

CHAPEL-EN-LE-FRITH PARISH COUNCIL

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11th February 2026

Planning Office
High Peak Planning

Dear Sirs,

Objection to Application HPK/2025/0447

Site Address: Land at Crossings Road, Chapel-en-le-Frith, Derbyshire

Description: Outline application (all matters reserved except access) for up to 180 dwellings, public open space, and associated works

Introduction:

This objection has been submitted on behalf of Chapel-en-le-Frith Parish Council, who strongly objects to planning application HPK/2025/0447. The proposal for up to 180 dwellings on land at Crossings Road is considered to be fundamentally contrary to the High Peak Local Plan (2016), the Chapel-en-le-Frith Neighbourhood Development Plan (2013 to 2028), and the National Planning Policy Framework (2024). The Parish Council's detailed objections are set out below and are structured by reference to the principal issues arising.

Discussion of Scheme:

Principle of Development (Countryside Location and Policy H1)

Conflict with the defined settlement boundary

The application site lies outside the defined built-up area boundary of Chapel-en-le-Frith. High Peak Local Plan Policy H1 (Location of Housing Development) is explicit that housing proposals outside defined settlements will only be supported in exceptional circumstances where the relevant criteria are met. In particular, Policy H1 requires that development: (b) would not lead to prominent intrusion into the countryside or have a significant adverse impact on countryside character; (c) would have reasonable access by foot, cycle or public transport to schools, medical services, shops and other community facilities; and (d) would not result in undue pressure on local infrastructure capacity. The proposal fails to satisfy these core tests for the following reasons.

Prominent intrusion into the countryside

The scale of development proposed would extend built form materially beyond the established settlement edge, creating a substantial urbanising incursion into open countryside. This would amount to the type of prominent intrusion that Policy H1 seeks to prevent. The existing open fields make an important contribution to the rural setting of Chapel-en-le-Frith and provide a clear, defensible transition between the built-up area and the surrounding landscape. Their loss to housing would erode countryside character and harm the settlement's landscape setting. This is explored further below.

Unsustainable location and poor access to services

The site cannot reasonably be regarded as a sustainable location for up to 180 dwellings. Positioned on the western edge of Chapel-en-le-Frith, it is distant from the town's principal services and facilities, with limited day-to-day amenities within convenient walking distance. Public transport provision is also weak, with infrequent bus services along Manchester Road. The practical consequence is that future occupiers would be heavily reliant on private cars, which conflicts with the objective of directing housing to locations with reasonable non-car accessibility. This is inconsistent with Policy H1's accessibility criterion and conflicts with Local Plan Policy S1, which requires development to reflect sustainable development principles. This is explored further below.

Infrastructure capacity and service pressures

Local community infrastructure in Chapel-en-le-Frith is under existing pressure, including school capacity and primary healthcare provision. An additional development of up to 180 dwellings would introduce a significant uplift in population, with consequent demand for school places, healthcare appointments and associated community services. Local Plan Policy CF3 (Local Infrastructure Provision) indicates that development must be informed by the capacity of existing infrastructure to accommodate additional demands, with appropriate improvements secured where necessary. In this case, there is no clear evidence that the required infrastructure expansion is either committed, deliverable, or capable of being provided in a timely manner to mitigate the impacts arising. In the absence of firm and secured provision, the scheme fails to demonstrate compliance with Policy CF3 and does not satisfy Policy H1's requirement that development should not generate undue pressure on infrastructure capacity.

Conclusion on principle

For these reasons, the principle of up to 180 dwellings on this unallocated greenfield site outside the defined settlement boundary is unacceptable. The proposal would amount to unsustainable and unplanned expansion into the countryside, contrary to the spatial strategy of the development plan. It fails the relevant Policy H1 tests in relation to countryside intrusion, accessibility and infrastructure capacity, and is therefore fundamentally in conflict with the development plan.

Sustainability and Infrastructure (Policies CF3 and CF6)

Sustainable transport provision and accessibility deficiencies

The proposal does not represent sustainable development in terms of its location or the realistic travel choices available to future residents. High Peak Local Plan Policy CF6 (Accessibility and Transport) requires development to be safely accessible in a sustainable manner and to minimise the need to travel by private car. The scheme fails to align with that policy objective.

