

Ms Rachael Simpkin  
High Peak Borough Council  
Development Control  
Municipal Buildings Market Place  
Glossop  
Derbyshire  
SK13 8AF

**Our ref:** LT/2024/128568/01-L01  
**Your ref:** HPK/2023/0506  
**Date:** 05 June 2024

Dear Ms Simpkin

**APPLICATION FOR VARIATION OF A CONDITION 1, 4 AND 5 IN RELATION TO  
APPLICATION HPK/2017/0439  
NEWFIELD GARAGE, MANCHESTER ROAD, TUNSTEAD MILTON, WHALEY  
BRIDGE, DERBYSHIRE**

Thank you for consulting the Environment Agency on the above application

**Environment Agency position**

We **object** to this application as submitted because the proposed development would pose an unacceptable risk of pollution to surface water quality and recommend that variation of condition 5 should be refused on this basis.

**Reason(s)**

- Paragraph 180 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution.
- Premises holds highly polluting material that poses a high risk to Randall Carr Brook and other local watercourses.

**Environment Agency position**

We **object** to the application as submitted because the applicant has not supplied adequate information to demonstrate that the risks of pollution posed to surface water quality can be safely managed. We recommend that the variation of condition 5 should be refused on this basis.

**Reason(s)**

- Paragraph 180 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution.
- In this case we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to surface water quality because the:

- applicant has failed to provide a detailed risk assessment and method statement detailing how the risk of pollution from site can be adequately mitigated with the proposed new system.
- applicant has been “unable to provide any details of the drainage under the AdBlue and water tanks because there is no access”. The area should be surveyed by an appropriate contractor and results included in the risk assessment.
- applicant states effluent will mix with surface/rainwater and there is no method statement to demonstrate how additional strain on the new proposal during periods of heavy rainfall will affect its suitability to adequately manage the risk of pollution to surface waters.

Furthermore, we are not satisfied that there is sufficient reason to remove existing bund and vary condition 5:

- Applicant notes risk from “constantly being breached by forklift vehicles and other site traffic and was therefore ineffective”. This could be more effectively managed by the applicant before other solutions are implemented. Protective barriers/bollards could be installed. Where this is not possible, a traffic management plan and more adequate driver/employee training should be in place. If both prove ineffective, we consider proper maintenance of the bund carried out after any breaches as being preferable to the new proposal.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Appropriate procedures, training and equipment should be provided for the site to adequately control and respond to any emergencies including the cleanup of spillages, to prevent environmental pollution from the site operations.

We advise that polluting materials and chemicals are stored in an area with sealed drainage.

Additional information and guidance is available at: <https://www.ciria.org/> Publication C736F Containment systems for the prevention of pollution

Yours sincerely

**Mr Jake Sharman**  
**Planning Advisor**

Direct e-mail