

DELEGATED DECISION REPORT

HPK/2025/0465
Valid 02/12/2025

**RANDALL CARR BROOK
FARM MANCHESTER ROAD
TUNSTEAD MILTON
WHALEY BRIDGE**

**NEW AGRICULTURAL
BUILDING, NEW ACCESS
TRACK AND ASSOCIATED
ENGINEERING WORKS**

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Design and Landscape Character
- Ecology and Biodiversity Net Gain (BNG)
- Trees
- Amenity
- Highway Safety

PROCEDURAL MATTERS

Since the application was submitted, a revised Location Plan has been submitted which shows the site boundary denoted by a red edge to be extended to include a wider parcel of land that is within the control of the applicant.

Revised plans have been subject to re-consultation with relevant consultees. Owing to the relatively isolated nature of the proposal and absence of any comments from nearby neighbouring properties, the Council have judged that on this occasion, there was no requirement to carry out a full 21 day re-consultation with neighbours and members of the public, particularly given the recommendation of refusal.

DESCRIPTION OF SITE

The application relates to a parcel of agricultural land situated to the south of the B5470 (Manchester Road), a short distance west of Coombs Reservoir, roughly equidistant between the fringes of Chapel-en-le-Frith to the east and Whaley Bridge to the west.

The site benefits from a narrow field gate access onto Manchester Road on its northern boundary, which is defined by a dry stone wall, occasional trees and other vegetation.

The southern boundary is shared with a canal feeder channel which is complimented by mature trees on both sides.

The wider parcel of land within the control of the applicant (referred to as Randall Carr Brook Farm), totals 3.74ha split over 5 field parcels, one of which is a strip of land that follows the Canal Feeder Channel and contains the associated woodland, which is

understood to be subject to a Management Plan. The remaining four parcels are relatively even with regards to land area, set out in a square formation.

As a result of a revised Location Plan, Existing and Proposed Plan, this incorporates a portion of the field parcel that lies south of the public highway and extends eastwards.

At the time of undertaking a site visit (Dec 2025), there were no livestock present and no signs of any agricultural operations being undertaken from the site.

For the purposes of the Local Development Plan, the site lies in the open countryside and within the 'Settled Valley Pastures' Landscape Character Area.

PROPOSAL

The application as submitted sought full planning permission for a new agricultural building, a new access and associated engineering works. Whilst the plans have been subject to quite substantial changes with regards to the extent of the site boundary, the description of development does remain consistent.

In its original form, it was proposed to utilise the existing field access which would be widened, with a new internal access track extending south-westwards to an enlarged area of hard standing (crushed stone) which stood west of the proposed building.

In its latest revised form, this existing access is shown to not be used. Instead, an existing field access that stands approximately 100m to the east is shown to be utilised. The access is shown to be flanked on both sides by tapered areas of grass, with the access widened to a width of approximately 9 metres. An area of hard standing would extend 6m into the field, beyond which a 'Turning Area' is shown which has covers an area of 14m x 10m (140m²), accessed via a gate that has a width of 4m, and constructed of crushed compacted stone.

No internal link from this proposed access to the proposed building which stands in the adjacent field parcel to the west is shown, with native hedge and tree planting preventing any access.

With regards the proposed agricultural building, this is shown to be located approximately 28m south of the public highway, which in its latest form is shown to have a simple rectangular, which spans a length of 14m and depth of 7m (98m²). The latest Proposed Elevation Plans show the building to reach an eaves height of 5m and overall height of approximately 7m, benefiting from a dual pitched roof,

The building is shown to be characterised by a large roller shutter door in its western elevation which opens out onto an area of Wood Chippings, with a series of rooflights in the northern roof slope, with solar panels located on the southern roof slope.

The building is shown to be constructed from vertical boarded dark stained timber (brown) with profile metal sheeting roof also finished in a brown colour.

The Floor Plans for the proposed building shows provision for the following:

- 3 x Hopper's
- 2 x ATV Trailer's
- Charge Controller/Charging Station
- Trailer and Tow Behind Attachments
- Tractor/Front Load
- Storage Bays (Wood, Tools, PPE, Volunteer Packs etc)

The application is supported by a 'High Peak Harvest' Business Case which presents a plan for future operations in connection with the land. The Executive Summary of this document reads as follows:

"A sustainable community-run farm serving as a local resource for fresh produce, educational activities, and eco-friendly energy solutions. High Peak Harvest will generate income through diverse streams, including a forest school, harvest of produce and value-added products. Renewable energy generation on-site will provide additional revenue through clean energy exports."

The Plan lists 5 objectives:

- Establish a productive and sustainable orchard and woodland
- Launch a local educational program.
- Harvest and sell fresh produce, jams, honey, oils, and flowers.
- Promote conservation with hedge plants, shrubs, and trees
- Install solar panels to generate renewable energy and reduce operating costs.

