

High Peak Borough Council -
Development Control
MARKET PLACE, GLOSSOP, SK13 8AF

Reference: LT-2024-128995/04
Customer reference: HPK/2023/0110
10 April 2026

**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**

Dear Planning Officer,

Thank you for re-consulting us on the above application, following the submission of additional plans. We have reviewed the below reports and consider that it satisfactorily addresses our earlier concerns. Subject to the conditions below, we therefore withdraw our previous objection, dated 04 August 2025.

Environment Agency Position – Groundwater and Contaminated Land

We have reviewed the following reports with respect to this planning application with reference HPK/2023/0110 and have the following comments to make.

- Phase I Environmental Desk Study Report, prepared by GeoDyne Ltd with reference no. 45241, dated 7 November 2025.
- Drainage Plan, prepared by AJS Architecture with reference no. DRIANAGE 01, dated January 2026.
- Cover letter, titled 'HPK/2023/0110 – Mycocks Yard, Harpur Hill', dated 8 February 2026

Following a review of the supporting documents, our response is based on potential risks posed to controlled waters from land contamination as a result of the development.

Groundwater is particularly sensitive in this location because the proposed development site is within source protection zone 1 and is located upon principal aquifer. The site has no superficial drift deposits and overlies directly on the bedrock geology of the Bee Low Limestone Formation-Limestone.

The applicant have now provided a Phase 1 report which has identified potential risk for contamination of concern such as metals associated with the made ground, polycyclic aromatic hydrocarbons (PAHs), potential contamination in made ground or near surface soils and Acid/sulphate contaminated soils. The Phase 1 desk study

recommends further intrusive investigation of potential contamination risks at the site is carried out to ensure risk posed to controlled waters as well as human health risk is further assessed. Whilst we support these general recommendations, we don't agree with previous report recommendation for surface water drainage risk assessment at the site.

The applicant has proposed using the best available technology for surface water drainage discharge and have proposed to separate site runoff from roof runoff. The applicant has confirmed that no toilet facilities is proposed for the development and so there is no treated septic waste going to the proposed soakaway with relates to foul drainage. Surface run off from the site is proposed to be treated via full retention separator unit (which removes 61.3% of metals and 99.99% of hydrocarbons), improving quality of discharged water to be better than drinking water standards. However, we note that any proposed plans for site drainage runoff for the site should be adequately informed following conclusions from the detailed phase 2 site investigation, results of the laboratory chemical test analysis and an updated risk assessment for the site as appropriate.

The Environment Agency will not allow any infiltration into ground or locations known to have potential to pollute controlled waters. Any infiltration into ground should not contribute to mobilising contamination in ground, creating new pathways and/or impacting receptors. This is in line with Position Statement G12- Discharge of clean roof water to ground, of [The Environment Agency's approach to groundwater protection](#), which states that:

"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".

When dealing with sensitive aquifers, the Environment Agency follows a precautionary principle approach when dealing with land known to have potentials to pollute controlled waters.

The applicant has further confirmed that piled foundations will not be used at the site as the development will sit on a concrete raft with no risk of mobilising contaminants through the construction of foundations.

With that said, we therefore withdraw our previous objection, subject to the inclusion of the following planning conditions to protect the controlled waters as a result of the development.

The application's supporting documents demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed

information is however required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the LPA. This is required prior to commencement of the development. In light of the above, the proposed development will be acceptable, if a planning condition is included requiring the submission of a detailed land contamination management strategy. This should be carried out by a competent person in line with paragraph 196 of the NPPF.

Without the following conditions we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 1

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation.
2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
3. A tiered risk assessment using the results of the site investigation referred to in (2).
4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the NPPF.

Condition 2

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

Condition 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the NPPF.

Condition 4

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the LPA. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason(s)

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water

pollution caused by mobilised contaminants. This is in line with paragraph 187 of the NPPF.

Advice to Applicant

We recommend that developers should:

1. Follow the risk management framework provided in our Land Contamination Risk Management (LCRM) guidance, 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/government/collections/land-contamination-technical-guidance>
6. We would like to refer the applicant to our groundwater position statements in The Environment Agency's approach to groundwater protection, available from gov.uk. [Groundwater protection position statements - GOV.UK](#). This publication sets out our position for a wide range of activities and developments, including:
 - Waste management
 - Land contamination
 - Drainage e.g. soakaways

Advice to LPA / Applicant

1. Waste on site

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to the [waste management](#) page on GOV.UK.

We will consider any queries in relation to the use of Definition of Waste: Development Industry Code of Practice (DoWCoP) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an environmental permit is required.

2. Waste off-site

Contaminated soil that is (or must be) disposed of, is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with [British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan'](#) and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on GOV.UK for more information.

Please note that this response is based on the information provided at this time and if this changes in the future, we would need to consider our position again. 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.

If you have any questions regarding our response, please contact planning.trentside@environment-agency.gov.uk.

Yours sincerely,
Georgia Griffiths,
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