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TRANSPORT AND WORKS ACT 1992

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OBJECTIONS PROCEDURE) (ENGLAND AND WALES)
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**THE NETWORK RAIL (BUXTON SIDINGS EXTENSION)
ORDER**

PLANNING AND DESIGN AND ACCESS STATEMENT

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ABBREVIATION LIST

Abbreviation	Term
CEMP	Construction Environmental Management Plan
CoCP	Code of Construction Practice
CP5	Railway Control Period 5
DCLG	Department for Communities and Local Government
DfT	Department for Transport
EcMP	Ecological Management Plan
ES	Environmental Statement
FRA	Flood Risk Assessment
GPDO	The Town and Country Planning (General Permitted Development) (England) Order 2015
HGV	Heavy Goods Vehicle
HLOS	High Level Output Specification
LVIA	Landscape and Visual Impact Assessment
LTP	Local Transport Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPS	National Policy Statement for National Networks
NSIP	Nationally Significant Infrastructure Projects
NVMP	Noise and Vibration Management Plan
ORR	Office of Rail and Road
Order	Network Rail (Buxton Sidings Extension)
PPG	Planning Policy Guidance
PPS	Planning Policy Statement

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RUS	Route Utilisation Strategies
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1. INTRODUCTION

1.1 Background

1.1.1 This Planning and Design and Access Statement has been produced to support Network Rail Infrastructure Limited's ('Network Rail') application to the Secretary of State for Transport under the Transport and Works Act 1992 for an Order known as Network Rail (Buxton Sidings Extension) Order ("the Order"). This Planning and Design and Access Statement has been prepared in accordance with the Transport and Works (Application and Objection Procedure) (England and Wales) Rules.

1.1.2 The Buxton Sidings Extension Scheme ("the proposed Scheme") comprises works required in order to increase capacity of freight traffic originating from Dowlow and Hindlow Quarries ("the Quarries"). At present, rail freight traffic from the Quarries to both West Thurrock and Bow East aggregate/cement terminals is limited to accommodating services up to a maximum length of 505m, which equates to a capacity of 1,750 tonnes. This limit is dictated by the existing length of the Sidings, where all trains in and out of the Quarries have to manoeuvre into, where the locomotive is detached and run around to enable egress to the Peak Forest Route. This makes the operation inefficient both commercially and in terms of the use of resources. The optimal weight of freight train from the Quarries has been identified as 2600 tonnes, so the infrastructure needs to be able to accommodate trains of this size.

1.1.3 The aim of the proposed Scheme is to remove this constraint on capacity by extending the amount of track sidings at the existing Sidings by approximately 422m to the north. This will create the necessary infrastructure to allow an increase in freight train capacity to a train length of 505m, with a capacity of 2,600 tonnes. The proposed Scheme aims to respond to an increased demand from rail freight operators. It would assist local quarry operators to expand, with associated economic benefits through enhanced employment opportunities. This would be done without the need to increase road traffic and may also facilitate a decrease in existing road-based quarry traffic.

1.1.4 In addition, a limited programme of works is proposed adjacent to the entrance to the Quarries, to remove an existing train movement conflict, which will enable the longer freight trains to operate unhindered to the benefit of the efficient operation of both Quarries. These works will be constructed using Network Rail's permitted development rights under Part 8,

Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. If the proposed Scheme is approved, these permitted development works, would be undertaken contemporaneously with the Proposed Scheme.

- 1.1.5 An application for deemed planning permission under Section 90(2)(A) of the Town and Country Planning Act 1990 is being submitted with the Order application for the works to be authorised by the Order. As such, the Secretary of State may direct that planning permission shall be deemed to be granted (“the Direction”), subject to such conditions (if any) which may be specified by the Direction. The conditions proposed to be attached to this Direction are set out in Schedule 1 of the Request for Deemed Planning Permission which accompanies the Order application.
- 1.1.6 This Planning and Design and Access Statement forms part of, and should be read alongside, the suite of other application documents submitted by Network Rail in support of its application for the Order. The other Order application documents include:
- Draft Order;
 - Explanatory Memorandum;
 - Statement of Aims;
 - Consultation Report;
 - List of consents, permissions or licences required under other enactments;
 - A declaration of the status of the applicant;
 - Funding Statement;
 - Estimated cost of the proposed works;
 - Deposited Plans and Sections and Traffic Regulation Plans;
 - Book of Reference;
 - Environmental Statement;
 - Request for Deemed Planning Permission and statement of proposed conditions; and
 - Planning Direction Drawings in support of the request for a planning direction.

2. DESCRIPTION OF THE PROPOSED SCHEME, SITE AND SURROUNDINGS

2.1 Introduction

2.1.1 This section provides a description of the proposed Scheme, application sites and surrounding areas affected by the Proposed Scheme.

2.1.2 The proposed Scheme is located within the boundaries of the High Peak Borough Council local authority areas.

2.2 The Site and Surroundings

2.2.1 The application site is located the north of Buxton Town Centre, a distance of between approximately 500m and 1km from Buxton Railway Station (“the Site”). The Site is formed predominantly of a former waste tip, which now has significant self-seeded tree cover. It also encompasses the existing Sidings, adjacent farmland and other adjacent land.

2.2.2 The Site is of an irregular shape, with the boundaries - commencing at the south western-most point – as follows: The western boundary commences adjacent to the Buxton No.1 Junction (at the confluence of the Great Rocks Freight Line and Quarry Freight Line and Buxton to Edgeley Junction Passenger Line with the boundary extending north, parallel to the Buxton to Edgeley Junction Passenger Line to the west, with residential properties on Hogshaw Drive beyond. The boundary continues to the north, adjacent to the footbridge carrying public footpath FP1 over the railway, to continue parallel with the Buxton-Manchester railway, with the north western-most element being adjacent to the level crossing carrying public footpath FP4 over the railway.

2.2.3 The boundary then heads in a south-easterly direction, running parallel with an agricultural access track, with agricultural land to the north and south, over a bridge carrying the track above the Nun Brook watercourse, to the junction with the A6 at grid reference SK070748, encompassing land to either side of the junction. The boundary then returns along the southern side of the agricultural access track

2.2.4 The Site boundary encompasses the area of the proposed engineering work, associated infrastructure works and areas required for Site access and construction compounds.

2.2.5 There are no Listed Buildings within the application Site and nor are there any Listed Buildings within the Site's setting. The Site is partially located within the designated boundaries of the Fairfield Conservation Area.

2.3 Description of the Works

2.3.1 The existing Sidings will be extended by approximately 445m in a northerly direction. This will accommodate a total train length of 505m. This will involve the formation of a new 1:3 cutting in the former tip area in order to accommodate the new track alignment. Fencing will be installed around the cutting, consisting of 1.8m palisade, powder coated green, with a section of 1.4m high strained wire fence. There will be associated track drainage and off-track drainage, with low-level lighting bollards on the southern side of the track.

2.3.2 A new footbridge, to be located to the immediate south of the existing footbridge, will be required in order to carry public footpath FP1 above the extended sidings.

2.3.3 It is proposed to construct a temporary bridge to enable construction traffic to cross Nun Brook. The temporary bridge will be constructed adjacent to the existing Nun Brook bridge (to the north and east of the existing structure) and will be removed on completion of the Proposed Scheme.

Table 1 Proposed Scheme Works

Proposed Works	Justification
Construction of new cutting, with 1:3 slopes in former tip area	To facilitate the installation of the new extended track sidings, to enable longer freight trains to use the sidings
Installation of new track, maintenance walkway, low-level lighting and associated drainage infrastructure within former tip area and on adjacent land	To facilitate additional length trains to use the sidings facility and to enable its safe operation and maintenance
Construction of new footbridge. The structure will be of steel construction, with solid parapets 1.83m high, coloured grey (RAL 7047)	To enable pedestrian traffic to use public footpath FP1 following the installation of the

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Proposed Works	Justification
	extended sidings
Construction of new Nun Brook bridge	In enable private agricultural access and pedestrian traffic to use public footpath FP4 over Nun Brook
Installation of cabling and associated cable troughing from Signal Box at Buxton No.1 Junction to underneath the existing track and extending along the eastern edge of the existing track and the full extent of the extended sidings.	To facilitate the safe and efficient movements of additional length trains using the sidings facility
Diversion of existing 11kV cable apparatus	To facilitate the installation of the new extended track sidings, to enable longer freight trains to use the sidings
Creation of temporary compound on land to the north west of the proposing sidings extension, with associated access road and turning circle.	To provide appropriate facilities to facilitate the proposed works
Temporary widening of access track from the A6 road to the proposed temporary compound area, with associated temporary modifications to the A6 junction, vehicular passing areas and temporary pedestrian diversion bridge at Nun Brook.	To provide appropriate facilities to facilitate the proposed works

3. DESIGN AND ACCESS

3.1 Introduction

3.1.1 This section describes in more detail the key features of the proposed Scheme that will be visible to the public, where design will be a key consideration to the decision making process. Details of access arrangements during construction and operation are also provided. Compliance with the package of Planning Direction Drawings will be secured through a planning condition (see Condition 2 in Schedule 1 of the Request for Deemed Planning Permission).

3.2 Design

3.2.1 The sidings capacity improvements will be secured through the construction of an extension to the existing track, consisting of a 422m extension from the existing buffer stop to the proposed buffer stop. This will be facilitated through the formation of a new 1:3 cutting, construction of a new additional footbridge, installation of fencing and associated works.

3.3 Cutting

3.3.1 The additional space required for the southern 210m section of the extended line will be created by the formation of a cutting within the tip area. The slope will be cut at a gradient varying from 1:2.5 to 1:3 and will have a total depth ranging from 3m to 4m.

3.3.2 The cutting will have a 350mm clay cover subsurface, with 150mm of subsoil above, which will be sourced from earthworks in the adjacent agricultural field. The clay cover is required as a consequence of the contamination of the former tip area.

3.3.3 The proposed cutting works will generate approximately 25,000m³ of material. The majority of excavated material will be reused to re-profile the land to the immediate east of the cutting slope. It is proposed that an undulating landform will be created which will be planted with amenity grassland and low level shrubs to provide an area of informal recreation available for community use. A programme of remediation works will be undertaken to ensure safe control and management of contaminated land present on the Site. This will be secured through a planning condition (see Condition 8 in Schedule 1 of the Request for Deemed Planning Permission).

3.4 New track arrangement, drainage and associated equipment

- 3.4.1 The new track design will consist of a series of concrete sleepers, flat-bottom rails and associated stone ballast. A network of track and land drainage will also be installed. The track drainage will commence on both the eastern and western sides of the track to the north of the point at which the new track alignment ties into the existing. It then extends for the full extent of the track's eastern side. The drainage network extends east from the track, incorporating a drainage interceptor tank to the south of the proposed footbridge, in order to capture any contamination stemming from the former tip area. The drainage infrastructure continues to the east, where it discharges into the Nun Brook in the form of a covered drainage outfall. In order to facilitate appropriate drainage from the cutting, a crest drain is proposed to be installed to the western side of the extended siding.
- 3.4.2 A network of cabling, contained in troughing, will be installed from the Buxton No.1 Junction Signal Box, underneath the existing track and extending along the eastern edge of the existing track and the full extent of the extended sidings.
- 3.4.3 A maintenance walkway will be installed adjacent to the eastern edge of the extended track. An opportunity has been identified to remove the three existing high-level lighting towers and replace with low-level bollard lighting, which will be installed to illuminate the proposed walking route in darkness. The lighting will be controlled by the signaller and only switched on when in use.

3.5 Fencing and boundary treatment

- 3.5.1 A 1.8m high palisade steel fence, powder coated green, will be installed in order to secure the new cutting area. This will commence adjacent to the top of the western facing cutting slope between the new pedestrian footbridge and the end of the extended siding. This will then wrap around the end of the extended siding and continue close to the top of the eastern facing cutting slope. This will then extend in a generally southern direction to meet a new access gate for the proposed maintenance road will be installed. A standard railway strained wire fence will be installed to those areas of the proposed sidings extension to the north of the proposed 11kV cable

diversion detailed below. This will be located in a position set-in from the adjacent palisade fencing.

3.6 Public Access

- 3.6.1 There are two public footpaths in the vicinity of the proposed Scheme works. These are footpaths FP1 and FP4. Footpath FP1 runs in a generally west to east route from Brown Edge Road, over the Buxton to Edgeley Junction Passenger Line via an existing footbridge, from where it continues in an easterly direction, partially running parallel with the southern extent of the former tip area. FP4 runs in a south-easterly direction from the northern most point of Brown Edge Road, through fields to the Buxton to Edgeley Junction Passenger Line, which it crosses via a pedestrian level crossing, then continuing along an agricultural access track to the A6, via an existing bridge over Nun Brook.
- 3.6.2 During the construction phase there will be a requirement to temporarily divert a section of both footpaths, as shown on the deposited plans. A temporary diversion of footpath FP1 is proposed, in order to allow the construction of the sidings extension and associated footbridge. The temporary diversion is proposed to follow a route from Brown Edge Road to Lightwood Road and Hogshaw Villas Road, as detailed at Figure 3 of the Scheme's Diversity Impact Assessment document, included as Appendix A of this document. Footpath FP4 will require a temporary diversion at Nun Brook, where a separate segregated pedestrian bridge will be constructed, to ensure the safety of users of the path. Both diversions will allow public access on both footpaths to be maintained throughout the construction phase. It is proposed that the route of the diverted footpath FP4 will be segregated from construction traffic using the works compound by using a temporary physical barrier/fence.
- 3.6.3 FP1 will need to be subject to a minor permanent diversion, in order to accommodate the alignment of the proposed new footbridge. It is proposed that the Order will contain a clause which provides NR with the power to stop up the public footpath. The Order will contain a schedule which sets out the points at which FP1 will be stopped up and the points which the replacement footpath will be provided, specifically the small section which will be diverted to run down the new stairs of the footbridge to then join the existing alignment.

