

Water in Buxton Supplementary Planning Document

Consultation Statement

Introduction

This Statement has been prepared in accordance with Regulation 12 of the Town and Country Planning (Local development) (England) regulations 2012 in relation to the Water in Buxton Supplementary Planning Document (SPD). Accordingly, it details:

- (i) the persons the local planning authority consulted when preparing the supplementary planning document;
- (ii) a summary of the main issues raised by those persons; and
- (iii) how those issues have been addressed in the supplementary planning document

Consultation process and consultees

Consultation on the SPD has been undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the High Peak Statement of Community Involvement. This consisted of two key stages, early stakeholder engagement followed by a public consultation.

Early stakeholder engagement

Due to the technical nature of the SPD, the Council and its appointed consultant sought early engagement on the issues to be addressed in the document as well feedback on the potential guidance to protect the quality and quantity of water sources in the Buxton area as well as minimising phosphate levels in the River Wye. As such, a stakeholder meeting with the following organisations was held in January 2020:

- Natural England
- Environment Agency
- Severn Trent Water
- Nestle Waters UK

These stakeholders were identified as being particularly critical to the SPD given their respective responsibilities for and interest in the protection of water quality in the Buxton area. Pro-active engagement with Natural England and the Environment Agency also helps the Council to fulfil its obligations to adhere to the Duty to Co-operate. Following the meeting, a draft SPD was developed

ahead of public consultation as well as a Strategic Environmental Assessment (SEA) screening statement to determine if a full SEA would be necessary.

Public consultation

A public consultation was held on the draft SPD and SEA Screening Report between 13th May and 18th June 2021. The consultation documents were published on the Council's website for review.

Notifications of the consultation were sent by email or letter to relevant contacts on the Council's planning policy consultee database. This included all relevant statutory consultees, local stakeholder organisations and residents and businesses in the Buxton area (see Appendix for details). Further publicity in the form of a press release and news on the Council's website was also published to raise awareness of the consultation.

Regulation 35 also requires that consultation documents should be made available at the Council's principal office and other relevant locations. However, in light of the Covid-19 pandemic, the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 removed the requirement to make hard copies available for a temporary period up until 31 December 2020. This period was then extended until 31 December 2021. The Council's principal office was closed to the public during this time and local libraries access was limited. As such, the Council offered consultees the opportunity to view hard copies of the documents via alternatives means on request. No such requests were received.

Following the consultation, all comments were reviewed to identify key issues and the potential need for amendments to the documents. These details are considered in the next Chapter of this Consultation Statement.

Issues raised and how they have been addressed

A total of 13 comments were submitted in relation to the SPD. The main issues raised included:

- The SPD should have a broader scope to consider water quality more generally as well as measures to support biodiversity and address climate change
- Additional references need to consider the implications of ground source heat pumps
- Consideration should be given to minerals operations (current and former) in the vicinity
- Reference should be made to the historic environment, including waterlogged archaeology

- There should be greater emphasis on the storage of liquids and fuels that could potentially impact groundwater
- The phosphate load produced by household activities will not be reduced through water efficiency measures. What water efficiency does do is reduce the volume of water reaching the wastewater treatment works, thus relieving stress on the sewerage system.
- Several minor miscellaneous amendments requested for clarification purposes

A further 2 comments were submitted regarding to SEA Screening report. Natural England concurred with the conclusion in the Screening Report that a full SEA is not required. Historic England confirm that they had no further comments to make.

The tables below provide details of each comment and how they have been addressed.

Water in Buxton SPD – consultation feedback and officer responses

ID	Full Name	Company / Organisation	Nature of response	Comments - Please provide your comments.	Officer response
WIB1		Marine Management Organisation	General comment	<p>Thank you for including the MMO in your recent consultation submission. The MMO will review your document and respond to you directly should a bespoke response be required. If you do not receive a bespoke response from us within your deadline, please consider the following information as the MMOs formal response.</p> <p>The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of Englands marine area on behalf of the UK government. The MMOs delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants. Marine Licensing Activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009 . Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence. Local authorities may wish to refer to our marine licensing guide for local planning authorities for more detailed information. You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in England and parts of Wales. The MMO is also the authority responsible for processing and determining harbour orders in England, and for some ports in Wales, and for granting consent under various local Acts and orders regarding harbours. A wildlife licence is also required for activities that that would affect a UK or European protected marine species.</p> <p>Marine Planning As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. Marine plans will</p>	Comments noted. No changes required.

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				<p>inform and guide decision makers on development in marine and coastal areas. Planning documents for areas with a coastal influence may wish to make reference to the MMOs licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. For marine and coastal areas where a marine plan is not currently in place, we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coastline or tidal river. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page. The East Inshore and Offshore Marine Plans were published on the 2 nd April 2014, becoming a material consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe. For further information on how to apply the East and Inshore and Offshore Plans please visit our Marine Information System . The South Marine Plan was published on the 17 th July 2018, becoming a material consideration for public authorities with decision making functions. The South Marine Plan covers the coast and seas from Folkestone to the River Dart in Devon. For further information on how to apply the South Marine Plan please visit our Marine Information System .</p> <p>The MMO is currently in the process of developing marine plans for the remaining 7 marine plan areas by 2021. These are the North East Marine Plans, the North West Marine Plans, the South East Marine Plan and the South West Marine Plans. Minerals and waste plans and local aggregate assessments If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below: The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to Englands (and the UK) construction industry. The National Planning Policy Framework</p>	