The Plan identifies 5 income streams, which are summarised as follows:

1. Educational Visits
2. Harvest of fruits, vegetables, sunflowers and plants
3. Other products (jams, honey, herbal oils)
4. Native plants and shrubs
5. Solar Energy

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 Chapel-en-le-Frith Neighbourhood Plan (2015) and 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.

Chapel-en-le-Frith Neighbourhood Plan (2015)

C2 Biodiversity

High Peak Local Plan 2016

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
S6 Central Sub-area Strategy
EQ2 Landscape Character
EQ3 Rural Development
EQ6 Design and Place Making
EQ9 Trees, Woodland and Hedgerows
EQ10 Pollution and Unstable Land
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
Conserving and Enhancing the Natural Environment	Chapter 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 13th January 2026
Neighbour consultation period ends: 29th December 2025
Press Advert: N/A

Public Comments

1no comment has been made in connection with this application, which raises the following material considerations:

- Proposed access is on or very close to a blind bend with 50mph speed limit which is likely to have consequences for highway safety
- Questions whether the erection of a considerably sized flat roof shed in an adjacent field is lawful
- Proposed building is far too big for the site

Chapel-en-le-Frith Town Council

No objection.

Lead Local Flooding Authority

No comments to make – Minor development

HPBC Tree Officer

Initial Response

No objection.

Further Response

I agree that the amended proposal could impact upon significant trees and have consequent ecological and BNG impacts in addition to other direct impacts.

It may be that the applicants are willing to carry out a survey/AIA to quantify the potential impacts and offer remediation.

Clearly, there may be other elements of the application which are not capable of being supported and of which I am unaware. However, I thought the option for the applicants to submit further information was worth mentioning.

Without survey information, I would be recommending refusal.

Canals and Rivers Trust

No objection subject to conditions.

Severn Trent Water

No comments in relation to public waste water network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply of the protection of drinking water quality.

Derbyshire Wildlife Trust

Initial Response

We have reviewed the submitted metric dated 28th October 2025 and the Preliminary Ecological Appraisal and BNG Report (Helen Hamilton Ecology, November 2025).

The application area is dominated by species-poor pasture, classified as other neutral grassland in poor condition. This appears damp in character in proximity to the offsite canal feeder channel, with meadowsweet and sedges recorded. An area to the south of the application site was recently disturbed and comprised tall ruderal vegetation.

The invasive species Himalayan balsam is present on site, with the feeder channel a potential source of spread.

Losses of these habitats will occur to facilitate the construction of the new building. Losses are not considered significant and will be offset through enhancement of retained grassland, alongside native hedgerow and tree planting.

Protected species are discussed only briefly in the report, with no significant constraints highlighted. We have checked our Biological Records Database, as this was not consulted as part of the desk study, and can confirm no protected species

records are held for the application area or immediately adjacent land. Badgers and otters are recorded locally and best practice working measures should be set out in a CEMP: Biodiversity. Lighting should be avoided during construction and post-development given the sensitive rural setting and potential impacts to bats, badgers and otters. If lights are essential on the new building, a lighting strategy should be secured via condition.

Best practice working measures should also be submitted to avoid pollution events to the feeder channel, wind-blown debris/litter and direct damage during the construction process. This may be as part of the CEMP: Biodiversity or a separate Construction Environmental Management Plan.

A net gain of +0.39 habitat units (53.73%) and +0.18 hedgerow units are predicted. This will be delivered by enhancing the existing other neutral grassland from poor condition to moderate condition and planting native hedgerow and trees. We do note that additional planting is proposed on the 'Site Plan As Proposed', compared to the post-development BNG figure, so gains may actually be slightly higher.

Methods are included in the report to enhance the grassland, however we note that the red line boundary does not follow a natural boundary feature on site. Therefore, it is unclear how the grassland will be managed differently to the rest of the field and it would be advisable to apply the management prescriptions to the field as a whole.

The final BNG figures and habitat prescriptions should be confirmed in the post-determination Gain Plan and HMMP.

No objection subject to conditions:

1. Construction Environmental Management Plan
2. Habitat Management and Monitoring Plan
3. Species Enhancement Plan
4. Lighting Strategy

Further Response

The red line boundary appears to have been extended eastwards in the revised plans. The BNG Assessment will therefore need updating to reflect the entirety of the revised application area, including the extended baseline habitats and any additional habitat losses, enhancement or creation.

Without a revised BNG Assessment, sufficient information is not available to determine / approve the application.

Derbyshire County Council Highways

Initial Response

The application proposes the use of the existing field access off Manchester Road to serve the proposed building with a new or formalised track being laid between the access and the building.