The site is located on the periphery of Chapel-en-le-Frith, at an approximate distance of 1.5 to 2 kilometres from the town centre and its principal services and facilities. In practical terms, this is a distance many residents will find inconvenient for day to day walking trips, particularly when considered alongside the area's topography. Cycling infrastructure is limited and as explored below, there is insufficient evidence that safe, convenient and attractive routes can be delivered as part of the proposal.

Derbyshire County Council, as Highway Authority, has identified that the information provided at outline stage is insufficient to confirm how pedestrians and cyclists would connect to the wider settlement. Of particular concern is the apparent reliance within the submitted Transport Assessment on potential links across third-party land, including possible routes through the neighbouring Orchid Drive estate, which are not demonstrated as secured or deliverable. In the absence of guaranteed through connections, the Highway Authority has indicated that pedestrian and cycle accessibility cannot be properly assessed. Without direct and safe walking and cycling routes, the development would in practice function as a car-dependent expansion, contrary to the intent of Policy CF6 to support integrated, multi-modal access and to reduce reliance on private vehicles for local trips.

Community infrastructure capacity and delivery risk

The proposal also fails to demonstrate that it can be supported by adequate community infrastructure. High Peak Local Plan Policy CF3 (Local Infrastructure Provision) seeks to ensure that development is served by sufficient infrastructure and services, including education and healthcare, and that appropriate improvements are secured and, where relevant, phased alongside development.

Key local services, particularly schools and primary healthcare are already operating at or close to capacity. Against that baseline, a development of up to 180 dwellings would generate a substantial increase in demand for school places and GP services. However, the application does not provide a firm, deliverable strategy showing how such demand would be met, either through demonstrable spare capacity or through secured and timely mitigation. While the Education Authority and NHS bodies would require developer contributions, it is not clear whether capacity expansion is realistically achievable in the locality within an appropriate timeframe.

In the absence of a clear and secured infrastructure solution, there is a material risk that the proposal would overburden existing facilities, with consequent impacts on service quality and access for both new and existing residents. That outcome would be directly contrary to the purpose of Policy CF3 and would reinforce concerns already arising under the development plan regarding the pressure placed on local infrastructure by growth of this scale.

Conclusion on sustainability and infrastructure

Taken together, the accessibility limitations and the absence of demonstrable and secured infrastructure provision indicate that the proposal fails to satisfy the development plan requirements for sustainable growth. The scheme conflicts with High Peak Local Plan Policies CF6 and CF3 by virtue of its likely car-dependent travel patterns and the lack of robust evidence that community infrastructure can accommodate the scale of development proposed. These deficiencies also sit uneasily with the National Planning Policy Framework's objective of directing growth to accessible locations and avoiding poorly connected development that would increase reliance on the private car.

Landscape and Visual Impact (Policies S6 and EQ2)

Departure from the spatial strategy and encroachment into open countryside

The proposal would materially undermine the spatial strategy for the Central Area, which includes Chapel-en-le-Frith, as set out in High Peak Local Plan Policy S6. That strategy directs housing growth to sustainable sites within the built-up area and seeks to avoid unnecessary expansion into the open countryside. By promoting a substantial greenfield urban extension beyond the settlement edge, the scheme runs contrary to the plan-led approach and conflicts with the objective of safeguarding the rural setting of Chapel-en-le-Frith and preventing incremental and sporadic outward expansion.

Landscape character harm and conflict with Policy EQ2

High Peak Local Plan Policy EQ2 (Landscape Character) seeks to protect and enhance the character, distinctiveness and visual qualities of the landscape, and to resist development that would harm the character of the countryside or the setting of settlements. The application site sits within a pastoral landscape context on the settlement fringe, characterised by open fields, hedgerows and dry-stone walls, and forms part of the wider setting of the Peak District National Park. In its current form, the site provides a clear and legible transition between the built-up area and open countryside and contributes positively to the approach along Crossings Road, Eccles Road and Manchester Road.

The introduction of up to 180 dwellings, associated infrastructure and domestic paraphernalia would fundamentally urbanise this landscape, erode the defensible settlement edge and dilute the established "town to country" transition. In policy terms, this is the type of change that Policy EQ2 is intended to prevent, as it would be detrimental to the character of the local landscape and the setting of Chapel-en-le-Frith.

