

PLANNING, DESIGN & ACCESS STATEMENT

PROPOSAL : ALTERATIONS TO EXISTING CHIMNEY STACK AND VENT

ADDRESS : WATERSWALLOWS LANE, BUXTON, DERBYSHIRE, SK17 7JD

APPLICANT : PENNINE AGGREGATES LTD

DATE : MARCH 2025 JOB No. : 2020-2517

CONTENTS:

- 1.0 INTRODUCTION**
- 2.0 SITE DESCRIPTION**
- 3.0 PROPOSAL**
- 4.0 POLICY**
- 5.0 ASSESSMENT**
- 6.0 CONCLUSION**
- 7.0 DESIGN & ACCESS STATEMENT**
 - **USE**
 - **AMOUNT**
 - **LAYOUT**
 - **SCALE**
 - **LANDSCAPING**
 - **APPEARANCE**
 - **ACCESS**

1.0 INTRODUCTION

Sammons Architectural Ltd have been appointed by Pennine Aggregates Ltd to prepare and submit a full planning application which seeks consent for alterations to the existing chimney stack and vent at Waterswallows Lane, Buxton, Derbyshire. The application is accompanied by the following drawing numbers and background information all of which should be read in conjunction with this statement:

- 2020-2517-24 Chimney Alterations Planning Proposal Building A Floor Plan
- 2020-2517-25 Chimney Alterations Planning Proposal Building A Elevations
- 2020-2517-26 Chimney Alterations Planning Proposal Building B Plan & Elevations
- 2020-2517-27 Chimney Alterations Planning Proposal Site Plan
- 2020-2517-28A Chimney Alterations Planning Proposal Location Plan
- 2020-2517-29A Chimney Alterations Planning Proposal Block Plan
- 2020-2517-30 Chimney Alterations Existing Conditions Building A Floor Plan
- 2020-2517-31 Chimney Alterations Existing Conditions Building A Elevations
- 2020-2517-32 Chimney Alterations Existing Conditions Building B Plans & Elevations
- 2020-2517-33 Chimney Alterations Existing Conditions Site Plan
- 2020-2517-34 Chimney Alterations Existing Conditions
- 2024-08-19 Permit EP202
- Job-748 Pennine Aggregates E1 Aggregate Dryer D1 Stack Height Report
- Job-748 Pennine Aggregates E2 ST Dryer D1 Stack Height Report
- Mike Thompson Email.PNG
- Atesta - Email.png
- Chris Humphrey Email.png

2.0 SITE DESCRIPTION

Pennine Aggregates occupies a broadly rectangular site on the southern side of Waterswallows Lane. The application site contains two ranges of portal framed buildings which have been laid out in a L shaped arrangement within the centre of the site with car parking and external storage bays in between. Building A comprises of three portal framed buildings which are located alongside the north western boundary with the gable running in a north eastern to south western direction. Building B which comprises of a single portal framed building with a lean to extension at the rear runs at right angles to this range of buildings contiguous with the south western boundary of the site. Vehicular access is provided directly off Waterswallows Lane and the site frontage has been remodelled to provide earth bunding and screening from the roadside.

The boundary of the Peak District National Park lies approximately 4-4.5km to the south, southeast and east of the site. The site is relatively open and its surroundings are visible from higher land at Blackstone Edge to the west. For the purposes of the development plan the application site lies within open countryside designated as White Peak Plateau Pastures.

3.0 PROPOSAL

This is a full application which seeks consent to increase the stack height of the existing chimney in building A from 9m to 12m and to amend the existing vented arrangement in Building B so that it discharges vertically through the roof again to a height of 12m.

4.0 POLICY

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced a significant proportion of central government planning policy advice with immediate effect. It was revised in December 2024 and it is the Government's clear intention that the document should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan, which in this area comprises of the adopted High Peak Local Plan which was adopted in 2016.

It sets out three strategic objectives, which are:

- S02 To maintain, enhance and conserve the Borough's distinct landscape characteristics , bio-diversity and cultural and historic environment.
- SO3 To ensure new development is well designed, promotes local distinctiveness and integrates effectively with its setting.
- SO6 To welcome development that supports the sustainable growth and diversification of the local economy including the mixed use development of in industrial legacy sites.

