

DELEGATED DECISION REPORT

HPK/2026/0140
Valid 16/04/2026

LAND OFF BATEMILL
ROAD
NEW MILLS

PLANNING IN PRINCIPLE
APPLICATION FOR
DEMOLITION OF EXISTING
BUILDINGS AND
STRUCTURES AND THE
ERECTION OF ONE
DETACHED DWELLING AT
LAND OFF BATEMILL ROAD,
NEW MILLS, HIGH PEAK SK22
4EW

(PERMISSION IN PRINCIPLE)

MAIN ISSUES

- Location of the Development
- Land Use
- Amount of Development

DESCRIPTION OF SITE

The application relates to a parcel of land south-east of Batemill Road that contains a number of timber structures in connection with an equestrian use that includes a manege located a short distance to the south, surrounded by agricultural land. A row of two storey properties is situated north of the public highway that extends north-eastwards in a liner ribbon pattern of development. A detached property No.31 Batemill Road, known as 'Crowther Cottage' stands a short distance south-west of this row, and is Grade II Listed.

A cluster of trees lies close to the access off Batemill Road, which comprises an agricultural field gate access being quite narrow and constrained, reflecting the existing use of the site.

The application site lies outside of the built-up area boundary, in the open countryside and wholly within the Green Belt. As identified within the Landscape Character Assessment SPD (2006) the site lies within the 'Settled Valley Pastures' Landscape Character Area.

PROPOSAL

This application seeks to determine whether the proposal for the demolition of the existing buildings and structure and the erection of one self-build detached dwelling

would be acceptable in principle. The application form states that permission is sought for a minimum and maximum of one singular dwelling.

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
S 6 Central Sub-Area Strategy
EQ 2 Landscape Character
EQ 3 Rural Development
EQ 4 Green Belt
EQ 6 Design and Place Making
EQ 9 Trees, Woodland and hedgerows
H 1 Location of Housing Development
H 3 New Housing Development

National Planning Policy Framework

Section 2 - Achieving sustainable development
Section 5 - Delivering a sufficient supply of homes
Section 11 - Making effective use of land
Section 12 - Achieving well designed places
Section 15 - Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0002/3822 Proposed Housing Development for 60 houses (Refused)

HPK/0002/8240 Business/technology Park (b1 Use Class) And Community Facility
(Refused 16/08/1989)

HPK/2017/0051 Proposed block of stables for equine use on a concrete base
(Approved 04/10/2017)

HPK/2019/0572 Proposed construction of a 20m x 40m sand and rubber horse
manege with treated timber post and rail fencing (Approved 12/05/2020)

CONSULTATIONS

Publicity

Site Notice expiry date: 19/05/2026
Neighbour consultation period ends: 07/05/2026
Press Advert: N/A

Public Comments

6 public comments have been received, all in objection.

With regard to the nature of this application only the principle of the development can be assessed with other material considerations to be assessed at Technical Details Stage. Concerns regarding the principle of development are below:

- Inappropriate Development in the Green Belt
- Would result in a loss of openness and erosion of the Green Belt and no Very Special Circumstances have been demonstrated.
- Change in landscape character
- Harm to the rural character of the site
- The proposed Land use

Material Considerations which have been raised which would be assessed at Technical Details Stage include the following:

- Impact upon Biodiversity and Protected Wildlife Habitats / Designated Wildlife Sites
- Drainage and Flood Risk
- Highway Safety, Cumulative Traffic and Congestion
- Construction Management concerns
- Tree Protection
- Heritage considerations of nearby Listed Building
- Domestic curtilage; fencing and domestic structures
- Ground stability

New Mills Town Council

No Objection

Arboricultural Officer

The design and access statement states that: 6.6 Trees the Council confirms assessment is required in relation to impacts on trees (including any subject to TPO), having regard to LP Policy EQ9. A tree survey and impact assessment will accompany the technical details application.

This remains applicable as the site is bounded by A2 of High Peak TPO 199. As the site is likely to be constrained in terms of root protection areas, shading and other effects associated with the protected trees, the acceptability of any proposal at technical submission stage would be predicated by these factors. Therefore, whilst permission in principle may be accepted, the scheme could experience difficulties at technical details stage dependent on the specific arboricultural constraints. Obviously, the tree constraints will inform the extent and design of the dwelling if/when that comes forward.

Derbyshire County Council Highways (No Objection)

It is assumed that the proposal includes the use of the existing access to Batemill Road to serve the proposed dwelling. It is considered that the access has suitable emerging visibility splays in both directions and is of a suitable width to serve a single dwelling. The Technical Details Consent application will need to demonstrate on site parking and turning space and details of how the demolition and clearing of the existing premises will be contained within the site curtilage. 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.

Alliance Environmental Services

Properties should be planned so bins can be stored within the property boundary and be moved to the presentation point without the need to go up or down steps or through the property. Garden gates need to be wide enough to accommodate a standard 240l wheeled bin.

United Utilities

Should this proposal be approved, and an application submitted for Technical Detail Consent, it is important to note that our response to a subsequent application will be based upon the information that is available at the time of response, and therefore, our position and advice may vary.

