

DELEGATED DECISION REPORT

HPK/2026/0012
Valid 08/01/2026

HIGHER BROOK HOUSE
FARM BROOK HOUSE
DRIVE
FAIRFIELD
BUXTON

ERECTION OF A SHED FOR
USE AS A MILK VENDING
UNIT FOR SALES TO THE
GENERAL PUBLIC, AND
RETROSPECTIVE
PERMISSION FOR THE
CREATION OF AN AREA OF
HARDSTANDING

(FULL - MINOR)

MAIN ISSUES

- Principle of development.
- Visual amenity.
- Residential amenity.
- Historic environment.
- Highway safety.
- Ecology & Biodiversity Net Gain.
- Drainage.
- Nutrient Neutrality.

DESCRIPTION OF SITE

The application site is located off an existing vehicle access drive associated with Higher Brook House Farm. The site is on the periphery of an agricultural field located close to the main highway (the A6).

The site and surrounding landscape is a flat plateau, with far distance views across the landscape. The site is within allocated Countryside.

An area of hardstanding has already been installed on site in the field, in the approximate location of the proposed building and visitor parking area.

The site is located within the Nutrient Neutrality SSSI catchment area.

The 'Fairfield Common Fairfield Buxton' Conservation Area is located approximately 360m to the south of the site.

PROPOSAL

The proposal relates to the construction of a building to house a milk vending machine for sales to the general public. An area of hardstanding has been installed for a minimum of two vehicles to park. The building is proposed to be constructed from lapped timber cladding for the walls, with a felt roof.

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 4 Maintaining and Enhancing an Economic Base.

Policy S 7 Buxton 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.

National Planning Policy Framework (December 2024):

Part 2 – Achieving Sustainable Development.

Part 4 – Decision-making.

Part 6 – Building a Strong, Competitive Economy.

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).

Buxton Design and Place Making Strategy (2009).

Landscape Character (2006).

Buxton-Fairfield conservation area character statement.

Planning (Listed Buildings and Conservation Areas) Act 1990.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The following are considered to be the most relevant applications, which includes applications at the wider farm site:

- **HPK/0001/7687** - Proposed Change Of Use Of Administrative Building To One Dwelling Unit - Approved.
- **HPK/0002/0141** - Proposed Conversion Of Administration Building To Dwelling House - Approved.

- **HPK/0002/0142** - Proposed New Access And Drive - Approved.
- **HPK/2017/0592** - Erection of 15 Kennel canine boarding kennels and associated accommodation - Approved 13/03/2018.
- **HPK/2023/0474** - Extension to existing dog boarding kennels to provide 10no kennels, store and 1no isolation kennel - Approved 02/02/2024.

CONSULTATIONS

Publicity

Site Notice expiry date: 11/02/2026.

Neighbour consultation period ends: 03/02/2026.

Press Advert: N/A.

Derbyshire County Council Highways:

- No objection subject to conditions.
- Hardstanding area could accommodate up to 4 parked vehicles.
- The potential increase in vehicle trips associated with the proposed vending unit will be governed by the success of the proposed sales operation which is difficult to know at this time.
- If customer numbers to be relatively low, the layout of the site access is considered to be suitable to accommodate the expected low increase in vehicle trips. The same can be said regarding the number of parking spaces to be provided adjacent to the sales unit.
- Although the access width narrows to approximately 3.4 metres near the proposed unit, adequate forward visibility is available along this section of the access, enabling drivers to see approaching vehicles and safely pull in to allow vehicles to pass.
- Consider 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.

High Peak Borough Council Environmental Health:

- No observations to make on the application.

Buxton Civic Society - No objection subject to conditions to control the installation of lighting and to require removal when the building is no longer required. If HPBC are minded to refuse the application on the basis of its siting, we would support a less prominent and open site.