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				(NPPF) which sets out policies for national (England) construction minerals supply. The NPPF Minerals Planning Practice guidance which includes specific references to the role of marine aggregates in the wider portfolio of supply. The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply. The NPPF informed Minerals Planning Practice guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions “ including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play “ particularly where land based resources are becoming increasingly constrained.	
WIB2	Tilly Tailor		General comment	Please keep it safe for the people of Buxton Not to be sold off like a lot of land in the borough.	Comments noted. No changes required.
WIB3	Steve Freek	Highways England	General comment	Thank you for inviting Highways England to comment on the draft Water in Buxton Supplementary Planning Document (SPD). We (HE) recognise the need to protect Buxtons water resources and water quality which is embedded within the adopted High Peak Local Plan. However the nearest Strategic Road Network (SRN) link is located over 15 miles from the area of interest in Buxton, and will not be affected by the proposals included in the SPD. As such Highways England have no further comments to make on this particular consultation	Comments noted. No changes required.
WIB4	Mrs Rachel Purchase		Object	2.4.2 Puts water primarily in the context of the economy of the area, employment, efficiency and to some extent climate change, with quite an emphasis on thermal and mineral waters. It seems to be treating water more as a commodity than as a public good, when government policy is turning towards favouring the latter. A wider view of what water is and is used for, and how it might be more widely protected and enhanced for biodiversity would be welcome, especially given that the Council has declared a Climate Change and Biodiversity Emergency and biodiversity is given little consideration, protection or means of enhancement in this guidance. In the light both of increasing statutory requirements on local authorities to protect and enhance biodiversity, and the Council's own plans to produce a Biodiversity Strategy, this guidance should place greater emphasis on water quality and associated biodiversity enhancement as an aim and requirement in its own right. With an	Guidance to minimise phosphates in the River Wye is proposed to help protect the biodiversity value of the River Wye SSSI which is a component of the Peak District Dales Special Area of Conservation (SAC). The Habitat Regulation Assessment of the Local Plan identified this as part a particular

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				<p>emphasis on protecting mineral water (and presumably its abstraction) what are the requirements about limiting abstraction if biodiversity will suffer?</p> <p>2.4.3 is a paragraph on Climate Change. Given the Council's declared emergency, Biodiversity should also have a stand-alone paragraph. While concern is expressed about sewage, septic tanks and surface run-off and there are 2 WFD groundwater bodies rated as 'poor' I struggled to see how this guidance will comprehensively address these concerns. I would welcome this guidance giving explicit recognition to the Wildlife Trusts' "Homes for People and Wildlife". This prioritises: water management, pollution control, the use of green spaces and water courses, sustainable urban drainage, swales and rain gardens, green roofs, trees, woodlands and wetlands, and other natural features to manage water and reduce flood risks. All of this is pertinent for this guidance which would be more comprehensive if including these approaches.</p> <p>While it is clearly a good idea to improve water efficiency, this doesn't take account of the wider picture, which should also focus on water quality and not only on reducing phosphate levels. Could this guidance not set out what is best practice and then require developers to comply with this? And a quality and outcomes standard, which included biodiversity targets, might be more effective than purely a quantity standard for water-efficiency. I found that the language used in the guidance was insufficiently clear and instructive. Some of the text seemed more descriptive than prescriptive (eg at 6.4). Much of the wording also seems equivocal, almost inviting developers not to comply with what the Council would like to see eg 6.4.9 "it is expected that developers will explore opportunities to integrate water recycling..." Why could the wording not "require" developers to do this? Similarly 6.5.3, 6.5.6 and 6.6 seem to do the same thing</p>	<p>issue which required attention.</p> <p>An SPD can only provide additional guidance for adopted policies to supplement the Local Plan. It cannot introduce new policy requirements.</p> <p>The intent of this SPD is provide specific technical guidance to aid the implementation of Policies S7 (Buxton Sub-Area Strategy) and EQ1 (Climate Change) insofar as protecting water quality in the River Wye and water sources in the Buxton area.</p> <p>A broader focus on biodiversity would go beyond the original remit of the SPD and is better suited to the Local Plan review. This would also apply to the whole Borough rather than solely the Buxton area.</p> <p>However, with regards to the implementation of water efficiency</p>

