

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

Our ref: LT/2024/128995/03-L01
Your ref: HPK/2023/0110
Date: 04 August 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**

Thank you for re-consulting us on the above application on 16 July 2025, following the submission of amended documents.

We maintain our objection to this development because the planning application, including the submitted *Hunters Way, Buxton: Surface Water Soakaway Risk Assessment*, does not provide adequate or conclusive information to demonstrate that the risks posed to controlled waters, particularly groundwater, can be satisfactorily managed.

The assessment confirms that runoff from both the yard and roof areas will infiltrate via a soakaway within Source Protection Zone 1 (SPZ1), over a Principal Aquifer, which significantly increases the sensitivity of the site to pollution.

Although the Surface water soakaway risk assessment presents a quantitative model of contaminant transport, it relies on assumptions and generic data, without site-specific water quality sampling, treatment proposals, or any form of monitoring or contingency plan. Given the vulnerability of the karstic limestone aquifer and the unpredictable nature of groundwater flow in this setting, a much more rigorous and precautionary risk assessment is required to demonstrate that the development would not pose an unacceptable risk to controlled waters.

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

- *Surface Water and Treated Effluent Soakaway Risk Assessment: Hunters Way, Buxton* (Ref: 2024-083-004-003b). July 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.

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

Environment Agency Position – Groundwater and Contaminated Land

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
- is 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. Given the sensitivity of this hydrogeological setting, we take a precautionary approach in line with the Environment Agency's Groundwater Protection Act and request that the applicant provide further clarification and assessment on the following key points:

1. The soakaway in the planning application is designed to receive both roof and yard runoff (Section 1.2 of *Surface Water and Treated Effluent Soakaway Risk Assessment*), with no physical separation or filtration proposed. This is contrary to Position Statement G12 of Groundwater Protection Act, which states:

"The discharge of clean roof water to ground is acceptable both within and outside SPZ1, provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. The method of discharge must not create new pathways for pollutants to groundwater or mobilise contaminants already in the ground. No permit is required, if the above criteria can be met."

While the applicant provides dilution modelling, it does not demonstrate that yard runoff will be of a quality safe for direct infiltration. This contravenes the expectation that only clean roof water may be discharged in SPZ1 without pre-treatment, as outlined in G12.

2. The *Surface Water and Treated Effluent Soakaway Risk Assessment* identifies that runoff from the concrete yard may contain heavy metals (cadmium, lead, zinc), hydrocarbons, PAHs, and BTEX compounds (e.g., benzene, toluene) (Table 3.3). However, these values are not confirmed through site-specific sampling. Furthermore, the site stores raw materials and operates heavy vehicles, indicating a significant risk of pollutant mobilisation. The absence of treatment, separation, or a permit assessment represents a fundamental shortcoming in pollution prevention.

3. The planning application does not clearly explain how runoff will be managed, treated, or controlled.

4. Although the *Surface Water and Treated Effluent Soakaway Risk Assessment* states

that proposals to discharge treated effluent have been “removed,” no updated drainage plan or written confirmation is included.

5. The report does not include a structured Conceptual Site Model (CSM) or a Preliminary Risk Assessment (PRA) in line with the Land Contamination Risk Management (LCRM) guidance. For a development located in SPZ1 over a Principal Aquifer, the absence of recent, local hydrogeological and contaminant data is a critical deficiency.

Overcoming our objection

To overcome our objection and ensure compliance with the Environment Agency’s approach to groundwater protection, the applicant must submit a revised risk assessment that addresses the following:

1. Confirms that infiltration is restricted to clean roof water only or provides robust justification for yard runoff discharge, including mitigation and treatment measures in compliance with Environment Agency’s approach to groundwater protection.
2. The applicant must provide a structured Conceptual Site Model (CSM), historic site data and Preliminary Risk Assessment (PRA) that fully comply with Land Contamination Risk Management (LCRM) guidance. These should include recent, site-specific hydrogeological and contaminant data to accurately characterize the baseline conditions and manage risks to controlled waters in SPZ1 over the Principal Aquifer.
3. Quantifies infiltration rates using field data, such as soakaway infiltration testing or tracer studies, to support the risk assessment.

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>

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me at the email address below.

Yours faithfully,
Ms Georgia Griffiths
Planning Advisor