

**Dealt with by:** Environmental Health

**Our Ref:** SMD/2025/0249

**Direct Dial:**

**Your Ref:** as above

**Email:**

**Date:** 12<sup>th</sup> August 2025

|                                          |
|------------------------------------------|
| <b>MEMORANDUM: PLANNING CONSULTATION</b> |
|------------------------------------------|

**LOCATION**

**Stanley Farm Bungalow Dial Lane  
Congleton**

**PROPOSED DEVELOPMENT**

**DEMOLITION OF 2 AGRICULTURAL BUILDINGS TO BE  
REPLACED BY CUSTOM SELF-BUILD HOUSE;  
INSTALLATION OF A PACKAGE SEWAGE TREATMENT  
PLANT, INSTALLATION OF GROUND SOURCE HEAT  
PUMP PIPE WORKS, SOLAR PANELS AND THE  
CONSTRUCTION OF 1.8M BOUNDARY WALL**

**Potential Areas of Environmental Concern -**

1. Construction Impacts (condition)
2. Land contamination - Historic Landfill
3. Lighting Impacts (condition)
4. Drainage (Building Regulations)
5. Coal mining (Low Risk)
6. Sound insulation (See advisory)

**General Comments as per det/2024/0011**

- Noise – DET/2024/0011 applied for one barn to be converted, this application requires both barns to be converted which would remove the concern about adverse noise impacts to future residential amenity.
- Asbestos: A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>
- Contamination: The applicant has submitted a phase 1 site investigation by Peak Environmental Solutions Ref: 42334R1

The report is considered a good assessment of the potential contamination risks associated with the development. It identifies a low/moderate risks to the site users and other receptors associated with potential land contamination from sources. This is accepted.

The consultant recommends the following actions to ensure the identified risks are mitigated

1. Adoption of The 'Land Contamination Discovery Strategy (presented in appendix F).
  - This is accepted \*\*
2. A strategy should be developed to ensure that near surface soils in the future garden/soft landscaped areas do not represent a risk to the future site occupants. The strategy may involve testing of the existing materials and/or importing and placing a suitable thickness of appropriately validated subsoil/topsoil across all of the soft landscaped areas. The strategy should be agreed in advance with SMDC and should be followed by appropriate validation, including a validation report that can be submitted to the local planning authority.
  - This should be provided in a remediation strategy\*\*
3. New site services should be laid in clean service corridors.\*\*

\*\*The above is agreed but as noted no information is provided regarding point 2. The applicant therefore should provide a remediation strategy including the validation criteria to be included in the subsequent validation report. The remediation strategy should also include reference to points 1 (appendix F is fine for point 1) and 3. A condition is recommended.

**Recommendation –** No objection from Environmental Health subject to condition.

#### **1. Construction & Demolition works: Time of operations**

Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- **08:00 - 18:00 hours (Monday to Friday);**
- **08:00 - 13:00 hours (Saturday)**
- **No working is permitted on Sundays or Bank Holidays.**

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

**Reason:** *To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.*

#### **2. Construction & Demolition: Pollution Control**

- I. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;
- II. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the

local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority

**Reason:** *To protect the amenities of the area during construction*

### **3. Contamination**

3(a) Development shall not commence until a detailed remediation strategy to mitigate the risks identified in the phase 1 site investigation by Peak Environmental Solutions Ref: 42334R1, has been prepared, and is subject to the approval in writing by the Local Planning Authority.

(c) Following completion of measures identified in the approved remediation scheme (a) and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### **4. Importation of Soil/Material**

No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

**Reason (common to 3-4):-** *To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.*

### **5. Lighting Condition**

The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance or cause at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing.

**Reason:** *To protect the local amenities of the local residents by reason of excess of illuminance.*

### **Advisory Note/ Informative:**

Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>
- Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment <http://www.bsigroup.com>
- Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download <http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf>
- The lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011(or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

| Illuminated area m <sup>2</sup> | Zone E1 | Zone E2 | Zone E3 | Zone E4 |
|---------------------------------|---------|---------|---------|---------|
| Up to 10.00                     | 100     | 600     | 800     | 1000    |
| Over 10.00                      | n/a     | 300     | 600     | 600     |

| Environmental Zones |             |                            |                                                           |
|---------------------|-------------|----------------------------|-----------------------------------------------------------|
| Zone                | Surrounding | Lighting Environment       | Examples                                                  |
| E0                  | Protected   | Dark                       | UNESCO Starlight Reserves, IDA Dark Sky Parks             |
| E1                  | Natural     | Intrinsically dark         | National Parks, Areas of Outstanding Natural Beauty etc.  |
| E2                  | Rural       | Low district brightness    | Village or relatively dark outer suburban locations       |
| E3                  | Suburban    | Medium district brightness | Small town centres or suburban locations                  |
| E4                  | Urban       | High district brightness   | Town/city centres with high levels of night-time activity |

The guidance advises that, where an area to be lit lies on the boundary of two zones or can be observed from another zone, the limits used should be those applicable to the most rigorous zone.

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- During any demolition and construction activities (including landscaping) the contractor

shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

- The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils <http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf>
- Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)
- If required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>
  - Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.
  - The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become an "appropriate person". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.
  - Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.
  - During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes
  - The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.
  - Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

Regards,

Environmental Health