The existing access has substandard visibility in both directions, particularly in the westerly direction, due to the hedges/vegetation along the site boundary.

It is considered that the proposed building is likely to increase vehicle movements through the access compared to the current activity on the site; the increase movements are also likely to include additional tractor and trailer vehicles.

Manchester Road is subject to a posted speed limit of 50 mph in the vicinity of the site access. A vehicle approach speed of 50 mph requires a stopping sight distance of 160m which is not currently achievable from the access, again particularly in the westerly direction. However, evidence will be required, via a speed survey, to establish the 85th percentile wet weather vehicle speeds to determine an exact stopping sight distance which in turn will inform the visibility splays required from the access.

Without the evidence that the required visibility splays can be achieved from the access in both directions, it is likely that the LHA will raise an objection to the application.

In addition, a plan which indicates an appropriate turning area for the type of vehicles visiting the application site will also be required.

On receipt of the required information further LHA comments will be issued.

Further Response

Further to the previous LHA comments to this application and following the receipt of revised plans, it is now considered that there are no LHA objections to the application. The proposed access has now been moved further east towards the change in speed limit from 50 mph to 40 mph.

The submitted plans indicate emerging visibility splays of 2.4m x 160m in the westerly direction and 2.4m x 165m in the easterly direction. These visibility splays are considered to be acceptable and commensurate with likely vehicle approach speeds.

It is noted that both visibility splays require large areas of land adjacent to the boundary with Manchester Road to remain unobstructed. Those areas within the visibility splays will need to be cleared of all vegetation and maintained clear and this should be conditioned as such.

The revised plans also indicate an area for turning within the site adjacent to the proposed access. This area is considered to be of a suitable size to allow vehicles to turn and exit the site in a forward gear; the proposed access track leading to the agricultural building can also be used to assist in turning manoeuvres.

It is not clear if the existing access, which was originally proposed to serve the proposed agricultural building, is still required as access to the remaining land under the control of the applicant can be accessed via the newly proposed access. It is recommended that the former access is closed and conditioned accordingly.

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.

No objections subject to Conditions:

1. Development not brought into use until exit visibility splays have been achieved
2. Existing vehicular access to be permanently closed

OFFICER COMMENTS

Principle of Development

The application seeks planning permission for an agricultural building and associated development on a parcel of land that is situated outside of the built-up area boundary in the open countryside.

Local Plan (LP) Policy EQ3 seek 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.

The policy supports proposals for agriculture and related development which helps sustain **existing agricultural enterprises** which includes new agricultural buildings, that maintains landscape quality and the character of the countryside.

Paragraph 88 of the NPPF requires that policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings.

Having regard to the above, the principle of development can be supported where it is satisfactorily demonstrated that an existing agricultural enterprise operates from this parcel of land, and that the size, scale and visual appearance of the proposed building, and its associated operational development, can be justified and is considered to preserve the intrinsic character of the rural landscape.

Upon review of the documentation submitted with the application, Officers were unclear as to whether this land facilitates an existing agricultural enterprise.

Whilst the site is given the name "Randall Carr Brook Farm", it does not automatically follow that this land serves an agricultural or rural enterprise, particularly given the very small size of the holding and the absence of any existing buildings on site.

Indeed, there appears to be contradictory statements given within the Design and Access Statement (DAS) and Business Case document that supports the application with the DAS (page 1) states that:

“High Peak Harvest is a sustainable community-run farm serving as a local resource”

Whereas the Business Case stating that:

“High Peak Harvest will generate income through diverse streams, including a forest school, harvest of produce and value-added products”.

Further evidence was therefore requested from the applicant to demonstrate that an existing agricultural enterprise is operating from the site, with the Council being in receipt of the following response from the agent by email (21/01/2026):

'High Peak Harvest is the brand name for the products and services offered at Randal Carr Brook Farm that is operated under the company Tunstead Community Project CIC Ltd (16036907).

The company was registered in 2024 to deliver a sustainable agriculture and renewable energy project on the site. A substantial grant was received from DCC to work with the University of Derby on an energy storage project (on-site), additional funding through an organisation called SSE has supported an extensive feasibility study, consultancy ecologist and sustainable agriculture services and now SSE have validated our financial model and support our business case, we are being mentored by a leading sustainable agriculture and community benefit specialist to support our growth plans. Our "Vision" and "Mission Statement" were completed in our first session with SSE on 14th/15th January 2026, our website is currently being developed and our social media channels will be live in April.

We are also currently recruiting for additional board members to improve the organisation's governance and support growth aspirations over the next 5 years.

