



For and on behalf of
Nestlé Waters UK Ltd

Installation of replacement pipeline

Planning Statement

Land from Hogshaw Tip to Waterswallows Lane, Buxton

**Prepared by
DLP Planning Ltd
Sheffield**

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1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by DLP Planning Ltd on behalf of Nestlé Waters UK Ltd (the 'Applicant') in support of a full planning application for the installation of a replacement pipeline below ground level from Hogshaw Tip to Waterswallows Lane, Buxton.
- 1.2 Planning permission (application reference: HPK/2011/0077) was granted in May 2011 for the installation of the pipeline generally below ground level to provide a mineral water supply from the Crescent to Waterswallows Lane. However, this pipeline is beginning to age in parts and requires replacement with stainless pipes. In order to ensure that there is no disruption to the water supply at the bottling plant on Waterswallows Lane, it is proposed that replacement pipeline will be laid next to a section of the existing pipeline.
- 1.3 This planning statement should be read in conjunction with the following plans and reports submitted by the applicant:
- D5660-1C-001 - D - Pipeline Layout Plan – Overview
 - D5660-1C-010 - A - Pipeline Location Plan - Sheet 1 of 3
 - D5660-1C-011 - A- Pipeline Location Plan - Sheet 2 of 3
 - D5660-1C-012 - B - Pipeline Location Plan - Sheet 3 of 3
 - D5660-1C-102 - D - Pipeline Cross Sections

2.0 SITE AND SURROUNDING CONTEXT

Site and Surroundings

- 2.1 The application site measures approximately 1.6Ha and is located to the north-west of the town of Buxton. It comprises a thin area of land, between Nestlé's Buxton Water Bottling Plant at Waterswallows Lane and the Hogshaw Tip. It incorporates (in parts): land around Hogshaw playing fields, land at Nunsfield Farm, land at Buxton and High Peak Golf Club and Waterswallows Road. It also crosses Buxton Road (A6) in one place.



Figure 1: Aerial view of the pipeline route (map is indicative, please refer to the site layout plan for details)

- 2.2 The site comprises a mixture of grassland, field boundaries, land adjacent to public highways and private roads. It follows part of the route of an existing sub-surface mineral water pipeline, running from the Crescent to the water bottling plant at Waterswallows Lane. This pipeline is located at a depth of approximately 900mm and has a maximum trench width of



approximately 1000mm.

- 2.3 The site is located entirely within Flood Zone 1, meaning it is at a low risk of flooding.
- 2.4 The pipeline route passes through the boundary of the Fairfield Conservation Area. The site does not contain and is not in the immediate vicinity of any listed buildings.
- 2.5 The site does not contain any statutory or local designated wildlife sites.

3.0 PLANNING HISTORY

3.1 The site's publicly available planning history is summarised in the table below.

Application reference	Description	Decision
HPK/2011/0077	Installation of pipeline generally below ground level to provide a mineral water supply from The Crescent to Waterswallow Lane.	Planning Permission – Approved 18/05/2011
NMA/2025/0022	Non Material Amendment in relation to HPK/2011/0077 for the installation of pipeline generally below ground level to provide a mineral water supply from The Crescent to Waterswallow Lane	Non Material Amendment – Approved 15/08/2025

Table 1: Planning History

Previous Section 73 Application

3.2 Prior to the submission of this planning application, the applicant sought consent for the replacement pipeline via the submission of a section 73 (application reference: HPK/2026/0124). The Council refused to validate this application because the Council considered the proposed development to be operational development requiring a new planning permission.



4.0 PROPOSED DEVELOPMENT

- 4.1 This application seeks planning permission to install a below surface replacement mineral water pipeline, adjacent to the route of the existing mineral water pipeline.
- 4.2 It involves excavating a trench with a width of 1180mm, on land adjacent to the backfilled trench of the existing pipeline. The replacement pipeline would then be laid at a depth of 900mm in line with the existing pipeline.
- 4.3 Once the replacement pipeline is installed, the trench would be backfilled. In the areas of public highway, the trench would be backfilled with material to be agreed with the highway's authority. In the grassed areas, it will be backfilled with selected excavated material and allowed to naturally regenerate.
- 4.4 The proposed replacement pipeline is required to ensure an uninterrupted mineral water supply to Nestlé's water bottling plant, as the original is beginning to age in places.

5.0 PLANNING POLICY CONTEXT

- 5.1 The adopted Development Plan comprises the High Peak Local Plan which was adopted in April 2016. The National Planning Policy Framework (the 'Framework') is also a material consideration in the determination of this planning application.

