

From: planningcomments@highpeak.gov.uk
To: [Planning Comments \(HPBC\)](#)
Subject: Comment Received from Public Access
Date: 25 August 2024 21:05:53

Application Reference No. : HPK/2023/0192
Site Address: Land at Hogshaw Fairfield Buxton Derbyshire
Comments by: Friends of Hogshaw
From: Friends of Hogshaw

Hogshaw Villas Road
Hogshaw
Buxton

Phone:

Email:

Submission: Objection

Comments: Friends of Hogshaw are a local independent voluntary group who represent 50+ residents. Our purpose is to safeguard the interests of the local Hogshaw community including the protection of biodiversity and conservation, and ensuring a safe, healthy environment for local residents to exercise, play and be in nature.

Friends of Hogshaw formally object to the above-referenced planning application for the proposed development. Our objections are based on several significant concerns that we believe have not been adequately addressed in the revised application. These concerns are as follows:

1. Failure to Comply with Local and National Policies

The proposed development includes use of land to the north- and south-east of the site which is not listed under the Local Plan 2016 (see figure 1).

Figure 1: 2016 Interactive Local Plan Map (<https://www.highpeak.gov.uk/article/2223/Interactive-local-plan-map>) overlaid with Barrett Homes proposed site boundary

Figure 1 available here: <https://hogshaw.org/wp-content/uploads/2024/08/barratt-homes-local-plan.pdf>

Furthermore, the application documents provided fail to demonstrate sustainable practices in relation to heating and insulation to ensure compliance with The National Planning Policy Framework Policy S2 on sustainable development and the High Peak Climate Change Action Plan which includes a commitment for 'New buildings and other development within the Borough will have high levels of energy efficiency and minimise carbon emissions.' These policies are in place to ensure that new developments contribute positively to the community and environment, and we seek reassurance that these factors will be addressed before any approval is granted.

2. Air- and Water-Borne Contamination from Historic Landfill Site

The proposed development intends to excavate up to 2 meters to form a detention basin, with this excavation planned on land containing a historic landfill site. There is a significant risk that disturbing this landfill would release contaminants, including hazardous chemicals, into the air and water. The Environment Agency objected to the development (dated 21 July 2023) on the basis that, 'these activities present a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location due to potential pathways for historic contamination to migrate on- or off-site.' The recent Soiltechnics report recommends that 'a suitably experienced asbestos specialist is consulted,' that 'further testing of Made Ground soils is undertaken across the site to determine if asbestos is present

elsewhere, and further, more intensive ground gas monitoring, is undertaken. Unless full assessment is completed, potential serious risks to public health and the environment remain.

3. Unknown Risks from Polychlorinated Biphenyls (PCBs)

The Soiltechnics remediation statement only considers the process of remedial action in terms of addressing contamination recognised to date. No assessment has been conducted regarding the potential presence of forever chemicals polychlorinated biphenyls (PCBs) on the site. Given the site's history, there is a strong possibility that PCBs will be present, posing serious health and environmental risks if disturbed. An appropriate environmental assessment must be conducted to identify and mitigate any risks from PCBs.

4. Sewage

This proposed development is upstream of the River Wye Peak District Dales Special Area of Conservation (SAC). In 2022, Natural England advised of new requirements for developments within the catchment area due to exceedances of phosphates in the river which was deemed as being in an unfavourable condition. The High Peak Borough Council Local Plan Early Engagement document 2023 states that, under the requirements of the Conservation of Habitats and Species Regulations 2017, the Council cannot issue planning consents within the catchment unless it is satisfied that the development will not lead to a net increase in phosphates entering the River Wye - proposals must be "nutrient neutral".

In 2023, the sewer storm overflow in Pavilion Gardens, Buxton, further downstream from the proposed site, spilled 2 times for a total of 20.72 hours, discharging into the River Wye. The majority of homes in the downstream level 3 flood risk area are Victorian with old sewage systems which are prone to leakage and not designed to cope with modern day levels of usage and increased rainfall due to climate change. These factors cause combined sewer overflows (CSOs) and additional pressure on this struggling system will only increase these events, further risking the health of residents.

