

Dealt with by: Environmental Health

Our Ref: SMD/2025/0482

Direct Dial: [REDACTED]

Your Ref:

Email [REDACTED]

Date: 8th January 2025

MEMORANDUM: PLANNING CONSULTATION

LOCATION

Land off Alwoodley Edge Lane, Endon

PROPOSED DEVELOPMENT

Proposed riding arena

Potential Areas Of Environmental Concern.

1. Construction Impacts (Condition)
2. Drainage and Imported Fill Material (Condition)
3. Manure Storage and Guidance Attached (Condition)
4. Lighting (Condition)
5. Noise (Condition)
6. Unexpected Contamination (Condition)
7. Coal Mining Development – Low Risk Area

General Comments

Drainage and Leachate: This new application is significantly different from the previous application. The concern about contamination caused by potential leachate from the riding arena does appear to be resolved but we would recommend a condition is placed on any permission to address any imported fill material.

The proposal to position a stable next to a watercourse does cause a concern re. contamination of surface water caused by any runoff from the stables into the ditch. It is noted a shed/building has been in this location previously in various states but the proposal to stable horses does raise the potential to contaminate the adjacent watercourse. Our advice would be to either relocate the stable or install a suitable surface water drainage system to ensure the ditch is protected from contaminated runoff (Condition)

Manure: There is no information provided regarding the disposal of horse manure. It would be advisable to apply the condition set out below to protect the local environment, soil and water.(Condition)

Light: The revised location places the arena close to properties on Edge Lane but with an appropriate lighting scheme amenity should be protected. Any lights installed should be appropriately selected and directed to avoid light spillage and glare. We would also advise lighting complies with Institute of Lighting Guidance. (Condition)

Noise: Some equestrian arenas use music and amplified sound. We propose the condition below to ensure any amplified music is played at a suitable level, or advise it is prohibited. (condition)

Recommendation

The Environmental Health Department have no objection in principle subject to the following or similar conditions being applied to any permission granted.

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. Foul and surface water drainage

Before the use hereby permitted commences, a written scheme for the disposal of foul and surface water drainage shall be submitted to and approved in writing by the LPA. No part of the development shall be brought into use until the drainage system has been constructed in accordance with the approved scheme. The approved scheme shall be maintained for the life of the approved development.

Reason: To protect the amenity of the locality

3. Manure

Manure generated from the approved use should be collected and stored in a dedicated storage area, with sufficient capacity to store 6 months worth of manure. The manure storage area should have an impermeable surface capable of containing, or facilitating the collection of, all manure generated leachate and be sited at least 50m from all neighbouring residential properties, watercourses, wells, boreholes that supply water for human consumption. The burning of manure as a means of disposal is not permitted.

Reason: *To protect the amenity of neighbours and pollution of the environment.*

4. Lighting

The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance or cause glare 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*

5. Noise: PA Systems

No amplified sound shall be audible within or at the boundary of any noise sensitive (occupied) premises either attached to or in the vicinity of the premises to which this application refers.

Reason: *To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.*

6. Soil or fill material importation tests

No fill material or soil for landscaping or hardstanding purposes 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 material 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 validity evidence submitted to and approved in writing to by the Local Planning Authority.

7. Unexpected contamination

In the event that contamination including surface coal measures is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme 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.

Reason - *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.

Advisory Note/ Informative:

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

- 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.
<https://www.theilp.org.uk/documents/obtrusive-light/>

Illuminated area m ²	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.

- 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

MANURE STORAGE & DISPOSAL

Guidance for Keeping Horses and Ponies

Purpose

This brief guide is intended to provide horse and pony owners and keepers with some basic advice on how to store and dispose of their manure. It will demonstrate how the regulations set down by the Environmental Protection Act of 1990 and the Environmental Permitting Regulations 2007 impact on the way that horse manure should be stored and disposed of. Both the Environment Agency and local authorities administer the Act, with the Environment Agency working to ensure that no pollution occurs and local authorities dealing with issues relating to public nuisance.

Practicalities should be considered when siting a muckheap. For example, year-round vehicular access may be required if the manure is to be collected for disposal. The heap will need to be located conveniently for stables, but not so close as to cause horses health problems or a nuisance from flies. Importantly, the location of the heap should be such that it does not cause a nuisance to neighbours or people using public rights of way.