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					measures, some amendments have been made to Section 6 of the SPD in light of the comments received.
WIB5		Derbyshire County Council	General comment	<p>Local Member Comments Councillors Linda Grooby and Tony Kemp, the Local County Council Members for Buxton North and East, and Buxton West Electoral Divisions respectively, have been consulted. Councillor Kemp has responded as follows: "There is little if anything" new to me in much of the document and I understand why the SPD is needed. If I have any comment it could be that I could see little, if any mention of the risks posed by vertical drilling for heat pumps " something likely to be an increasing issue in the very near future. I do know, for example, that such occurred when a bungalow was replaced by a small block of apartments immediately adjacent to my own property (just before I joined the Borough Council) " and the owner of the Buckingham Hotel on Burlington Road has also proposed such (turned down, and I think this was one ground for refusal). Both properties are within the core protection zone. I may have missed it as I haven't read every word! I would also suggest there might be some thought given to the effects of slurry pools and wheel-washing facilities at the aggregate and cement plants in the immediate vicinity and maybe some consideration of the potential for contamination in the lake at Waterswallows (which is " or was " a basalt plug or intrusion through the Carboniferous Limestone to the North of the town). These matters are probably relevant to the County Council as the mineral extraction authority.</p> <p>Officer Comments General The SPD provides an appropriate background to issues that planning officers will need to include in their reports when considering proposals. As such, DCC welcomes and supports the Water in Buxton SPD. Specific The Water in Buxton SPD provides detailed guidance intended to support Policies SP7: Buxton sub-area strategy and EQ1: Climate Change of the adopted High Peak Local Plan, and this is welcomed. The Codes of Practice included at Appendices A (Boreholes)</p>	<p>Vertical drilling for ground source heat pumps would be covered within Section 5.1 of the SPD. A reference to ground source heat pump vertical drilling has been added to paragraph 5.3.3 to make it clear that boreholes for ground source heat are subject to this guidance.</p> <p>The aggregate and cement plants and lake at Waterswallows fall outside of the Core and Extended Protection Areas. Additional measures to protect the quality of the mineral water are not considered to be necessary outside of those zones. Existing legislative controls (planning permissions,</p>

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				<p>and B (Excavations) to the document are also noted and it is considered that these provide good advice for developers. However, it is also noted that no mention is made in respect of the potential impacts of mineral development, specifically dewatering operations, on either the EA Source Protection Zone or the Buxton Mineral Water Catchment Area. Appendix B refers to excavations, but mineral operators are not included in the list set out at 1.3 and the excavations referred to appear only to relate to shallow excavations. Whilst it is acknowledged that the nearest quarries are located some way outside of the Mineral Water Catchment Area as set out in Figure 3.2, at least one quarry does abut the southern extent of the EA SPZ illustrated in Figure 3.1. DCC is also aware that the geological and karstic hydrogeological systems underlying the quarries are complex and, in some instances, interlinked. This point is alluded to in paragraph 1.2.9 where it is stated that the precise route of cold and thermal groundwater systems through the limestone is not entirely known.</p> <p>It would be useful to know whether mineral development has been excluded from the SPD due to the relative distance of the existing sites from the SPZ and Buxton Mineral Water Catchment Area, or if it has been considered at all. If there has been a specific decision to exclude mineral development, then DCC would suggest that it would be useful to amend the document to clearly state this and also to give the reasons why it has been excluded.</p> <p>Climate Change and Sustainability DCC is pleased to see reference to ground source heat pumps, SuDs and septic tanks, all of which could affect Buxtons mineral water. The guidance provides advice on minimising water consumption, rainwater harvesting, and water recycling, and refers to the BREEAM standards, which all support DCCs efforts to combat climate change. Habitats Directive (Wye Valley Site of Special Scientific Interest) If it has not done so already, DCC would request that High Peak Borough Council consults the Derbyshire Wildlife Trust, the Environment Agency and Natural England on these issues.</p>	<p>environmental permitting etc) acting to prevent groundwater pollution are sufficient to protect the natural mineral water from these activities (or expansion of these activities in the future).</p> <p>The purpose of the SPD with regards to protection of natural mineral water is to identify the area where there is a known specific risk to the mineral water supply and to provide guidance for excavation and drilling within this area. The area is restricted to part of sub-urban Buxton and the list of activities given in Section 1.3 of Appendix A and Appendix B lists those organisations/individuals that are likely to be undertaking works within the Core or Extended Protection Areas. Mineral development is not excluded from these</p>

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					<p>codes of practice but the location of the Core and Extended Protection Areas means that it is highly unlikely that mineral extraction will take place within those zones.</p> <p>Impacts of dewatering associated with mineral extraction are managed through the Environment Agency's abstraction licensing process. HPBC considers that the abstraction licensing process offers sufficient protection to Buxton thermal springs from dewatering that additional measures are not necessary.</p> <p>Uncertainty over the precise flow paths that groundwater takes to the thermal springs in Buxton is the reason for identifying additional measures that should be taken when working within the Core and Extended Protection Areas in the SPD. The key point in the</p>

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					<p>additional measures identified is that they should apply to all scales of activities in these areas that meet the criteria, whether planning permission, licensing or other regulatory approval is required or not.</p> <p>Outside the Core and Extended Protection Areas the existing protections afforded by planning permissions, abstraction licensing, environmental permitting etc are considered sufficient to protect Buxton thermal springs.</p> <p>Derbyshire County Council as the minerals planning authority may wish to consider the provision of policy or guidance to address the matters raised in the SPD. The SPD is intended to provide guidance in relation to the Borough Council's own planning policies.</p>