3.7 Proposed footbridge

- 3.7.1 A new footbridge will be installed to facilitate continued pedestrian access along Footpath FP1 following the completion of the proposed Scheme. The bridge will commence to the immediate west of western staircase of the existing footbridge, carrying FP1 over the Buxton to Edgeley Junction Passenger Line. A flight of steps, with a guardrail to either side, will lead to a diverted section of path, surfaced in stone, with 1.83m high palisade steel fencing to either side, from where the footbridge starts, as shown on submitted Planning Direction Drawing Sheet 11 ENH_112710-614-CNB4-00-DDR-R-001215
- 3.7.2 The footbridge will be a steel structure, supported by a steel circular hollow section to the western side, where the bridge connects to ground level via two flights of stairs with a landing. The structure will have parapets formed of solid steel, with a rectangular hollow section above, giving a total height of 1.5m. There will be single handrails and a bicycle channel ramp to the western stairs. The structure will be painted grey (RAL 7047) to match that of the existing adjacent footbridge as shown on submitted Planning Direction Drawing Sheet 11 ENH_112710-614-CNB4-00-DDR-R-001215.

4. NATIONAL PLANNING POLICIES

4.1 Background

4.1.1 This chapter considers the legislative framework and planning and transport policies which provide the context in which the Order application will be considered. This encompasses policy set out in the National Planning Policy Framework (NPPF) and other relevant national planning policy.

4.2 National Planning Policy Framework, DCLG (2012)

4.2.1 The NPPF was published by the Department for Communities and Local Government (DCLG) in March 2012.

4.2.2 Paragraph 14 of the NPPF states that, at the heart of the NPPF, is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- Specific policies in the NPPF indicate development should be restricted.

4.2.3 Paragraph 17 sets out 12 core land use planning principles that should underpin both plan making and decision taking. These recognise that planning should be genuinely plan led, empowering local people to shape their surroundings, with sufficient up to date local and neighbourhood plans setting out a positive vision for the future of the area in a practical framework. In the context of the Proposed Scheme, the following are relevant:

- be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
- support the transition to a low carbon future in a changing climate and encourage the reuse of existing resources;
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the NPPF;
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be more sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all. And deliver sufficient community and cultural facilities and service to meet local needs.

4.2.4 The NPPF sets out policy on ‘Delivering Sustainable Development’ from Paragraphs 18 to 29, which taken as a whole constitutes the Government view of what sustainable development in England means in practice for the planning system.

4.2.5 The following sections within the NPPF are particularly relevant to the proposed Scheme:

4.2.6 Chapter 1 (Building a strong, competitive economy) outlines the Government’s commitment to ensuring that the planning system does everything it can to support sustainable economic growth. It states that planning should operate to encourage and not act as an impediment to sustainable growth.

4.2.7 Chapter 3 (Supporting a prosperous rural economy) sets out how planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development (paragraph 28).

4.2.8 Chapter 4 (Promoting sustainable transport) states that transport policies have an important role to play in facilitating sustainable development and

that the transport system needs to be balanced in favour of sustainable transport, giving people a real choice about how they travel (paragraph 29). It further states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion (paragraph 30). Paragraph 31 sets out that local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development.

4.2.9 Chapter 7 (Requiring good design) demonstrates how Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (paragraph 28). Paragraph 58 states that planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; and
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; And are visually attractive as a result of good architecture and appropriate landscaping.

4.2.10 Chapter 10 (Meeting the challenge of climate change, flooding and coastal change) outlines that planning has a key role to play in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure (paragraph 93). Paragraph 94 states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, amongst other considerations. When determining planning applications, local planning

authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment

4.2.11 Chapter 11 (Conserving and enhancing the natural environment) sets out key principles for ensuring that the planning system contributes to and enhances the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

4.2.12 Chapter 12 (conserving and enhancing the historic environment) states that Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification

4.2.13 Paragraph 131 states that when determining applications, LPAs should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

4.2.14 Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site;
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

4.2.15 Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

4.2.16 In relation to conservation areas, paragraph 137 states that local planning authorities should look for opportunities for new development within conservation areas and world heritage sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

4.2.17 Paragraph 203 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 206 goes on to state that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

4.3 National Planning Practice Guidance

4.3.1 On 6 March 2014 DCLG launched a web-based resource containing National Planning Practice Guidance (NPPG). This was accompanied by a Ministerial Statement, which includes a list of the previous planning guidance documents cancelled when the site was launched. The following sections of the NPPG are of relevance to the determination of the Scheme:

- 4.3.2 Design: This section of the NPPG states that good quality design is an integral part of sustainable development. It reinforces the recognition set out in the National Planning Policy Framework that design quality matters and that planning should drive up standards across all forms of development (paragraph 001). It goes on to state that well-designed places are successful and valued, exhibiting qualities that benefit users and the wider area. Paragraph 15 sets out that well-designed new or changing places should:
- be functional;
 - support mixed uses and tenures;
 - include successful public spaces;
 - be adaptable and resilient;
 - have a distinctive character;
 - be attractive; and
 - encourage ease of movement.
- 4.3.3 Conserving and enhancing the historic environment: best practice is highlighted for protecting and conserving historic assets. Paragraph 003 states that the conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Paragraph 009 goes on to reinforce why significance is important in decision-taking. Paragraph 013 provides guidance on what is the setting of a heritage asset, reinforcing the definition set out in the NPPF and stating that setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage.
- 4.3.4 Air Quality: This chapter sets out why the planning should be concerned about air quality and provides instances in which air quality could be relevant to a planning decision.
- 4.3.5 Climate change: This section of the NPPG provides advice for effective mitigation and adaptation measures in plan making in addition to how the application process can address the potential impacts of climate change.
- 4.3.6 Natural Environment: This section explains key issues in implementing policy to protect landscape, biodiversity, ecosystems and green infrastructure. It explores how the character of landscapes be assessed to inform plan-making and planning decisions.

- 4.3.7 Noise: This section advises on how planning can manage potential noise impacts in new development. It states that noise needs to be considered when new developments may create additional impacts (paragraph 001). Paragraph 002 goes on to state that noise should not be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development.

4.4 National Policy Statement for National Networks

- 4.4.1 The National Policy Statement for National Networks ('NPS') which was designated on 14 January 2015, sets out the need for, and Government's policies to deliver, development of nationally significant infrastructure projects (NSIPs) on the national road and rail networks in England. Whilst the Scheme falls under the threshold set out in The Highway and Railway (Nationally Significant Infrastructure Project) Order 2013, that is the construction or alteration of a railway in England will only be a NSIP if it is to include a continuous stretch of track of more than 2km, section 1.4 of the NPS states that:

"In England, this NSP may also be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 or any successor legislation. Whether, and to what extent, this NPS is a material consideration, will be judged on a case by case basis."

- 4.4.2 It is therefore asserted that whilst the NPS is primarily to guide and inform NSIP applications, it does have some degree of material weight in relation to the proposed Scheme as the rationale supporting the proposed works is for improvements to be delivered to parts of the national rail network, and should therefore be appraised accordingly. It is also important to understand the context of the Government's policy stance on rail infrastructure given the limited detail within the NPPF.

- 4.4.3 Section 2 of the NPS sets out the need for development of the national networks and the Government's vision and strategic objectives:

"The Government will deliver national networks that meet the country's long-term needs; supporting a prosperous and competitive economy and improving overall quality of life, as part of a wider transport system. This means:

- *Networks with the capacity and connectivity and resilience to support national and local economic activity and facilitate growth and create jobs.*

- *Networks which support and improve journey quality, reliability and safety.*
- *Networks which support the delivery of environmental goals and the move to a low carbon economy.*
- *Networks which join up our communities and link effectively to each other.”*

4.4.4 Paragraph 2.2 states that ‘there is a critical need to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. Improvements may also be required to address the impact of the national networks on quality of life and environmental factors.

4.4.5 Paragraph 2.6 states that improved transport links help to rebalance the economy.

4.4.6 At paragraph 2.10 the NPS sets out an overarching statement that the Government concludes at a strategic level that there is a compelling need for the development of national networks, and as a result:

“The Examining Authority and the Secretary of State should therefore start their assessment of applications for infrastructure covered by this NPS on that basis.”

4.4.7 The need for development of the national rail network is set out from paragraphs 2.28 – 2.41 which focus on the economic and social benefits of a sustainable transport system, the growing demand for rail travel and projected future growth, which together support the compelling need for developing the Country’s rail network.

4.4.8 The importance of rail freight to the national economy is set out at paragraph 2.34, which states ‘Rail freight is therefore of strategic importance, is already playing an increasingly significant role in logistics and, is an increasingly important driver of economic growth, particularly as it increases its market share of container traffic. The industry estimates that it contributes £1.5 billion per year to the UK’s economy’.

4.4.9 In the short to medium term, paragraph 2.37 highlights the need to improve capacity, capability, reliability and resilience of the network which reflect the core principles of the Proposed Scheme. It further states that:

“Relatively modest infrastructure interventions can often deliver significant capacity benefits by removing pinch points and blockages.”

4.4.10 The environmental benefits of rail improvements are discussed at paragraph 2.40, stating:

“Modal shift from road and aviation to rail can help reduce transport’s carbon emissions, as well as providing wider transport and economic benefits. For these reasons, the Government seeks to accommodate an increase in rail travel and rail freight where it is practical and affordable by providing for extra capacity.”

5. TRANSPORT POLICY

5.1 Introduction

5.1.1 Transport infrastructure, as a facilitator of physical interactions between individuals and businesses, has always been a key component in ensuring that demand within an economy is able to be released and transformed into growth. The important role of a sustainable public transport network is therefore at the heart of national, regional and local planning policy guidance.

5.1.2 This section provides an overview of the relevant national, regional and local policy relating to rail infrastructure, appraises the policies in relation to the role of the railways in delivering growth. In addition, there is a wealth of other reports and documents supporting investment in the northern rail network that are considered at the end of this section.

5.2 Department for Transport (DfT) White Paper ‘Delivering a Sustainable Railway’, July 2007

5.2.1 The DfT’s White Paper ‘Delivering a Sustainable Railway’ provided strategic direction for the rail industry. The White Paper looked at the potential future challenges for the railway over a 30 year horizon. It identified three long term agendas for the Government and the rail industry working in partnership;

- Increasing the capacity of the railway;
- Delivering a quality service for passengers; and
- Fulfilling rail’s environmental potential.

5.3 Delivering a Sustainable Transport System, 2008

5.3.1 Delivering a Sustainable Transport System, published by the DfT in 2008, explains the Government’s strategy for tackling both immediate problems and shaping the transport system to meet longer-term transport challenges which are critical for future prosperity and way of life.

5.3.2 The document provides five goals which are aimed at helping guide decision makers in their roles:

- To support national economic competitiveness and growth, by delivering reliable and efficient transport networks;

- To reduce transports emissions of carbon dioxide and other greenhouse gases, with the desired outcome of tackling climate change;
- To contribute to better safety security and health and longer life expectancy by reducing the risk of death, injury or illness arising from transport and by promoting travel modes that are beneficial to health;
- To promote greater equality of opportunity for all citizens, with the desired outcome of achieving a fairer society; and
- To improve quality of life for transport users and non-transport users, and to promote a healthy natural environment.

5.4 Reforming our Railways Command Paper, March 2012

5.4.1 The Government's 'Reforming the Railways' Command Paper released in March 2012 sets out how passenger and freight railways are part of the overall vision for a transport system that supports economic growth, is more environmentally sustainable and improves quality of life within our communities. This will be achieved by relieving congestion on the road network, providing a greener transport option than road or aviation and facilitating business, commuting and leisure journeys.

5.4.2 The Command Paper states that reform must deliver against four objectives:

- Securing value for the passenger, addressing concerns about rail fares and the impact they have on hard pressed families- by ending inflation-busting increases in average regulated fares at the earliest opportunity and introducing new ticketing technology;
- Dealing with the fiscal deficit, putting public finances on a healthier and more sustainable footing for the long term by aggressively searching out savings and sharing these savings with the taxpayer;
- Supporting economic growth- through continued taxpayer investment for passengers and freight, to enhance capacity, connectivity and service quality where this is affordable and provides value for money, and by providing industry with the opportunity to invest in improving our railways; and
- Delivering our environmental goals – by reducing carbon emissions from trains and station and by encouraging passengers to use the train rather than their car.

5.5 High Level Output Specification (HLOS), July 2012

5.5.1 The HLOS sets out information for the Office of Rail and Road (ORR) and for the rail industry about what the Secretary of State for Transport wants to be achieved by railway activities during railway Control Period 5, April 2014 to March 2019 (CP5).

5.5.2 The strategic vision for enhancements to the rail freight infrastructure network are set out at paragraph 24 of the HLOS, stating that:

“The Secretary of State wants to see a significant increase in the carrying capacity of both the freight and the franchised passenger railway, to reflect the growth in demand and to relieve crowding.”

5.5.3 The strategic importance of rail freight and the relationship with investment proposals is detailed at paragraph 51 of the HLOS:

“Recognising the wider economic growth and environmental benefits of transporting goods by rail, the Secretary of State wants to continue to fund the development of the Strategic Freight Network and has made a ring-fenced allocation of £200 million over the course of CP5 to fund improvements identified by the industry. This will help make best use of the existing network and, by increasing the network’s freight capability, will leverage continued private sector investment in rail freight growth.”

5.6 Derbyshire Local Transport Plan (LTP)

5.6.1 The Derbyshire LTP Three document was published in April 2011. It sets out a transport vision, goals, challenges to be tackled and a strategy covering the period to 2026.

5.6.2 The vision set out in the LTP aims to achieve a transport system that is both fair and efficient, promotes healthier lifestyles, safer communities, safeguards and enhances the natural environment and provides better access to jobs and services, whilst also improving choice and accessibility of transport and integrating economic, social and environmental needs. Five transport goals are set out in the plan, specifically:

- Supporting a resilient local economy;
- Tackling climate change;
- Contributing to better safety, security and health;

- Promoting equality of opportunity; and
- Improving quality of life and promoting a healthy natural environment.

5.6.3 A number of Key transport priorities and investment priorities for 2011-2026 are identified (page 4), including:

- Improving local accessibility and achieving healthier travel habits (Rail, including community rail initiatives); and
- A considered approach to new infrastructure (Public transport and freight provision; and Environmental assessment, mitigation and enhancement measures).

5.6.4 Section 7.4 of the LTP (Network management long-term projects) highlights longstanding County Council support for modal shift of freight from road to rail, stating:

“For many years, the Council has successfully supported opportunities to move freight on to rail. Around 8 million tonnes of freight per annum has been transferred to the rail network. These efforts will continue in areas such as traditional aggregate movements from the Peak District quarries, and encouraging sustainable inter-modal freight interchanges in selected locations.”