Applicant's LVIA confirms material harm in the short to medium term

The applicant's own Landscape and Visual Impact Assessment (LVIA) provides further support for the Parish Council's position that the proposal would result in material harm. The LVIA identifies a "localised Moderate Adverse" landscape and visual effect at Year 1, even taking account of proposed mitigation planting. This conclusion is significant: it confirms that, at the point when the development would first be experienced by the community, the scheme would cause recognisable and harmful change to landscape character and views.

While the LVIA suggests that effects may reduce to Minor Adverse by Year 15 as planting matures, the Parish Council considers it inappropriate to discount the acknowledged moderate harm occurring over the early years of occupation and establishment. The development plan's requirement to protect and enhance landscape character cannot be treated as satisfied where the submitted assessment anticipates moderate adverse effects for a sustained period. In practical terms, the LVIA's conclusions demonstrate that the scheme would not be successfully assimilated without unacceptable harm to the character of the countryside and the settlement's landscape setting.

Visual amenity impacts on residents and users of surrounding routes

The proposal would also harm the visual amenity experienced by nearby residents and users of local routes and public access. The development would be visible from Crossings Road and Eccles Road and would affect the experience of the settlement edge from adjacent dwellings and nearby footpaths. The character of these routes would shift materially from a rural fringe environment to a suburbanised streetscape. The LVIA's identification of moderate adverse effects in early years and minor adverse impacts beyond reinforces the conclusion that the scheme would fail to respect the valued landscape setting of Chapel-en-le-Frith.

Conclusion on landscape and visual effects

For these reasons, the proposal conflicts with High Peak Local Plan Policies S6 and EQ2. It represents an unjustified encroachment into open countryside and would cause demonstrable landscape and visual harm, including adverse effects as acknowledged by the applicant's own evidence. These impacts weigh significantly against the proposal when considered against the development plan's landscape protection policies and the National Planning Policy Framework's requirement to recognise the intrinsic character and beauty of the countryside and to safeguard valued landscapes.

Heritage Impacts (Policy EQ7, NPPF Section 16, and the Section 66 Duty)

Designated heritage assets affected

The application site is located opposite a group of Grade II listed cottages on Crossings Road, namely Dove Dale, Lilac Cottage and Weston Cottage. These 18th-century buildings are designated heritage assets of high significance, derived not only from their architectural and historic interest but also from their strong group value and the manner in which they are experienced within their immediate surroundings. Their significance is presently reinforced by a rural setting, with open fields forming a key part of their outlook and historic context. The undeveloped character of the application site contributes materially to the appreciation of these listed buildings, maintaining an evident relationship with the traditional agricultural landscape at the settlement edge.

Harm to setting and the resulting statutory and policy tests

The proposal would introduce a substantial quantum of modern housing, access infrastructure and associated suburbanising features into the setting of the listed cottages. This would fundamentally change the character of their environment from a rural edge to an estate context, thereby eroding the historic setting that presently complements and amplifies their significance. While the buildings themselves would not be physically altered, the impact on setting would constitute harm to significance in heritage terms and is likely to fall within the category of less than substantial harm. However, the categorisation of harm does not diminish the importance of the statutory and policy duties engaged.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving the listed building or its setting. The National Planning Policy Framework 2024, Section 16, requires that great weight is given to the conservation of designated heritage assets and that any harm to significance, including through development affecting setting, must be clearly and convincingly justified. The relevant balancing exercise for less than substantial harm must then be applied with the correct legal and policy lens, recognising that the duty to give considerable importance and weight to heritage conservation is not discretionary.

Insufficient justification and limited mitigation

On the information submitted, the harm to the setting of the listed cottages is not clearly and convincingly justified. The principal public benefit advanced is the delivery of housing. However, the Parish Council considers that this does not provide a compelling basis to accept permanent harm to the setting of designated heritage assets, particularly where housing need can be directed to more appropriate and better connected locations that do not erode historic context at the settlement edge.

The submitted Heritage Assessment appears to acknowledge a degree of harm but suggests that impacts are mitigated through the retention of the northernmost field, opposite the cottages, as open space. While the retention of a buffer is preferable to development extending directly to the roadside frontage, it does not remove the fundamental change in character that would arise from the proposal as a whole. The retained land would no longer read as working farmland forming part of an organic rural setting. Rather, it would become a planned amenity space within, and defined by, a housing estate, with the wider context altered by adjacent built form,

access arrangements, lighting and domestic activity. In those circumstances, the Parish Council does not accept that the presence of a retained field equates to an absence of harm. The setting would still transition from rural to suburban, and the listed cottages would be experienced in a materially different and degraded context.

