

DELEGATED DECISION REPORT

HPK/2026/0038
Valid 28/01/2026

UNIT 33 HARPUR HILL
BUSINESS PARK
HARPUR HILL
BUXTON

TO SUBDIVIDE THE UNIT TO
CREATE 2 X SELF
CONTAINED UNITS EACH
WITH ANCILLARY PARKING
AND INDEPENDENT ACCESS.

(FULL - MINOR)

MAIN ISSUES

- Principle of development.
- Character, Design, & Amenity.
- Historic environment.
- Highway safety.
- Biodiversity Net Gain.
- Water quality.
- Nutrient neutrality.
- Contamination.

DESCRIPTION OF SITE

The application site is located on the Harpur Hill Business Park, a designated Primary Employment Zone, which also falls within allocated countryside.

The site is also located within the 'Buxton groundwater source protection zone', the 'Buxton mineral water catchment', Buxton's 'Nutrient neutrality SSSI catchment', and within the buffer zone of 2x landfill areas.

Approximately 510m+ to the east of the site is the 'Two Hlaews at Haslin House' Scheduled Ancient Monument.

The site is currently being operated by 'John Shirt Motorcycles Ltd', utilising the space for light industrial activities with an element of customer retail sales. The premises has previously been extended to the south to provide additional floorspace for the unit.

The unit currently measures 40metres x 20metres, with an overall floorspace of 800sqm and a site area of 2000sqm.

The access road to the premises from the adopted highway of Grin Low Road is privately owned. Accordingly, the application red-boundary of site has been extended to the adopted highway, and the applicant/agent has completed the relevant ownership certificate and served the appropriate notice on the landowner(s).

PROPOSAL

The proposal seeks to sub-divide the existing unit to create two separate commercial units which would operate independently of one another. The use of both premises would remain as existing (General Industrial (B2)), and no external changes to the buildings are proposed except for the installation of a pedestrian door in the south elevation to serve one of the units.

‘Unit 1’ (the north unit) will continue to be operated by ‘John Shirt Motorcycles Ltd’ and will measure 30metres x 20metres (600sqm floor area). ‘Unit 2’ (the south unit) will be occupied by a new tenant, with the unit measuring 10metres x 20metres (200sqm floor area).

Each unit will have their own access and parking areas. The existing car park/yard is to be sub-divided, with the existing access to serve ‘Unit 1’ and a proposed new access will serve ‘Unit 2’.

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 6 Design and Place Making.

Policy EQ 10 Pollution Control and Unstable Land.

Policy E 1 New Employment Development.

Policy E 3 Primary Employment Zones.

Policy CF 6 Accessibility and Transport.

National Planning Policy Framework (December 2024):

Part 2 – Achieving Sustainable Development.

Part 4 – Decision-making.

Part 6 – Building a Strong, Competitive Economy.

Part 8 – Promoting Healthy and Safe Communities.

Part 9 – Promoting Sustainable Transport.

Part 11 – Making Effective Use of Land.

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):

Water in Buxton (2021).

High Peak Design Guide (2018).

Landscape Character (2006).

Ancient Monuments and Archaeological Areas Act 1979.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0000/5889 - COU To Class 3 And 4, Part Land Site - Approved.

HPK/0000/5951 - Class 3 And 4 Use Of Buildings On Site - Approved.

HPK/0000/5961 - Proposed Manufacture Of Glass Reinforced Plastic Tank Sections, (part Of Country Kitchen Old Site) - Approved.

HPK/0002/5740 - Renewal Consent For Use Of Existing Buildings For Light Industrial And General Industrial Use - Approved 16/09/1987.

HPK/0002/6207 - Industrial Unit - Approved 23/02/1988.

HPK/2003/0053 - Extension To Industrial Storage Building - Approved 17/03/2003.

CONSULTATIONS

Publicity

Site Notice expiry date: 05/03/2026.

Neighbour consultation period ends: 19/02/2026.

Neighbour re-consultation period ends: 20/03/2026.

Press Advert: N/A.

Public Comments

None.

Other:

High Peak Borough Council Environmental Health:

- Any development needs to be mindful of any historic land contamination measures. An informative is advised accordingly.

