



Appeal Decision

Site visit made on 15 July 2025

by **F Rafiq BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 August 2025

Appeal Ref: APP/H1033/W/25/3361450

Parcel of land to the rear of Green Lane known as Grin Low Leys, Green Lane, Buxton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Judith Milling against the decision of High Peak Borough Council.
 - The application Ref is HPK/2024/0367.
 - The development proposed is the construction of horse-riding arena for personal use.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development:
 - on the character and appearance of the area, and
 - on biodiversity.

Reasons

Character and appearance

3. The appeal site comprises of an area of land to the rear of detached houses on Green Lane. It is situated in an elevated position from the highway and is accessed by a short track. Although the appellant considers the site to be outside the 'Limestone Moorland' Landscape Character Area (LCA), the precise boundaries of the appeal site in relation to this LCA are not shown. However, the presence of mature planting in the garden areas of nearby properties, street trees along Green Lane and the backdrop of open undulating land, provide for a spacious, verdant character to the area.
4. The creation of the riding arena would result in significant engineering works given the varying topography across the appeal site. The submitted details show that this would necessitate a retaining wall of over 3m in height, which would extend across a significant part of the site. The alterations to land levels and the creation of a retaining wall would detract from the naturally sloping landscape and therefore be visually harmful to the area.
5. The proposal would be sited close to the existing stables and access and no lighting is proposed. It would be set back behind large dwellings which would provide some screening from Green Lane. It would nonetheless be visible from this highway and other surrounding vantage points. The proposed planting would

reduce visibility of the development, however, this would take time to mature and even then, given the elevated location of the appeal site, I cannot be sure that it could realistically screen all the development.

6. I therefore conclude that the proposed development would have an unacceptable adverse effect on the character and appearance of the area. As such, it would conflict with Policies S 1, EQ 2, EQ 3 and EQ 6 of the High Peak Local Plan (Local Plan), the Landscape Character Supplementary Planning Document and Section 12 of the National Planning Policy Framework (Framework), which seek, amongst other matters, to take account of the distinct character and landscape in High Peak, and to protect the character, appearance and local distinctiveness of the landscape.

Biodiversity

7. The appeal site is situated close to a large mature woodland area which is designated as a Site of Special Scientific Interest. This is referenced in the appellant's Ecological Assessment Report which states that the proposed works would have a limited impact on this and other designated sites.
8. Although the appellant does not consider the appeal site itself to be of any ecological value and comprises of poor-quality grazing land, the existing field could be utilised by local wildlife given the proximity to the adjacent woodland area. No consultation has been undertaken with data held by the Derbyshire Biological Record Centre, and the impact assessment has not considered all the potential effects on roosting bats, reptiles, birds and plants.
9. The proposal includes the planting of native hedges and will introduce native flora to the site. Despite these enhancements, in the absence of an ecological assessment that addresses the potential effects on protected species and habitats, I conclude that the proposal could have an unacceptable harmful impact on biodiversity. As such, it would be contrary to Local Plan Policy EQ 5 and Section 15 of the Framework, which seek, amongst other matters, to conserve and enhance biodiversity resources.

Other Matters

10. The proposal would not be used for commercial purposes and is intended for personal use, which would enable the appellant to ride her horses locally, reducing the need to travel and thereby improving road safety. Whilst this weighs in favour of the proposal and I note the supporting comments by a neighbouring resident, these matters would not outweigh the harm that I have identified in relation to the main issues.
11. The existing access would be used by the proposed development and there would be no impact on an agricultural holding, archaeology or the National Park. I also note the lack of objection from a number of consultees and that no harmful impacts would arise on the living conditions of residential occupiers of neighbouring properties. These are however neutral matters, and not ones which weigh in favour of the proposed development.
12. Reference has been made to a number of other schemes providing riding arenas that were approved. Whilst some of these were larger than the proposal, and in one of the cases, bordered the Peak District National Park, I have been provided

with limited further details of these schemes and their relevance to the appeal proposal. In particular, there isn't any information before me on whether the cases referenced by the appellant involved any change in land levels. As such, it is not clear the circumstances of these other developments are comparable to the appeal scheme which I have determined on its own merits.

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR