

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

Our ref:LT/2024/128995/02-L01

Your ref: HPK/2023/0110

Date: 21 May 2025

Dear Sir/Madam

**CHANGE OF USE OF FIELD WITH OWNERSHIP BOUNDARY OF THE RT MYCOCK SITE TO ALLOW FOR
ADDITIONAL CONCRETE BLOCK STORAGE AND ASSOCIATED NEW UNIT**

**UNIT 1 , HUNTERS WAY , HARPUR HILL BUSINESS PARK , HARPUR HILL , BUXTON , DERBYSHIRE ,
SK17 9JL.**

Thankyou for consulting the Environment Agency on the above application

We maintain our objection to this development because the planning application, including the submitted Hunters Way, Buxton: Surface Water and Treated Effluent Soakaway Risk Assessment, does not provide adequate information to demonstrate that the risks posed to controlled waters, particularly groundwater can be satisfactorily managed. The development is located within Source Protection Zone 1 (SPZ1) and on a Principal Aquifer, making it particularly sensitive to pollution. Given this setting, a rigorous and detailed assessment of the potential risks to controlled waters is required.

We recommend that planning permission be refused until further information is provided to mitigate these risks.

We have reviewed the following reports with respect to potential risks to controlled waters from land contamination:

- Surface Water and Treated Effluent Soakaway Risk Assessment: Hunters Way, Buxton (Ref: 2024-083-004-001). April 2025. Stephen Buss Environmental Consulting Ltd, for R T Mycock and Sons Ltd.
- Planning, Design & Access Statement: Application for the Extension of RT Mycock & Sons Concrete onto Land to the North, Including the Erection of a New Building and the Change of Use of Land to Storage Yard, Harpur Hill Industrial Estate, Buxton. August 2023.

- Drainage Strategy: Land at Mycocks Yard, Morland Way, Harpur Hill, Buxton (Ref: 2024.10548). November 2024.

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.

Reason

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
- is located upon 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.

Although the applicant has submitted a report (*Surface Water and Treated Effluent Soakaway Risk Assessment: Hunters Way, Buxton*, Ref: 2024-083-004-001, April 2025), this document does not provide a comprehensive assessment of risks to controlled waters. While it includes a basic quantitative assessment for the discharge of treated effluent via soakaway, it does not:

- Include a full Preliminary Risk Assessment (PRA) with a structured desk study, full historical land use review, and conceptual site model (CSM).
- Any disturbance during construction, especially through piling, could create new pathways for contaminants to migrate into the groundwater. The application does not include a Piling Risk Assessment, which is essential in evaluating whether piling could mobilize contaminants into the groundwater (in this case, principal aquifer).
- Adequately justify the use of infiltration techniques in a SPZ1 location.
- Propose mitigation measures to reduce or manage identified risks.

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:

- it presents a risk of pollution to groundwater supplies

- of the risk of cross-contamination due to piling
- it proposes infiltration to ground which would open pathways for contaminants to pollute groundwater.

Overcoming our objection

The applicant has submitted a document titled Surface Water and Treated Effluent Soakaway Risk Assessment: Hunters Way, Buxton (Ref: 2024-083-004-001). While this includes a limited quantitative assessment relating to treated effluent discharge via soakaway, it does not constitute a comprehensive preliminary risk assessment. The submission lacks a structured desk study, a conceptual site model, and does not assess all potential risks to controlled waters, including those associated with construction methods such as piling.

The applicant should provide a preliminary risk assessment that includes a structured desk study reviewing historical land uses, evaluate potential contamination risks and develop a conceptual site model. An initial risk assessment must qualitatively evaluate the likelihood and severity of impacts from the source–pathway–receptor linkages and quantitatively assess risks when appropriate using data such as infiltration rates, groundwater depth and flow, background water quality, and contaminant loads from proposed discharges. This information must demonstrate to the local planning authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures.

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.

We recommend that developers should:

1. Follow the risk management framework provided in our Land Contamination Risk Management (LCRM) guidance (which supersedes CLR11 Model Procedures for the Management of Land Contamination), when dealing with land affected by contamination.
<https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>
2. 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.
<https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>
3. Refer to the Groundwater Protection Guidance which can be found on our website at the following address: <https://www.gov.uk/government/collections/groundwater-protection>
4. 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.
<https://www.claire.co.uk/projects-and-initiatives/nqms>

5. Refer to the contaminated land pages on GOV.UK for more information.
<https://www.gov.uk/contaminated-land>
<https://www.gov.uk/government/collections/land-contamination-technical-guidance>

Yours faithfully

Mr Jake Sharman

Planning Advisor