- Condition suggested in relation to possible contamination which may be encountered during development.

Derbyshire County Council Highways:

- No objections.
- Site is located some distance from the publicly maintainable highway.
- The proposed sub-division of the premises is not expected to generate a significant increase in vehicle movements over those generated by the existing scenario.
- Condition suggested.

Buxton Civic Association:

- No objection.

Hartington Upper Quarter Parish Council:

- No objections.

No other written representations received as part of the consultation process.

OFFICER COMMENTS

Principle of Development:

Local Policy Position:

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 enquiry 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 EQ 3.

Policy E 1 (New Employment Development) supports the delivery of new business and industrial development, by:

- Encouraging the redevelopment, intensification and more efficient use of Primary Employment Zones where they are either not fully utilised, provided that they accord with Local Plan Policy E3 and the wider Local Plan policies.

- Ensuring that development would not result in the loss of land or buildings from employment use.
- Supporting business development within the countryside that accords with Local Plan Policy EQ3 - Rural Development.

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 whilst also facilitating sustainable rural community needs, tourism and economic development. Policy EQ 3 supports the redevelopment of a previously developed site and/or the conversion of existing buildings for employment use, provided it does not have an adverse impact on the character and appearance of the rural area.

Policy S 4 seeks to maintain and where possible enhance the economic base of the Plan Area. This will be achieved by, amongst other things, supporting proposals that help to deliver an economic focus for the area, and making provision for smaller scale / start-up businesses. Policy S 4, however, is considered out of date when considered against the latest national policy and evidence, and therefore will be given less weight within the planning balance.

Policy E 3 (Primary Employment Zones) identifies that planning permission will be granted for employment developments within Primary Employment Zones, including proposals within use classes B1b, B1c, B2 and B8 and other economic development as appropriate.

National Policy Position:

Paragraph 85 of the NPPF (December 2024) sets out that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Part 6 (Building a strong, competitive economy) of the NPPF generally encourages business expansion and alteration to support economic growth and resilience.

Part 16 of the National Planning Policy Framework (December 2024) sets out the national position for considering proposals which affect heritage assets. Paragraph 212 identifies that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 213 identifies that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 213 also identifies a scheduled monument as an asset of the highest significance.

Conclusion:

Overall, the sub-division of the unit and re-use of an existing developed and actively used commercial site is considered to be compliant with local policies EQ 3, and as a result compliant with Policies S 2 and E 1 and would also be in accordance with policies S 4, and E 3. There is also clear policy support at a national level for investment, adaptation, growth and resilience of businesses.

However in order to establish whether the principle of the development is ultimately acceptable, the Council needs to first establish whether the proposal will impact upon the significance of the aforementioned Scheduled Ancient Monument. This will be discussed and assessed later within the report.

Character, Design, & Amenity:

The application site falls within designated countryside. HPBC Policy EQ 2 seeks to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area. It seeks to achieve this by, amongst other things,

- Requiring that development proposals are informed by, and are sympathetic to the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document and also take into account other evidence of historic landscape characterisation, landscape sensitivity, landscape impact and the setting of the Peak District National Park and where appropriate incorporate landscape mitigation measures.
- Requiring that development proposals protect and/or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park.
- Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement as identified in the Landscape Impact Assessment.

This approach is reinforced by Policy EQ 6 in relation to design and place making, requiring development to respond positively to its environment, whilst also ensuring a contribution to local distinctiveness and sense of place. The development proposal should therefore seek to:

- Respect the character, identity and context of the landscape.
- Be of high quality design to protect, enhance and/or restore landscape character, particularly in relation to the setting and character of the Peak District National Park.

- Contribute to the areas character by virtue of its scale, layout, appearance, and materials, including the relationship with adjacent buildings and landscape features.
- Achieve a satisfactory relationship with adjacent development, and does not cause unacceptable effects or adversely impact local character and amenity.

The Council's adopted SPD on Landscape Character (2006) reflects the policy approach. The enquiry site falls within the 'Limestone Moorlands' landscape character area. This area consists of an open undulating highland landscape with prominent limestone outcrops and open, expansive views.