5.6.5 The document goes on to identify at Section 7.6 a number of goals the County Council wishes to achieve in the plan period, one of which is “Transfer of freight from road to rail”.

5.6.6 Section 4.5 of the LTP states (Freight) highlights that the movement of freight is an essential element of the local economy, but highlights the concern about the adverse effects of road freight transport on the environment. The associated Policy TFR1 sets out an aspiration to:

“Safeguard and seek to open rail lines and rail-served sites where potential exists for future freight use, whilst minimising any environmental or social consequences this may have.”

5.6.7 Section 4.6 of the LTP (Environment) includes Policy TENV1, which states:

“In designing the transport infrastructure of any development, developers should, wherever possible, use recycled, sustainable, locally sourced and locally distinctive materials.”

5.7 Network Rail CP5 Enhancements Delivery Plan

5.7.1 The CP5 Enhancements Delivery Plan sets out the outputs, scope and milestones that Network Rail is committed to delivering in Control Period 5 (“CP5”) (2014-2019). It describes a programme of targeted investment in the railway, include a programme of works to the Strategic Freight Network, of which the Proposed Scheme forms part, by virtue of being a component of the Peak Forest to London Programme (“the Programme”). The Programme seeks to increase freight capacity, through longer trains, between the Peak Forest and Hope Valley terminals and London via Dore South Junction and the Midland Main Line.

5.7.2 Page 21 of the CP5 Enhancements Delivery Plan describes the objective of the future of the Strategic Freight Network as being:

“to enhance the network used by freight trains to facilitate growth of the freight market; deliver significant environmental, operational and economic efficiencies including reduction of delays to freight trains and to reduce conflict between freight and passenger traffic”

5.7.3 The document goes on to detail the Programme’s scope of works, stating at page 21 that the Peak Forest Scheme (the name previously given to the proposed Scheme) is one of a number of schemes that commenced in CP4 will be completed in CP 5.

5.7.4 Page 22 of the document provides further detail on the scope of works associated with the proposed Scheme, stating:

“The Peak Forest Buxton train lengthening project’s objective is primarily to provide the capability for 2600 tonne trains hauled by Class 66 locomotives. The infrastructure would also be able to accommodate 3000 tonne trains hauled by Class 70 locomotives. The Buxton Up Relief Sidings are currently only 275m in length and this restricts existing training to a maximum of 1720 tonnes. The project has two components:

- Provision of an extended run round facility for freight trains at Buxton Up Relief Sidings. These sidings enable the locomotives of freight trains to run around their train and be routed to/from the routes to Hindlow and Great Rocks.*

6. *• Minor remodelling of the layout adjacent to the connections to Dowlow and Hindlow quarries to accommodate the longer freight trains.”*

DEVELOPMENT PLAN POLICIES

6.1 Background

6.1.1 The proposed Scheme has been prepared in accordance with the Planning and Compulsory Purchase Act 2004, which sets out that 'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. In addition, Paragraphs 214 and 215 of the NPPF state that full weight should be given to development plan policies when determining applications.

6.1.2 The proposed Scheme is located wholly within the boundaries of the High Peak Borough Council administrative area. As such, High Peak Borough Council is the Local Planning Authority for this element of the proposed Scheme. The policies that constitute the local development plan for each site are set out below. In addition to the High Peak Local Plan, the Derby and Derbyshire Minerals Local Plan is also of relevance to the proposed Scheme, given that the proposals will support transportation facilities for nearby quarry facilities.

6.2 High Peak Local Plan

6.2.1 The High Peak Local Plan was adopted on 14 April 2016 following examination by the Secretary of State. Content and associated policies of relevance are detailed below.

6.2.2 Chapter 2 of the Local Plan sets out a number of 'key characteristics and issues' which must be addressed through the Local Plan, to ensure the sustainable development of the High Peak. From this description of the evidence base and spatial portrait of the Local Plan area, a number of points are of direct relevance to the proposed Scheme, namely Paragraphs 2.21 and 2.22.

6.2.3 Paragraph of the Local Plan 2.21 states:

"Whilst public transport links outside of the larger towns are more limited, there are relatively frequent and reliable, direct rail services that operate between High Peak and Manchester which are well used by residents commuting to work. Nevertheless, the Council is committed to working with partners to try and improve railway services for High Peak. In particular, improvements to the frequency and speed of services on the Buxton line would be of benefit to the area by encouraging greater use of rail by local

commuters travelling towards Manchester and visitors coming into High Peak. Further consideration will be given to the potential to provide a station at Gamesley and to maximise the benefits to High Peak arising from planned investments to the Hope Valley line."

6.2.4 Paragraph of the Local Plan 2.22 states:

"Traffic congestion is a significant issue within the market towns and this has the potential to restrict the level of growth. Ensuring that development takes place in locations readily served by public transport and that essential community facilities are accessible by sustainable means, will partially address this issue, and will also be beneficial in respect of reducing carbon emissions

6.2.5 Paragraph 2.25 of the Local Plan highlights how there are a number of key issues that must be addressed through the Local Plan in order to ensure the sustainable development of the High Peak. These are highlighted below:

- KI3 Addressing the Challenges of Climate Change (Paragraph 2.28) states:

"Given that the area has high levels of per capita carbon emissions and national targets are seeking an 80% reduction on 1990 levels by 2050 it is necessary to ensure that this issue is addressed."

- KI4 Diversifying and Strengthening the Rural Economy and Responding to the Legacy of the Industrial Past (Paragraph 2.29) states:

"Continuing to diversify and strengthen the local economy is one of the key drivers for delivering sustainable development. The plan has therefore to ensure that land and premises are capable of meeting the needs of both the existing and the emerging growth sectors, are situated in sustainable locations, and do not have an adverse impact upon the character and appearance of the area."

- KI9 Protecting and Enhancing Community Infrastructure and Local Services (Paragraph 2.34) states:

"Sustainable communities require not only appropriate levels of residential and employment opportunities but also appropriate levels of community infrastructure. This includes schools, health care facilities, public transport, community buildings, places of worship, sport and recreation facilities, recycling facilities and open space. In taking forward the High Peak Local Plan it will be necessary for provision to be made for commensurate levels of community infrastructure, and appropriate in locations accessible by a variety of different transport modes."

- KI10 Improving Leisure and Recreation Opportunities for Residents and Visitors (Paragraph 2.35) states:

“Ensuring that there are appropriate leisure and recreation opportunities will benefit the quality of life of both residents and visitors alike. The Local Plan should therefore ensure that there are appropriate levels of provision across the plan area.”

- 6.2.6 Paragraph 3.4 of the Local Plan sets out a 'Spatial Vision for High Peak'. This states

"Overall, High Peak will be widely recognised as a distinctive and successful rural area with vibrant market towns and villages, which reflect the special character and quality of the Peak District landscape. The area will complement and not compete with Greater Manchester and Sheffield with out-commuting reflecting a sustainable balance of living and working. New development will mitigate against and respond to the changing climate.

...The landscape of High Peak is a rich combination of physical and cultural elements that has developed over centuries to produce a landscape of particularly high quality. This will be protected and enhanced. Multifunctional green infrastructure will be enhanced and expanded.

Biodiversity in the Borough will be enhanced through habitat creation, restoration and the reconnection of isolated habitats.

The use of previously developed land will be maximised, although development will still be required on greenfield land. The protection and enhancement of areas of green space around settlements will seek to counterbalance the effects of larger housing developments on greenfield land. New and improved sport and recreation opportunities will be identified and delivered to meet the needs of the population.

The Borough's townscape and landscape character will be protected and enhanced by taking care to ensure new development is well integrated with its surroundings. The integrity of our towns and villages will be maintained by ensuring that there is separation between settlements.

Prosperity will be enhanced through the growth of job opportunities across the borough. New higher-skill jobs will be created to complement the existing mix of job opportunities, securing a stronger economic base for the future. This will be facilitated through the planned development of new

employment opportunities by providing high quality sites suitable for advanced manufacturing, environmental technologies, ICT and creative industries. Improved rail and other transport measures will enhance access to Manchester airport, universities and research facilities that will help High Peak businesses grow and increase the area's attractiveness to new investment.

...."

6.2.7 Section 3.5 sets out a number of 'Strategic Objectives' which "*will help deliver the spatial vision and guide development within the plan area to 2031*". Of direct relevance to the proposed Scheme are the following Strategic Objectives:

- *SO1: To protect create and enhance the Green Infrastructure Network*
- *SO2: To maintain, enhance and conserve the Borough's distinct landscape characteristics, biodiversity, and cultural and historic environment.*
- *SO3: To ensure new development is well designed, promotes local distinctiveness and integrates effectively with its setting.*
- *SO4: To protect and enhance the character, appearance and setting of the towns and villages*
- *SO5: To address, mitigate and adapt to the effects of climate change on people, wildlife and places; promoting the safeguarding and prudent sustainable use of natural resources.*
- *SO6: To welcome development that supports the sustainable growth and diversification of the local economy, including the mixed-use development of industrial legacy sites.*
- *SO10: To protect existing, and support the delivery of new services, facilities and infrastructure that improve accessibility and connectivity.*
- *SO11: To promote opportunities for healthy lifestyles and support developments that minimise risks to health.*
- *SO12: To encourage the efficient use of previously developed land and buildings whilst minimising the use of greenfield land.*

6.2.8 The overarching vision for a spatial strategy for High Peak is set out at Paragraph 4.15 of the Local Plan and states:

“The Spatial Strategy is key to delivering the overall vision for High Peak. It seeks to achieve this through the three overarching themes of protecting the Peak District character; enhancing prosperity; and, promoting healthy and sustainable communities.”

- 6.2.9 The desire to protect the character of the Peak District is detailed at Paragraph 4.16 of the Local Plan:

“The High Peak landscapes are a defining characteristic of the plan area. They define a sense of place and strongly influence the area's identity and local distinctiveness. The landscapes within the Local Plan area are of exceptionally high value and share many of the characteristics of the neighbouring Peak District National Park and includes designated landscapes of national and international importance, such as Buxton's Pavilion Gardens, as well as those with strong and distinctive landscape characteristics such as the rolling moorlands of the Dark Peak. The landscapes establish the character of the area and are a key asset in attracting economic development, enhancing social wellbeing as well as driving the local tourist economy.”

- 6.2.10 Paragraph 4.17 of the Local Plan states:

“The landscape character varies considerably across the plan area, these differences are documented within the distinct landscape character types identified in “The Landscape Character of Derbyshire” (Derbyshire County Council 2003). The Spatial Strategy places landscape character at the forefront of policy considerations and seeks to provide overall protection of the inherent landscape character of the plan area for its own intrinsic beauty and for the benefit of economic, environmental and social well-being. Given the nature of the plan area and its interrelationships with the Peak District National Park it is considered important that the Local Plan addresses the distinctive elements that make up the plan area's character.”

- 6.2.11 Paragraph 4.18 of the Local Plan states:

“The Spatial Strategy seeks to ensure that all development should contribute to and not erode landscape character. The Landscape Impact Study recognises that High Peak is an extremely varied landscape, particularly in terms of topography. It is characterised by valley-bottom settlements and the sharp contrast between the gritstone of the Dark Peak

and the limestone of the White Peak. All but one of the Landscape Character Types allow for limited development only, due to their unsettled nature, high visual sensitivity, difficult topography or geology. The only Landscape Character Type which allows for extensive development is Settled Valley Pastures, which dominates the northern and central regions of the High Peak.”

6.2.12 Paragraph 4.25 sets out the vision for Enhancing Prosperity in the borough, stating:

“A strong focus of the Spatial Strategy is supporting and enhancing in a sustainable manner the economy of the High Peak and meeting local employment needs in the Market Towns and the larger villages.”

6.2.13 The following Local Plan policies are considered to be of relevance to the determination of this application:

6.2.14 Policy S 1 (Sustainable Development Principles) states that:

“The Borough Council will expect that all new development makes a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing, the environment; and mitigating the process of climate change, within the Plan Area. The principles contained in Policy S1 can be achieved by applying the following measures set out in the policy which are directly relevant to the proposed Scheme:

- Meeting most development needs within or adjacent to existing communities;*
- Making effective use of land (including the remediation of contaminated land and reuse of brownfield land), buildings and existing infrastructure;*
- Making efficient use of land by ensuring that the density of proposals is appropriate (and informed by the surrounding built environment);*
- Taking account of the distinct Peak District character, landscape, townscape, roles and setting of different areas and settlements in the High Peak;*
- Protecting and enhancing the natural and historic environment of the High Peak and its surrounding areas including the Peak District National Park*
- Supporting the local economy and businesses by providing for a range of economic development that provide employment opportunities suitable for local people in sustainable locations, and generally encourage larger*

developments to incorporate mixed uses where possible so as to reduce the need to travel;

- *Minimising the risk of damage to areas of importance for nature conservation and/or landscape value, both directly and indirectly and ensuring that there is suitable mitigation for a net gain in biodiversity and the creation of ecological networks;*
- *Minimising carbon or energy impacts associated with development according to the principles of the 'energy hierarchy' by minimising the need for energy through the appropriate siting, orientation and design of new buildings; the use of renewable energy sources and ensuring building construction and other forms of development address the challenge of climate change by meeting high environmental standards with particular regard to energy efficiency, water efficiency, use of sustainable materials, encouraging waste reduction, recycling, including where appropriate the local- or on site-sourcing of building materials;*
- *Further mitigating the impacts of climate change by seeking reductions in greenhouse gas emissions across the High Peak;*
- *Requiring that all new development addresses flood risk mitigation/adaptation, ensuring for example that sustainable drainage systems are considered at the outset within proposals (and to comply with legislative requirements);*
- *Seeking to secure high quality, locally distinctive and inclusive design in all development that can be accessed and used by everyone including disabled people;*
- *Seeking to secure developments provide a high standard of amenity for all existing and future occupants of land and buildings, ensuring communities have a healthy, safe and attractive living and working environment and the risks from potential hazards are minimised*
- *Maintaining and where possible enhancing accessibility to a good range of services and facilities, and ensuring existing infrastructure and services have the capacity to support development when required.*

6.2.15 Policy S 1 goes on to state:

"In order to enable required development to take place, in some cases mitigation measures will be needed to address the impacts of new development on existing infrastructure and on nearby sensitive areas.