Conflict with Local Plan Policy EQ7 and neighbourhood plan heritage objectives

High Peak Local Plan Policy EQ7 (Built and Historic Environment) affords particular protection to listed buildings and their settings and requires development proposals to conserve heritage significance in a manner appropriate to the asset's importance. It also expects applicants to demonstrate that they have properly understood and responded to the significance of the asset and the contribution of setting. The proposal fails that test. The development would encroach upon and dilute the rural setting that currently supports the appreciation of these designated assets, and the submitted mitigation strategy does not amount to meaningful conservation-led design capable of avoiding or adequately minimising harm. Accordingly, the proposal conflicts with Policy EQ7 and undermines the heritage protection objectives within the Chapel-en-le-Frith Neighbourhood Development Plan.

NPPF Section 16 planning balance

In NPPF terms, the proposal engages the requirement to sustain and enhance the significance of heritage assets and for new development to make a positive contribution to local character and distinctiveness. In this case, the effect on setting would be negative. In applying the less than substantial harm balance, the Parish Council's position is that the identified harm to designated heritage assets must be afforded great weight and is not outweighed by the public benefits advanced, especially when considered in conjunction with the other harms identified. The historic environment is a defining component of Chapel-en-le-Frith's identity and sense of place. Granting permission for a development that would suburbanise the setting of Grade II listed cottages would therefore be contrary to both local and national heritage policy and to the statutory duty imposed by Section 66(1).

Highways and Access Concerns (Policy CF6)

Vehicular access and network implications

The outline application seeks approval for two vehicular access points from Crossings Road. In principle, an appropriate junction form, geometry and visibility could potentially be achieved on engineering grounds given the local alignment. However, the Parish Council considers that the implications of introducing traffic associated with up to 180 dwellings require much more rigorous scrutiny at outline stage, particularly in relation to the capacity and operational performance of Crossings Road and its wider connections.

A development of this scale is likely to generate a substantial increase in vehicle movements, including peak hour trips, servicing activity and secondary traffic associated with deliveries and visitors. The cumulative effect would be to materially intensify use of Crossings Road and its junction with Manchester Road (B5470). The Parish Council is concerned that insufficient evidence has been provided to demonstrate that the surrounding junctions and corridors can accommodate the additional demand without adverse effects on safety and operation.

The Parish Council therefore considers that the Highway Authority should undertake detailed scrutiny of the junction strategy, including the need for any improvement measures, to ensure that the access arrangements are safe, suitable and deliverable in accordance with Policy CF6.

Pedestrian, cycle and emergency access and connectivity uncertainties

A central concern is the absence of certainty regarding pedestrian, cycle and emergency access arrangements at outline stage. High Peak Local Plan Policy CF6 requires development to be integrated into the existing transport network for all modes and to provide safe, convenient and direct routes for walking and cycling. On the current submission, that integration has not been convincingly demonstrated.

While the internal layout is reserved, the issue is not merely the precise alignment of internal streets but the principle and deliverability of the site's connections to the surrounding area. The Transport Assessment and indicative plans appear to rely on a pedestrian and cycle link, and an emergency access route, to the adjacent Orchid Drive and Twayblade Crescent estate to the south. However, the Parish Council understands that the land required for this connection may not form part of the adopted highway and may not be within the applicant's control. The application does not provide evidence of a binding agreement or other mechanism that would secure delivery of the link. Reliance on third-party land at reserved matters stage introduces

unacceptable uncertainty as to whether the development can in fact achieve appropriate permeability, accessibility and emergency planning outcomes.

If the southern connection does not come forward, the development would function in practice as a large residential enclave served solely by the two access points onto Crossings Road, with no secondary linkage. That outcome would represent poor permeability for pedestrians and cyclists and would raise legitimate concerns regarding resilience and emergency access provision. Even if the link were to be delivered, the Parish Council notes that Orchid Drive is a residential street which may not have been designed to accommodate additional through movement or emergency routing associated with a development of this scale. These matters further reinforce the conclusion that, on the present evidence, it is not possible to confirm compliance with Policy CF6 at outline stage.