To meet the main themes of the Local Plan and to secure its strategic objectives, there is a need to conform with an overarching policy that seeks to promote sustainable development. Policy S1 (Sustainable Development Principles), amongst other things, aims to :-

- Take account of the distinct Peak District character, landscape, townscape, roles and setting of different areas and settlements in the High Peak.
- Protect and enhance the natural and historic environment of the High Peak and its surrounding areas
- including the Peak District National Park.
- Support the local economy and businesses by providing for a range of economic development in sustainable locations that give employment opportunities suitable for local people.
- Require that all new development addresses flood risk mitigation/adaptation, ensuring, for example, that sustainable drainage systems are considered at the outset within proposals.
- Seek to secure high quality, locally distinctive and inclusive design in all development that can be accessed and used by everyone including disabled people.

Alongside the policies of the Local Plan which relate to economic development are requirements that have a bearing on the approach to design and delivery. The most relevant of these development management policies are:

- Policy EQ2 (Landscape Character)

The emphasis is on the protection, enhancement and restoration of landscape character. The requirements include attention to natural and man-made features and recognition of distinctive landscapes and the Peak District National Park.

- **Policy EQ3 (Rural Development)**
For areas outside of settlement boundaries and sites allocated for development, there needs to be control in order to protect landscape character and distinctiveness.
- **Policy EQ5 (Bio-diversity)**
The conservation and enhancement of bio-diversity is a general aim of the Local Plan. Impacts on significant biodiversity interests as a result of development should be avoided.
- **Policy EQ6 (Design and Place Making)**
Good quality design is fundamental to good planning. Recognition of the setting and context of new development is particularly important but so is a satisfactory relationship to neighbouring development and ease of movement to and around the development.
- **Policy EQ10 (Pollution Control and Unstable Land)**
There is a need to ensure that developments avoid potentially adverse effects including noise or vibration impacts or light pollution.
- **Policy EQ11 (Flood Risk Management)**
Areas of existing and future flood risk are not appropriate for new development. Flood risk elsewhere should be managed, where possible using SUDs techniques.
- **Policy CF6 (Accessibility and Transport)**
Development should be safely accessed in a sustainable manner and proposals should minimise the need to travel, especially by unsustainable modes of transport. In part, this is achieved by locating new development where the highway network can satisfactorily accommodate generated traffic and where any increase in traffic will not cause material harm to road safety or local amenity.

Whilst the recently updated NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications. The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise.

5.0 ASSESSMENT

Pennine aggregates is one of the largest specialist aggregate and mineral processors in the UK. Products and services include play sand, silica sand, de-icing salt, decorative and construction aggregates and contract packaging / storage for UK and European companies. Key customers include Argos, Homebase, Sainsbury's and Jewsons as well as many smaller independent builders merchants.

Planning permission was granted in September 2016 under application reference HPK/2016/0317 for the company to develop the application site for their business. Upon completion of the works in 2018 the company relocated its entire business operation from Staden Lane in Buxton to the Waterswallows site.

The operations carried out at the application site are covered by an Environment Permit (Reference P202). A copy of this is provided at Appendix 1 of this statement. Section 4.5 of that document requires the applicant to undertake an assessment of stack heights to ensure compliance with the relevant legislation. At present mineral drying plants are located in both of the buildings on site. The central building of Building A currently has an internal chimney stack which currently terminates through the roof finishing just above the ridge of the existing building (Environmental Health Reference E2). The mineral drying and screening plant in Building B is currently served via a vent which is piped horizontally and internally within the building and which discharges on the south eastern gable of that building at a height of 5.5m (Environmental Health Reference E2).

Assessments of both these arrangements have been recently undertaken by a 3rd party, Atesta, and a copy of their reports are attached at Appendix 2 and 3 to this statement. This report stated that based on an emissions level of 50mg / m³ the stack heights for each of these should be 13m and 14m tall respectively.