In all cases development should not conflict with the relevant policies in this Local Plan. Development should be designed to be sustainable; seek to enhance the environment; have regard to both its direct and indirect cumulative impact over the longer term; and should provide any necessary mitigating or compensatory measures to address harmful implications.

New development should make effective use of land and buildings and be located in sustainable locations in line with the Settlement Hierarchy in Policy S2”.

6.2.16 Policy S 1a (Presumption in Favour of Sustainable Development) states:

“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.”

6.2.17 Policy S 2 (Settlement Hierarchy) sets out the settlement hierarchy for development in the borough, with the most sustainable location being the Market Towns of Buxton, Glossop, Chapel-en-le-Frith, New Mills and Whaley Bridge. These will *“be the main focus for housing, employment and service growth, consistent with maintaining and where possible enhancing their role, distinctive character vitality and appearance.”*

6.2.18 Paragraph 4.75 establishes the concept of the Local Plan’s ‘sub-areas’, of which the Buxton area is one. A number of key characteristics of the Buxton area are identified, including:

“The quality of the townscape and the countryside that surrounds Buxton make a valuable contribution to the quality of life and enjoyment of people living in and visiting the town and wider sub area.” (Paragraph 4.120)

“Congestion is a key constraint in Buxton. The A6 corridor and A54 Macclesfield Road draw large volumes of traffic through the town centre including many heavy industrial vehicles which operate in the local quarrying industry. Rail services in the town only operate to the north in the direction of Manchester and so anyone accessing the town from the south is largely dependent on private transport. The volume of traffic passing through the town has a detrimental impact on environmental quality and general amenity for residents and visitors to the town and also restricts the ability of the town to grow” (Paragraph 4.123)

“Any new development within Buxton should also have regard to the Buxton Mineral Water catchment area, to ensure that the quality and quantity of

mineral water is not adversely affected by new development, particularly where SUDS (Sustainable Urban Drainage Schemes) are being proposed.” (Paragraph 4.127)

“There are substantial areas of land within and around the edge of the town which can accommodate new development and contribute to sustainable economic growth and support the regeneration of certain areas. The Fairfield Link Road would be required to provide suitable access to development opportunities in Fairfield. This road would also address the environmental and traffic problems currently caused by heavy goods and other commercial vehicles which pass through the residential streets to serve the Tongue Lane Industrial Estate. The road would enable housing growth and the extension of the industrial estate. A new road is also required to provide suitable access to the housing development opportunity at Hogshaw. Both new roads would link to the A6 at Fairfield Common. Both new roads will be funded by developers.” (Paragraph 4.128)

6.2.19 Policy S 4 (Maintaining and Enhancing an Economic Base) states:

“The Council will maintain and where possible, enhance the economic base of the Plan Area. This will be achieved by Supporting the appropriate improvement, enhancement and expansion of existing businesses”.

6.2.20 Policy S 7 (Buxton Sub-area Strategy) states:

“The Council and its partners will seek to establish Buxton as England’s leading spa town and consolidate its role as the principal service centre for the Peak District. This will be achieved by:

1. Protecting and enhancing the unique character of Buxton’s spa heritage, townscape and natural environment to maintain the quality of life and act as a catalyst for tourism by:

- *Supporting the Crescent Spa Hotel project*
- *Implementing the Buxton Design and Place Making Strategy to support the distinctiveness of the following quarters of Buxton town centre: Higher Buxton, Spring Gardens, the Station, the Quadrant, the Crescent and the Pavilion Gardens. Development within these quarters should accord with the specific development principles and design guidance specified in the Design and Place Making Strategy*
- *Protecting the quality and supply of natural mineral water. Development, including proposals for Sustainable Drainage Systems*

(SuDS) should have regard to the Buxton Mineral Water Catchment Area, and Nitrate Vulnerable and Groundwater Source Protection Zones in terms of their impact on water quality and quantity

- *Requiring new development to demonstrate compliance with Policy EQ1 in relation to the adoption of high water efficiency standards and measures to recycle and minimise water consumption*
- *Working with partner organisations through the River Wye Water Pollution Plan to protect water quality on the River Wye SSSI which is a component of the Peak District Dales Special Area of Conservation (SAC)*
- *Protecting and enhancing sites designated for their environmental value, including Ashwood Park, Pavilion Gardens, Buxton Country Park, Local Nature Reserves, local and European wildlife sites, public open spaces, recreation areas, playing fields and outdoor sports facilities and allotments. Developer contributions will be sought towards improvements where appropriate*
- *Supporting proposals to improve connectivity by public transport, walking and cycling to and from the Peak District National Park*

3. Encouraging the growth of local employment opportunities and supporting the diversification and growth of the local economy by:

- *Allocating suitable, deliverable sites for industrial and business use sufficient to meet the economic needs of the area*
- *Supporting the needs of local businesses and employers*

4. Supporting enhancements to key community services, infrastructure and connectivity to allow to Buxton to consolidate its role as a self-contained service centre and support growth by:

- *Working with partner organisations and developers to improve transport links to the town, increase accessibility to the town centre and minimise traffic congestion*
- *Safeguarding the route of the proposed Fairfield Link Road as identified on the Policies Map. The road will provide access to new developments at Hogshaw and Fairfield. The road will be funded by developer contributions.*

6.2.21 Policy EQ 1 – (Climate Change) states:

“The Council will adopt strategies to mitigate and adapt to climate change. In addressing the move to a low carbon future for High Peak, the Council will plan for new development in locations and ways that reduce greenhouse gas emissions and adopt the principles set out in the energy hierarchy.

The Council intends to meet part of its future energy needs through renewable or low carbon energy sources and will therefore encourage and support the provision of

renewable and low carbon technologies, including both stand-alone installations, and micro-renewables integrated within new or existing development.

A low carbon future for High Peak will be achieved by: (relevant extracts below)

- *Requiring new development to be designed to contribute to achieving national targets to reduce greenhouse gas emissions by using land-form, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and resilience to increased temperatures*
- *Ensuring that renewable energy installations do not have an adverse impact on the integrity of any European sites, (including by project- level HRA where appropriate), wildlife sites, protected species or habitats, or the landscape and landscape setting of the Peak District National Park*
- *Supporting opportunities to deliver decentralised energy systems, particularly those which are powered by a renewable or low carbon source*
- *Supporting connection to an existing decentralised energy supply system where there is capacity to supply the proposed development, or design for a future connection where there a firm proposals for such a system*
- *Promoting energy efficiency and the use of renewable / low carbon energy in new development and through retro-fitting of existing buildings*
- *Supporting sustainable waste management by provision of space for recycling and composting*
- *Supporting the use of sustainable design and construction techniques including the use of recycled materials in construction, including where appropriate the local or on-site sourcing of these building materials”*

6.2.22 Policy EQ 2 (Landscape Character) states:

“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 that 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.”*

6.2.23 Policy EQ 5 (Biodiversity) states:

“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.

This will be achieved by:

- *Conserving and enhancing sites of international, European, and national importance. On these sites the Council will not permit any development proposal that has an adverse effect on the integrity of a European site (or wildlife site given the same protection as European sites under the NPPF) either alone or in combination with other plans or projects.*
- *Conserving and enhancing any Sites of Special Scientific Interest. On these sites the Council will not permit any development proposal which would directly or indirectly (either individually or in combination with other developments) have an adverse effect on a Site of Special Scientific Interest*
- *Conserving and enhancing regionally and locally designated sites. On these sites the Council will not permit any development proposal which would directly or indirectly result in significant harm to geological and biodiversity conservation interests, unless it can be demonstrated that:*
 - *there is no appropriate alternative site available; and*
 - *all statutory and regulatory requirements relating to any such proposal have been satisfied; and*
 - *appropriate conservation and mitigation measures are provided, such mitigation measures should ensure as a minimum no net loss and wherever possible net gain for biodiversity*
 - *or if it is demonstrated that this is not possible;*
 - *the need for, and benefit of, the development is demonstrated to clearly outweigh the need to safeguard the intrinsic nature conservation value of the site and compensatory measures are implemented*
- *Encouraging development to include measures to contribute positively to the overall biodiversity of the Plan Area*
- *Working with partners to help meet the objectives and targets in the Peak District Biodiversity Action Plan or its successor*
- *Working with partners to protect and enhance watercourses*
- *Identifying local ecological networks and supporting their establishment and protection in accordance with Local Plan Policy EQ8, preferentially creating biodiversity sites where they have the potential to develop corridors between habitats (both terrestrial and freshwater)*

- *Working with partners in the public, private and voluntary sectors to develop and secure the implementation of projects to enhance the landscape and create or restore habitats of nature conservation value, and to secure the more effective management of land in the Plan Area and its surroundings”*

6.2.24 Paragraphs 5.44 to 5.55 and Policy EQ 6 deal with ‘Design and Place Making’ matters. Relevant extracts from the text supporting EQ 6 state:

“High Peak is committed to planning positively for the achievement of high quality and inclusive design for all development. A high quality, well designed, development can enhance the sense of place and identity of an area and can bring significant benefits to the local environment and economy. Through high quality design, new development can have a positive impact on the lives of local people and visitors to the Borough.” (Paragraph 5.44)

“Well-designed buildings respond to the character and setting of their surroundings and make a positive contribution to making places better for people. Towns and villages in the High Peak have a distinct local character which has been defined by their architectural and historic development as well as by the use of natural materials such as stone. The distinct sense of place and high environmental quality of the towns and villages is a major factor in attracting people to live and work in the area. It is important that any new development in the Plan area is capable of achieving a high standard of design - by reflecting the locally distinct character and features of the area. Development will be encouraged to enhance local character, for example through use of dry stone walls or hedge planting where appropriate, instead of post and rail fencing.” (Paragraph 5.45)

“There is the opportunity for new development on the edge of settlements to improve the urban/countryside interface. This is particularly vital in areas where development may impact on the setting of the Peak District National Park which adjoins large parts of the plan area in Buxton, the Central Area and Glossopdale. Development will be required to consider this interface in its design and to protect and enhance landscape character. As such, applicants will be required to engage with the Borough Council and the Peak District National Park Authority where relevant in the early stages of drafting proposals to discuss and agree appropriate designs, layouts, boundary treatments and other measures to mitigate landscape impacts and protect the setting and character of the countryside and National Park. When applicable, such matters should be discussed at the pre-application stage.” (Paragraph 5.46)

“The rich variety of architectural styles and historic features in the Local Plan area needs to be protected and enhanced. Alterations to existing buildings and new development should be designed to complement the local distinctiveness of the area and make a positive contribution to the quality of the environment. A balance must be sought however, between protecting historic development and allowing new development that satisfies modern design requirements and contributes to the economic and social wellbeing of communities.” (Paragraph 5.47)

“Sustainability is at the heart of the Council's design policies. The Council supports use of sustainable design and construction methods and is committed to delivering new homes with environmentally sustainable design that helps to save the environment, energy, water and money. New development must also be durable and should take account of the challenges of climate change and natural hazards such as flood risk.” (Paragraph 5.48)

6.2.25 Policy EQ 6 (Design and Place Making) states:

“All development should be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place.

This will be achieved by:

- *Requiring development to be well designed to respect the character, identity and context of High Peak's townscapes and landscapes*
- *Requiring that development on the edge of settlement is of high quality design that protects, enhances and / or restores landscape character, particularly in relation to the setting and character of the Peak District National Park*
- *Requiring that development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features*
- *Requiring that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity*
- *Requiring that public and private spaces are well-designed, safe, attractive, complement the built form and provide for the retention of significant landscape features such as mature trees*
- *Requiring that developments are easy to move through and around, incorporating well integrated car parking, pedestrian routes and, where appropriate, cycle routes and facilities*
- *Requiring that developments are designed to minimise opportunities for anti-social or criminal behaviour and promote safe living environments*
- *Requiring the inclusive design of development, including buildings and the surrounding spaces, to ensure development can be accessed and used by everyone, including disabled people*
- *Requiring new homes in residential developments meet environmental performance standards in accordance with Local Plan Policy EQ1;*
- *Requiring that commercial developments, meet environmental performance standards in accordance with Local Plan Policy EQ1*
- *Ensuring that development takes account of national design guidance and Supplementary Planning Documents”*

6.2.26 Policy EQ 7 (Built and Historic Environment) states:

“The Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment in accordance with sub area strategies S5, S6 and S7.

Particular protection will be given to designated and non-designated heritage assets and their settings including:

- Listed Buildings*
- Conservation Areas*
- Historic Parks and Gardens*
- Scheduled Monuments*
- Archaeological Sites or heritage features*
- Heritage trees and woodlands*
- Locally listed heritage assets*

This will be achieved by: (relevant extracts)

- Requiring 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. Where appropriate, the Council may also require historical research and archaeological recording to be undertaken before works to a heritage asset commence*
- Preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through preservation or appropriate reuse and sensitive development, including enabling development, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or other relevant provisions of the NPPF apply.*
- Ensuring that development within the Area of Archaeological Interest as identified on the Policies Map does not have a significant adverse impact on any known or yet to be discovered heritage assets. Planning conditions and/or obligations will be agreed to ensure that archaeological or heritage features are recorded and retained intact in situ. Where this is impractical, such features will be appropriately excavated and recorded prior to destruction. Within the Buxton Area of Archaeological Interest development proposals should be informed by desk-based assessment / field evaluation as appropriate to assess the potential for impacts on Roman archaeology. Where proposals are likely to affect other known important sites, sites of significant archaeological potential, or those that become known through the development process, an archaeological evaluation will be required prior to their determination*

- *Requiring proposed developments that affect a heritage asset and / or its setting, including alterations and extensions to existing buildings, to demonstrate how the proposal has taken account of design, form, scale, mass, use of traditional materials and detailing, siting and views away from and towards the heritage asset in order to ensure that the design is sympathetic and minimises harm to the asset.”*

6.2.27 Policy EQ 8 (Green Infrastructure) states:

“The Council will, through partnership working, develop, protect and enhance networks of Biodiversity and Green Infrastructure. This will be achieved by:

- *Requiring that development will not have a detrimental effect on the amount or function of existing green infrastructure unless replacement provision is made that is considered to be of equal or greater value than that lost through development; taking particular account of appropriate levels of mitigation where development would result in habitat fragmentation*
- *Requiring that any green infrastructure development project that could result in adverse effects to a European site is subject to project-level HRA*
- *Requiring that development proposals, where appropriate, contribute towards the creation of new or enhancement of existing green infrastructure, including public and private open space, recreation areas, parks and formal outdoor sports facilities, local nature reserves, wildlife sites, woodlands, allotments, bridleways, cycle ways and local green spaces*
- *Requiring that through its layout and design, new development responds to the location of existing green infrastructure and ecological networks, supporting their appropriate uses and functions*
- *Where appropriate, ensuring that green infrastructure helps mitigate the effects of climate change including through management of flood risk and waterways*
- *The protection and extension of existing long distance trails and development of a network of Greenways in accordance with the West Derbyshire and High Peak Greenway Strategy*
- *Working with the Dark Peak Nature Improvement Area and other partners to help create better access routes linking High Peak settlements into the surrounding countryside for tourism and recreation*
- *Identifying and protecting key wildlife corridors and stepping stones that connect sites of importance for biodiversity, including creating or restoring habitats of nature conservation value, in accordance with Local Plan Policy EQ5*

6.2.28 Policy EQ 9 (Trees, woodland and hedgerows) states:

“The Council will protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or 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.”*

6.2.29 Policy EQ 10 (Pollution Control and Unstable Land) states:

“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.”*

6.2.30 Policy EQ 11 (Flood Risk Management) states:

“The Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere, where this is viable and compatible with other policies aimed at achieving a sustainable pattern of development. When considering planning applications the Council will also have regard to all relevant Catchment Flood Management Plans and the Local Flood Risk Management Strategy.