Public transport limitations and deliverability of improvements

Public transport accessibility remains limited. The nearest bus stops on Manchester Road are set at a distance which, while potentially walkable for some, will not be attractive or convenient for all users, particularly when combined with variable weather and topography. The Highway Authority's recommendation for bus stop upgrades, including improved passenger facilities and accessibility measures, underscores that existing provision is presently substandard. However, the application does not clearly demonstrate that such works are secured, deliverable, or sufficient to materially shift travel behaviour away from private car reliance. In addition, where service frequency and coverage are limited, physical stop improvements alone are unlikely to render the site genuinely accessible by public transport. This weighs against the objectives of Policy CF6 and the NPPF's requirement to promote sustainable transport choices.

Conclusion on highways and access

Overall, the application has not convincingly demonstrated that safe and suitable access can be achieved for all users, as required by Policy CF6. The proposal is heavily reliant on future, as-yet-unsecured links and off-site measures, and it does not provide sufficient clarity on junction operation and mitigation at outline stage. Until pedestrian, cycle and emergency access arrangements are secured in principle and the wider network impacts are robustly assessed and addressed, the development remains in conflict with Policy CF6 and with the NPPF's sustainable transport and safe access objectives.

Ecology and Biodiversity (Policies EQ5 and EQ9)

The Parish Council shares, and fully supports, the substantive concerns raised by Derbyshire Wildlife Trust in its consultation response. The site and its immediate surroundings have clear ecological sensitivities, and the current outline submission does not provide the information or certainty necessary to demonstrate policy compliance.

Proximity to designated sites and the requirement for a Habitat Regulations Assessment

The application site lies within the zone of influence of internationally and nationally designated sites, including the Peak District Moors (South Pennine Moors Phase 1) SPA and SAC, the Peak District Dales SAC, and the SSSI Impact Risk Zone for Combs Reservoir SSSI. Given the scale of development proposed, there is a credible pathway for indirect effects, including recreational pressure, disturbance, and wider environmental effects such as air quality changes.

Derbyshire Wildlife Trust has advised that a Habitat Regulations Assessment is required and that the applicant should provide a shadow HRA to inform the authority's Appropriate Assessment, particularly once relevant survey data are available. At present, no shadow HRA has been submitted. The Ecological Impact Assessment indicates that such work would be provided, but it remains outstanding. In the absence of a shadow HRA, the application is not supported by the evidence required to enable lawful determination. The authority must be satisfied that the proposal would not have an adverse effect on the integrity of European sites, and that conclusion cannot be reached on the basis of unsubmitted or deferred assessment. The Parish Council therefore endorses Derbyshire Wildlife Trust's position that an HRA is mandatory and must be provided prior to any decision. Proceeding without this evidence would be inconsistent with the statutory framework and would also conflict with High Peak Local Plan Policy EQ5, which requires the protection of biodiversity and ecological assets.

Local Wildlife Site sensitivities and the need for a robust buffer strategy

Immediately adjacent to the southern boundary is the Lower Crossings Meadow Local Wildlife Site, designated for its species-rich grassland and wet meadow habitat. Although the indicative parameters do not

show direct land take from the LWS, the Parish Council is concerned about foreseeable edge effects arising from residential development abutting a sensitive habitat, including disturbance, light spill, cat predation, and inadvertent encroachment through waste and informal access.

While the EcIA refers to a buffer, Derbyshire Wildlife Trust has identified that the proposed buffer appears insufficient in places, with private gardens proposed unacceptably close to the LWS boundary. The Trust's recommendation that private gardens should not abut the LWS is a sound and proportionate measure to reduce edge effects. The Parish Council supports this position. A meaningful green buffer, with appropriate boundary treatment and a clear management regime, should be secured in principle at outline stage. Without that certainty, the application fails to demonstrate adequate protection of the adjacent LWS, contrary to Policy EQ5.

Priority habitats within the site and conflict risk under Policy EQ9

Within the application site, the ecological value is concentrated in the hedgerow network and the watercourses and ditches. The hedgerows are identified as Priority Habitat and are likely to qualify as Habitats of Principal Importance. There is also a reasonable prospect that at least some hedgerows could meet the definition of "important hedgerows" under the Hedgerow Regulations. Derbyshire Wildlife Trust has noted that an assessment against the Hedgerow Regulations has not been clearly provided and has requested this deficiency be addressed.