Limited external alterations are proposed to the building and the site as a result of the proposal. The only proposed alteration to the building is the installation of a pedestrian door on the south elevation of the building.

Regarding the wider site, the premises is currently enclosed by high level palisade fencing and high-level sliding palisade gates. A new access and access gate is proposed to serve 'Unit 2', and a new section of fencing to divide the two service yards. No details have been submitted at this stage in relation to the proposed gate or fencing, however it is considered that a suitably worded condition, requiring details to be submitted and approved, would be a suitable mechanism to address this aspect.

Overall, it is considered that the sub-division of the building in its own right, in conjunction with the limited external alterations, is considered not to harm the character or appearance of the building, street scene, or wider landscape setting of the plan area.

The area surrounding the application site is commercial in nature and is located on an established employment site. Given the scale of the development, its context, the building being existing, and its proximity to noise sensitive receptors, it is considered that the development would not cause any detrimental harm to the amenity of any resident by virtue of noise etc.

Historic Environment:

Approximately 510m+ to the east of the site, located at an elevation position on an upland limestone ridge, is the 'Two Hlaews at Haslin House' Scheduled Ancient Monument (SAM). The SAM consists of two Anglo-Saxon Hlaews (barrows), comprising a circular cowl-shaped mound and shallow ditch dating back to the 07th century. Due to their extreme rarity, all surviving hlaews are considered to be of national importance. Both Hlaews retain significant archaeological remains and value.

Paragraph 208 of the NPPF (December 2024) identifies that a local planning authority should identify and assess the particular significance of any heritage asset

that may be affected by a proposal (including by development affecting the setting of a heritage asset). Paragraph 212 continues, setting out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 213 of the NPPF identifies a SAM as an assets of the highest significance, and any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The significance of the SAM primarily derives from its archaeology value. Given the separation distance and intervisibility between the application site and the SAM, the elevation changes, the nature of the proposed development, and the aspect(s) of value of the SAM, it is considered that the proposal would not result in harm to the significance of the SAM, nor any other designated or non-designated heritage assets within the area.

Highway Safety:

Access to the site is via a privately owned road, accessible off the adopted highway of Grin Low Road.

The proposal will result in two separate independent units being created, each with their own point of access and yard areas, and therefore each unit would be required to deliver a proportionate level of off-street parking. The Council's adopted parking standards are set out at Appendix 1 of the adopted High Peak Borough Council Local Plan (2016).

Appendix 1 sets out that for a 'General Industrial (B2)' site in an 'out of town' location, 1 parking space per 25sqm should be provided for buildings up to 2500sqm. The floor space of the existing premises measures 800sqm, and therefore should provide 32 parking spaces. The current site has 10 car parking spaces delineated and so at present would fall below the requirement.

The sub-division of the premise to two units will require the following level of off-street parking provision per unit:

- Unit 1: 30m x 20m = 600sqm = 24 space parking requirement.
- Unit 2: 10m x 20m = 200sqm = 8 space parking requirement.

It is proposed, following the implementation of the proposal, that Unit 1 will provide 6 parking spaces, and Unit 2 will provide 4 parking spaces. Therefore both units would fall below the requirement. However, whilst they do not meet the required standard, it is recognised that there would be no net loss in on-site parking when compared to the existing building's current shortfall. Consequently, on balance, it is considered

that the sub-division of the unit would not exacerbate parking issues, nor would it result in significant harm to highway safety and/or capacity.

Appendix 1 also sets out standards for the provision of cycle parking, requiring 1 secure cycle parking space for every 10 car parking spaces, subject to a minimum 2 cycle parking spaces. It is considered that a condition which requires details of sheltered and secure cycle parking to be submitted and approved for both units would be appropriate to meet this requirement.

Bin storage areas have been identified within each site close to the points of access, and vehicle tracking plans have been submitted which indicate that an 11.6m x 2.53m refuse vehicle is able to enter Unit 2, manoeuvre within the site, and leave in a forward gear. Tracking plans also evidence that a 7m x 2.5m delivery vehicle is able to enter Unit 1 and leave site in a forward gear.