OFFICER COMMENTS

Introduction

The scope of permission in principle applications is limited to location, land use and amount of development.

Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Where permission in principle is granted by application, the default duration of that permission is 3 years. Local planning authorities must specify the location of the site, the type of development and provide an indication of the amount of development the site has permission in principle for. The amount of residential development must be expressed as a range, indicating the minimum and maximum net number of dwellings (i.e. taking in to account any existing dwellings on the site) which are, in principle, permitted. It is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type of development and amount of development.

Principle of Development

For the purposes of this planning in permission application the location and proposed land use of the site shall be assessed concurrently.

Location of the Site & Type of Land Use Proposed

This application relates to the demolition of various single storey structures associated with a lawful equestrian use and the erection of a dwelling, and its associated curtilage on a site which is located on Batemill Road between the New Mills and Thornsett. The application site is located outside of any defined settlement boundaries, within the open countryside and is wholly within the Green Belt.

Local Plan (LP) Policies S1, S2 and S3 taken together set out the Council's strategy for housing development across the Borough, with development directed towards the towns and villages in line with the defined settlement hierarchy.

LP Policy H1 refers specifically to the location of new housing development and promotes the effective reuse of land by encouraging housing development including redevelopment...on all sites suitable for that purpose.

LP Policy EQ3 relates specifically to development in the rural areas and seeks to strictly control development in order to protect the intrinsic character of the rural landscape. The policy contains a list of the types of residential development that will be supported in principle which includes the following:

“Re-use of redundant and disused buildings and/or the redevelopment of a previously developed site, where it does not have an adverse impact on the character and appearance of the countryside...”

Following a site visit and a review of the site history it can be ascertained that the site refers to a lawful equestrian use on which there is currently timber stable building further to a number of timber storage buildings, and manege.

Case Law and previous appeal decisions confirm that equestrian buildings fall within the definition of Previously Developed Land as set out within the NPPF. Therefore the redevelopment of this site through the removal of equestrian buildings and their replacement with a new dwelling, subject to having no adverse impact on the character and appearance of the countryside, would comply with Policy EQ3 as set out above.

Proposals need to demonstrate that in addition to comprising Previously Developed Land they must “ *not have an adverse impact on the character and appearance of the countryside. Where the building is in an isolated location the development should lead to an enhancement of the immediate setting.*”

The application site is located between the Market Town of New Mills and the smaller village of Thornsett, approximately 120m from the defined settlement

boundary of New Mills and 485m from the defined settlement boundary of Thornsett. Furthermore, it is noted that directly opposite the site lies a strip of residential development along Batemill Road comprising semi-detached dwellings (no.'s 45-65 Batemill Road) further to an additional row of terraced dwellings further to the North East.

Given the semi-rural nature of the site, proximity to defined settlements and presence of residential development in close proximity, it is deemed that the application site does not consist of an isolated location.

The site is in a relatively contained location with neighbouring fields surrounded by the designated Watford Mill / Batemill Road wildlife site which is also a designated TPO region which enclosed the area surrounding the application site.

The proposals seek to construct a singular low level building which has been designed to replicate the appearance of a stable building and is to be located on the footprint of the existing stables range. Given the height and the siting of the new dwelling the proposals are assessed to have no greater impact upon the countryside than the previous stables given that the built form would not be materially larger than the existing arrangement. Given the relatively small scale of the proposed residential development, its siting within an established equestrian compound the development is considered to have an extremely limited impact upon the wider surrounding countryside and its character.

Whilst matters regarding design are to be assessed at Technical details Stage, it can be determined that given the proposed low height of the development which is sited within a well- contained unit within an area which is semi-rural and part residential in its established character is not judged to lead to any adverse impacts upon the countryside.

Therefore in light of the above the proposals are considered to accord with Local Plan Policy EQ3.

Green Belt

Policy EQ4 Green Belt Development identifies that “the council will seek to protect the Green Belt and maintain its openness and permanence. Within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy.”

Section 13 of the NPPF deals with protecting Green Belts (GB). Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. 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 resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF states that Development in the Green Belt is inappropriate unless one of the following exceptions applies, one of these exceptions being:

(g) Limited infilling or the partial or complete redevelopment of previously developed land, (including a material change of use to residential or mixed use including residential), whether redundant or continuing in use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

The site contains a small number of single storey buildings of varying condition that is are associated with the established equestrian use.

Therefore, the site as previously identified constitutes 'previously developed land' and the proposals are in accordance with Paragraph 154(g) subject to demonstrating that the development will not result in '*substantial*' harm to the openness of the Green Belt.

Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgement based on the circumstances of the case. The courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- *Openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume.*

Spatially the development is well contained within the area associated with the established equestrian use and business. The proposals whilst visible within the context of the surrounding area would appear well related to other residential development within the Green Belt directly opposite the site and the semi-rural and part residential character of Batemill Road. The development would not result in the creation of an isolated dwelling or the encroachment into the Green Belt.

Consequently the proposed dwelling is not judged to result in any harm with respect to the spatial aspect of "openness".