The parameter plans indicate limited hedgerow removal associated with access formation, which is acknowledged as a more positive starting point than more extensive clearance. However, the Parish Council emphasises that outline permission establishes the principle of development, and the authority must be satisfied that the future reserved matters can be delivered without unacceptable habitat loss. Any subsequent increase in hedgerow breaches to facilitate layout changes would be directly problematic and would risk conflict with High Peak Local Plan Policy EQ9, which seeks to protect trees and hedgerows, and Policy EQ5, which expects biodiversity assets to be conserved and enhanced. The retention and protection of key hedgerow corridors should therefore be secured and not left to later design evolution.

The watercourse network also requires stronger protection. The proposals indicate that sections of watercourse would be lost or culverted, with realignment incorporated into SuDS features. While localised crossings may be necessary, the Parish Council considers that the extent of culverting and loss must be robustly justified and demonstrably minimised, with suitable undeveloped buffers maintained along watercourses as a matter of good practice. Where culverting or loss is proposed, the authority should require clear compensation and enhancement measures to ensure no net detriment, consistent with Policy EQ5.

Protected and priority species, and the need for a secured mitigation framework

The EcIA identifies the presence and use of the site by a range of species. Amphibians, including common toad which is a Species of Principal Importance, are likely to be present given the wet grassland and ditch habitats. Derbyshire Wildlife Trust recommends that the SuDS strategy should incorporate amphibian-beneficial features and appropriate specifications to reduce harm from roads and drainage infrastructure. The Parish Council supports this approach and considers that a wildlife-inclusive drainage design should be treated as a required component, not an optional enhancement.

Bat activity is also a notable constraint. Surveys recorded a diverse assemblage, with foraging and commuting concentrated along hedgerows and watercourses. This reinforces the importance of retaining these corridors and maintaining dark, unlit routes. A sensitive lighting strategy is therefore essential and should be secured through an enforceable lighting plan to avoid direct and indirect impacts, in line with Policy EQ5.

Conclusion on ecology and biodiversity

In summary, there remain significant unresolved ecological issues. The absence of a shadow Habitat Regulations Assessment is a fundamental deficiency that prevents the authority from lawfully concluding that there would be no adverse effect on the integrity of European sites. In addition, the current submission does not provide sufficient certainty that edge effects on the adjacent Local Wildlife Site will be avoided, that priority habitats within the site will be retained and protected, or that appropriate species mitigation will be secured and implemented.

High Peak Local Plan Policies EQ5 and EQ9 require the protection and enhancement of biodiversity assets, the safeguarding of priority habitats and species, and the delivery of measurable net gains where possible. On

the current evidence base, those requirements have not been met. The Parish Council therefore urges that the application is either refused or, at minimum, not determined until the outstanding assessments and required mitigation and management measures are provided and can be properly tested, in accordance with the concerns raised by Derbyshire Wildlife Trust and the wider objectives of national policy.

Contaminated Land and Ground Conditions (Policy EQ10)

The application is supported by a Phase 1 Geo-Environmental Site Assessment (desk-based study) prepared by Smith Grant. That report identifies a number of potential constraints and explicitly indicates that further work is required to establish whether the site is suitable for the proposed sensitive end use. On the current evidence, there remains material uncertainty regarding contamination risks and ground stability, which the Parish Council considers must be resolved prior to any decision to grant permission.

Potential sources of contamination and made ground

The Phase 1 assessment refers to a “mound” within the south western corner of the site. The presence of such a feature raises the prospect of made ground or historic deposition, including potential spoil. Without intrusive investigation it is not possible to confirm the composition of the material, whether it includes imported fill, and whether it contains contaminants that could pose risks to future residents. Given the proposed residential use, including private gardens and open space, the acceptability of any made ground is a critical matter.

In addition, the site’s historic context and surrounding land uses indicate potential for localised contamination hotspots. Proximity to farm buildings or agricultural land management practices can be associated with fuels, oils, pesticides and herbicides, and related storage and disposal activities. The wider geological context also raises the possibility of legacy ground hazards associated with historic extraction or workings, where relevant, which can present stability risks or create unexpected pathways for contamination migration. These matters cannot be robustly dismissed on the basis of a desk study alone.