High Peak Local Plan

- 5.2 As shown in Figure 2, most of the application site is located within 'white land', meaning that the land has no formal local plan designation. The water bottling facility at Waterswallows Lane is designated as a primary employment zone under Policy E3. The land at Hogshaw is designated has a housing allocation under Policy DS17 for 124 dwellings and is expected to come forward towards the end of the local plan period (2026-2031).

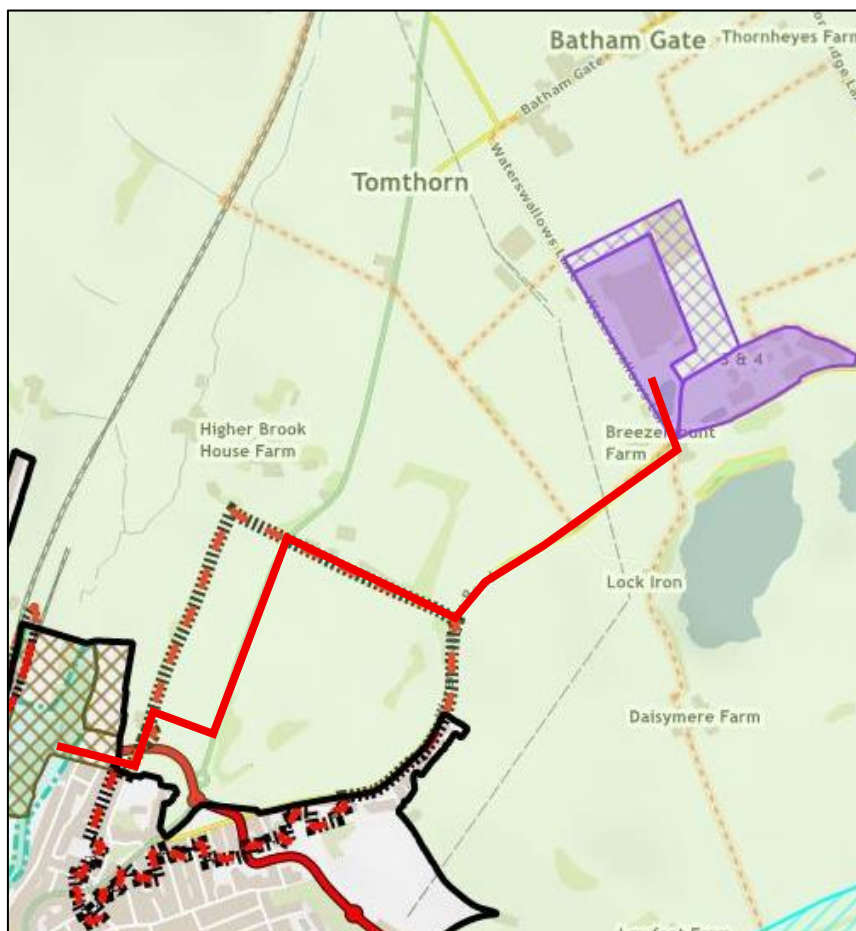


Figure 2: Extract from the Interactive Local Plan Policies Map with approximate pipeline route shown in red

- 5.3 Policy EQ2: Landscape Character states that the Council will seek to protect, enhance and

restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area. This will be achieved by:

- Requiring the development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as trees and woodlands, hedgerows, walls, streams, ponds, rivers, ecological networks or other topographical features
- Requiring that development proposals are informed by, and are sympathetic to the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document and also take into account other evidence of historic landscape characterisation, landscape sensitivity, landscape impact and the setting of the Peak District National Park and where appropriate incorporate landscape mitigation measures.
- Requiring that development proposals protect and/or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park.
- Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement as identified in the Landscape Impact Assessment.

5.4 Policy EQ3: Rural Development outlines that outside of settlement boundaries, development will be strictly controlled in order to protect the landscape's character and distinctiveness. This will be achieved by (amongst other things):

- Supporting rural employment in the form of home working, commercial enterprises and live-work units where a rural location can be justified.

5.5 Policy EQ5: Biodiversity stipulates that the biodiversity and geological resources of the Plan Area and its surroundings will be conserved and where possible enhanced by ensuring that development proposals will not result in significant harm to biodiversity or geodiversity interests.

5.6 Policy EQ7: Built and Historic Environment requires all works that could impact on a heritage asset or its setting or sites with the potential to include assets, to be informed by a level of historical, architectural and archaeological evidence proportionate to their significance and sufficient to understand the potential impact of a proposal.

