

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

Our ref: LT/2024/128996/01-L01
Your ref: HPK/2024/0284
Date: 24 January 2025

Dear Sir/Madam

**CREATION OF 10 SMALL CLASS E UNITS TO EXISTING COMMERCIAL USE LAND.
UNIT 26, HARPER HILL BUSINESS PARK, HARPER HILL, BUXTON.**

Thank you for consulting the Environment Agency on the above application.

We have the following comments to make on this application, which relate solely to the protection of controlled waters. Matters relating to human health should be directed to the relevant department of the Local Authority.

Reference to the 1:50,000 geological scale map indicates that this site is located on the bedrock of the Bee Low limestone formation, which is designated as a Principal Aquifer by the Environment Agency. Superficial deposits are indicated to be absent. The site is located within the inner zone (SPZ1) of a groundwater source protection zone, which is designated for public water supply protection. There is a groundwater abstraction for public supply abstraction within 1km of the site.

At this stage of the application there is limited information to support an assessment of the risk to controlled waters from the proposed development. Limited information has been provided to understand the contamination risk present, however the application form does note that the site is 'brownfield' and is located on an industrial estate. Due to the sensitivity of groundwater receptors here, and the lack of a preliminary risk assessment, we wish to object to this development as follows.

Environment Agency Position

We object to the planning application, as submitted, because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraph 187 of the National Planning Policy Framework.

Reasons

Our approach to groundwater protection is set out in 'The Environment Agency's approach to groundwater protection'. In implementing the position statements in this guidance we will oppose development proposals that may pollute groundwater especially where the risks of pollution are high and the groundwater asset is of high value.

Groundwater is particularly sensitive in this location because the proposed development site is within source protection zone 1 and located upon a principal aquifer.

To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed. In this instance the applicant has failed to provide this information and we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because the proposed development site is brownfield land with a current industrial use.

Overcoming our objection

In accordance with our approach to groundwater protection we will maintain our objection until we receive a satisfactory risk assessment that demonstrates that the risks to groundwater posed by this development can be satisfactorily managed.

Appendix – Advice to Applicant

We recommend that developers should:

- Follow the risk management framework provided in [Land Contamination: Risk Management](#), when dealing with land affected by contamination
- Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the [contaminated land](#) pages on gov.uk for more information

‘The Environment Agency’s approach to groundwater protection’

We would like to refer the applicant/enquirer to our groundwater position statements in ‘The Environment Agency’s approach to groundwater protection’, available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Ground source heat pumps
- Drainage

Yours faithfully

Mr Jake Sharman
Planning Advisor