

Ailsa Berry
Staffordshire Moorlands District Council
Development Control
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

Our ref: UT/2021/119332/02-L01
Your ref: SMD/2021/0174
Date: 09 August 2021

Dear Madam

**ERECTION OF DETACHED DWELLING WITH DEMOLITION OF STRUCTURES
AND BUILDINGS - SITE INVESTIGATION SUBMITTED**

LAND AT TEANFORD MILL BREACH LANE, UPPER TEAN

Thank you for referring the Ground Investigation Report by Strata Renewables Ltd, dated 03 March 2021, which was received on 27 July 2021.

We maintain our objection to the proposed development on flood risk grounds as outlined in our response UT/2021/119332/01-L01, dated 21 July 2021.

We have the following comments to make which relate solely to the protection of 'Controlled Waters', matters relating to Human Health should be directed to the relevant department of the local council.

We have reviewed the aforementioned report and we are pleased to see intrusive investigations and sampling have now been undertaken, focussing especially on the former mill pond and fuel storage area. It appears that the (unlined) pond has a significant accumulation of alluvial sediments from when the use of the water through the mill ceased, which was then further raised with approximately 1m of compact granular / brick rubble fill when the pre-cast concrete yard was developed. In terms of contamination, there does not seem anything untoward at present from a 'Controlled Waters' perspective. Likewise, other than one minor TPH soil reading of 360 mg/kg at TP03 in the former UST area, there seems to be no pollution present there either, nor anywhere else on this site.

Therefore, whereas the site setting is clearly vulnerable next to the river Tean and close to a water supply abstraction, there does not seem to be any noticeable contamination on site. Therefore, our previously recommended conditions have now been addressed

and are no longer relevant. In light of the above, we withdraw our previously recommended planning conditions and now advise the following is included:

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF.

Please note, the Environment Agency has not had any influence or control over the selection of site investigation locations or any aspect of the sampling and analysis undertaken. Therefore, the Environment Agency must assume that the information submitted is both genuine and representative of site conditions and treat it in good faith. Additionally, it should be noted that in accordance with the NPPF paragraph 184, *'where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'*.

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

If you have any queries contact me on the details below.

Yours faithfully

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