Directors and volunteers have been involved since the company's inception in many tasks to enhance the farm, prepare the site, as well as undertaking additional agricultural tasks of planting crops, land management, woodland management, water management and all reporting to DEFRA to conform with our sustainable agriculture agreement. Remuneration as part of our agreement with DEFRA runs through to 2029 but will be extended subject to the scheme's continuation.

We have held several taster sessions to develop our forest school offer, these were informal sessions for members of the community to learn more about our plans and a great opportunity to design future sessions planned for spring this year. The first contract to deliver 75 sessions over the next three years has now been secured; our learnings from the taster sessions have helped us to develop three educational themes.

In considering this additional information, Officers remained sceptical as to whether an active agricultural enterprise (i.e. trade/business) operates from the land. Further to voicing this scepticism to the applicant's agent, further evidence was submitted by email on 23/01/2026.

The applicant's position is that crops and fruit vines grown on site, with a modest harvest produced in October 2025. The site has been subject to a Sustainable Farming

Incentive agreed with DEFRA, which is stated as being agricultural income, which is not available to non-agricultural sites.

The evidence in support of there being an existing rural enterprise on site comprises the following:

- Countryside Stewardship Agreement (01/05/2025) to carry out the following actions:
 - Plant 20no trees
 - Planting new hedgerows (30m)
 - Install Tree-guard (wooden post and wire)
- Sustainable Farming Incentive Agreement (01/02/2025) to carry out following actions:
 - Maintain dry stone walls
 - Remove livestock from grassland during autumn and winter
 - Maintain designed or engineered waterbodies
 - Access integrated pest management and produce plan
 - Assess nutrient management and produce report
- Sustainable Farming Incentive Agreement (01/04/2025) to carry out following actions:
 - Assess soil, produce soil management plan and test soil organic matter
 - Manage grassland to reduce nutrient levels in groundwater
 - Habitat strip next to watercourses
 - Maintain or establish hedgerow or trees
 - Herbal leys

Officers visited the site and identified a distinct absence of any agricultural activities (as defined under S336 of the Town and Country Planning Act) operating from the site.

The Business Case and additional information submitted in support of the application, as set out above, somewhat undermines the argument of the applicant that an agricultural enterprise exists on site. All aspects of work that are contained within the Countryside Stewardship Agreement and Sustainable Farming Incentive Agreement amount to land management as opposed to agriculture. The intention to set up some form of educational use and renewable energy scheme on site does not amount to agriculture.

Policy EQ3 makes clear that proposals for agriculture and related development which helps sustain **existing agricultural enterprises** which includes new agricultural buildings, that maintains landscape quality and the character of the countryside. In light of the fact that the current enterprise is associated with land management and not agricultural operations as defined by Section 336 of the Act, there is no credible justification for this proposed building and its associated development.

This position has been cemented by a Planning Inspector in determining an appeal for a proposed sheep shelter adjacent to Boggard Lane in Charlesworth (HPK/2019/0504). The sheep shelter was proposed on the basis that the applicant was going to purchase sheep, whereby no existing agricultural enterprise was operating from the site. The following paragraph of that appeal is pertinent to this application:

12. *The agricultural enterprise which relates to the proposal before me is not existing. It is a new enterprise as the sheep have not yet being purchased, based on the information before me. With regard to horse grazing on the land connected to the stables, Policy EQ3 is not so broad in my view so as to permit a new agricultural enterprise where a different undertaking has taken place.*

This application proposes a new building which to all intents and purposes is associated with a current small scale land management enterprise. The proposed building is not associated with an existing agricultural enterprise and therefore the application is not acceptable in principle, having regard to LP Policy EQ3.

Design & Landscape Character

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 EQ2 seeks to protect, enhance and restore the landscape character of the Plan Area by requiring development to have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, and that are sympathetic to and are informed by the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document. Proposals will be resisted which harm or be detrimental to the character and appearance of the local and wider landscape.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness.

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.

The site is located within the 'Settled Valley Pastures' Landscape Character Area as defined within the Landscape Character SPD (2006).

The SPD contains a number of general design principles that development should adhere to which include (amongst other things), the following:

- *The impact of hardstanding and other surfaces should be considered, including the colour, brightness and reflectivity of the surface and how it would appear from a distance*

This SPD contains design guidance for larger scale buildings which include agricultural buildings, which are summarised as follows:

Building Form

- *New buildings should be kept as small as is practically possible and reflect the scale, proportions and form of existing traditional farm buildings*
- *Prefabricated metal buildings do not weather well and remain obtrusive within the landscape. For this reason, materials that do weather well and are sympathetic to the landscape will be preferred. Examples include vertical slatted boarding and painted concrete to blend with existing buildings, reclaimed stone*

