

Pollution Control and Unstable Land

5.77 The Council gives high priority to the control and prevention of pollution due to the negative impact it can have on human health, quality of life and the natural environment. Pollution can take the form of radiation, fumes, smoke, dust, ash, grit, litter, noise, vibration, light, heat, odour, or liquid discharges. This policy aims to protect the plan area's environment from the introduction of polluting activities or developments. The NPPF states that plan policy should aim to avoid and mitigate the impacts of potential pollution associated with development.

5.78 Developers will be required to demonstrate the potential impact of proposals on the environment and on residential amenity and the ability to mitigate to an acceptable level.

5.79 Where development sensitive to or likely to generate pollution is proposed, adequate information in the form of site reports and assessments carried out by a competent person must be supplied with the application to allow the potential or actual impacts to be assessed. Details of any mitigation required should be supplied to the Council for approval prior to commencement of the scheme.

5.80 Further assessments and reports will also be required to show that the polluting effects have been controlled to the agreed standard, and that the mitigation or remediation measures taken will remain effective for the lifetime of the pollution risk identified. The standard of investigations, assessments, including risk assessments, remedial schemes, and verification reporting must be that of current UK good practice.

5.81 The European Water Framework Directive (WFD) came into force in December 2000 and became part of UK law in December 2003. The overall aim of the Directive is to establish a strategic framework (based on river basins) for managing surface water and groundwater through common objectives and principles.

5.82 The North West River Basin Management Plan considers the protection, improvement and sustainable use of water across the North West of England up to 2015. The plan covers Glossopdale and the Central Area which both lie within the Upper Mersey catchment area. The Humber River Basin Management Plan considers the protection, improvement and sustainable use of water, including the Monks Dale catchment and River Wye in Buxton, which fall in the Upper Derwent catchment.

5.83 Future developments in the High Peak plan area have the potential to contribute both positively and negatively to Water Framework Directive objectives, including the objective to get all water-bodies to achieve “good ecological potential or status” by 2027. In particular, the development of land can impact on water bodies through surface water run-off, risking a negative impact on Ecological Status. Local Planning Authorities have a role under the WFD to help ensure that the Ecological Status of water bodies do not deteriorate as a result of new development.

5.84 Potentially noisy developments will be expected to be accompanied by an appropriate noise assessment.

5.85 Light pollution refers to the effect of excessive or intrusive lighting arising from poor or insensitive design. The Council will seek to reduce light pollution by encouraging the installation of appropriate lighting and only permitting lighting proposals which would not adversely affect

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amenity or public safety. Lights should be appropriately shielded, directed to the ground and sited to minimise any impact on adjoining areas, and of a height and illumination level of the minimum required to serve their purpose.

5.86 Air quality is generally good. The High Peak Local Plan area has no Air Quality Management Areas. Transport Assessments required to accompany relevant proposals under Policy CF6 should include consideration of the impact of proposals on air quality.

5.87 Any increase in traffic flows resulting from proposed development may lead to increases in atmospheric pollutants at levels which could cause adverse impacts upon the European designated sites in the area. Such development should therefore be subject to assessment under the Habitats Regulations. Where traffic increases acidity and/or nitrogen deposition by greater than 1% of the site's critical load, this is considered a likely significant effect and requires an Appropriate Assessment. The Air Pollution Information System (APIS) provides comprehensive information regarding this issue: <http://www.apis.ac.uk/>.

5.88 The Council will ensure that new development is appropriate for its location. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and /or landowner. Known landfill sites are marked on the Policies Map.

Policy EQ 10

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The Council will protect people and the environment from unsafe, unhealthy and polluted environments.

This will be achieved by:

- Ensuring developments avoid potential adverse effects and only permitting developments that are deemed (individually or cumulatively) to result in the following types of pollution if any remaining potential adverse effects are mitigated to an acceptable level by other environmental controls or measures included in the proposals . This may be achieved by the imposition of planning conditions or through a planning obligation. The Council will not permit any proposal that has an adverse effect on a European site:
 - Air pollution (including odours or particulate emissions);
 - Pollution of watercourses (rivers, canals reservoirs, streams, ditches, ponds and wetland areas) or groundwater;
 - Noise or vibration;
 - Light intrusion;
 - Land contamination; or
 - Other nuisance, environmental pollution or harm to amenity, health or safety
- Ensuring all new developments have regard to the actions and objectives of the Humber and North West River Basin Management Plans in striving to protect and improve the

quality of water bodies in and adjacent to the Borough, including the Rivers Etherow, Sett, Goyt and Wye, Glossop, Black and Randal Carr Brooks and their tributaries.

- Ensuring that sites are suitable for their proposed use taking account of ground conditions and land instability, including from natural hazards such as radon gas, former activities such as mining, or pollution arising from previous uses.

Supporting Guidance and Evidence

- National Planning Policy Framework; 2012
- River Basin Management Plans
- High Peak Air Quality Monitoring Report
- Groundwater Protection: Principles and Practice (GP3)

Flood Risk Management

5.89 The Environment Agency has prepared a series of Catchment Flood Management Plans (CFMPs) to provide an overview of the flood risk across each river catchment. The Plans recommend ways of managing those risks now and over the next 50 -100 years. The River Trent Catchment Flood Management Plan covers the Buxton area, within the CFMP's Peaks and Moorlands zone. The Upper Mersey Catchment Flood Management Plan covers both Glossopdale and the Central Sub-Areas. The former is located within the Plan's Etherow zone and the latter is in its Goyt zone.

5.90 A Level 1 Strategic Flood Risk Assessment (SFRA) has been undertaken to assess and map all forms of flood risk from groundwater, surface water, sewer and river sources, taking into account future climate change predictions. The study is used as part of the evidence base to help ensure development is directed away from areas at highest flood risk. A Viability Assessment: Level 2 SFRA has also been undertaken of the specific proposed allocations to help ensure that where development is necessary within Flood Zones 2 or 3, it is safe and will not increase flood risk elsewhere.

5.91 The Flood and Water Management Act 2010 (FWMA) brings in new roles and responsibilities for local authorities. In particular, the Act defines the role of Derbyshire County Council as a Lead Local Flood Authority - giving the County an overarching role for the coordination of Risk Management Authorities and for coordinating the management of local flood risk across Derbyshire arising from surface water, ground water or ordinary watercourses.

5.92 Derbyshire's flood risk and transport asset management team has produced a Preliminary Flood Risk Assessment (PFRA) for the County - a requirement of the Flood Risk Regulations 2009. The same team is now in the process of preparing a Local Flood Risk Management Strategy for the County (a requirement of the FWMA). Developers are advised to consult the documents when drawing up development proposals.