The Consultation response from the Highway Authority raise no objections, and they consider that the proposed sub-division of the premises, as applied for, would not generate a significant increase in vehicle movements over those generated by the existing scenario.

Paragraph 116 of the NPPF (December 2024) 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

Overall, it is considered that the proposal would not have a detrimental impact upon the safety and/or capacity of the local highway network.

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. 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.

BNG De minimis exemption

Regulation 4 (De minimis exemption's) of The Biodiversity Gain Requirements (Exemptions) Regulations 2024 identifies that a development would be exempt from proving Biodiversity Net Gain (BNG) providing that:

1. the development does not impact an onsite priority habitat, and
2. the development impacts —
 - a. less than 25 square metres of onsite habitat that has biodiversity value greater than zero; and
 - b. less than 5 metres in length of onsite linear habitat.

No priority habitats are located on site, and the site is currently covered by hard standing and therefore a sealed surface. This position will not change as a result of the proposal, and the extent of the proposed development works would be less than 25sqm. Therefore the proposal is considered to be except from BNG.

Water Quality:

The Council considers the water resources of the Buxton Sub-area to be of significance for both the environment and economy of Buxton, as demonstrated by Local Plan policies EQ 1 and S 7 and the further guidance set out in the 'Water in Buxton' Supplementary Planning Document (2021).

The enquiry site is located within the defined 'Buxton groundwater source protection zone', and 'Buxton mineral water catchment area'.

Source Protection Zones (SPZ):

Source Protection Zones (SPZ) are identified by the Environment Agency to protect sources of drinking water such as wells, boreholes and springs.

SPZ are divided into categories based on how long it takes for pollutants to travel from the water below ground to the point where water is taken. The Buxton Sub-area falls with SPZ:1.

SPZ1 (Inner Protection Zone) provides the highest level of protection for groundwater sources. Buxton falls within SPZ1 because groundwater is able to flow very rapidly through fissures in some parts of the Carboniferous Limestone aquifer. Rapid flow means that the time of travel for water in the ground is shorter so there is less opportunity for contamination to be filtered out or to break down.

Water Efficiency:

A reduction in water usage does not lead to a directly equivalent reduction in phosphate load in rivers. The achievement of improved water efficiency would reduce the stress on the sewerage system, indirectly contributing to phosphate reduction in the River Wye and thereby reducing negative impacts on the ecological status of the Peak District Dales SAC.

The proposed development is considered not to have an adverse impact upon Buxton's mineral water catchment, or Buxton groundwater source protection zone, and a precautionary approach to development is advised in relation to any ground works etc. An informative is advised accordingly.

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. The proposal will not increase overnight stays or surface water run-off from the site. Therefore it 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.

Contamination:

Local Plan Policy EQ 10 commits the Council to protecting people and the environment, which will be achieved by ensuring that sites are suitable for their proposed use taking account of ground conditions and land instability, including from natural hazards such as radon gas, former activities such as mining, or pollution arising from previous uses.

The site is on an established industrial site, and therefore any alterations need to be mindful of land contamination remediation measures that may have been implemented under the original planning application, particularly with reference to ground gas mitigation.

The consultation response from the Council’s Environmental Health Team suggests an informative note to this effect and also suggest a condition in relation to if unexpected contamination is encountered during any of the proposed works.

CONCLUSION / PLANNING BALANCE

The principle of the proposed development is considered to be acceptable, taking in to account relevant local and national policies, including the potential impacts upon the Scheduled Ancient Monument.

External alterations are limited to the installation of a pedestrian door, access gate(s), and section of fencing, and it is considered that these elements would not result in detrimental harm to the character of the street scene, or wider landscape character/setting. No harmful impact is anticipated on the amenity of residents nor the setting of the scheduled monument.

The proposal would result in a shortfall in parking (the existing site represents a shortfall), however the proposal would provide the same level of parking as the existing site. As such, the proposal is considered not to be harmful to the capacity and/or safety of the local highway network.

Overall, having reviewed all the submitted information, and assessing this against all relevant policies and material planning considerations, within the planning balance, conditional approval is recommended for this application.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Alex Bonser

Recommendation Date: 21/04/2026

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council