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WIB6		Historic England	General comment	<p>We welcome the reference in paragraph 1.2.1 setting out the historic context of Buxton and citing the valuable contribution the historic environment makes within Buxton.</p> <p>Within Section 2 we would welcome a reference to the historic environment and relevant heritage legislation. Whilst we accept that this is an SPD predominantly concerned with water infrastructure issues and preserving the unique quality of the water in Buxton; we consider the historic townscape, significance of heritage assets and the presence of waterlogged archaeology for example, are relevant issues for the SPD to consider.</p> <p>We would be supportive of a reference to the historic environment chapter (Section 16) within the National Planning Policy Framework (NPPF) and a link to our website, which contains relevant advice and information concerning these issues. For example, the "Strategy for Water and Wetland Heritage" document will be relevant when considering buried archaeology, waterlogged archaeology and paleolithic evidence, as an example. A link to Historic England's Good Practice Advice Notes which cover a range of information such as considering significance and setting, how to deal with heritage in the Local Plan and considering heritage through the development management process would also be useful.</p> <p>We welcome the reference to Local Plan Policy S7 and the link to heritage. We consider that relevant issues for the SPD to expand upon within Section 3, are as below: The historic environment of the heritage spa town in Buxton and associated designated and non-designated heritage assets, as well as the historic landscape and townscape through which Buxton is widely recognised and regarded. The design of any water scheme; SUDS, or those related to the industry of Buxton water for example, and any associated groundworks for development affecting water infrastructure will need to have consideration to and conserve the significance of known heritage assets, both designated and non-designated and the potential for any as yet unknown heritage assets such as buried archaeology. As above, this will be particularly sensitive for archaeological assets, especially those that are preserved in a waterlogged environment where any change in their groundwater</p>	<p>The SPD is intended to provide guidance on water quality in the Buxton area as per Local Plan policy. A wider remit to cover heritage is not appropriate. This matter could be explored as part of the Local Plan review.</p> <p>Add text into section 1.4 "How to use this Supplementary Planning Document" to clarify that the SPD should be read in conjunction with the Local Plan as a whole.</p>

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				<p>environment may have effects/ implications. Buried archaeological deposits can be damaged by changes to the water management procedures and changes to the moisture level and soil content, for example. Any development/ management strategies would need to consider how this may affect the significance of heritage assets, including their setting and ensure any impacts are avoided or minimised. The design of SUDS should take the presence of, or potential presence of, any buried archaeology into consideration and developers should undertake early discussions with Historic England, where necessary.</p> <p>Paragraph 4.1.6. it may also be necessary to consult with Historic England, if there are heritage assets which could be affected, including unknown archaeology. The issues raised in the bullet points above will also need to be considered in relation to Section 5 and how development will also affect the significance of heritage assets including their setting, found within and near to the water environment discussed within the protection zone/ SPD. We recommend that you consult your local historic environment staff for specific comments that relate to the historic environment of High Peak authority, who will have access to more detailed information from the Historic Environment Record.</p>	
WIB7		High Peak Borough Council (Environmental Health)	General comment	<p>Section 5: 5.12, Appendix A: 2.2 and Appendix B 2.2 reference to Environmental Protection Regulations (2016), it is believed that this is meant to refer to "The Environmental Permitting (England and Wales) Regulations 2016 (as amended).</p> <p>Paragraph 3.2.3, 3.2.4, 3.3.2, Section 5: Protection of mineral water sources in Buxton, Appendix C</p> <p>There should be greater emphasis on the storage of liquids and fuels that could potentially impact groundwater. within the context of the above paragraphs. Appendix C does recommend a template condition for "Fuel/Chemical Storage; however, this appears to be the first reference to this type of risk.</p> <p>Not all commercial and industrial developments will be subject to proactive regulatory controls under "The Environmental Permitting (England and Wales) Regulations 2016 (as amended); examples include:</p>	<p>The SPD has specifically covered issues of intrusive ground works and their potential impact on the thermal springs that developers need to know about.</p> <p>It is not considered that there is a problem with existing regulations and provisions for chemical storage with respect to the springs. Detailed guidance has not been</p>

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				<p>Bulk storage of non-specified chemicals where only blending activities are undertaken. Bulk storage of specified chemicals below regulatory thresholds. Decanting of small containers of chemicals into a larger reaction chamber, but remaining below regulatory thresholds (likely to occur in small industrial units).</p> <p>Developments for general industrial units where the end use may not be known, could ultimately involve the above listed activities, such as at tenanted premises where a risk assessment may not have taken place at the planning stage and premises change occupiers.</p> <p>It is considered that this section of the SPD should refer to Section D of "the Environment Agency's approach to groundwater protection, (February 2018, Version 1.2), as well as, ensuring consideration is given to developments involving the above ground storage of fuels or chemicals, to ensure this is taken into account prior to submission of a planning application. Any template conditions for "fuel/ chemical storage should also take account of this.</p> <p>In addition, domestic, commercial and industrial development may involve above ground fuel storage. It is important that this is identified in any development proposal to ensure installations comply with "The Control of Pollution (Oil Storage) England Regulations 2001.</p> <p>Furthermore, demolition and construction activities will from time to time involve the storage of bulk liquids, which may present a risk to groundwaters. Developers should ensure that this is further encompassed within any risk assessment for developments within the SPZ. This might be achieved by use of a template condition on planning permission for approval by the LPA prior to development commencing.</p> <p>By emphasising the above in the SPD, will only add to support developers when preparing an application to ensure that developments undertake an appropriate risk assessment and that control measures are implemented and maintained to preserve the quality of water resources within the Buxton Sub-area.</p>	<p>included on these matters.</p> <p>However, a new section has been added to the SPD signposting the Environment Agency's position statement and the need for developers to consider above ground storage (5.6).</p> <p>The reference to the regulations in the SPD and appendices has been revised to read "The Environmental Permitting (England and Wales) Regulations 2016 (as amended)."</p>