Management of flood risk will be achieved by only permitting development within areas at risk from flooding as defined by the Environment Agency if:

- *a sequential test as set out in the technical guidance to the NPPF demonstrates that this is the only site where the development can be located;*
- *on a site which has passed the sequential test but where flood risk still exists, the sequential approach has been used to locate the most vulnerable parts of the development in the areas of lowest flood risk;*
- *where necessary an exception test as set out in the technical guidance to the NPPF demonstrates that the proposed development can be accommodated with an acceptable degree of safety;*
- *a site specific flood risk assessment shows that the site is protected adequately from flooding, or the scheme includes adequate flood defences or flood risk management measures;*
- *it does not damage or inhibit existing flood defence and flood risk management*
- *structures or measures; and*
- *it will not cause or worsen flooding on the site or elsewhere, and will reduce flood risk elsewhere where possible.*

Development proposals should consider opportunities to contribute towards the objectives of the relevant Catchment Flood Management Plan. Wherever possible, development should promote the reduction of flood risk by seeking to reinstate the natural floodplain, the de-culverting of watercourses and the limiting of surface water runoff to Greenfield rates via the use of sustainable drainage techniques.

Where a watercourse is present on a development site, it should be retained or restored into a natural state and enhanced where possible. The culverting of any watercourse will not normally be permitted, and development should wherever possible remove any existing culverts and increase on-site flood storage. Development should be laid out to enable maintenance of the watercourse.

Wherever possible SuDS will be expected to contribute towards wider sustainability

considerations, including amenity, recreation, conservation of biodiversity and landscape character, making use of the role that trees, woodland and other green infrastructure can play in flood alleviation and water quality control.”

6.2.31 Policy CF 4 Open Space, Sports and Recreation Facilities states:

“The Council will seek to protect, maintain and where possible enhance existing open spaces, sport and recreational buildings and land including playing fields in order to ensure their continued contribution to the health and wellbeing of local communities.”

6.2.32 Policy CF 6 (Accessibility and Transport) states:

“The Council will seek to ensure that development can be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport and help deliver the priorities of the Derbyshire Local Transport Plan.

This will be achieved by: (relevant extracts)

Delivering sustainable patterns of development

- *Ensuring that additional growth within the Market Towns and Larger Villages is managed and where possible, accompanied by accessibility improvements*
- *Promoting a balanced distribution of housing and employment*
- *Requiring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development*
- *Requiring that new development can be integrated within existing or proposed transport infrastructure to further ensure choice of transportation method and enhance potential accessibility benefits*
- *Ensuring development does not lead to an increase in on street parking to the detriment of the free and safe flow of traffic*

Supporting transport infrastructure and services

- *Supporting the implementation of the A6 Corridor Transport Strategy in Buxton and the Central Area. Specific measures are identified in the relevant Local Plan policies and Infrastructure Delivery Plan*
- *Supporting highways and junction improvements required to address the cumulative impact of development across High Peak as identified in the High Peak Local Plan Transport Study and Infrastructure Delivery Plan*
- *Promoting the maintenance and introduction of appropriate facilities to support cyclists, pedestrians and horse riders, ensuring that development supports the use of local cycleway and pathway networks to improve choice of travel and ensuring safe access to developments on foot and by bicycle*
- *Encouraging and promoting improvements to public transport networks in association with the Local Highway Authority, Network Rail and other providers*

- *Supporting the use of rail for the transportation of freight wherever feasible to do so*
- *Approving developments provided that the capacity and design of the transport network serving the site will reasonably accommodate the anticipated increase in travel without materially harming highway safety or local amenity. In addition, the traffic generated by the development will not unduly interrupt the safe and free flow of traffic on trunk or primary roads or materially affect existing conditions to an unacceptable extent*
- *Requiring applicants to submit and implement Travel Plans (or Travel Plan Statements) and Transport Assessments to support relevant proposals, as advised by the Highways Authority. Consultation with Network Rail when development may impact on the rail network, including impacts on level crossings will also be required. Where appropriate, Transport Assessments will consider the impact on the rail network and identify appropriate mitigation measures*
- *Developments that will result in a material increase or significant change in the character of traffic using a rail crossing will be refused, unless it can be demonstrated that safety will not be compromised in consultation with Network Rail*
- *Requiring applicants to submit details of parking which includes the proposed parking provision based on an assessment of the parking needs of the development and the impact on the surrounding road network. Developments which will lead to an increase in traffic or include parking provision will need to submit details. The details should be proportionate to the impact of the development. Guidance on parking is given in Appendix 1.”*

6.2.33 The proposed Scheme is adjacent to and also partially includes land which is allocated through the Local Plan as one of a number of ‘Strategic Development Sites’, specifically ‘Land at Hogshaw’, see Figure 1 below. The supporting text (Local Plan paragraphs 6.90 to 6.106) aligned to the associated policy DS 17 states:

“This site (Policy H2 (B3 and B4)) contains the only significant area of brownfield land adjacent to the urban area in Buxton, comprising former railway sidings and a refuse tip to the north of the site. A survey has shown that these areas are extensively contaminated. The playing field to the south is located on the site of a former refuse tip but is excluded from the development area. Part of the site is designated as a Wildlife Site (Paragraph 6.90).

Hogshaw also includes a 2ha greenfield site to the north-east which it is considered can be developed. Development of this land will be permitted as part of a phased approach to contribute to making the scheme economically viable. However, Natural England would not support the allocation of this area or its development unless a suitable replacement site of sufficient quality can

be found, and unless it can be demonstrated that its development would not harm any ecological features of importance (Paragraph 6.91).

The site lies in a shallow valley between existing areas of housing. It is visible from Brown Edge and Combs Edge to the west, but not from the A6 to the east. The topography is such that it can be developed without adverse impact on the landscape of the Peak District (Paragraph 6.92).

The site lies within the built-up area boundary, just north of the town centre. Most of the site is within 1km walk of the town centre facilities. There are extensive footpaths within the site, but these will need improving, and cycle ways included, within the first phase of development (Paragraph 6.93).

The main constraints to development of this site are developer phasing, specifically the need to provide a new access, to remediate contamination, and to undertake compensatory ecological measures, if necessary, before the site can be developed (Paragraph 6.95).

Currently, there is only limited access to the site. An unadopted vehicular access from Hogshaw Villas serves garages, allotments and the playing field. To the north, the site abuts both Nunsfield Road and Glenmoor Road, although neither would be suitable to cater for the increased level of traffic as a result of development. Overall, the existing road network is incapable of improvement to provide anything but an access for emergency vehicles. Therefore, a new access to the site is required from the A6, which is congested for much of the day (Paragraph 6.96).

The Local Plan proposes a new roundabout at Fairfield Common which lies within the Fairfield Conservation Area. Potentially, this roundabout would serve both the Hogshaw development, and further development in Fairfield. There is currently an outline permission for this roundabout as part of a residential development at Fairfield. A recent renewal application has been made for the same scheme. However, there is no agreed programme for this scheme. Consequently, provision of the roundabout would fall to the developer of Hogshaw, if this came forward first. A local distributor standard road of approx 265m from this roundabout would also be required to access the site (Paragraph 6.97).

A contaminated land study undertaken in 2003 showed extensive contamination of the site. However, the full cost of remediation will not be known in detail until further investigation is undertaken as part of the development (Paragraph 6.98).

The former refuse tip (3.9ha) at the north part of the site is extensively contaminated and unsuitable for residential development. To make best use of the land resource and to enable the remediation of the whole site, it is proposed that some of this land is developed for formal recreation and

amenity use. The extent of recreation and amenity space will be determined whilst having regard to the land requirements of proposals from Network Rail to extend the railway sidings and Policy CF4 (Paragraph 6.99).

Part of the former railway land within the allocation is also designated as a Derbyshire Wildlife Site. If development proposals would lead to the loss of the nature conservation interest, the development should incorporate appropriate compensatory measures. This should include the translocation of the best areas of grassland, and recreation of this habitat within open space along the river valley and within recreational land to the north. The stream corridor should be restored and enhanced through an agreed management plan. Benefits would include the elimination and subsequent control of invasive alien species, management of the woodland, grassland and tall herb communities alongside the stream and potential restoration of a culvert section of the stream (Paragraph 6.100).

Part of the site is also covered by Tree Preservation Order and the affected trees should be included in a comprehensive landscaping scheme. The landscaping scheme should also retain existing landscape features where appropriate, including existing vegetation and woodland in the north of the site. Landscape features should be enhanced and additional native tree and shrub blocks should be planted at an early phase on the northern and eastern boundaries in order to screen future development and strengthen the settlement boundary (Paragraph 6.101).

The site also lies within an area of past archaeological finds, and will require appropriate investigative measures (Paragraph 6.102).

A small part of the site near the Nun Brook is affected by Flood Zone 1 (low risk) and will require appropriate alleviation measures in consultation with the Environment Agency (Paragraph 6.103).

In addition, the site boundary includes Network Rail land. The developer should liaise with Network Rail to provide a 2m gap between any building and structure on site and the Network Rail boundary, and a minimum 1.8m high trespass proof steel palisade fence to prevent trespass by any users/residents of the site onto the railway. The land at Hogshaw is to the south of the Bull Farm Foot Level Crossing and if there is a material increase in the type or volume of traffic using the crossing then Network Rail would in the first instance seek closure of the crossing with a developer funded alternative method of crossing the railway, e.g. footbridge, subject to Network Rail approval (Paragraph 6.104).

Part of the site to the west is also safeguarded to facilitate the extension of the railway sidings. The project is proposed by Network Rail to increase the length and capacity of freight trains to transport aggregates from quarries in the Buxton area. The precise extent of the sidings project has yet to be

determined. However, the scheme will occupy land to the west of the allocation as identified as the indicative area for railway infrastructure on the Policies Map. Baseline noise and vibration levels at sensitive receptors will be established quantitatively during an Environmental Impact Assessment (EIA) for the sidings project. Operational noise will be quantified and assessed as part of the Sidings Project EIA. Housing proposals should not prejudice the delivery of railway infrastructure or vice versa.

An assessment of the viability and deliverability of the site concluded that the site is deliverable within the plan period. However, some flexibility may be required in terms of developer contributions due to likely abnormal costs. Part of the site is owned by the Borough Council, who will work with other private landowners to facilitate the development of the site.”

6.2.34 Policy DS 17 (Land at Hogshaw, Buxton) – states:

“Land amounting to 13.7ha is allocated for residential development of approximately 124 dwellings including public open space, and for recreation and amenity space. Development will be subject to compliance with other relevant Local Plan policies, and subject to:

- Full investigation and remediation of existing contamination and ground conditions;*
- Agreement with the Council of a full phasing programme covering the entire site, such a programme to ensure completion of all remediation works before the completion of the residential development of the greenfield part of the site, or other phasing as agreed;*
- Provision of a new vehicular access from the A6 at Fairfield Common and highway improvements as identified by a Transport Assessment,*
- Provision of emergency access via Nunsfield Road and/or Glenmoor Road*
- Provision of cycle and pedestrian routes to the town centre and schools;*
- Ecological survey and management plan to conserve and enhance the ecological interest of the site, including the provision of open space along the river valley and within the allocated recreational land to the north if required to compensate for the loss of the nature conservation interest;*
- Provision of an agreed landscaping scheme, including retention of protected trees and existing landscape features where appropriate. Existing vegetation and woodland in the north of the site should be retained and enhanced and additional native tree and shrub blocks should be planted at an early phase on the northern and eastern boundaries in order to screen future development and strengthen the settlement boundary;*
- Approval of a scheme to mitigate flooding;*
- Archaeological desk-based assessment and field evaluation pre-application;*
- Buildings appraisal and assessment of non-designated heritage assets*
- Land adjoining the housing allocation as identified on the Policies Map will be reserved for railway infrastructure development. Housing proposals should not prejudice the delivery of railway infrastructure or vice versa.”*

Map 44 B3 and B4 land at Hogshaw, Buxton (Policy H3 and DS15)