Building Detail

- *Darker roofing than walling gives weight and reduces visual impact*
- *Some stone detailing helps to assimilate new development into the existing landscape setting*
- *Downpipes and guttering should be discreet, black and located close to the eaves of the building*
- *Colours should reflect those of existing, traditional gritstone buildings, warm brown tones, or deep green colours to reflect colours in the wider landscape*

The Design Guide SPD (2018) also provides useful design principles for buildings introduced to a rural location, which includes the following:

- 3.1 *The setting of any building should be carefully considered. Attention should be paid to its impact on views into, over and out of the site.*
- 3.2 *In the countryside or on the edge of settlements, buildings should sit comfortably in the landscape. This is best achieved by emulating the horizontal, ground-hugging form of traditional buildings with their strong eaves and ridge lines and simple, low silhouettes parallel with the contours.*
- 3.6 *Accommodating large buildings within the area needs to be handled carefully. Their appearance is usually driven by their use and may not sit comfortably within a more traditional context. However, they are often essential to the local economy and should be designed to be as inconspicuous as possible. This can be achieved by giving them a low profile, a shallow pitched roof to reduce the ridge height, and ensuring they are in dark or recessive colours. For very wide buildings, creating a series of parallel roofs rather than one enormous roof will help to break down the apparent bulk of the building. Sites on the skyline should be avoided. Instead, wherever possible, such buildings should be sited in shallow depressions or otherwise positioned to fit into the landform. Extensive*

landscaping, in the form of a wide shelterbelt will normally be required to reduce their impact further.

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.

Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The application site lies in the open countryside at the southern part of a parcel of land that slopes gently away from Manchester Road. Prominent views of the area of land subject to the proposed agricultural building and the newly formed access exist from the pedestrian footpath that runs parallel to the public highway and from the highway itself.

Owing to the fact that the land is currently free from development, and coupled with its prominence from the public highway, the site is extremely sensitive to development, both in the form of new buildings and other operational development (hard standing).

The latest plans show the proposed building to have a simple rectangular form with dual pitched roof which spans a length of 14m and depth of 7m (98m²) reaching an eaves height of 5m and overall height of approximately 7m, resulting in an overall volume of approximately 600m³.

The internal track that was proposed as part of the original application connecting the building and an extended area of hard standing with the existing access immediately to the north has been omitted from the latest Site Plan, with the area of hard standing shown to be finished in a crushed concrete now shown to be Wood Chippings.

The latest plans do not propose to utilise the field gate access to the west, and instead seeks to significantly widen a second field gate access further east along Manchester Road.

The resultant access is shown to be 6m deep and some 9m wide (54sqm), which leads to a turning area which spans a width of 14m and depth of 10m (140sqm) all of which would be finished in a crushed compacted stone.

Firstly, it is not clear from these plans why this widened access and turning area is required, when considering the fact that the latest comments from the applicant (email dated 26/03/2026) states the following:

“There will be no vehicular access to the building as there is no vehicular access needed to the building... It (the proposed building) will result in a reduction in traffic to the site as heavy agricultural machinery brought in to the site over the past two years will no longer be needed..”

Firstly, a site visit did not identify any heavy agricultural plant or machinery present on the land.

Second, the above statement is in direct contradiction with the Proposed Floor Plans which show provision for a Tractor and Trailer and other plant and machinery. It seems logical that if an internal access is proposed as part of the original plans and the nature and layout of the building has not been materially altered, that the building still requires an internal access and link to the public highway.

Notwithstanding the absence of any clear justification for this access and turning area, the significant area of agricultural grassland totalling some 194sqm would be subject of engineering works to create this hard standing would in its own right result in significant, unjustified and unnecessary harm to the immediate rural landscape character when experienced from nearest public vantage points adjacent to Manchester Road.

The resultant harm to rural landscape character is also likely to be experienced from the nearby Public Footpath HP6/146/1 that climbs steeply uphill in a north-easterly direction from Manchester Road with clear views of this aspect of development from elevated views some 300m distant.

In addition to a lack of justification for the proposed access and turning area (in the absence of any connectivity to the building and comments from the applicant above), this lack of justification extends to the significant amount of Wood Chippings that sit immediately adjacent to the west of the building and its roller shutter door.

Notwithstanding the lack of credible justification, this choice of material is considered to be much more sympathetic to the rural landscape than the crushed stone that was originally proposed, and in its own right, the proposed introduction of Wood Chippings is not considered to trigger a reason for refusal.

Turning to the proposed agricultural building, repeated concerns have been made by Officers throughout the consultation period with regards the scale, height and massing of the building relative to the very limited agricultural/horticultural activities that are taking place on site, as evidenced within the documentation submitted by the applicant in support of there being an active agricultural/rural enterprise operating from the site.

Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended set out what types of development will be permitted (subject to a Prior Approval procedure) in relation to agricultural units. Where an agricultural unit is less than 5ha, no rights exist for a new agricultural building.