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WIB8	Rebecca Wyllie	Canal & River Trust	General comment	<p>Thank you for your consultation in respect of the above mentioned draft Water in Buxton Supplementary Planning Document (SPD). The document provides guidance to ensure that development preserves the quality of water resources within the Buxton Sub-area and supports water efficiency. The Canal & River Trust is a charity entrusted with the care of over 2000 miles of canals, rivers, docks and reservoirs in England and Wales. These historic, natural and cultural assets form part of strategic and local green infrastructure networks, linking urban and rural communities as well as habitats. Our waterways contribute to the health and well-being of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. To meet the Trusts objectives it is important that all levels of planning policy and associated documents provide a robust policy framework that recognises and supports canals, rivers and docks as a cross-cutting policy theme; and acknowledges the diverse roles which they perform. The Trust does not own or manage any assets within Buxton, or within the protection zones outlined. Our nearby assets include Combs Reservoir and Peak Forest Canal and both of these are located some distance from Buxton. Therefore the Trust has no specific comments to make on the content and procedures set out within the draft Water in Buxton SPD, which is an insightful and comprehensive document. The Trust would wish to continue to be consulted on policy documents prepared by High Peak Council, and thank you again for your consultation and opportunity to comment. We are keen to be engaged and comment on such documents where they may impact upon our waterways and assets. We would welcome being retained in the database of consultees going forward and being notified in future to be able to comment on any forthcoming policy documents.</p>	Comments noted. No changes required.
WIB9	Environment Agency	Environment Agency	General comment	<p>Thank you for providing the Environment Agency with the opportunity to comment on the draft Water in Buxton supplementary planning document (SPD). We note that the document is intended to support the existing policies Policy S7: Buxton Sub-area Strategy and EQ1: Climate Change found within the High Peak Local Plan, and in particular gives further guidance to developers on how these policies can be achieved. The Environment Agency has the following comments:</p>	In relation to the apparent misunderstanding relating to phosphate load, it is agreed that total phosphate is the same but reduced

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				<p>Section 1.2 “ The need to manage phosphate levels in the River Wye and impact of new homes in Buxton The Environment Agency welcome this section and the outlining of the associated issues. 1.2.11 “ this is a slightly simplified version of the process. Can I suggest the following amendment to the first and second sentences:</p> <p>Replace - Phosphate is a naturally occurring nutrient and essential for plant and animal growth but it can have harmful effects on the ecology of rivers through a process called ~eutrophication where there is a reduction in dissolved oxygen caused by an increase in mineral and organic nutrients. This process changes algae formation that can lead to a deterioration in conditions that affect the suitability of the habitat for certain species.</p> <p>With - Phosphate is a naturally occurring nutrient and essential for plant and animal growth but it can have harmful effects on the ecology of rivers through a process called ~eutrophication where there is an increase in mineral and organic nutrients. This process changes algae formation that can lead to a reduction in dissolved oxygen and deterioration in conditions that affect the suitability of the habitat for certain species.</p> <p>It appears there is a misunderstanding around the sources of phosphate associated with housing throughout the document. Phosphate load is associated with the inhabitants and their actions (Washing clothes, sewage etc.) rather than the volume of water. The phosphate load produced by these activities will not be reduced through water efficiency measures. What water efficiency does do is reduce the volume of water reaching the wastewater treatment works, thus relieving stress on the sewerage system.</p> <p>2 1.2.13 - Could be amended to The water produced by housing is acknowledged as having a direct effect on the amount of phosphate in the R. Wye once it is discharged from the wastewater treatment works (WwTW). The need for water efficiency measures to help reduce water produced by housing is therefore important to reduce stress on the sewerage system and enable efficient treatment to reduce phosphate discharged to the R. Wye</p>	<p>water use leads to greater ability to treat water. Para 6.2.3 does try to reflect that.</p> <p>The suggested changes to 1.2.11 and 1.2.13 are accepted and reflected in the SPD.</p> <p>With regards to the suggested changes to 2.2.6, it is considered that the existing wording is sufficient to signpost the HRA requirements and no changes are proposed.</p> <p>The suggested change to 5.5 (Septic tanks) is accepted and the SPD has been updated.</p> <p>The proposed amendments to Section 6.2 are accepted and the SPD has been updated.</p> <p>The proposed amendments to Section 5.4 are accepted and the SPD has been updated.</p>