OFFICER COMMENTS

Principle of Development

HPBC Local Plan Policy S 1 seeks to ensure the delivery of sustainable development, by ensuring, amongst other things, the effective use of land to meet community needs, whilst also taking account of and protecting the areas distinct Peak District character and landscape, including that of the Peak District National Park. Policy S 1 seeks to locate new development in line with the boroughs Settlement Hierarchy.

HPBC Local Plan Policy S 2 sets out the settlement hierarchy for the borough. The application site falls outside of any identified settlement boundary, in an area allocated as countryside. In these areas development will be strictly limited to that which has an essential need to be located in the countryside, in accordance with policy EQ3.

Policy S 4 seeks to support local economies through supporting new agricultural development, farm diversification and other development related to the rural economy that accords with Policy EQ 3.

Policy EQ 3 seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness, including the character, appearance and integrity of the historic and cultural environment and the setting of the Peak District National Park. Policy EQ 3 identifies a number of 'appropriate' forms of development, which includes:

- Supporting proposals for agriculture and related development which help sustain existing agricultural enterprises, including small scale farm shops selling local produce, complementary farm diversification and new agricultural buildings that maintain the landscape quality and character of the countryside.

Therefore the principle of development is considered to be acceptable, subject to all other material planning considerations being found to be acceptable.

Design & Amenity

The building would have an approximate floor area of 15sqm and proposes an eaves and ridge height of approximately 2.41m and 3.15m respectively, utilising a dual pitched roof in its construction. The building is proposed to be constructed from lapped timber cladding for the walls, with a felt roof.

The proposed parking area is hard surfaced and is already in-situ, and measures approximately 50sqm.

The application site is located in a flat plateaued landscape, with far distance views available across the landscape. Isolated buildings appear as a largely alien features within the landscape, with built form nucleated at and around the established farmsteads.

The site is located within the Plateau Pastures Landscape Character area. The Council's adopted 'Landscape Character' SPD (2006) identifies this as an area of gently rolling pastoral land-use with open and expansive views. The area has a dominant building material which utilises limestone with gritstone detailing, and dark slate for the roofs. Non-traditional buildings in the area which vary from this style are identified as being unsympathetic to the landscape and to traditional building styles.

The impact of hard surfacing can also be harmful to landscape character, and requires careful consideration.

Part 7 (Details and Material) of the adopted High Peak Design Guide SPD identifies that there is no tradition of external timber boarding in High Peak.

HPBC Local Plan Policy EQ 3 seeks to ensure that all development is of a high quality design, and protects or enhances landscape character and the setting of the Peak District National Park. Policy EQ 6 reinforces this, requiring development to respect the landscape context, and to ensure a development contributes positively to an areas character in terms of scale, appearance, materials etc.

The building and hard surfacing are considered to be extremely prominent within the area, especially from the highway when travelling along the A6. The proposed materials for the building and expanse of hardstanding are considered to be uncharacteristic of the area, which would have a harmful impact upon the character of the street scene. What's more, the building and hardstanding are isolated within the landscape, and are considered to represent an uncharacteristic intrusion into the open countryside.

Although Policy EQ 3 does support development for farm diversification, this is on the proviso that any development maintains the landscape quality and character of the countryside.

The design, scale and appearance of the building is considered to be domestic in appearance, which would be in stark contrast to and at odds with the surrounding rural character of the area and wider landscape setting, which will have a harmful urbanising impact upon the rural character of the countryside, in particular its openness, in this location. The proposal is considered to conflict with Policy EQ 3, and would therefore represent a harmful form of development within the countryside and wider landscape.

Given the considerable separation distances between the application site and nearby residential properties, with the closest neighbour being 130m to the south, it is considered that the proposed development would not have any adverse effects on the amenity of any nearby property, both in respect of impacts from the built form, and from the comings and goings of customers/vehicles.

Historic Environment

Approximately 360m to the south of the site is the 'Fairfield Common Fairfield Buxton' Conservation Area.

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).

