodiversity Net Gain

Biodiversity Net Gain is not applicable to retrospective planning applications made under Section 73A of the Town and Country Planning Act 1990.

Drainage:

The proposed access track, footway, and car parking area comprise of hard surfacing. As previously identified no technical information has been submitted in relation to the track/car parks/footways design such as section drawings, construction details, and full material details. It is unclear whether any areas of the track/parking area are to be/remain permeable.

A key landscape characteristics of this area, as identified in the Council's adopted 'Landscape Character' SPD, is that the nature of the upland plateau is that it freely drains due to the permeable nature of the limestone. However the additional expanse of hard surfacing on the site will result in additional surface water run-off.

HPBC Policy EQ 11 requires surface water from any new development to be discharged in the following order of priority:

1. An adequate soakaway or some other form of Sustainable Drainage System (eg pond, swale, wetland etc).
2. An attenuated discharge to watercourse.
3. An attenuated discharge to public surface water sewer
4. An attenuated discharge to public combined sewer (supported by clear evidence demonstrating why alternative options are not available).

The access track is to be finished with tarmac, which is typically non-porous. No details have been submitted as to how surface water drainage from the site is to be accommodated.

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out “likely significant effects” on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if “likely significant effects” (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an “Appropriate Assessment” where the impact of the plan or project is considered in detail.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. Where all surface water from a proposed development is discharging to an infiltration system (e.g. soakaway or alternative SuDS scheme with 100% infiltration components (that is designed in line with the CIRIA SuDS Manual)), Natural England consider that an insignificant amount of phosphorous, and other pollutants, is likely to reach the River Wye. This is due to the likelihood of pollutants being attenuated within the soil. Therefore the proposal will not risk having a significant negative effect on the SAC either on its own or in combination with other proposals, and therefore it is not necessary to carry out an Appropriate Assessment.

CONCLUSION / PLANNING BALANCE

The proposed development is considered to have a harmful urbanising impact upon the rural character of the countryside, in particular its openness, in this location, and upon the character, appearance and local distinctiveness of the landscape and landscape setting of the PDNP. The development has also likely caused harm to a priority habitat, contrary to the aims of the NPPF.

Having reviewed all the submitted information, and assessing this against all relevant policies and material planning considerations, within the planning balance, a refusal of planning permission is recommended for this application for the reason(s) as discussed above.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Alex Bonser
Recommendation Date: 05/02/2026

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council