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				<p>Section 2.2 - The Habitats Directive 2.2.6 “ This should be expanded to include Applicants should perform a Habitats Regulations Assessment (HRA) to identify the potential risk of nutrients entering the Peak District Dales SAC designated site when undertaking a project proposal. Section 5.5</p> <p>Septic tanks 5.5.1 “ could be amended to ;The council is concerned septic tanks could affect the groundwater quality in the Buxton Sub-area, and may impact the condition of the Peak District Dales SAC.</p> <p>5.5.3 “ Expanded to include The associated shallow infiltration systems should be designed to provide appropriate attenuation of any pollutants before they reach groundwater</p> <p>Section 6.2 Water efficiency in residential development 6.2.2 “ We welcome this observation. Particularly highlighting the fact that reduced flow can relieve the stress on the sewerage system thus supporting the efficiency of the system and reducing potential for spills from Combined Sewage Overflows (CSOs).</p> <p>6.2.3 “ The two parts of this sentence appear contradictory and should be split. A reduction in water usage does not lead to a directly equivalent reduction in phosphate load in the river. The second sentence could then be amended to The achievement of greater water efficiency would reduce stress on the sewerage system, indirectly contributing to phosphate reduction in the R. Wye and reducing negative impacts on the ecological status of the Peak District Dales SAC.</p> <p>General Comments We welcome the water efficiency principles outlined in this document and would suggest there is scope for expanding their application to include retrofitting to the existing building stock within Buxton. This would have much broader societal and environmental sustainable benefits.</p> <p>5.4 - Requirements for Sustainable Drainage Systems (SuDS) This section should emphasise a requirement to avoid discharges via</p>	<p>With regards to the general comments, the scope of the SPD is defined by existing Local Plan policy which specifically includes ‘new development’ only with regard to water efficiency. However, these matters can be considered in the review of the Local Plan.</p> <p>With regards to SuDS, it is considered that the SPD provides sufficient guidance for applicants.</p>

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				boreholes or deep infiltration systems which result in a direct discharge to groundwater. Shallow systems should be designed to provide attenuation of any pollutants before they reach the groundwater.	
WIB10		Natural England	General comment	<p>Natural England welcomes the SPD which is a positive step towards the improvement of the water quality of the River Wye and we look forward to working with the Council in the future on this issue. We consider that the report is very clear and comprehensive and have set out our detailed comments under the document headings as follows:</p> <p>General Comments We suggest that when considering water quality within the River Wye your authority may also want to consider assessing any erosion problems or siltation for a holistic approach to the river environment. In addition, air quality may affect the quality of surface water. It should be ensured that future development will not lead to atmospheric emission with potential local effects on surface water.</p> <p>1.1 Overview 1.1.3 The purposes of the guidance are welcome but perhaps measures to reduce the current phosphate levels in the river could also be included, noting that the river is already under a diffuse water pollution plan.</p> <p>1.2 Background 1.2.12 We note that phosphorous pollution also originates from urban sources and septic tanks.</p> <p>3.2 Source Protection Zones 3.3.3 We note that figure 3.2 shows the SPZ4, but this is not clarified in the legend. We suggest that it would be helpful if the four Source Protection Zones (SPZ) are shown on a map within the document (we note the link to interactive mapping).</p> <p>5.1 Types of Development 5.1.8 Within the section on shallow excavations, we note that the 600m threshold is used however it would be useful to see an explanation of how this threshold was chosen and if there is information to back this up for example a reference or other explanation.</p>	<p>The broad support for the SPD is welcomed. With regards to the scope of the SPD, this is framed by the policy provisions in the existing Local Plan. Broader matters related to river management could be explored through the Local Plan review informed by relevant evidence base.</p> <p>With regards to the Overview (1.1.3) it is proposed to add a reference to reducing phosphate load where possible.</p> <p>With regards to the Source Protection Zone figure (Figure 3.1 not 3.2) it is considered that the plan provides the relevant zone for Buxton as SPZ1 (as identified in para 3.2.3).</p>

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				<p>6.2 Water Efficiency in Housing</p> <p>6.2.3 Natural England welcomes this policy to encourage greater water efficiency which would reduce phosphate in the River Wye and improve its ecological status.</p> <p>6.4 Measures to recycle and minimise water consumption We suggest that education and information dissemination to the major users could be an effective measure which could be included under Section 6.4.</p>	<p>With regards to the comments on Section 6.4, this section already sets out expectation for developers to signpost guidance on water efficiency within new homes.</p> <p>The 600 mm depth threshold for shallow investigations is based upon practical experience gained by HPBC during re-development of Buxton Crescent. During the re-development, excavations deeper than 600 mm required additional risk assessment and monitoring. These measures were found to be effective in managing changes to groundwater conditions around the Buxton thermal springs during the works. Excavations shallower than 600 mm were completed without the additional hydrogeological measures and no adverse impacts on the</p>

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					thermal springs were observed.
WIB1 1	Mr Ian Jackson		Object	<p>I believe there are a couple of issues not mentioned in the "Water in Buxton" supplementary planning document that should be considered in this public consultation. The key issue is that in the European and National Legislative Content section you have not included the Renewable Energy Directive or Climate Change Act, and by not considering renewable energy in the development of the SPD you are missing some low carbon energy generation opportunities and potentially impacting negatively on climate change. The two most obvious omissions from the report are;</p> <p>The SPD should include a requirement for any user of the thermal spring to incorporate heat capture for use as a renewable heat source for Buxton. The plan as it stands also seems to prevent any future development of using the thermal energy within Buxton, which in the near future may be more important environmentally and economically than a business filling plastic bottles with water. If the spring water would naturally flow into the River Wye, if it wasn't abstracted for the bottling operations, the water would be available to the many hydroelectric power stations on the River Wye and River Derwent, including Cauldwells Mill, Masson Mill, Belper, Milford and Derby. If the water abstracted is affecting minimum flows of the River Wye and the Derwent it will be impacting the Environment Agency abstraction licences, restricting renewable energy generation. I hope this information is helpful in the consultation exercise.</p>	The SPD is intended to provide guidance on water quality in the Buxton area as per Local Plan policy. A wider remit is not appropriate. These matters could be explored as part of the Local Plan review.
WIB1 2	The Coal Authority	The Coal Authority	General comment	Thank you for your notification received on the 13 May 2021 in respect of the above consultation. I can confirm that the Coal Authority has no specific comments to make in respect of the Water in Buxton Supplementary Planning Document.	Comments noted. No changes required.
WIB1 3		Peak District National Park Authority	General Comment	<p>Summary</p> <p>The SPD focus on the protection of the thermal and non-thermal ground water supply that is 'Buxton Water' and maintain the integrity / purity of the supply. Given the importance of the supply from a visitor and economic perspective to a gateway town. We are supportive of this approach.</p>	<p>The general support for the SPD is welcomed.</p> <p>A link to the map of Buxton Sub-Area as identified on the Local Plan Policies Map has</p>