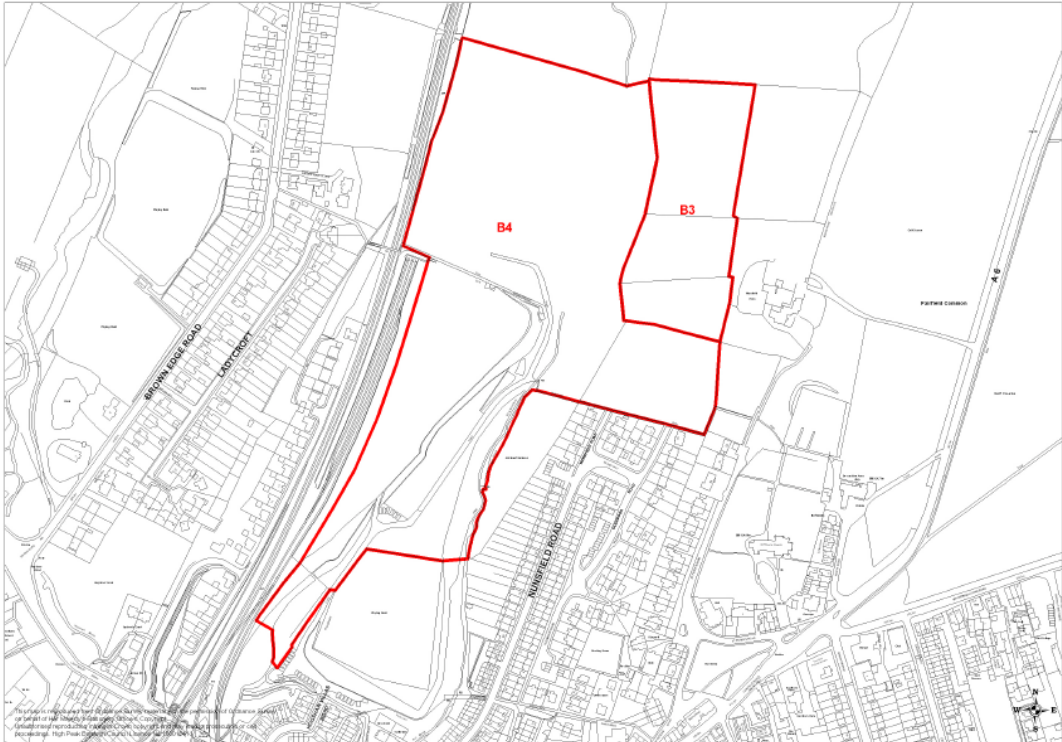


Figure 1: Map 44 associated with Policies H3 and DS15, High Peak Local Plan Maps Document

6.3 Derby and Derbyshire Minerals Local Plan Policy (November 2002)

6.3.1 This document sets out detailed policies and proposals for mineral working for those areas of Derbyshire outside of the Peak District National Park Authority area. Whilst the proposed Scheme does not propose minerals-related development, the content of the Plan is still of relevance, given the context of the proposed Scheme’s purpose as supporting transportation for quarrying facilities.

6.3.2 Paragraph 3.25 of the Derby and Derbyshire Minerals Local Plan Policy details how a significant proportion of the county’s freight output travels by road and highlights the range of potential environmental and societal problems associated with this. Paragraph 3.26 of the Derby and Derbyshire Minerals Local Plan Policy highlights that:

“Some of the County’s mineral production is transported by rail, notably from the limestone quarries in the Buxton area...There may be environmental

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advantages in encouraging greater use of rail transport or other transport modes which do not utilise the local road network.”

6.3.3 Paragraph 3.27 of the Derby and Derbyshire Minerals Local Plan Policy highlights that:

“The Mineral Planning Authority will seek the use of rail, waterway, conveyor and pipeline as a means of transporting minerals rather than the use of roads, wherever this would be feasible and of benefit to the environment.”

7. ANALYSIS OF THE SCHEME PROPOSALS

7.1 Introduction

7.1.1 This section appraises the proposed Scheme against the relevant national and development plan policies and other material considerations set out in the previous sections.

7.2 Economic Sustainability and Transportation

7.2.1 Railways provide an inherently sustainable form of transportation. The proposed Scheme directly contributes to the programme of targeted investment in the railway, a key element of the Government's High Level Output Specification (HLOS). The proposed Scheme will enable the capability to generate longer freight trains operating to and from the Dowlow and Hindlow Quarries, with an associated significant uplift in the degree of material which each train is capable of carrying. The proposed Scheme forms an important component of the Strategic Freight Network Programme and, as set out at Section 5.7 of this document, there is specific support offered to the principle of the proposed Scheme through the Network Rail CP5 Enhancements Delivery Plan.

7.2.2 The improvements to rail infrastructure by the proposed Scheme will support Dowlow Quarry's aspiration to increase annual output from 2 million tonnes to 3 million tonnes per annum. This will strengthen and secure the economic benefits to the local community presented by the quarry facilities. This is clearly in accordance with the Government's desire for the planning system to facilitate the building of a strong and competitive economy, as set out in Chapter 1 of the NPPF.

7.2.3 The proposed Scheme will assist with the realisation of the Government's vision for the future of national networks, detailed in Section 2 of the NPS, through the delivery of capacity and connectivity enhancements.

7.2.4 By supporting economic competitiveness and the provision of environmental and societal improvements, the proposed Scheme will assist with the realisation of the Government's long term agenda for the railway set out in the DfT's 'Delivering a Sustainable Railway'; the strategic goals set out in 'Delivering a Sustainable Transport System' and the Government's 'Reforming the Railways' Command Paper.

7.2.5 There is a clear and tangible linkage between the proposed Scheme and the Government's stated aim (NPPF, paragraph 17) for the planning system

to proactively drive and support sustainable economic development to deliver the infrastructure needed by the country.

- 7.2.6 The economic benefits of the proposed Scheme are closely aligned with the stated Spatial Vision for the High Peak set out at Paragraph 3.4 of the Local Plan for “*prosperity [to] be enhanced to be enhanced through the growth of job opportunities across the borough*”. The proposed Scheme will create the potential for expansion and growth of the local employment opportunities, which is consistent a number of the Local Plan Strategic Objectives, as detailed at Section 3.5 of the Local Plan, including objectives SO6 and SO10, in that it will facilitate the growth of a key contributor to the local economy in a sustainable manner, through the delivery of new infrastructure which will improve accessibility and connectivity to the Quarries.
- 7.2.7 The proposed Scheme has the potential to enhance prosperity in Buxton and the wider High Peak area. There is clear support for the principle of this set out in the Local Plan which, at Paragraph 4.25, details the strong support offered to “*supporting and enhancing in a sustainable manner the economy of the High Peak and meeting employment needs in the Market Towns*” of which Buxton is one. Through the clear ability to maintain, strengthen and enhance the economic base of the High Peak area, through the delivery of infrastructure which constitutes an appropriate enhancement to an existing facility, it is clear that the development is consistent with the thrust of Local Plan Policy S 4 (Maintaining and Enhancing an Economic Base).
- 7.2.8 Furthermore, through encouraging the growth of the local economy and delivering sustainable enhancements to infrastructure and connectivity the Proposed Scheme proposals are in clear accordance with the vision for the Buxton sub-area set out in Local Plan Policy S 7 (Buxton Sub-area Strategy).
- 7.2.9 The proposed Scheme will give rise to the ability to run longer freight trains and thus will support the ability to reduce the number of journeys made by lorries on the existing road network. It will also ensure that any expansion of operations at the Quarries does not add to existing traffic congestion issues acknowledged at Paragraph 4.123 of the Local Plan. The ability of the Proposed Scheme to contribute to the amelioration of congestion in and around Buxton and also the wider highways network, including within the Peak District National Park, which is a particularly sensitive issue. This will be in accordance with Section 4 of Policy S7 (Buxton Sub-area Strategy), which seeks to work with partner organisations to improve transport links

and minimise traffic congestion. The proposed Scheme will strengthen and reinforce the opportunity for rail to be a viable alternative to road-based freight traffic, which will be consistent with the thrust of the aims of the Derby and Derbyshire Minerals Local Plan Policy, as set out at Paragraphs 3.25 and 3.27 of that document.

- 7.2.10 At the regional level, the general thrust of policy statements translates high level Government aspirations into more localised, targeted and site-specific aims and objectives. The proposed Scheme will support opportunities for the transfer of aggregate from quarries, the principle of which is identified in the Derbyshire LTP (Sections 7.4 and 4.5) as being an area where the County Council will offer support. Furthermore, through the provision of enhanced freight provision, the Proposed Scheme is consistent with the stated key transport priorities identified in the LTP.

7.3 Land Use

- 7.3.1 Local Plan Policy DS 17 (Land at Hogshaw, Buxton) principally relates to the allocation of land to the east of the Proposed Scheme for residential purposes, specifically the provision of circa 124 dwellings, open space and recreation and amenity space. However, the policy also makes explicit reference to the safeguarding of land to the west of the housing area for the purposes of railway infrastructure development, that is the proposals for which deemed planning consent is sought in the proposed Scheme.
- 7.3.2 The text associated with policy DS 17 makes it clear that there is exceptionally strong policy support for the principle of the proposed Scheme in the Local Plan, with Paragraph 6.105 making explicit reference to the safeguarding of the site for the purposes of extending the sidings.
- 7.3.3 Policy DS17 states that neither the railway infrastructure nor the residential development should prejudice one another. Further, the text associated with this policy states, at Paragraph 6.99 how the former tip area is unsuited for residential uses as a consequence of its contamination. Consequently, it is suggested that the most desirable use of this land is for recreation and amenity use. Paragraph 6.99 of the policy goes on to state that the “*extent of recreation and amenity space will be determined whilst having regard to the land requirements of proposals from Network Rail to extend the railway sidings*”. Therefore, it is apparent that the quantum of future open space remaining at the former tip site, is to be determined after the completion of the proposed Scheme. No elements of the proposed Scheme will preclude bringing forward residential development on the housing allocation site,

including the delivery of suitable recreation and amenity space. As such, it is clear that the proposed Scheme is consistent with the general thrust of Policy DS17.

- 7.3.4 The principle of siting the sidings extension on previously developed land, that is on the former tip area, is consistent with the Local Plan's vision for the use of previously developed land to be maximised (Spatial Vision for High Peak, Paragraph 3.4). Additionally, the reuse of brownfield land will also make an important contribution to the Council's strategy for achieving Sustainable Development Principles, set out in Local Plan Policy S1.

7.4 Informal Recreation

- 7.4.1 The former tip area is currently used for informal recreational activities, including walking. The tip area has re-vegetated following the cessation of tipping on the site, and a number of informal footpaths exist within this area. Given that the opportunities for informal recreation on the site, it is apparent that analysis of the Scheme in light of Local Plan Policy CF 4 (Open Space, Sports and Recreation Facilities) is necessary.
- 7.4.2 As a consequence of the formation of the proposed cutting, the Proposed Scheme will give rise to a substantial amount of excavated material, estimated to be a volume of approximately 25,000m³. As described in Section 3.3 of this document, it is proposed to reuse the majority of this excavated material on the section of former tip to the immediate east of the proposed cutting area. Here it is proposed to create a sculpted landform of shallow mounds, seeded with a species rich grass mix to establish vegetation and subsequently allowed to naturally regenerate to establish tree and shrub cover.
- 7.4.3 It is proposed that this area will include a network of informal footpaths. The full details of this are to be secured by condition (Conditions 4 – Landscaping - as detailed in schedule 1 of the Request for Deemed Planning). The implementation and delivery of the footpaths and mitigation planting will ensure that, following the completion of works, the proposed Scheme will not give rise to any material impact upon recreational facilities. The proposed Scheme will therefore be in accordance with aspiration to protect, maintain and enhance recreational facilities, set out in Policy CF 4 and will not conflict with the open space and recreation requirements and aspirations within Policy DS17.

7.5 Landscape and Visual Impact

- 7.5.1 Relevant planning policy at both the national and local level seeks to conserve and enhance the natural landscape, including the protection and enhancement of valued landscapes. This is set out in Chapter 11 of the NPPF (Conserving and enhancing the natural environment) and, at the local level through High Peak Local Plan Strategic Objective SO2 and Policies S 1 (Sustainable Development Principles) and EQ 2 (Landscape Character).
- 7.5.2 A Landscape and Visual Impact Assessment (LVIA) has been undertaken to consider the impacts of the proposed Scheme in respect of this topic (Section 10 of Volume I of the ES). The LVIA considers temporary effects, i.e. construction effects, and operational effects at Year 1 of operation and at Year 15 which is a recognised point at which any proposed mitigation would have reached a level of maturity to allow for an assessment of the significance of residual effects.
- 7.5.3 The LVIA concludes that the proposed Scheme will generate ‘no significant’ landscape effects at Year 15, as a consequence of the maturity of a proposed scheme of landscape mitigation. In terms of visual effects, the LVIA stated that the ‘not-significant’ outcome is attributable to the proposed Scheme’s setting adjacent to an area of existing railway siding infrastructure (including an existing footbridge). The proposed Scheme will coincide with the influence of an existing railway line; will be located within a valley setting subject to historic landform modification associated with tipping; and though extending into an area of agricultural landscape will be experienced against the built backdrop context of the northern edge of Buxton.
- 7.5.4 A programme of mitigation measures, including tree planting, re-vegetating and restoration of land, including the main site compound and haul road to its previous condition, has been added to the design and, where appropriate, further detail will be secured through the inclusion of a planning condition in respect of Landscaping (detailed in Condition 4 of Schedule 1 of the Request for Deemed Planning Permission which accompanies the Order application). Mitigation measures specific to landscape and visual impacts are presented in Technical Appendix F in Volume II of the ES. A landscape scheme will be produced via a planning condition to ensure the long-term viability of the proposed landscape and habitat mitigation measures (see Condition 5 in Schedule 1 of the Request for Deemed Planning Permission).
- 7.5.5 In light of the above it is considered that the proposed Scheme will be in accordance with relevant policies, including High Peak Local Plan Policies S 1 (Sustainable Development Principles) and EQ 2 (Landscape Character).

7.6 Design

7.6.1 The planned investment in the railway network proposed by the proposed Scheme will deliver valued improvements to the public transport network. From a design perspective, the overall character of the built environment within the railway corridor will retain that character. Standards for high quality development as required by adopted local and national policy must be weighed in the context of building a safe, efficient and modern railway.

7.6.2 Section 3 of this Statement has presented details of how design matters in relation to the design of the proposed cuttings, boundary treatments, footbridge and other elements of the proposed Scheme, as detailed in the Planning Direction Drawings, have been considered as part of the proposed Scheme development process. Provisions have been made by Network Rail to ensure that the local planning authority can influence the detailing of the footbridge design proposed.

7.6.3 The proposed Scheme is of a high quality design, appropriate for the context of the Site and its surroundings. This is consistent with High Peak Local Plan Policy EQ 6 (Design and Place Making) and Chapter 7 (Requiring good design) of the NPPF.

