

DELEGATED DECISION REPORT

HPK/2026/0165
Valid 01/05/2026

**LAND NEXT TO PRIVATE
TRACK NORTH OF
MANCHESTER ROAD
BUXTON**

**THE INSTALLATION OF 2NO.
TEMPORARY BOREHOLES

(FULL - MINOR)**

MAIN ISSUES

- Principle of the Development
- Design, Character and Appearance
- Impact upon Residential Amenity
- Ecology & Biodiversity
- Nutrient Neutrality

DESCRIPTION OF SITE

The application site refers to a small patch of mixed grassland and loose gravel hardstanding adjacent to a private track which is accessed off Manchester Road. The site is located outside any settlement boundaries and within the defined Countryside area, approximately 1.6km to the northwest of Buxton. The site as existing already comprises a single monitoring borehole.

The surrounding area is rural in its nature with open, agricultural field parcels, farmsteads and isolated rural dwellings.

PROPOSAL

The application seeks temporary planning consent for the installation of two further temporary boreholes: a new monitoring borehole, as well as a water supply borehole. The boreholes would be of a cylindrical shape, and the above ground element would comprise the same visual appearance as the existing borehole with a lockable blue plastic cover approximately 1m in height bordered by a timber fence.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
E Q2 Landscape Character
EQ 3 Rural Development
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

Supplementary Planning Documents

Design Guide
Landscape Character

National Planning Policy Framework

Chapter 2. Achieving sustainable development
Chapter 12. Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS – N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 16/06/2026
Neighbour consultation period ends: 22/05/2026
Press Advert: N/A

Public Comments

One neutral public comment has been received which states the following:

It is disappointing that we were not consulted on these proposed plans. The borehole is metres from our front gate and the ecologist survey shows pictures of our property including pictures that were taken on our land without the common courtesy to ask for permission to enter our property. The survey indicates that they also accessed the pond area to look at the type of trees. Could we please be put into the consultation list and we will speak directly with Nestle as last time they fitted a borehole we allowed them to turn the trucks and tractor / bowser trailer on our land as there is no hard standing or turning place at the borehole location once the drilling rig is fitted. We have no particular complaint about Nestle for installing the borehole, they are a private enterprise and I welcome private enterprise.

Town / Parish Comments

One comment has been received from Buxton Civic Association as follows:

No objection, subject to removal of the boreholes when no longer required and the restoration of the site in accordance with an agreed scheme.

Cadent Gas

Your planning application – No objection providing Cadent are contacted prior to any works taking place.

After receiving the details of your planning application at Land off Manchester Road, we have completed our assessment. We have no objection to your proposal from a planning perspective.

Please review our attached plans, which detail the Cadent gas asset/s in the area. If your application affects one of our high pressure pipelines, it is a statutory requirement that you input the details into the HSE's Planning Advice Web App. For further details, visit www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm. The HSE may wish to apply more stringent criteria for building proximity after assessment. Please ensure that you formally consult with them before you proceed.

Derbyshire County Council Highways (No objection)

There appears to be no material impact on the public highway and therefore the Local Highway Authority (LHA) has no further comments to make.

Derbyshire Wildlife Trust (No objection subject to Condition)

Initial comments 22.06.2026

The inspection by the ecologists does cover a wider area than the red line boundary. I see that the applicant states that work will impact less than 25m² of onsite habitat and less than 5m² of on-site linear habitat. If this is the case, the proposal would qualify under the de-minimis exemption. I assume the access track is currently existing? From the photograph and red line boundary provided, it would seem that most of the footprint of works is made up of gravel / aggregate, with some low-growing species colonising in places. The very north-western part of the red line boundary looks to comprise grassland dominated by rushes and described in the Inspection Note. Based on the red line boundary and the 10 m radius drawn from the existing borehole, it would seem very likely that the new boreholes would be located on the gravel and at the edges of the grassland. I have checked our Biological Records Database and no records of protected species or notable habitats are present on or immediately adjacent to site. Records of brown hare, stoat, badger and ground nesting birds are present in the surrounding moorland and rough grassland. Taking a pragmatic approach to these very localised works, I would recommend securing supervision of an Ecological Clerk of Works during installation. The ECoW can advise on micro-siting where possible to avoid the grassland and can check the footprint of works for common reptiles, amphibians or nesting birds etc., prior to works. I would expect standard best practice procedures to be set out in a CEMP, including dust suppression, re-fuelling, site house-keeping etc., to protect the surrounding habitats and designated sites.

Suggested Condition for Ecological Clerk of Works

An Ecological Clerk of Works shall be present immediately prior to and during the installation of the boreholes. The Ecological Clerk of Works shall check the footprint of works prior to any introduction of machinery, vegetation clearance or ground works and must give confirm that the area is clear of constraints before the installation proceeds. The Ecological Clerk of Works shall remain present on site

during installation in case wildlife concerns or queries arise. A short statement of compliance from the Ecological Clerk of Works shall be submitted to the LPA to discharge the condition.

Updated comments 25.06.2026

If works are limited to a couple of days, then it may be sufficient for the ECoW to check the footprint of works and agree the locations of both boreholes on the first day. They would need to provide a toolbox talk to contractors so that they can keep an eye out for wildlife on subsequent days. A caveat could be added that an update visit would be undertaken by the ECoW if works were to extend more than say three days to ensure no encroachment and to provide an update check of the site.