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				<p>The SPD focuses on the activities that could impact mineral springs and water quality impacts of a development, particularly on the River Wye SSSI, which is a component of the Peak District Dales Special Area of Conservation (SAC). Given the cross-boundary importance of both designations, we support the approach taken.</p> <p>General Comments</p> <p>There are several maps included within the document but there doesn't seem to be an overall map showing the administrative area that this policy covers. Could one be included please so it is clear?</p> <p>The SPD cites development types likely to have an impact on mineral water sources, should a similar section be produced for those likely to have an impact on water quality?</p> <p>The SPD references various policies and legislation/ extracts with an emphasis on wildlife to encourage the applicant to consider ecological issues and goes on to specifically consider the need to address impacts on the Wye Valley SSSI/ Peak District Dales SAC. It also (in the consents section) advises applicants to consider European protected species and seek advice from an experienced professional ecologist to determine if surveys within the development site may be required. However, these are selective ecological considerations and do not require the applicant to think more widely to address other ecological impacts/consideration that the development may have, such as other protected species or impacts on priority habitats or species. The document could make the rationale/purpose for this clearer because as it currently reads, the document could be interpreted as suggesting that designated habitats and European protected species are the only ecological considerations of a development.</p> <p>Below are a few more specific comments:</p> <p>Page.6: Other species are affected by eutrophication other than the three listed. These are SAC species – it is presumed that these have been</p>	<p>been included in the SPD.</p> <p>The intent of this SPD is provide specific technical guidance to aid the implementation of Policies S7 (Buxton Sub-Area Strategy) and EQ1 (Climate Change) insofar as protecting water quality in the River Wye and water sources in the Buxton area.</p> <p>Additional text has been included at 1.4 “How to use this Supplementary Planning Document” to clarify that the SPD should be read in conjunction with the Local Plan as a whole.</p> <p>The SPD is not intended to provide full guidance on all ecological matters but does highlight assets with specific reference to qualifying features of the SAC and relevant legal requirements. Para 5.3.5 is clear that the list of potential requirements is not</p>

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				<p>particularly picked out because they are specific qualifying features of the SAC, but they are not the only species in the Wye to be affected by eutrophication.</p> <p>Page 11: Is it possible to fully reference this plan (in a reference section) or a web link in the footnotes (as there are for other documents):</p> <p>SAC map</p> <p>The legend title would seem to suggest that everything that is listed is a Special Area of Conservation. It is just the Peak District Dales and South Pennine Moors that fall under this designation category (all SAC and SPA's are also SSSI's)</p> <p>I hope the above comments are helpful to you.</p>	<p>exhaustive. However, 5.3.4 has been amended to draw the reader to other potential ecological considerations that may need to be addressed.</p> <p>A reference and link to the Local Plan is already provided in the Introduction (page 5). As the SPD provides guidance for the Local Plan, and most readers will be aware of the Local Plan, it is considered that one reference is sufficient.</p> <p>A revised legend for the map of the SAC (and other designated assets) has been included in the SPD.</p>

Water in Buxton SPD SEA Screening Report – consultation feedback and officer responses

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WIB6		Historic England	General comment	With regards to the accompanying SEA report, we have no additional comments to raise.	Comments noted. No changes required.
WIB10		Natural England	Support	Natural England welcomes the Screening Report which assesses the requirement for Strategic Environmental Assessment (SEA) for Water in	Comments noted. No changes required.

				Buxton SPD. We agree with the reports conclusions that it is unlikely that any significant environmental effects will result from the SPD and therefore a SEA would not be required.	
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APPENDIX – List of consultees

Private individuals and residents registered on the Borough Council's planning policy consultee database plus the following organisations and stakeholder groups.