7.7 Ecology

7.7.1 A number of potential impacts upon ecology are identified in the ES (Chapter 6 of Volume I and Technical Appendix B in Volume II), during both the construction and operation phases. This includes - during the construction phase - vegetation, ground clearance and soil stripping; temporary disturbance to land resulting in a loss to ecological resource; severance of habitat connectivity and other associated effects. During the operational phase, the impacts of the Proposed Scheme on ecology may include a modification of land use; risk of non-successful habitat re-establishment; disturbance to species; and risk of introducing invasive species.

7.7.2 The ES concludes that, although there will be significant residual ecological effects during the construction phase, relating to temporary and permanent habitat loss, there are no significant residual effects predicted during the operational phase of the Proposed Scheme .

- 7.7.3 Opportunities for suitable mitigation have been identified in the ES. It will be possible to provide suitable mitigation and management measures to ensure best-practice methods of working are adopted. Key elements of mitigation (i.e. specification for habitat creation and management) will be detailed in an Ecological Management Plan (EcMP). The EcMP will reflect the survey results and ecological mitigation and enhancement measures included in the ES and will be adopted for both the construction and operational phase of the Proposed Scheme. The details of the EcMP will be approved via a planning condition (see Condition 3 in Schedule 1 of the Request for Deemed Planning Permission).
- 7.7.4 In light of the above, following the introduction of suitable mitigation and management measures, it is considered that the proposed Scheme will not have any unacceptable adverse impact upon ecology and therefore is in accordance with relevant policies, including S 1 (Sustainable Development Principles), EQ 5 (Biodiversity) and EQ 9 (Trees, woodland and hedgerows). It will also not conflict with ecological management provisions of Policy DS 17 (Land at Hogshaw, Buxton).

7.8 Climate Change and Air Quality

- 7.8.1 The Network Rail document 'Value and Importance of Rail Freight' (2010) identifies the potential benefits of rail freight in attempts to combat climate change, stating at paragraph 4.3:

“Rail freight has a clear environmental advantage over road haulage, playing an important role in addressing climate change. Rail freight produces fewer harmful gases than road freight both in terms of greenhouse gases and other emissions that impact of people’s health. Rail freight produces less than a tenth of the nitrogen oxide and fine particulates of road haulage per tonne carried when compared to road transport.”¹

Per tonne of cargo conveyed rail freight produces 76% less carbon dioxide than road freight. The Department for Environment, Food and Rural Affairs (DEFRA) estimates that on average HGV road freight emits 118.6g of CO₂ per tonne km of freight carried whilst rail freight only produces 28.5g CO₂ per tonne km of freight carried.

Road freight generates 7% of total UK greenhouse gas emissions, with HGVs accounting for 4% of total emissions⁶⁶. In the extreme case that all freight currently carried by rail was transferred to road, there would be an

¹ www.networkrail.co.uk/value-and-importance-of-rail-freight-summary-report.pdf

additional 1.9m tonnes of CO2 produced each year. This is equivalent to the carbon saved by more than 230,000 solar panels”.

- 7.8.2 As a consequence of the ability to run longer, more efficient trains, the proposed Scheme will safeguard existing aggregate transportation via rail and has the potential to enable an increased output from the quarries by sustainable modes of transport, including the potential to facilitate modal shift from road-based transport. The improvements to transportation infrastructure by the proposed Scheme will facilitate the necessary conditions to enable a reduction in carbon emissions. This will make an important contribution to the UK’s target to reduce such emissions, as part of the wider strategy to combat climate change.
- 7.8.3 From an air quality perspective, there will be no significant impacts associated with the proposed Scheme’s operational phase, as stated in paragraph 5.1.1 of Technical Appendix E: Air Quality of Volume II of the ES. As highlighted in paragraph 5.1.2 of the same document, the construction phase may have an adverse impact on local air quality due to dust emissions. However, the potential risk of dust impacts was predicted to be a maximum of ‘low risk’. Furthermore, a programme of mitigation measures, detailed in the Nuisance Management Plan as part of the CoCP (see Condition 6 in Schedule 1 of the Request for Deemed Planning Permission), will ensure that there will be no significant impacts associated with the construction phase, as confirmed in section 5.2 of Technical Appendix E: Air Quality of Volume II of the ES.
- 7.8.4 This will be consistent with the full suite of relevant planning policy at the national and local level, including the broad thrust of Chapter 10 of the NPPF. At the local level, the proposed Scheme clearly accords with High Peak Local Plan key issue KI3, which sets out an aspiration for per capita carbon emissions in the High Peak area to be reduced. The proposed Scheme will assist with mitigating the causes of climate change and ensure that there is no impact on the amenity of residents from an air quality perspective, in accordance Local Plan Policy S1. Furthermore, the Proposed Scheme’s outcomes are clearly in accordance with the stated aim in Local Plan Policy EQ1 for a move to a low carbon future in High Peak.

7.9 Traffic and Transportation

- 7.9.1 A summary of the estimated construction traffic impacts associated with the proposed Scheme is set out in Table 4.3 of Technical Appendix C: Traffic and Transport of Volume II of the ES. Paragraph 4.2.28 of the same

document highlights how it is not anticipated that the proposed Scheme will exceed thresholds that require further assessment.

- 7.9.2 In order to provide adequate, safe access to the main construction compound, the proposed Scheme's proposed strategy is to carry out a programme of temporary works. Access to the compound will be enabled by the use of the existing agricultural track which runs from the A6 to the existing level crossing on the Buxton to Edgeley Junction Railway Line via the Nun Brook bridge. This track will be temporarily widened to 6m width between the A6 and the railway, including the provision of two passing places. At the A6 junction, in order to provide safe access vehicular (including HGV) and egress to the Site, and in response to the steep gradient adjacent to the junction, the access track will be re-profiled for the first 10-15 m. In the context of the heavy traffic flows on the A6, traffic management measures will be put in place to ensure the safe passage of construction vehicles to and from the Site. The specific nature of this, and other mitigation measures, will be detailed in the Traffic Management Plan as part of the CoCP (see Condition 6 in Schedule 1 of the Request for Deemed Planning Permission). Additional detail on mitigation measures is set out in Section 4.3 of Technical Appendix C: Traffic and Transport of Volume II of the ES. This will form part of the catalogue of best-practice environmental management measures proposed to be implemented through production and application of a CoCP document.
- 7.9.3 The CoCP will be complemented by a Construction Environmental Management Plan (CEMP) to enable the facilitation of the CoCP outputs and will be secured through a planning condition (see Condition 6 in Schedule 1 of the Request for Deemed Planning Permission).
- 7.9.4 Having regard to the relationship between the Scheme and the potential broader traffic and transportation effects during the operational phase, as discussed in Section 7.2 of this Statement, the proposed Scheme will support existing movements of aggregates by rail and has the potential to encourage and facilitate further modal shift from road to rail-based transportation.
- 7.9.5 Section 4.4 of Technical Appendix C: Traffic and Transport of Volume II of the ES concludes that, following the implementation of mitigation, there will be no significant Traffic and Transportation effects associated with the Proposed Scheme. In light of the above, it is clear that the proposed Scheme will be in accordance with Local Plan Policy CF 6 (Accessibility and

Transport) and is clearly aligned with the desires of the Derbyshire Local Transport Plan.

- 7.9.6 In accordance with the Order, land used temporarily for the purposes of accessing the main construction compound is required to be restored to the reasonable satisfaction of the relevant landowner before Network Rail give up temporary possession. Discussions are ongoing with the landowner of the existing access track as to whether the improvements to the existing access track described above will be retained upon completion of the construction of the proposed Scheme. Any permanent retention of the improvements to the existing track will therefore be subject to the agreement of the landowner and the obtaining of any further necessary consents.

7.10 Public Rights of Way

- 7.10.1 In order to maintain pedestrian access on footpath FP1, the proposed Scheme authorises the construction of a new footbridge, to the immediate east of the existing footbridge over the Buxton to Edgeley Junction Passenger Line. The proposed new footbridge will not adversely impact on the public rights of way network, in that footpath FP1 will be fundamentally maintained on the same alignment as the existing, with only a minor permanent diversion required to the alignment of the definitive path at the approaches to the new bridge.
- 7.10.2 As required through the provisions of the Equality Act 2010, a Diversity Impact Assessment has been undertaken to ensure that the proposed footbridge does not adversely impact upon access for any relevant groups (see Appendix A to this Statement). It is considered that the proposed footbridge will be consistent with the requirement to “*secure inclusive design that can be accessed and used by everyone including disabled people*” stated in Local Plan Policy SO10(Sustainable Development Principles). Notwithstanding the fact that FP1 cannot be considered to be a highly accessible footpath, as a consequence of the steps present on the existing bridge, and therefore not fully suitable for potential users with disabilities, there will be a number of provisions to facilitate access, including handrails.
- 7.10.3 The proposed construction of the new footbridge accords with the Recreation and Tourism section of the Peak District Core Strategy as it will enable a network of high quality footpaths to be maintained. This element of the proposed Scheme is also in accordance with the policy requirement set

out in Local Plan Policy CF 6(Accessibility and Transport), as, by maintaining pedestrian access over the railway, the footbridge will align with the aim for development to support the use of local pathway networks. Furthermore, there will not be any conflict with the aspirations set out in Local Plan Policy DS17(Land at Hogshaw Buxton) for the Hogshaw housing development to provide pedestrian and cycle routes to the town centre and local schools and recreational and facilities within the allocation area.

7.11 Cultural Heritage

- 7.11.1 As set out in Chapter 11 of Volume I of the ES, there are designated and non-designated heritage assets both within the Proposed Scheme boundary and in the Site's setting. This includes the Proposed Scheme including land within the designated boundaries of the Fairfield Conservation Area and the identification of a number of non-designated assets are therefore located within the Site. Therefore, it is necessary to have regard to both the physical impact and any impact upon the setting of these assets as a consequence of the proposed Scheme.
- 7.11.2 The nature of the proposed Scheme is such that there will be no resulting permanent impact on the setting of the Conservation Area. This is reinforced by the findings of the ES's LVIA, which concluded that the various key views in and out of the conservation area will not be adversely affected as a consequence of the proposed Scheme.
- 7.11.3 Table 4.1 of Technical Appendix G: Historic Environment of Volume II of the ES considers all of the known or potential heritage assets identified within the ES that will be physically impacted through the proposed Scheme. This identified three heritage assets presenting notable levels of significance, specifically the Fairfield Conservation Area ('RSK2'), the Revetment of tributary to Nun Brook ('RSK37') and an earthwork feature identified in the vicinity of the proposed cutting for the new siding ('RSK39').
- 7.11.4 A programme of archaeological mitigation is set out in Technical Appendix G: Historic Environment of Volume II of the ES. Paragraph 4.3.6 of the Historic Environment Technical Appendix details how a programme of trial trenching is to be implemented for RSK39. Paragraph 4.3.8 highlights that all known/potential heritage assets that will be physically impacted as part of the proposed Scheme are of negligible heritage significance and therefore it is proposed that preservation by record by archaeological watching brief during construction is considered to be an appropriate means to manage this, as detailed in paragraphs 4.3.8 and 4.4 of the Historic Environment

Technical Appendix. It is proposed to secure all mitigation measures through a planning condition (see Condition 7 in Schedule 1 of the Request for Deemed Planning Permission) for the implementation of an agreed programme of mitigation through either preservation in situ or preservation by record.

- 7.11.5 It is therefore clear that the proposed Scheme's impact upon heritage assets is minor and will not give rise to any unacceptable impacts on the historic environment, as stated at paragraph 4.4.6 of the Historic Environment Technical Appendix. This in accordance with Chapter 12 (conserving and enhancing the historic environment) of the NPPF and High Peak Local Plan Policy EQ 7(Built and Historic Environment).

7.12 Noise and Vibration

- 7.12.1 The potential noise effects associated with the construction and operation phases of the Proposed Scheme are described in Chapter 8 of Volume 1 of the ES and Technical Appendix D: Noise and Vibration of Volume II of the ES. The proposed Scheme will generate noise that has potential to generate impacts during both the construction and operational phases, at receptors both in the area immediately around the existing sidings, extended sidings as proposed, and along the route of the freight rail lines to which the sidings connect.
- 7.12.2 Although the proposed Scheme is likely to give rise to significant residual noise effects during operation at a number of residential properties in close proximity to the Site, it will be possible to appropriately manage this through the use of best-practice environmental management measures which will be implemented on site through application of a CoCP, incorporating a Noise and Vibration Management Plan (NVMP) and a requirement for agreements under the provisions of Section 61 of the Control of Pollution Act 1974 to be entered into. The NVMP will be secured through a planning condition (see Condition 6 in Schedule 1 of the Request for Deemed Planning Permission).
- 7.12.3 Following the implementation of mitigation measures, there will be no residual noise construction effects, as stated at paragraph 6.1.2 of Technical Appendix D. There will be no significant construction or operational vibration effects associated with the proposed Scheme.
- 7.12.4 Consideration was given during initial stages of the proposed Scheme to the installation of a network of an acoustic barrier surrounding the proposed cutting. However, following evolution of the design and refinement of the

noise model, it became clear that the proposed acoustic barrier would not reduce significant noise affects and was therefore removed from the design. For further information please refer to section 3.5 of the Main ES in Volume I.

- 7.12.5 The proposed Scheme of mitigation will ensure that the Proposed Scheme accords with the requirement for developments to provide a high standard of amenity for existing and future occupiers of land, in conformity with High Peak Local Plan Policy SO1 (Sustainable Development Principles).

7.13 Flood Risk

- 7.13.1 Close liaison with the Environment Agency has taken place at pre-application stage in order to ensure that there will be no unacceptable impact upon floodwater storage, surface water conveyance or other flood risk related issues. A Flood Risk Assessment (FRA) has been undertaken as part of the EIA process and is presented in Technical Appendix B in Volume IV of the ES.

- 7.13.2 As noted in Section 9.12 of the FRA, the Site is located within an area that has a low risk of flooding from fluvial, pluvial, sewer, groundwater and artificial sources. This is reinforced by the Site's designation by The Environment agency's Flood Zone maps as 'Flood Zone 1', representing less than a 0.1% (1 in 1000) chance of flooding occurring each year.