Whilst these rights are not relevant in so far as the application is seeking full planning permission and not Prior Approval, what these rights indicate is that National Government (in drafting this legislation) do not consider there to be any automatic justification for a new agricultural building on small parcels of land of less than 5ha.

Notwithstanding the fact that the Council do not accept that the proposed building is required in connection with an existing agricultural enterprise, a judgement is required

as to whether there is a justification for the scale and size of the building, and whether there are any adverse impacts to immediate and rural landscape character that arise from these aspects of design.

When considering the specific aspects of agriculture and horticulture that operate (or will) from these land parcels, it is considered that the size and scale of the proposed building is excessive and unjustified. It is considered that the building is excessively high, at 7m, and given that the building would not be required for large machinery, would appear visually prominent in the relatively open and settled landscape when viewed from the north.

The building would be situated in an isolated location which is currently free from development. As such, it is considered that owing to its siting, scale, height, massing, and visual appearance, the proposed building would result in significant adverse landscape and visual impacts, failing to preserve the intrinsic landscape character of the site and its wider surroundings, contrary to LP Policies S1, EQ2, EQ3 and EQ6, the Landscape Character Assessment SPD (2006), Design Guide SPD (2018) and relevant paragraphs contained under Chapter 12 of the NPPF.

Ecology and Biodiversity Net Gain (BNG)

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.

LP Policy EQ5 requires all new development proposals to demonstrate that any protected species and habitats within the site will not be adversely affected and seeks to promote a nett gain in biodiversity by securing appropriate mitigation and ecological enhancements where appropriate.

Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things)

- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs

Paragraph 193 of the NPPF states that when determining planning applications, local planning authorities should apply a number of principles, which includes the following:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused

The application as submitted was accompanied by a BNG Metric and Preliminary Ecological Assessment prepared by Helen Hamilton Ecology (November 2025).

On reviewing this information, Derbyshire Wildlife Trust (DWT) confirmed that whilst potential impacts on protected species are only discussed briefly, local records demonstrate that no adverse harm will result on protected species as a consequence of the proposals (as originally submitted). It was also identified by DWT that whilst minor revisions/points of clarification are required in relation to BNG calculations, it is clear that the proposal (as originally submitted) can deliver the required 10% uplift as required by the Environment Act (2021).

However, the proposal has been subject to significant changes during the consultation period, which involves the extension of the site boundary eastwards to include the newly proposed vehicular access.

In order to achieve suitable exit visibility splays from this access, which includes reducing all vegetation to no higher than 600mm within the area on the latest Site Plan indicated by a dashed green line, it is likely that this would require some trees and other habitat to be removed.

The applicant was made aware of the potential 'knock on' impacts that could occur as a result of these revisions in an email to the agent dated 26/03/2026, which reads as follows:

"As per the comments from the Highways Authority, in order for the newly proposed access to be acceptable, this would result in significant removal of vegetation that would need to be kept below 600mm in order to achieve the necessary visibility splays. This removal will impact on trees, ecological assets and BNG calculations. Further assessment work would be required to quantify the impact on trees and protected species, and BNG calculations would need to be updated to take account of the additional habitat loss."

The response from the agent dated 27/03/2026, stated the following:

"This is not factual, the narrative refers to vegetation being kept clear to avoid impacting visibility. The narrative in the report I have seen reads "It is noted that both visibility splays require large areas of land adjacent to the boundary with Manchester Road to remain unobstructed". I draw the attention to the word remain. There is no need to clear anything, the drop on the farm side of the road is around 2.5 metres and the grass only ever grows to a maximum of 1.2 metres. Simple mowing with a flail mower will enhance this grassland and again be facilitated with having the important secure building."

A site inspection shows that trees and other vegetation lie within the exit visibility splays that are likely to require removal in order to ensure the splays are maintained in line with the requirements of the Highways Authority. As such, the Council can only positively conclude that no adverse harm will occur to protected species and habitat, where sufficient levels of survey/assessment have been provided.

The above demonstrates that the applicant was given ample opportunity to take on board the Council's concerns and produce further technical information/assessments in order to demonstrate what changes to trees/vegetation are required to facilitate the exit visibility splays and that potential impacts have been satisfactorily identified and

mitigated. However, rather than providing such information, the applicant has chosen to reject/rebut the comments from the Council.

The latest comments from DWT confirms that whilst there are no recorded protected species on site, a reassessment of BNG is required, to take account of any habitat loss required to satisfy the necessary exit visibility splays, and that it is not possible to positively determine the application without this revised information.

Given that the gains as submitted total some 53%, it is likely that in the event that the Council were in a position to support the application, the loss of habitat involved with the need to preserve exit visibility splays would not prevent the scheme from being able to achieve 10% BNG on site.