5.7 Policy EQ9: Trees, woodland and hedgerows is clear that the Council will protect existing trees, woodlands and hedgerows, in particular ancient woodland, veteran trees and ancient or species-rich hedgerows from loss and deterioration. This will be achieved by:

- Requiring that existing woodlands, healthy, mature trees and hedgerows are retained and integrated within a proposed development unless the need for, and benefits of, the development clearly outweigh their loss.
- Requiring new developments where appropriate to provide tree planting and soft landscaping, including where possible the replacement of any trees that are removed at a ratio of 2:1.
- Resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows.

The National Planning Policy Framework (December 2024)

- 5.8 Paragraph 85 states that “planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt”, and attached significant weight to developments that support economic growth.
- 5.9 Paragraph 88 seeks to support a prosperous rural economy. It requires decisions to enable “the sustainable growth and expansion of all types of business in rural areas”.
- 5.10 Paragraph 135 requires planning decisions to ensure that development is sympathetic to local character, including landscaping setting, whilst not preventing or discouraging appropriate change.
- 5.11 Paragraph 187 outlines that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things):
- (a) *Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils*
 - (b) *Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services*
 - (d) *Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
 - (e) *Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans*
- 5.12 Paragraph 198 requires planning decisions to ensure that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment. This includes impacts from noise.

6.0 PLANNING ASSESSMENT

Principle of Development

- 6.1 Commercial development in the countryside can only be justified where the rural location can be justified. In this case, the replacement pipeline is for carrying mineral water and it must cross the countryside, to reach Nestlé's water bottling facility at Waterswallows Lane. As the installation of the existing pipeline was already supported in this location, it is considered that the principle of development for the replacement pipeline, adjacent to the existing pipeline, has already been established.
- 6.2 In addition, the installation of the replacement pipeline is necessary to facilitate the Nestlé's continued business operations within Buxton. The existing pipeline is ageing, so the replacement pipeline is necessary to ensure the economic sustainability of the water bottling facility and support a primary employment zone. Therefore, the proposed development should be supported as appropriate development in a rural location and for facilitating investment in the rural economy, in line with Local Plan Policy EQ2 and Paragraph 85 and 88 of the Framework.

Landscape Character

- 6.3 The proposed pipelines would be entirely subterranean. Whilst there would be a temporary impact during construction, there would be no lasting impact on valued landscapes as the site would be allowed to naturally regenerate.
- 6.4 The site is approximately 3km from the edge of the Peak District National Park and would only be visible in long range views. Given that the development would not be visible once complete, it is not considered to have any impact on the setting of the national park. Therefore, the proposed development is compliant with Local Plan Policy EQ2 and Paragraphs 135 and 187 of the Framework.

Ecology

- 6.5 According to the Statutory Biodiversity Metric User Guide, habitat does not need to be recorded as lost when the impacts are temporary and the area can be restored within two years of the initial impact.
- 6.6 Once the replacement pipeline has been installed, the trench would be filled and the site allowed to naturally regenerate. In this way, proposed development will have no measurable

impact on habitat.

Trees

- 6.7 The proposed development does not require the removal of any trees.

Heritage and Archaeology

- 6.8 An archaeological assessment was submitted in support of planning application ref: HPK/2011/0077 for the original pipelines. The assessment confirmed that the installation of the original pipelines would result in less than substantial harm to the area's archaeology, including historic landscape features. Any archaeology within the application site would have been lost during the installation of the original pipeline. Therefore, the proposed development is supportive of Local Plan Policy EQ7.

Highways

- 6.9 The installation of the pipeline will require temporary works to a public highway. These works will be agreed with the Highways Authority and controlled by a Construction Environmental Management Plan (CEMP).

Pollution

- 6.10 There would be no pollution arising from the operation of the proposed pipelines. The pollution arising from the construction of the replacement pipeline, such as dust, noise and vibrations, could be managed through a CEMP, which can be conditioned. The proposed development, therefore, complies with the requirements of paragraphs 187 and 198 of the NPPF.



7.0 PLANNING BALANCE AND CONCLUSIONS

- 7.1 This Planning Statement has been prepared by DLP Planning Ltd on behalf of Nestlé Waters UK Ltd (the 'Applicant') in support of a full planning application for the installation of a replacement pipeline generally below ground level to provide mineral water supply at the land from Hogshaw Tip to Waterswallows Lane, Buxton.
- 7.2 The Statement has demonstrated that the proposed development would comply with the High Peak Local Plan and the National Planning Policy Framework, including policies relating to development within the countryside and ecology.
- 7.3 In light of the above, full planning permission should be granted in accordance with the presumption in favour of sustainable development at Paragraph 11 of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

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