

Mr Declan Cleary
High Peak Borough Council
Development Control
Municipal Buildings Market Place
Glossop
Derbyshire
SK13 8AF

Our ref: LT/2023/127740/02-L01
Your ref: HPK/2023/0057
Date: 13 June 2023

Dear Mr Cleary,

**ERECTION OF FIVE EMPLOYMENT UNITS (USE CLASS E/B2) WITH ASSOCIATED PARKING AND SERVICING BAYS
UNIT 9, WATFORD BRIDGE INDUSTRIAL ESTATE, WATFORD BRIDGE ROAD,
NEW MILLS, DERBYSHIRE, SK22 4HJ**

The comments we made in our previous response (ref: LT/2023/127740/01-L01) were related to proximity to the bank top and the potential impact on the ability to access the river in the future if necessary. The comments were not related to flood risk to the proposed development as the site ground levels of the proposed units are evidently elevated above the flood risk zones. Existing adjoining developments are at risk though and the ability to access the river to remove blockages etc is essential to reduce risks as much as possible.

Since our last consultation response, we have discussed the proposal with our asset team in relation to access provision. They have confirmed that providing a level access of at least 1.5m from the bank top at the closest point of the proposed units would be acceptable together with the turning head. The proposed layout (2087/1/A) does not appear to confirm if any fencing is proposed to the bank top. It would be preferable to avoid security type fencing to the bank top which would impact on access to the river and you might wish to confirm this with the applicant.

Environment Agency Position

We withdraw our objection in relation to the principle of the proposed unit.

Advice to applicant

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the bank of the River Sett which, is designated a 'main river'. Some activities are also now [excluded](#) or [exempt](#). A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: [Flood risk activities: environmental permits - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/flood-risk-activities-environmental-permits).

Yours sincerely,

Mr Joshua Milsom
Sustainable Places Planning Advisor

Our original comments are below for reference...

Mr Declan Cleary
High Peak Borough Council
Development Control
Municipal Buildings Market Place
Glossop
Derbyshire
SK13 8AF

Our ref: LT/2023/127740/01-L01
Your ref: HPK/2023/0057
Date: 18 May 2023

Dear Mr Cleary,

**ERECTION OF FIVE EMPLOYMENT UNITS (USE CLASS E/B2) WITH ASSOCIATED PARKING AND SERVICING BAYS
UNIT 9, WATFORD BRIDGE INDUSTRIAL ESTATE, WATFORD BRIDGE ROAD,
NEW MILLS, DERBYSHIRE, SK22 4HJ**

Environment Agency position

We object to this application as it involves building works within 8 metres of a watercourse. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

Reasons

The proposed development would restrict essential maintenance and emergency access to the River Sett. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/ or improvement works. The proposed units 1 & 2 (drawing 2087/1) appear to be sited very close to the bank top of the river leaving no level area for access either by the Environment Agency or the riparian landowner.

Overcoming our objection

This objection could be overcome by submission of a revised layout that provides a level access width of at least 4m from bank top free of structures. We request cross sections be provided that clearly confirm proximity of any proposed structures to the bank top.

Advice to applicant

New development within 50 metres of ENVIRON CONSULTANTS LIMITED (a site permitted by the Environment Agency - EA/EPR/GB3902MW) could result in impacts including the nearby community being exposed to impacts, e.g. odour, noise, dust and pest.

We would like to highlight that our records show that there was an environmental incident associated with the above site on 16/09/2021, this was predominantly odour related. There was a mechanical failure onsite which caused one of the vessels to release hydrogen sulphate gas into the atmosphere. This did result in 4 people onsite having to attend hospital. (NIRS 1993305 (M)).

Planning policy requirements (paragraph 187 of the National Planning Policy Framework) state that new development should integrate effectively with existing businesses and not place unreasonable restrictions upon them. Where the operation of an existing permitted site could have significant adverse effects on new development (including changes of use), the applicant should be required to provide suitable mitigation for these effects. Mitigation can be provided through the design of the new development to minimise exposure to the neighbouring permitted site and/or through financial contributions to the operator of the facility to support measures that minimise impacts.

Environmental Permitting Regulations require operators to demonstrate that they have taken all reasonable precautions to mitigate impacts of their operations. This is unlikely to eliminate all emissions and there is likely to be residual impacts. In some cases, these residual impacts may cause local residents concern. There are limits to the measures that the operator can take to prevent impacts to residents. Consequently, it is important that planning decisions take full account of paragraph 187 of the NPPF. When a new development is built near to an existing permitted site this does not automatically trigger a review of the permit.

Yours sincerely,

Mr Joshua Milsom
Sustainable Places Planning Advisor