An email from the testing company, Atesta to the client dated July 8th 2023 (copy attached at Appendix 4) confirmed that the stack heights could be reduced to 11m for stack E1 and 12m for stack E2 if the emissions level was reduced to 20mg / m³. This was confirmed in an email from the company's former Health, Safety and Environmental Manager, Mike Thompson, to the council's Pollution and Environment Officer, Chris Humphreys on July 11th 2023 (copy attached at Appendix 5). An email (copy attached at Appendix 6) from Chris Humphreys to Jason Redmond, the applicant's current Health, Safety and Environmental Manager, confirmed that planning permission to discharge the stack for E1 vertically rather than horizontally and for the increase in stack height to E2 is required and should be submitted to adhere with the Environmental Permit Corrective Action Plan, which had been adopted following a previous site visit.

The above demonstrates that the alterations to provide a chimney stack to serve each building at a height of 12m is necessary to comply with existing legislation. The chimney stack on building A will be positioned within the centre of the building and will have little visual impact as it will largely be screened by the existing silos which are of a similar height albeit substantially larger in size and scale. Whilst the chimney stack on building B will not be as screened it will be read against and interpreted as part of the existing wider site which is industrial in nature. The proposed chimney stacks would be very small in terms of diameter (450mm) and would be constructed from stainless steel. A planning condition requiring this to be colour coated to match the colour of the sheeted roofs would assist further in ameliorating any adverse visual impact.

The application site lies away from main residential settlements. However, it is in close proximity to residential properties at Breezemount Farm which is sited at the junction of Waterswallows Lane and Waterswallows Road. Given the established lawful use of the site and that the proposed development is required to ensure compliance with adopted legislation it is considered that it would result in a betterment rather than be prejudicial to any residential amenity or adjoining land uses.

The proposed development would not result in any changes to the existing access to the site which has already been considered and approved by the council. Furthermore, it would not result in any intensification of the use of the site or result in any displacement of parking. On that basis it is not considered that the proposed development would impact adversely upon highway safety.

In this respect the proposal is considered to be compliant with policy EQ5 of the Local Plan and the NPPF which seek to provide good standards of amenity for all existing and future occupiers of land and buildings. impact. As such the proposals comply with Adopted Local Plan Policy CF6 and the provisions of section 9 of the NPPF.

6.0 CONCLUSION

This application should be considered in the context of the presumption in favour of sustainable development as confirmed by paragraph 11 of the National Planning Policy Framework. The proposed development is required to enable the applicant to carry out the approved use of the site whilst complying with dedicated legislation in relation to that use. It would enable the existing business to continue to operate and as such represents sustainable economic development of a type that is encouraged by the NPPF and the High Peak Local Plan. The proposed development is modest in terms of its size and scale and its overall form, design and materials is appropriate for its intended use and will be read in conjunction with the existing built development and wider use of the site. The proposed development would not have an adverse impact upon the character and appearance of the application site, the valued characteristics of the wider surrounding area nor would it detract from or harm views into or out of the Peak District National Park. It would not raise any issues with regards to amenity afforded to occupiers of adjacent dwellings nor would it be incompatible with neighbouring land users. Neither would it adversely affect highway safety or harm any established ecological interest on the site.

7.0 DESIGN & ACCESS STATEMENT

USE

The application proposes minor alterations to existing plant used on the site in conjunction with its approved B2 use. This form of development is considered to reflect the nature and character of existing development which surrounds the site.

AMOUNT

The proposed chimney stacks would be terminated through the roof of each of the buildings at a maximum ground to floor height of 12m. This is considered to be in keeping with the nature and character of existing development which surrounds the site and ensures that adopted development plan policies could be satisfactorily achieved.

LAYOUT

The layout of the proposed development is as shown on the submitted site plan.

SCALE

The proposed chimney stacks would both be a maximum of 12m and would be 450mm in diameter It is considered that this scale of development would be in keeping with the nature and character of existing development which surrounds the site.

LANDSCAPING

Adequate landscaping is currently provided on the site with the existence of established trees and boundary features. No additional landscaping is to be provided as part of this application.

APPEARANCE

The proposed development would be constructed from stainless steel which is an appropriate material; having regard to its intended use and the established use of the site.

ACCESS

Access to the site would be provided via the existing arrangement off Waterswallows Lane. No alterations to the existing access are proposed as part of this application. The site is located within a sustainable location with good access links from the local road network to the A6. It is also accessible by public transport.