In the event that the application was acceptable as a matter of principle, it is anticipated that the Council would be able to work with the applicant to address this outstanding matter relating to BNG. Given that it is obvious that a BNG delivery could be achieved on site far in excess of 10%, it is not considered that there are any grounds for refusal in relation to matters of ecology, having regard to LP Policy EQ5 and relevant paragraphs under Chapter 15 of the NPPF.

Trees

LP Policy EQ9 relates specifically to trees, woodland and hedgerows, and requires that existing woodlands, healthy mature trees and hedgerows are retained and integrated within a proposed development unless the need for, and benefits of, the development clearly outweigh their loss.

Paragraph 136 of the NPPF states that trees make an important contribution to the character and quality of the environment and that planning decisions ensure that existing trees are retained wherever possible.

The application as submitted in its original form sought to utilise the existing field gate access onto Manchester Road directly north of the building within the same field parcel, with additional planting proposed around the building.

The plans and documentation as submitted did not raise any objections from the Tree Officer.

However, in order to address concerns from the Highways Authority, the applicant has submitted a revised Site Plan showing the widening of an existing more easterly access. Whilst being acceptable in highway safety terms (see below), this change triggers the need to consider potential impacts to trees that are situated within the exit visibility splays shown by way of a dashed green line.

As set out within the “Ecology and BNG” section above, the applicant was made aware of the potential impacts to trees that occur as a result of the proposed revised access and the need to assess which trees are to be retained and removed to facilitate the exit viability splays. However, the invitation to address these concerns was rejected.

Therefore in the absence of any updated assessment which considers the quality of trees that are within this exit visibility splay, and an assessment of which trees are required to be removed to achieve the visibility splay, the Council are not able to fully assess the impacts on existing trees, or indeed positively conclude that there would not be unacceptable impacts on trees.

It is therefore judged that the application in its current form does not comply with LP Policy EQ9 and paragraph 136 of the NPPF.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties.

LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

Paragraph 187 of the NPPF states that policies and decisions should contribute to and enhance the natural and local environment by amongst other things:

- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 198 of the NPPF states that planning and decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, including those relating to noise and light pollution.

The application site is located in an isolated location whereby the proposed building and its immediate surroundings would be situated in excess of 140m from the nearest residential dwellinghouse at Haycrust Farm to the north-east.

Given the intended use of the proposed building, the characteristics of the site, and its spatial relationship with residential properties, it is not envisaged that the proposed development would result in any adverse harm to the amenity of any neighbouring resident or the public more generally.

Therefore notwithstanding the significant harm identified with regards to Design and Landscape Character, and other concerns relating to Trees and Ecology owing to an absence of sufficient assessments and surveys, there is not judged to be any conflict with LP Policies EQ6 and EQ10 with regards to potential Amenity impacts.

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.

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 of the NPPF 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.

The site benefits from 2no existing field gate access points onto Manchester Road, which is classified and has a speed limit of 50mph, which reduces to 40mph in the direction of Tunstead Milton.

The plans as submitted shows the proposed agricultural building connected to the most westerly field access point via an internal hard surfaced track, with the access widened to facilitate vehicles associated with the proposed building.

The original plans triggered significant concerns from the Highways Authority with regards the intensification of this access and the lack of achievable exit visibility splays contained within land within the control of the applicant, in relation to a 50mph speed limit.

The latest plans show the second most easterly access being utilised and widened, with exit visibility splays shown in both directions by way of a dashed green line, taken 2.4m behind the carriageway edge centrally within the new access. The access leads to a 'Turning Area' which is located beyond the 6m deep access and gate, taking up a footprint of 14m x 10m (140sqm).

Officers have queried the absence of any connection between this second access point and the proposed agricultural building that was shown on the plans as submitted. The applicant has responded by stating the following in an emailed dated 26/02/2026:

"There will be no vehicular access to the building as there is no vehicular access needed to the building... It (the proposed building) will result in a reduction in traffic to the site as heavy agricultural machinery brought into the site over the past two years will no longer be needed.."

The above statement appears to be in direct conflict with what the latest Floor and Elevation Plans show the building to be used for, which includes amongst other things space for a Tractor and Trailer.

If the comments provided by the applicant are taken at face value and accepted, then the question remains why it is necessary for a much wider access and significantly large turning area required to serve the proposed development.

Strictly with regards to the safe and suitability of the access, and wider impacts on highway safety, the Highways Authority are now satisfied that subject to conditions that would see exit visibility splays being achieved (including maintaining any boundary of vegetation at a height of 600mm or lower), and the existing field gate access being closed, there would be no reasonable grounds to refuse the application with regards to highway safety.