The condition could be amended as follows:

An Ecological Clerk of Works shall visit site immediately prior to the installation of the boreholes to check the footprint of works prior to any introduction of machinery, vegetation clearance or ground works. The locations of the two boreholes shall be agreed whilst the ECoW is present and they must confirm that the area is clear of constraints before the installation proceeds. The ECoW shall provide a toolbox talk to contractors to brief them of the wildlife in the area and what to do if they encounter any animals during works. Should works take longer than three days, an update visit shall be undertaken to confirm that works are proceeding as agreed, that no encroachment into adjacent habitat has occurred and that safeguards are in place for wildlife. A short statement of compliance from the Ecological Clerk of Works shall be submitted to the LPA to discharge the condition.

Additional comments 30.06.2026

"I would expect standard best practice procedures to be set out in a CEMP, including dust suppression, re-fuelling, site house-keeping etc., to protect the surrounding habitats and designated sites."

As these procedures are set out in the Technical Note, then compliance with such is acceptable.

Tree Officer (No Objection)

The nearest tree constraints are c 90m to the South of the proposed site and separated by walls/fences and open fields. There are no objections to the proposal on arboricultural grounds.

OFFICER COMMENTS

Principle of Development

The application site lies within open countryside and seeks permission for two temporary boreholes.

Local Plan Policy EQ3 seeks to ensure that all development is of a high quality design and protects or enhances landscape character and the setting of the Peak District National Park.

Local Plan Policy EQ3 also identifies it will support rural employment in the form of homeworking, commercial enterprises and live-work units where a rural location can be justified.

Nestlé Waters contributes to sustainable economic development through its continued presence and operations within Buxton and High Peak. Its water bottling operations, which are similarly located within a countryside location to the north of Buxton, rely on boreholes to assess the quality of mineral water and to identify potential new sites for future abstraction. The rural location of the site is justified by the need to gain access to the water source. The proposals align with an existing commercial enterprise within the countryside and in connection with Nestle Waters wider operations within the Borough. The proposals are justified in their rural location and would constitute a modest scale of development pertaining to an engineering operation.

Accordingly, the general principle is acceptable, subject to other considerations including design, highway safety and residential amenity.

Design and Impact upon Landscape Character

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.

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 and protect the setting of the National Park.

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 proposals would constitute a low level intervention and engineering operation in connection with Nestle Waters wider operations within High Peak. The boreholes would be of a cylindrical shape, and the above ground element would comprise the same visual appearance as the existing borehole with a lockable blue plastic cover approximately 1m in height. The proposals would result in minimal development above ground level which would not be widely visible within the street scene or across the wider landscape.

The proposed development is not judged to have any detrimental impact with regards to harm to the surrounding landscape and would create a minor engineering operation which would not be widely visible and is to be discretely bound using timber fencing which is in keeping with the agricultural nature of the site.

Additionally the proposals are seeking temporary planning consent for a defined period of 5 years. After this time period the land will be returned to its previous condition. As such the scope of the works would not have any long-term impact within the landscape.

The proposed development has therefore been assessed to comply with Local Plan Policies EQ2, EQ3 and EQ6 further to the Design Guide SPD and national policy contained within 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. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

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.

The application site is located in a highly isolated and rural setting, where there are no neighbouring properties except a single farmstead to the north of the site which shares the private access track off Manchester Road. The buildings themselves are located some 200m to the north.

The works by virtue of the nature of the proposed development are not judged to have the potential to increase overlooking or result in any loss of privacy and as such are deemed acceptable with regards to residential amenity. Whilst there may be some disruption during the set up works this is considered to be minimal, and given the distance to the neighbour would not adversely affect the adjacent neighbour.

The occupier of the neighbouring property to the north has submitted comments to say that they were not consulted on the scheme, nevertheless a site notice was posted directly opposite the entrance to the private track off Manchester Road. As such the Council has fulfilled its statutory obligation of notification of this application.

The proposed development would not have any unacceptable impacts upon residential amenity in accordance with High Peak Local Plan policy EQ6, The Design Guide SPD and national policy contained within the NPPF.

Ecology and Biodiversity

Policy EQ5 (Biodiversity) seeks to conserve and where possible enhance the biodiversity and geological resources of the plan area. Development proposals should not result in significant harm to biodiversity or geodiversity interest.

The proposed development is not located within or in close proximity to a local wildlife site or a site of special scientific interest. The Goyt Valley SSSI and South Pennines Moors SAC and SPA are located 800m from the site. The application is accompanied by an Ecological Site Inspection Note which DWT have reviewed, commenting that given the very localised works, it is recommended that a condition be imposed requiring an Ecological Clerk of Work be present at the site prior to the commencement of works, and with a statement of compliance from the ECW. The note records that the site has low ecological value in terms of reptiles, bat and mammals. However, it is acknowledged that the timing of any works could disturb nesting birds and amphibians due to the presence of a pond 25 to the east of the site. As such, subject to the imposition of conditions it is considered that the location of the site and the proposed works are not considered to give rise to any adverse impact on ecological interests.

BNG Biodiversity Net Gain Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credit.

A reduced red line area has been submitted to ensure the development area of works would be below the 25sqm, excluding the access track which comprises an existing sealed surface therefore the proposed works are judged to comply with the de minimis exception under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) with regard to the mandatory requirement for development to achieve 10% biodiversity net gain.

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.

CONCLUSION / PLANNING BALANCE

The proposed development is considered acceptable principle, would be of an acceptable design and will not result in any adverse impacts upon visual or residential amenity. The proposals are in accordance with the relevant policies of the High Peak Local Plan, and the National Planning Policy Framework. Therefore, the application is recommended for approval subject to conditions.

OFFICER RECOMMENDATION : Approve

Case Officer: Stuart Talbot

Recommendation Date: 25/06/2026

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council