Visually the street scene context is that of a semi-rural, edge of settlement character with the presence of built form and residential development in close proximity to the site. This forms part of the established character of Batemill Road and the proposals would lead to the removal of existing built form to create a dwelling which given its low single storey height and relatively modest footprint is not judged to lead to any unacceptable level of visual harm upon the Green Belt. As a result the proposals are not assessed to have any detriment impacts with regard to the visual aspect of openness of the Green Belt.

A number of concerns have been raised from neighbouring objectors with regards to the implication of the wider site and surrounding fields. This application relates to the site within the red line area as shown on the submitted Location Plan. Any area beyond the red edge would remain within the Green Belt and is beyond the extent of this planning application.

With regard to this the development would not result in any substantial harm to the openness of the Green Belt and the application is therefore considered to meet the

exception of Paragraph 154(g) and does not constitute 'inappropriate development' in the Green Belt and is thus compliant with LP Policy EQ4 and relevant paragraphs under Chapter 13 of the NPPF.

Grey Belt

The NPPF was updated in December 2024 and subsequently in 2025 as part of the revisions to national policy the concept of "Grey Belt" has been introduced. This is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to the purposes (a), (b) or (d) of the Green Belt set out in Paragraph 143.

As above the site has already been deemed to comprise previously developed land and therefore the site is judged to comprise Grey Belt land as per Paragraph 155 of the NPPF.

Paragraph 155 of the NPPF details that:

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.*

With regard to Paragraph 155a, the site has been assessed to comprise Grey Belt land with regard to the fact that it has been deemed to be comprise Previously Developed Land and has been assessed to not fundamentally undermine the purpose of the remaining Green Belt across the local plan area.

The Council are currently unable to demonstrate a 5 year supply of deliverable housing land. Therefore with regard to this there is a clear demonstration that there is greater need for residential development than what can currently be provided. As such given the lack of supply there is a demonstrable unmet need for residential development in accordance with paragraph 155b.

With regard to paragraph 155c, the site is located outside any defined settlement boundaries but is located within 140m of the defined settlement boundary of New Mills and less than 1.7km from the defined New Mill Town Centre. Consequently, the site is judged to be located within a sustainable location with the market town of New

Mills providing a number of key service provisions , transport networks and leisure facilities within close proximity of the site.

Paragraph 155d is not considered to be relevant in that the determination of this application as this application does not relate to a major development or where affordable housing provision applies.

Amount of Development Proposed

The application in this instance seeks to obtain permission for a minimum and maximum of a single dwelling unit. Whilst design matters are subject to assessment at the technical details stage, the amount of development proposed must be assessed to ascertain whether this level of development is acceptable.

The size and scale of the proposed dwelling has been provided in addition to a site plan from which an assessment upon the dwellings relationship within the site and surrounding area can be made.

As above, the site consists of an established plot used as part of a lawful equestrian use and business which lies on the settlement Fringe of New Mills and the character of the locality is semi-rural in its nature. The Planning Statement identifies that the dwelling is to be located on the footprint of the stable building to be demolished and the plans show a dwelling which is modest in its scale, massing and height.

As a consequence it is deemed that the proposed site is capable of supporting a single dwelling and that this would not lead to the degradation of the character of the area as a result. The amount of development proposed is deemed to be consistent as to what can be realistically delivered on the site without causing any adverse harm upon the character of the landscape or the street scene.

Other matters

The application that has been submitted relates to a Planning in Permission application. In the case of a permission in principle application, only matters of location, land use and amount of development can be considered.

A number of comments have been received which relate to technical details which cannot be assessed at this stage of the application process and would be addressed at Technical Details Stage. These concerns are outlined below:

- Impact upon Biodiversity and Protected Wildlife Habitats / Designated Wildlife Sites
- Drainage and Flood Risk
- Highway Safety, Cumulative Traffic and Congestion
- Construction Management concerns
- Impact on TPO trees and their protection
- Impact on the setting of heritage assets – Crowther Cottage, Grade II listed

It has been noted that the presence of designated wildlife sites, TPO's in close proximity to the site, drainage issues and nearby Flood Zones 2 & 3 may pose significant constraints with regard to any forthcoming technical details application, including the siting and extent of the dwelling. However, these are matters which would be considered and assessed at the subsequent technical matters stage.

CONCLUSION / PLANNING BALANCE

The proposed development has been assessed to not have any substantial harm to the openness of the Green Belt and accords with the exception of Paragraph 154(g) and has also been assessed to comprise Grey Belt land as defined by Paragraph 155 of the NPPF. The proposals therefore do not constitute 'inappropriate development' in the Green Belt and is thus compliant with LP Policy EQ4 and relevant paragraphs under Chapter 13 of the NPPF. The proposed development would not have any adverse impact upon the character of the countryside and comprises Previously Developed Land and is therefore in accordance with Local Plan Policy EQ3. In conclusion permission in principle should be granted for the reasons stated above, and would result in the development of a residential dwelling within a suitable and sustainable location.

OFFICER RECOMMENDATION : Approve

Case Officer: Stuart Talbot

Recommendation Date: 10/06/2026

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council