Having regard to the assessment above in relation to Trees and Ecology, it is not possible to positively conclude that exit visibility splays can be achieved in an acceptable manner. However, it is the case that notwithstanding these significant related issues, there are not considered to be any outstanding issues specifically in relation to the access to and from the public highway and therefore no conflict with LP Policy CF6 and relevant paragraphs contained under Chapter 9 of the NPPF occurs.

Whilst it has been identified that the proposed building does not appear to offer any credible connection to the access point for tractors and other plant and machinery utilising the building this does not generate any highway safety issues as the apparent lack of accessibility relates to land within the site, and not in relation to the public highway.

Other Matters

The representation received in relation to this application questions whether the erection of a considerable sized flat roof shed in an adjacent field is lawful. Officers are not aware of this alleged unauthorised building. However, this is not a material consideration for this application. Any alleged breaches of planning control can be reported to the Council's Enforcement Team for further investigation.

All other matters raised by this member of the public have been addressed in relation to the relevant material planning considerations relative to the proposal.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.

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 a new agricultural business, and associated engineering operations, that includes the widening of an existing access and introduction of a turning area.

For the reasons set out within the body of this report, despite the applicant submitting additional information in support of their proposal, the Council do not accept that the proposed agricultural building and associated development is in connection with an existing agricultural enterprise, and as such the principle of development is not supported having regard to Local Plan Policy EQ3.

Moreover, the Council are not satisfied that there is any credible justification to support the scale, massing and height of the building as proposed, having regard to the limited agricultural operations that take place on site.

As a result of the siting of the proposed building in a prominent location, and its excessive scale and height, the application is judged to amount to poor design which has a significant and detrimental adverse impact on the immediate and wider rural landscape character, contrary to Local Plan Policies S1, EQ2, EQ3 and EQ6, the Landscape Character Assessment SPD (2006), Design Guide SPD (2018) and relevant paragraphs contained under Chapter 12 of the NPPF.

Similarly, notwithstanding the absence of any clear and credible justification for the newly widened access and turning area, the fact that this would entail the laying of hardstanding in the form of crushed stone that covers an area of almost 200sqm, immediately adjacent to Manchester Road in a prominent location, results in significant, detrimental and urbanising impact on the immediate and wider rural landscape character, contrary to Local Plan Policies S1, EQ2, EQ3 and EQ6, the Landscape Character Assessment SPD (2006), Design Guide SPD (2018) and relevant paragraphs contained under Chapter 12 of the NPPF.

Moreover, in seeking to address concerns raised by the Highways Authority, the applicant has submitted a revised Site Plan which shows the required exit visibility splay by way of a dashed green line. The Highways Authority have confirmed that this arrangement is acceptable subject to a condition which requires all boundary treatment and vegetation within that splay to be retained to 600mm or lower.

However, a site inspection and review of aerial photography shows that there are trees and other vegetation that is situated within this splay that sit much higher than the required 600mm.

Further to latest comments received from the Council's Tree Officer it is considered that in the absence of any Tree Surveys that identify the quantity and quality of trees within the site, and which require removal to facilitate the required exit visibility splay,

it is not possible to positively conclude that the proposed development will not have an adverse impact to existing trees, contrary to LP Policy EQ9 and paragraph 136 of the NPPF.

In a similar regard, latest comments received from Derbyshire Wildlife Trust confirms that further surveys and assessments are required to ascertain whether the need to maintain those exit visibility splays would result in the removal of trees, vegetation and habitat, and any potential impacts on protected species. These proposals would also impact BNG requirements, with no amended assessment forthcoming from the applicant.

As such, in the absence of a satisfactory level of ecological survey and assessment, and an up to date BNG Assessment, it is not possible for Officers to positively conclude that the revised proposals would not result in adverse harm to protected species and whether the site can deliver the required 10% BNG. As such, the application is subject to LP Policy EQ5 and relevant paragraphs contained under Chapter 15 of the NPPF.

Owing to the relatively isolated location of the building relative to neighbouring properties, the characteristics of the site, and nature of the proposed building, the application is not considered to give rise to any adverse harm to neighbouring or public amenity, in accordance with LP Policy EQ6 and EQ10 and relevant paragraphs contained under Chapter 15 of the NPPF.

Whilst concerns exist with regards to how the building would be accessed internally within the site, the latest comments from the Highways Authority confirms that subject to appropriate conditions, there are no reasonable grounds to refuse the application on matters relating to highway safety.

For the reasons set out above, the application is considered to be in direct conflict with the Local Development Plan, Supplementary Planning Guidance, and the NPPF and thus constitutes an unsustainable form of development, contrary to LP Policy S1a and paragraph 11 of the NPPF.

OFFICER RECOMMENDATION : Refuse

Case Officer: James Stannard

Recommendation Date: 1st June 2026

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council