108 Ventures
A.E Planning Consultants
Accessible Derbyshire
All Things Neighbourhood Planning
Amos Group Ltd
Ancient Monuments Society
Arcus Renewable Energy Consulting Limited
Ashbourne Community Transport
Auto Cycle Union
Barnsley Metropolitan Borough Council
Barratt Developments Plc
Barton Willmore
Bellway
Beresford Contracting Limited
BNP Paribas Real Estate UK
British Horse Society (East Midlands)
British Telecom
Building Research Establishment
Buxton Civic Association
Buxton Community School
Buxton Festival
Buxton Neighbourhood Forum
Buxton Opera House
Buxton Town Team
Campaign to Protect Rural England
Canal & River Trust

Cass Associates Llp
Castleton Parish Council
Caulmert Ltd
Chapel-en-le-Frith High School
Chapel-en-le-Frith Parish Council
Charlesworth Parish Council
Chelmorton Parish Council
Cheshire East Council
Chinley Buxworth & Brownside Parish Council
Chisworth Parish Council
Churches in the Peak
Civil Aviation Authority
CJK Packaging Ltd
Connex Community Support
Council for British Archaeology
County Land & Business Association
Crossroads Derbyshire
Crowley Associates
D2N2 Local Enterprise Partnership
Department for Culture, Media and Sport DCMS
Department for Transport
Derby & Derbyshire CCG
Derby University
Derbyshire Advocacy Service
Derbyshire Association of Local Councils
Derbyshire Coalition for Independent Living
Derbyshire Community Health Services
Derbyshire Constabulary
Derbyshire County Council
Derbyshire Dales District Council

Derbyshire Fire and Rescue Service
Derbyshire Gypsy Liaison Group
Derbyshire Wildlife Trust
Derbyshire Youth Offenders Team
Derwent & Hope Woodlands Parish Council
Disley Parish Council
DLP Planning Ltd (East Midlands)
DPDS Consulting Group
DPP
East Midlands Chambers of Commerce
East Staffordshire Borough Council
Edale Parish Council
EE
Electricity North West
Emery Planning Partnership
Entec UK Ltd
Environment Agency
Equality and Human Rights Commission
Fairfield Residents Association
Fairhurst
Farming and Wildlife Advisory Group
Fidler Taylor
Frank Marshall
Friends of Peak District
Friends of the Earth
Friends of the Peak District
Gamesley Residents Association
GL Hearn Property Consultants
Gladman
Glossop Indoor Market Traders

Glossop Mountain Rescue Team
Good Reit Ltd
Great Places Housing Group
Greater Manchester Combined Authority
Harpur Hill Residents Association
Harris Lamb Chartered Surveyors
Hartington and Upper Quarter Parish Council
Hartington Middle Quarter Parish Council
Hayfield Parish Council
Health & Safety Executive
Heathcote Design and Development
High Peak Access Group
High Peak CVS
High Peak Health Forum
High Peak Partnership
High Peak Rail Users Group
Highways England
Himor Group
Historic England
Home Builders Federation
Homes England
Hope with Aston Parish Council
Hornbuckle Mitchell Trustees Ltd
Hourigan Connolly
HOW Planning
Indigo Planning
Jones Homes
Ken Wainman Associates
Kettlethulme Parish Council
King Sterndale Parish Meeting

Kirklees Metropolitan Council
Kirkwells Town Planning & Sustainable Development
Consultants
Knights LLP
Lambert Smith Hampton
Level Ltd
M C Beattie Property Limited
M C Northern Limited
Manchester Airports Group
Manchester City Council
Marine Management Organisation
Middlemarch Environmental Ltd
Miller Homes
Mono Consultants
MS & HM Eckert Limited
National Farmers Union
National Federation of Gypsy Liaison Groups
National Grid Gas - Distribution Network
National Trust
Natural England
Nestle Waters
Network Rail
New Mills School Business & Enterprise College
New Mills Town Council
NHS Derby and Derbyshire Clinical Commissioning Group
NHS England
NHS Property Services Ltd
NJL Consulting
North West Ambulance Service NHS Trust
Nottingham Community Housing Association

OFCOM

Office of Rail and Road

Old Glossop Residents Association

Oldham Metropolitan Borough Council

Omya UK Limited

Otter Controls Ltd

Paper Escape

Paul Butler Associates

Peacock + Smith

Peacock and Smith

Peak District Local Nature Partnership

Peak District National Park Authority

Peak Forest Parish Council

Persimmon Homes Yorkshire

Plan:8 Town Planning Ltd

Planning and Design Group

Planning Design Practice Ltd

Planware Ltd

Ramblers Association

Rapleys LLP

Redrow Homes

Renewable UK

Roger Yarwood Planning Consultant Ltd

Royal Society for the Protection of Birds

S L R Consulting Ltd

save roughfields

Savills

Severn Trent Water

Sheffield City Council

South Area Tenants Consumer Panel

South Derbyshire District Council
Sport England
St Thomas More Catholic School
Staffordshire Moorlands District Council
Stewart Ross Associates
Stockport M.B.C.
Stockport Metropolitan Borough Council
Tameside & Glossop Clinical Commissioning Group
Tameside MBC
Tameside Metropolitan Borough Council
Taylor Wimpey UK Ltd
Tetlow King Planning
The Church of England
The Coal Authority
The Gardens Trust
The Planning Inspectorate
The Theatres Trust
The Woodland Trust
Three
Tintwistle Parish Council
Transition Buxton
Transport for Greater Manchester
Turley Associates
United Utilities
United Utilities Water PLC
Vision Buxton
Visit New Mills
Vodafone and O2
W A Fairhurst & Partners
W Y G Engineering Ltd

Waltons

Whaley Bridge Matters

Whaley Bridge Residents Association

Whaley Bridge Town Council

Wildgoose Construction

Wood land Trust

Wood Plc

Wormhill Parish Council