

## Water in Buxton SPD: Schedule of Modifications

The following table identifies all of the modifications made to the draft SPD as published for public consultation.

Reference	Paragraph / figure number	Modification (deleted text has <del>strike through</del> ; new text is <u>underlined</u> )
1	Front Cover	Water in Buxton Supplementary Planning Document <u>Adopted December 2021.</u>
2	Page Footers	<del>Consultation Draft</del>
3	Para. 1.1.3	<ul style="list-style-type: none"> <li>Supports effective management of water to improve overall water quality and prevent additional phosphates reaching the River Wye, <u>supporting a reduction in phosphate load where possible.</u></li> </ul>
4	Para. 1.1.4	This document <u>was adopted by the Council on 9 December 2021. It is</u> <del>will be</del> a material consideration when considering planning applications or planning appeals. This SPD does not introduce new policy but adds further detail to the policies within the Local Plan, specifically policies EQ1 and S7.
5	Footnote 1	The High Peak Local Plan was adopted in April 2016. Available via: <a href="https://www.highpeak.gov.uk/article/646/The-Adopted-Local-Plan-2016">https://www.highpeak.gov.uk/article/646/The-Adopted-Local-Plan-2016</a> . Policy S7 applies to the Buxton-Sub Area as defined on the Policies Map - <a href="https://www.highpeak.gov.uk/article/2223/Interactive-local-plan-map">https://www.highpeak.gov.uk/article/2223/Interactive-local-plan-map</a>
6	1.2.11	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' <u>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</u> <del>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</del> . For the River Wye the species affected are White-clawed crayfish, Brook lamprey and Bullhead.
7	1.2.13	The water produced by housing is acknowledged as a having a direct effect on the amount of phosphate in the River Wye once it is discharged from wastewater treatment works (WwTW). <del>The need for water efficiency measures to help reduce water produced by housing is therefore important to reduce phosphate loading.</del> <u>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 River Wye.</u>

8	1.4.2	<u>The SPD should be read in conjunction with the Local Plan as a whole.</u>
9	2.2.6	The relevant caselaw must be considered where applicants are required to undertake a project-based Habitats Regulations Assessment ( <u>HRA</u> ) and impacts are identified. Of particular relevance are the 'Dutch cases'.
10	2.3.1	The National Planning Policy Framework (NPPF) <sup>1</sup> sets out the Government's aim for the planning system to enhance the natural and local environment by (NPPF, <u>2019 2021</u> : para. <u>174(d)</u> ) <u>170</u> :
11	Footnote 8	Ministry of Housing, Communities and Local Government (2019 <u>21</u> ) National Planning Policy Framework. Available via: <del><a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf</a></del> <a href="https://www.gov.uk/government/publications/national-planning-policy-framework--2">https://www.gov.uk/government/publications/national-planning-policy-framework--2</a>
12	5.2.2	It is important to note that NPPF (2019 <u>21</u> : para <u>556</u> ) states that planning conditions should only be...
13	5.3.2	Under the Environmental Permitting Regulations (2016), a permit...
14	5.3.3	Applicants are also advised to consult the good practice guides produced by the Environment Agency if the development is intending to use Ground Source Heating and Cooling <u>whilst any vertical borehole drilling for ground source heat pumps should follow guidance in <b>Section 5.1</b></u> . There is potential for adverse effects on groundwater quality that need to be considered.
15	5.3.4	<ul style="list-style-type: none"> <li>○ European Protected Species receive full protection under law. Applicants should apply to Natural England and seek advice from an experienced professional ecologist to determine if surveys within the development site may be required. <u>Applicants must also address other ecological impacts/considerations, such as impacts on other protected species, priority habitats or species, where relevant.</u></li> </ul>
16	5.4.3	The Environment Agency's approach to groundwater protection requires a hydrogeological risk assessment to be completed for SuDS within SPZ1 to show that pollution of groundwater will not occur and that the SuDS will not pose an unacceptable risk to the potable groundwater source. <u>Discharges via boreholes or deep infiltration systems which result in a direct discharge to groundwater are to be avoided. Shallow systems should provide attenuation of any pollutants before they reach the</u>

<sup>1</sup> Ministry of Housing, Communities and Local Government (2021) National Planning Policy Framework. Available via: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

		<u>groundwater</u> . The Council will require evidence of the risk assessment has been undertaken when applying for permission for SuDs within SPZ1.
17	5.5.1	As required by Local Plan policies and the NPPF, new development proposals must demonstrate that there is no adverse impact on water quality. The Council is concerned septic tanks could affect the groundwater quality in the Buxton sub-area <u>and may impact upon the condition of the Peak District Dales SAC</u> .
18	5.5.3	Septic tanks should only be considered by developers if it can be clearly demonstrated by the applicant that discharging into a public sewer to be treated at a public sewage treatment works or a package sewage treatment plant is not feasible (taking into account cost and/or practicability). <u>The associated shallow infiltration systems should be designed to provide appropriate attenuation of any pollutants before they reach groundwater</u> .
19	5.5.4	The Environment Agency's <i>General Binding Rules for Small Sewage Discharges</i> prevent the use of septic tanks within 50 m of a SAC, within 30 m of a public foul sewer or within Groundwater SPZ1. The practical effect of these restrictions is that septic tanks within the Buxton sub-area will require permitting under the Environmental Permitting Regulations (2016).
20	5.6	<p><b>5.6 <u>Above ground storage of chemicals and fuels</u></b></p> <p><u>5.6.1 Section D of the <i>Environment Agency's approach to groundwater protection (2018)</i><sup>2</sup> sets out a position statement relevant to potentially polluting activities related to fuel and hazardous substances storage to prevent such substances being released into groundwaters. Applicants proposing developments in the Buxton area incorporating above ground storage of chemicals, fuels or bulk liquids, or will require such storage through construction or demolition, should ensure that the Environment Agency's position statement is taken into account, the risks assessed and a scheme is in place for construction.</u></p>

<sup>2</sup> Environment Agency (2018) Environment Agency's approach to groundwater protection. Available via:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf)

		<u>5.6.2</u> In addition, any domestic, commercial and industrial development that may involve above ground fuel storage must ensure compliance with The Control of Pollution (Oil Storage) England Regulations (2001).
21	6.2.1	The policy requirement for higher standards of water efficiency aims to reduce the phosphate load on the River Wye to meet targets established through the WFD and Habitats Directive to meet the protected areas objectives in the Humber River Basin Management Plan (2015); and support the achievement of greater sustainability of water resources (in line with climate change elements of the rest of the policy). The Council therefore expects that new residential development complies with the policy requirement. <del>and provide guidance to sign post developers to the factors that should be considered.</del>
22	6.2.3	A reduction in water usage does not lead to a directly equivalent reduction in phosphate load in rivers. <u>The achievement of improved water efficiency would reduce the stress on the sewerage system, indirectly contributing to phosphate reduction in the River Wye and thereby reducing negative impacts on the ecological status of the Peak District Dales SAC.</u> <del>however the achievement of greater water efficiency would reduce phosphate in the River Wye and reduce negative impacts on its ecological status.</del>
23	6.4.9	<del>It is expected that d</del> Developers <u>should</u> will explore opportunities to integrate water recycling into the design of new residential and non-residential development.
24	6.5.3	To demonstrate compliance with Policy EQ1, <del>D</del> developers will be expected to clearly explain
25	Appendix B	<b>Appendix A Code of Practice – Excavations in the in the Vicinity of Buxton Thermal Springs</b>