Considering the location of the proposed development and the available intervisibility between the site and the conservation area due to established landscaping and existing built form, it is considered that the proposal would not form part of the setting of the conservation area and therefore would not cause harm to its significance.

Highway Safety

The proposed development seeks to utilise an existing vehicle access off the A6, which currently serves Higher Brook House Farm and the associated kennel site.

The access is currently hard surfaced with tarmac. Application HPK/2017/0592 for the erection of the kennels had a number of conditions in relation to the access, such as surfacing, visibility splays, width, gates etc. One such condition (Condition 16) required no gates to be located within 12m of the highway limits. There are timber 5-bar gates in situ at the back edge of the highway, contrary to this condition. It is unclear whether other aspects of the kennel permission have been implemented in accordance with the approved details.

The size and function of the access drive remain unclear. No details have been submitted with the application indicating widths of the access at various points, whether provision is required for passing places, and whether farm vehicles utilise the same access track.

The hours of day in which the vending machine would be publicly accessible is also unclear, and whether this would create any conflict with patrons to the kennels. There are currently large field gates from the access drive into the site, and it is unclear whether these would remain if the vending machine was granted permission. The potential for these gates impeding vehicle access and/or manoeuvrability is therefore unclear.

No vehicle tracking plans have been submitted to demonstrate vehicle access, parking, manoeuvring, passing at the access etc.

The submitted Planning Report acknowledges there will be an increase in vehicle movements at the site as a result of the proposal. The projected average visitors to the vending machine has been set out as 2 vehicle movements per hour. The methodology for how this forecast has been derived is unclear, and whether this is an accurate representation of likely demand and/or vehicle movements at the site. The trip generation to the kennels site is also unclear, and whether these two business operations could lead to any vehicle conflict at or along the access.

Although no details have been provided of such, it is considered following the Council's on-site observations that sufficient vehicle visibility splays are achievable for drivers exiting the site.

There are a number of ambiguities in relation to the operation of the site, and how this may conflict with other business operations taking place at the wider farm site. However, taking in to account the consultation comments of the Highway Authority in addition to Paragraph 116 of the NPPF (December 2024), it is considered that the development would not result in any unacceptable impact on highway safety, or result in a severe impact on highway capacity and wider local road network congestion.

Ecology & Biodiversity Net Gain:

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is a mandatory requirement of Schedule 7A of the Town and Country Planning Act 1990 as inserted by Schedule 14 of the Environment Act 2021, and is a deemed condition of planning permission which must be secured for at least 30 years via the use of Biodiversity Net Gain Management Plan.

The Biodiversity Gain Requirements (Exemptions) Regulations 2024 exempt certain developments from meeting the biodiversity requirement that would otherwise be imposed as a deemed condition of planning permission. One such exemption is where a development impacts less than 25sqm of onsite habitat. The applicant is claiming this exemption.

The floor area of the building measures approximately 15sqm. Although the extent of the existing hardstanding measures approximately 50sqm, BNG is not applicable to retrospective developments under Section 73A of the Town and Country Planning Act 1990.

Habitats

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. No details have been submitted in relation to the sites current biodiversity value, or in relation to what habitats/species may be present on site. Some works have already been undertaken on site with the installation of the gravel hardstanding area. Therefore if any protected or priority species existed on site, these have already been lost/impacted. However it is acknowledged that the field is in active use for agricultural purposes, with the grassland managed and grazed by livestock.

Drainage:

No details have been submitted in relation to surface water drainage, in relation to either the building or the hardstanding area. Details within the application form suggest the use of a sustainable drainage system for surface water drainage, however it is unclear where surface water will directed to.

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

Whilst the council seeks to support businesses wherever possible, the proposed development by virtue of its design, scale and siting is considered to have a harmful urbanising impact upon the rural character of the countryside, in particular its openness, in this location.

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.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Alex Bonser

Recommendation Date: 19/02/2026

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council