Requirement for intrusive investigation and geotechnical appraisal

The Phase 1 report recommends a Phase 2 intrusive investigation, including targeted soil sampling and geotechnical testing, on the basis of the sensitive residential end use. It also recommends that this work is undertaken in tandem with a geotechnical assessment to inform appropriate foundation design and to identify any constraints relating to soil conditions, groundwater, compressibility, or other factors that could affect safe construction and drainage.

Those recommendations underscore that the current submission does not provide a complete understanding of site conditions. In particular, the presence of wetter areas and water features within or adjoining the site raises the potential for a higher groundwater table or variable ground conditions, which may have implications for foundation solutions, SuDS design, and long term stability. Until Phase 2 work is undertaken, it cannot be confirmed that the development can be delivered safely without significant remediation, engineering interventions or design change.

Policy EQ10 compliance not demonstrated

High Peak Local Plan Policy EQ10 (Pollution and Unstable Land) requires development proposals to demonstrate that sites are suitable for their intended use, having regard to contamination and stability risks, and that any necessary mitigation is identified and secured. The policy also makes clear that the responsibility for ensuring safe development rests with the developer. At present, because the recommended intrusive investigation has not been completed, the proposal has not demonstrated compliance with Policy EQ10. The scale of uncertainty is material given the proposed use. If contaminants were identified in made ground, substantial remediation could be required to ensure that gardens and open spaces are safe for families. If unstable or complex ground conditions were present, specialist foundation solutions could be necessary, which may have consequential implications for drainage design, construction impacts and deliverability.

Need for pre-decision evidence

The Parish Council urges that planning permission should not be granted until the Phase 2 site investigation has been completed and the results have been provided to, and reviewed by, the local planning authority and relevant consultees. This is necessary to confirm that there are no fundamental constraints that would prevent safe development or that would require interventions of such scale that the scheme would materially change in nature or impact.

If the authority is nonetheless minded to approve the application, the Parish Council considers that stringent conditions must be imposed to secure, prior to commencement, a detailed contamination risk assessment, a remediation strategy where required, and an appropriate verification and validation framework, consistent with Environmental Health advice. Any such conditions would need to be robust, enforceable and tied to clear trigger points to ensure that the development proceeds only once site safety has been properly evidenced.

Conclusion on ground conditions

In planning terms, the unresolved position on contamination and ground stability introduces a clear element of risk and uncertainty, and it remains unproven that the site is suitable for up to 180 dwellings without potentially significant remediation or engineering measures. Policy EQ10 requires that such matters are properly understood and addressed to ensure land is safe and stable for its intended use. On the current submission, that policy requirement has not been met.

Chapel-en-le-Frith Neighbourhood Development Plan (2013 to 2028) Conflict

The Chapel-en-le-Frith Neighbourhood Development Plan forms part of the statutory development plan, having been made in 2015. It provides locally specific policy intended to manage growth in the parish to 2028, including the identification of preferred housing sites and a clear emphasis on protecting the surrounding countryside and ensuring that infrastructure keeps pace with development. The current proposal conflicts directly with both the structure and the objectives of that plan.

Plan-led growth and the role of settlement boundaries and allocations

The Neighbourhood Development Plan was prepared on the basis of directing growth to defined locations, primarily through identified allocations and limited forms of development within the built-up area. Policy H1 (Housing Allocations) sets out the sites identified for new housing. The application site at Crossings Road is not allocated. Policy H2 (Smaller Sites) then provides for limited development on small infill plots within the built-up area and only exceptionally supports individual dwellings in the countryside where specific criteria are met.

A proposal for up to 180 dwellings on a greenfield site outside the built-up area is therefore not simply an “additional” site, but in substance an attempt to introduce a major housing allocation outside the agreed plan framework. That approach is contrary to the community-led strategy embedded in the Neighbourhood Development Plan, which sought to manage and locate growth in a planned manner rather than through speculative expansion into the countryside.

Countryside protection and conflict with the plan’s stated community objectives

The Neighbourhood Development Plan contains a strong and consistent commitment to safeguarding the rural surroundings of Chapel-en-le-Frith. It identifies the countryside outside the built-up area as a valued component of the parish’s character, supporting landscape quality, recreation and ecological interests. The evidence base prepared through the neighbourhood planning process also recorded strong community preference for resisting development outside the built-up area, including the documented position that 83 percent of respondents wished to protect the area outside the settlement from development.