- 7.13.3 Great consideration has been given at the design stage to the provision of a suitable drainage strategy. As stated at Paragraph 7.3.3 of the FRA, this will consist of the following elements:

- Provide two new outfalls to Nun Brook that lie to the east of the proposed sidings alignment;
- The proposed track drainage is sustainable because all surface water will percolate into the ballast before it enters the filter drains; and
- The proposed surface water discharge has been calculated at 24.1 litres per second (l/s) to mimic the existing 'greenfield' 30 year runoff rate in accordance with best practice

- 7.13.4 The FRA concludes that the flood risk associated with the proposed Scheme (during construction and following completion) is low and manageable. The proposed Scheme is therefore considered to be compliant

with Chapter 10 of the NPPF, including compliance with the relevant Sequential Test. It is also in accordance with Local Plan Policy EQ 11 (Flood Risk Management) and the relevant section of Policy DS17 (Land at Hogshaw Buxton).

7.14 Land Contamination and Water Quality

- 7.14.1 As a consequence of the known contamination of the former tip area, great attention to be given during the Proposed Scheme 's design stage to the provision of an appropriate, safe means of managing land contamination issues, including detailing of suitable mitigation measures.
- 7.14.2 As outlined in Section 2.3 and Chapter 3 of this document, a programme of earthworks will be undertaken in various locations within the Site, including forming the proposed cutting and the re-profiling of land on the adjacent former tip area.
- 7.14.3 As stated in Chapter 5 (Geology, Soils and Contamination) of Volume I of the ES, during work in the former tip area there is potential for impact on the public and workers from substances in the tip including asbestos. Most of the potential impacts in the construction phase also apply to the operational phase.
- 7.14.4 An Outline Remediation Strategy has been produced (see Annex C of Technical Appendix A in Volume II of the ES) in order to secure the delivery of appropriate mitigation and safe working measures. This will be secured through a planning condition (see Condition 8 in Schedule 1 of the Request for Deemed Planning Permission).
- 7.14.5 Following the completion of works there will be significant residual adverse environmental effects, other than the small adverse effect on the flow of Nun Brook. Moreover, the Proposed Scheme will give rise to a number of significant residual beneficial effects, including improvements to water quality, reducing the asbestos hazard to the public using the tip area for recreation purposes and the control of landfill gases from the former tip area.
- 7.14.6 The Proposed Scheme is therefore in accordance with the desire for sustainable development to create a safe and attractive working environment, including minimising the risks from potential hazards, stated in Local Plan Policy SO1 (Sustainable Development Principles).

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8. CONCLUSION

- 8.1.1 In conclusion, it is clear that the Proposed Scheme will present substantial economic, environmental and social benefits. A programme of mitigation measures will ensure that any negative effects arising from the proposals will be minimised.
- 8.1.2 Whilst a very limited number of residual effects, which it will not be possible to address through mitigation, have been identified as likely to arise from the Proposed Scheme, these will, on balance, be outweighed by the clear public benefits that will arise from the Proposed Scheme.
- 8.1.3 In light of the above, it is requested that deemed planning consent granted for the Proposed Scheme.

APPENDIX A

Name of policy, programme or project: Buxton Sidings – Track Crossing (FP1)

Name: [REDACTED]

Your job title/position: Scheme Project Manager

Department: Infrastructure Projects

Date: 1 August 2016

Diversity Impact Assessments (DIA) are the method used by Network Rail to clearly demonstrate that we have paid due regard to our duties within the Equality Act 2010. The DIA is a tool that helps NR confirm that our policies and the way we design, build and operate will work for everyone.

Completed Diversity Impact assessments must be copied to the **Access and Inclusion Manager**

DiversityandInclusion@networkrail.co.uk

Step 1: Clarifying Aims

Q1. What are the aims of this project/piece of work?

The project is to increase the length of freight trains that use the existing sidings to serve the Peak District quarries at Hindlow and Dowlow (“the Quarries”). The current sidings only allow 18 wagons and one loco to be used, by extending the siding to the north, it will allow up to 26 wagons and two locos to be used. This will enable increased production at the Quarries, thereby increasing employment opportunities, and significantly reduce road vehicles through Buxton.

As the proposed extension will cut through the existing public right of way (FP1), a new temporary crossing will be required, to allow FP1 to be reinstated once the construction phase is completed



Fig.1 Existing sidings & footbridge

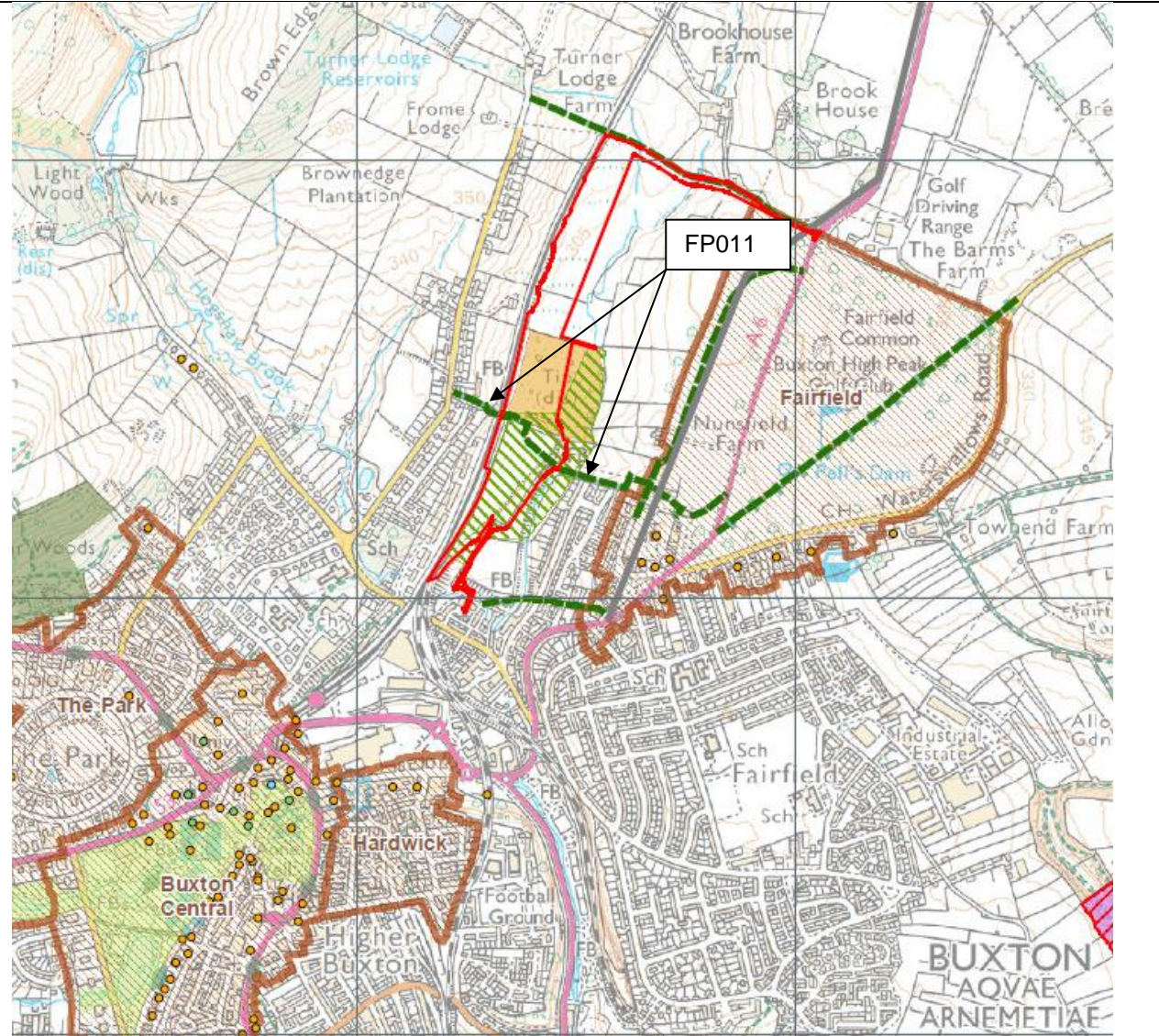


Fig. 2 – FP1 identified

Redline identifies land to be acquired or used for the project



Fig. 3 – Proposed diversionary route for FP1 (shown yellow) during construction



Fig. 4 Existing bridge access path

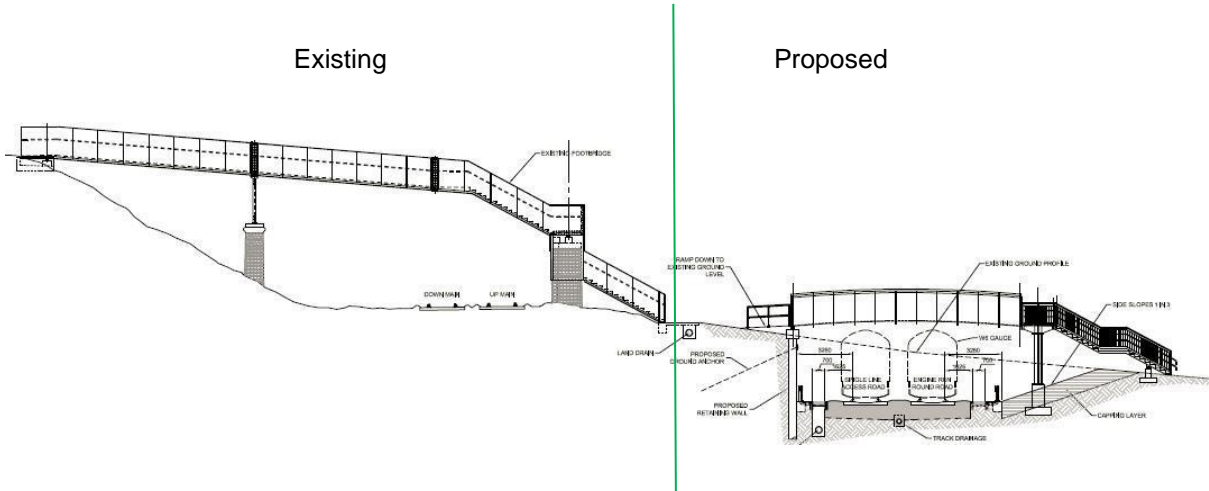


Fig. 5 Existing bridge & proposed new crossing

Q2- Could this work impact on people? If yes, explain how

Yes this work will impact people

During construction – there will be a requirement to seek a temporary closure of part of FP1, due to construction.

New signage will direct users to the alternate route.

The diverted route, shown yellow in figure 3 above, is about 1,220 metres and comprises public footways (along Brown Edge Road, Lightwood Road and Hogshaw Villas Road and publicly accessible unmetalled tracks through land owned by High Peak Borough Council. In this latter regard, the diverted footpath passes adjacent to a recreation ground.

Post construction – footpath FP1 will retain its existing alignment over the new pedestrian over-bridge with a small section of the footpath being permanently diverted over the alignment of the staircase of the new footbridge.

Step 2: The Evidence Base

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Q3. Summarise what data we have about the diversity of the people potentially impacted by this work and any research on the issues effecting their inclusion.

1. From a significant number of site visits and survey works, and discussions with High Peak Borough Council (“HPBC”), the footpath is only used by dog walkers who do not display mobility related issues
2. High Peak District Population as of 2013 is 91,111, which is made up in part of the following groups taken from the 2011 Census:
 - Age**
 - 16,175 children aged 0-15 (17.8%)
 - 17,082 people aged 65+ (18.7%)
 - Disability**
 - 16,464 people or 18.1% have a long term health condition or disability
 - Race**
 - 87,131 or 95.9% of the population are white British,
 - 0.8% or 711 are Asian or Asian British
 - 0.2% or 184 people are Black or Black British, and
 - 1% of the population described as Mixed.
 - Religion**
 - 58,264 or 64.1% of the population described as Christian
 - 178 (0.2) of people are Muslim
 - 33 people are Sikh
 - 77 people are Hindu
 - 35 people are Jewish
 - 34.8% or 31,620 are not stated or have no religion

(Data obtained from Derbyshire County Council (Derbyshire Observatory))

Step 3: Impact

Q4. Given the evidence listed at step 2, what potentially negative impact could this work have on people who share protected characteristics?

Protected Characteristic	Y/N	Explain the potential impact

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Disability	N	Due to the existing constraints on the footpath, and its unsuitability for many mobility impaired people (See Fig 4 above). This will not change under these proposals.
Age	Y	The diversion of the footpath will lengthen the route See Fig 3
Pregnancy /maternity	N	
Race	N	
Religion or belief	N	
Gender	N	
Sexual orientation	N	
Marriage/Civil Partnership	N	
Gender reassignment	N	
Q5.What extra will you do to have a positive impact on diversity and inclusion?		
<p>The project will provide perch seating on the diversionary footpath route, which will act as rest points. It is noted that these should be no more than 50m apart.</p> <p>This has been agreed in principle with HPBC. It will form part of a legal agreement with HPBC and the facilities will remain on completion of the project as a legacy benefit.</p>		

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Step 4: Consultation

Q6. How has consultation with those who share a protected characteristic informed your work?	
Who was consulted?	Changes made as a result of consultation
High Peak Borough Council	No negative feedback - so no changes required
General Public (Consultation event Jan 16)	No negative feedback - so no changes requested

Step 5: Informed Decision-Making

Q7. In light of the assessment above, what is your decision? Please tick and provide a rationale	
Continue the work	Due to the fact that the existing footpath is not suitable for some people who have mobility impairments , the project will continue as planned.
Justify and continue the work	
Change the work	
Stop the work	

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Step 6: Action Planning

Q8. What actions will be taken to address any potential negative impacts and deliver positive impacts?		
Action	By when	By who
Finalise with HPBC the provision of Perch seating on the diverted footpath route	Prior to commencement of the works	Network Rail Consents Team
Signage for the alternate accessible route (diverted footpath)	Prior to commencement of the works	Project team

Step 7: Sign off

Name	Position ⁱ	Signed	Date
			04/08/16
			08/08/16

Revision Date:

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DEPARTMENT FOR TRANSPORT

2016

TRANSPORT AND WORKS ACT 1992

**TRANSPORT AND WORKS
(APPLICATIONS AND OBJECTIONS
PROCEDURE) (ENGLAND AND WALES)
RULES 2006**

NETWORK RAIL (BUXTON SIDINGS EXTENSION) ORDER

PLANNING AND DESIGN AND ACCESS STATEMENT

Network Rail Infrastructure Limited
1 Eversholt Street
London
NW1 2DN