5. Downstream Flood Risk

Whilst it is noted that the hydrological modelling of the Flood Risk Assessment predicts a slight reduction in the existing flood extent downstream of the site, we would seek reassurance regarding accountability for the long-term operation and maintenance of a detention basin, which forms a large part of the proposed mitigation strategy. Regarding sewers, the flood risk assessment states in section 5.2.5, Draining the site to an existing watercourse is a viable option, therefore the use of surface water sewers will not be considered further. Given this planned action, together with the fact that the development site is in an elevated position to the downstream level 3 flood risk area, it is difficult to understand how flood risk can be reduced. In addition, the intended location of the detention basin has potential to increase leachable hazardous chemicals into the watercourse of Nunbrook (see points 2 & 3).

6. Air Quality Concerns

The Local Air Quality Management Annual Status Report (2023) results led to Fairfield Road being declared an Air Quality Management Area (AQMA) due to high levels of nitrogen dioxide (NO₂) concentrations of between 40.7 and 50.3 µg/m³, already exceeding the UK long-term Air Quality Objective (AQO) of 40 µg/m³ due to traffic emissions along the A6 Fairfield Road. The proposed development will therefore significantly exacerbate already poor air quality in the surrounding area which would adversely affect the health of local residents. The predicted background air quality data supplied by the Air Quality Assessment (R3258-R01-AQ, tables 5 & 6) does not account for the proximity of residents near the high concentration zones of nitrogen dioxide monitoring locations, as the Defra data being used for these predictions is inaccurately averaged across a 1 by 1km grid system used for agricultural assessment rather than using localised readings to present a true impact assessment for residents of Fairfield Road. Given the additional cars arising from this development, it is difficult to understand how air quality would improve in future years as these predictions suggest. The High

Peak Borough Council Local Plan Early Engagement document 2023 suggests that AQMAs may require stronger and more detailed policy in the Local Plan and associated guidance to ensure that developments include measures to mitigate their impacts.

7. Lack of Assessment of biodiversity and Great Crested Newt Habitat

Great crested newts were documented within 300m of the proposed development in site on 21 August 2023

(<https://uk.inaturalist.org/observations/183207395>). Great crested newts are a protected species under The Wildlife and Countryside Act 1981 and The Conservations of Habitats and Species Regulations 2019. The application therefore requires an environmental impact assessment (EIA) to include a survey radius around the site covering at least 500m to assess the presence of great crested newts and other protected species. The absence of this assessment not only contravenes environmental protection laws but also undermines the ecological integrity of the area. In addition, The Environment Act 2021 introduced the requirement in England of a 10% biodiversity net gain (BNG) for most types of planning schemes from November 2023. This means that all applicable schemes must demonstrate an improvement of 10% of biodiversity levels after the scheme has been completed, with the net gain either provided on site as part of the development, or off-site, or a combination of the two. As this development is on an area of land designated as a local wildlife site in 2019 it is vital that this requirement is met.

8. Potential Damage to Sensitive Archaeological Sites

The application currently lacks a thorough archaeological impact assessment, as recommended by the Derbyshire County Council Archaeologist, and is essential to ensure that sensitive archaeology on the site is protected as the area of the proposed development which falls outside of the local plan falls within the bounds of the Roman road.

9. Lack of Infrastructure

The development proposal does not account for the strain that will be placed on the existing local infrastructure, including roads, schools, and healthcare facilities. The local area already faces challenges with inadequate infrastructure including just one NHS dentist with long waiting lists and a primary care surgery unable to recruit GPs, and this development would exacerbate these problems as no increased infrastructure has been proposed or planned.

In conclusion, the proposed development poses several significant risks to the environment, public health, and local infrastructure that have not been adequately addressed in the planning application. We strongly urge the planning authority to reject this application until these critical issues, including a Habitats Regulations Assessment (HRA), are fully investigated, and resolved.

Thank you for considering our objections.

Friends of Hogshaw

hogshaw.org

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