While the application site is not designated as a Local Green Space, it is nonetheless part of the open countryside beyond the built-up area which the Neighbourhood Development Plan sought to protect from unplanned expansion. A development of this scale would therefore be inconsistent with the plan’s core objectives and would materially weaken the effectiveness of neighbourhood plan policy by setting a precedent for substantial greenfield development outside the locations endorsed through the plan-making process.

Infrastructure provision and developer contributions

Policy CNP1 (Provision of Infrastructure and Developer Contributions) emphasises that development should be supported by appropriate infrastructure and that developers must contribute to the improvements required to accommodate growth. As set out elsewhere in this representation, the proposal raises substantial concerns regarding the capacity of local services and infrastructure. If the authority were minded to approve the scheme, the Parish Council considers that it could only be contemplated on the basis that the full package of necessary contributions is secured through an appropriate legal agreement, including education, healthcare, highways and sustainable transport measures, open space and other community infrastructure, consistent with Policy CNP1.

However, it is also important to recognise that some of the principal harms identified, including the loss of countryside, landscape and visual impacts, and effects on the setting of heritage assets, are not capable of being

mitigated through financial contributions. Those impacts arise from the location and nature of the proposal itself.

Conclusion on neighbourhood plan conflict and plan weight

Overall, the proposal is in clear conflict with both the intention and the policy framework of the Chapel-en-le-Frith Neighbourhood Development Plan. The plan sought to concentrate growth within defined boundaries and through allocated or appropriately scaled sites, and to avoid the very form of speculative greenfield sprawl that this application represents. As the qualifying body, the Parish Council considers that the proposal would undermine the integrity of community-led plan making and the certainty that the development plan is intended to provide.

National policy is clear that neighbourhood plans form part of the development plan and should be given full weight in decision-making unless material considerations indicate otherwise. In this case, there is no clear basis to set aside the neighbourhood plan strategy. The conflict with the Neighbourhood Development Plan therefore represents a significant and weighty factor in the planning balance against the grant of permission.

Conclusion

In conclusion, Chapel-en-le-Frith Parish Council considers that planning application HPK/2025/0447 should be refused. The proposal for up to 180 dwellings at Crossings Road represents a substantial, unallocated urban extension beyond the defined settlement boundary, contrary to the plan-led strategy of the High Peak Local Plan (2016) and the Chapel-en-le-Frith Neighbourhood Development Plan (2013 to 2028). In particular, it fails to satisfy the core tests of Local Plan Policy H1 in respect of countryside intrusion, accessibility to services and facilities, and the avoidance of undue pressure on infrastructure, and it conflicts with Policies S1, S6, CF3 and CF6 by promoting growth in a location likely to be car-dependent and unsupported by demonstrably deliverable infrastructure mitigation.

The Parish Council further considers that the proposal would cause unacceptable and lasting harm to the landscape setting of the settlement in conflict with Policy EQ2, with the applicant's own LVIA acknowledging moderate adverse effects in the early years that cannot be dismissed as temporary or incidental. In heritage terms, the development would erode the rural setting that contributes to the significance of nearby Grade II listed cottages, engaging the Section 66 duty and conflicting with Policy EQ7 and the NPPF's requirement to give great weight to conservation. Ecologically, the absence of a shadow Habitat Regulations Assessment and the unresolved risks to designated sites, the adjacent Local Wildlife Site, priority habitats and species mean the application is not supported by the evidence necessary for lawful determination, conflicting with Policies EQ5 and EQ9. In addition, the submitted Phase 1 ground conditions work explicitly identifies the need for intrusive investigation; until that work is undertaken, compliance with Policy EQ10 has not been demonstrated and the suitability of the site for a sensitive residential end use remains unproven.

Taken as a whole, the proposal presents a range of substantive policy conflicts which are not capable of being remedied by reserved matters, conditions, or developer contributions. The Parish Council therefore urges High Peak Borough Council to apply the statutory presumption in favour of the development plan, afford full weight to the made neighbourhood plan, and refuse permission for HPK/2025/0447.

Yours faithfully,

G S Turner

Clerk to the Parish Council