Problem

An average horse will produce 20.4 kilos (or 45 pounds) of manure each day, equating to 7.5 tonnes annually! This quantity does not include the addition of soiled stable bedding material. Whilst some manure is dropped onto fields when horses and ponies are turned out, best practice usually involves the collection and removal of droppings from pasture. This assists paddock hygiene (minimising parasite burdens), maximises the grazing potential available from pasture by preventing latrine areas and improves the appearance of the holding.

Drainage

Stables should be designed to prevent drainage contaminated with manure from entering any watercourse or drain.

- The regulations state that it is mandatory to ensure that
“When cleaning and disinfecting the stables, never let this effluent enter surface water drains or watercourses.”
- They suggest that you
“Divert uncontaminated water, e.g. roof drainage away from dirty areas as only clean water can be discharged directly to watercourses or soakaways.”

Watercourses

Responsible storage is necessary to protect the local environment from the harmful affects that ‘run off’ from manure can have if it is allowed to enter watercourses. Organisms feeding on the effluent will result in an oxygen reducing effect within the water. In addition, eutrophication (the nutrient enrichment of water) encourages the growth of aquatic vegetation, which further reduces the oxygen by respiration, reducing water quality. Increased vegetation growth may also impede the flow of water and run off can detrimentally affect hedgerows. The nutrient enrichment will disadvantage the hedge – possibly to the extent of killing it - and encourage the growth of weeds.

Environment Agency guidelines for stables state that the following is **mandatory**:

- *“Run-off from manure heaps, contaminated yards, stable washings and hay soaking should not be allowed to enter surface waters or watercourses.”*

The exception would be if a written authorisation (a discharge consent) were received from the Environmental Regulator. This would usually necessitate a form of treatment to improve the quality of the liquid.

Alternatively, the local sewerage undertaker may give permission for discharge of some liquids into a foul sewer.

As an example of how to ensure that the rules are followed, the Environment Agency offers guidelines for good practice:

- *“Temporary field heaps should be sited where there is no risk of runoff polluting watercourses. They should be at least 10 metres from a watercourse and 50 metres from a well, spring or borehole that supplies water for human consumption or for use in farm dairies.”*
- *“Permanent stores should have an impermeable base that slopes so that run-off can be collected easily in a sealed underground tank.”*

A well-constructed manure store must therefore have a concrete base, which slopes to the back of the store (in the absence of a sealed underground tank), and solid sides which will

prevent the muck spilling out and contaminating adjacent land. Ideally, the muck should be kept as dry as possible.

Well-composted horse manure can be used as a valuable addition to allotments, gardens and even spread back on the horses' own fields. Once manure has been composted for twelve months, it is generally accepted that the larvae of harmful parasites will have died.

Disposal

The issue of disposal of horse waste is a national problem. A certain amount of horse manure has always been composted for use on allotments and private gardens and this practice continues. However, other historical disposal options such as through mushroom growers or farmers are now less available. The decline in the number of farms across the country means there are fewer small farmers with the time or the machinery to remove, compost and dispose of stables' muck heaps.

For many reasons, including changes in agricultural practices, the majority of horses and ponies are now bedded on materials such as wood shavings, shredded paper, shredded card, and even by-products from hemp. Many of these bedding products do not compost in the same way as straw. Wood shavings, for example, have a high lignin content that slows down their rate of decomposition.

- **Composting**

The composting pile should be around 2.5 m wide and 2m high, to allow the correct amount of heat to build up, and still allow air circulation. Covering it with a woven textile fabric will allow air circulation, whilst excluding light and most of the water, there are textiles that are custom made for this job and can be purchased. Adding 10% soil to the pile will help stabilise the decomposition process, and help kick start the process by introducing some of the micro fauna that drives decomposition. To speed things up a bit more you can buy compost bacteria, or add a good amount of compost from a previous heap.

The manure heap needs to be damp, in the summer and at the start you may need to water it slightly, but do not allow it to get wet enough to run off. It may be necessary to turn the pile a few times to aerate the heap, and if it's too dry you can dampen the pile at that time.

At this stage the pile should start to heat up rapidly, and begin to reduce in volume, in warm weather this can take as little as 3 weeks. When it starts to cool it needs to be turned and possibly watered.

Now is a good time to move the heap to somewhere where it can be in contact with the soil to allow worms and other creatures to help the decomposition, and allowed to stand for a couple of months. By the end of this point the texture, colour and smell should all have altered, and by now it should look more like soil, rather than manure, if the bedding

or other components don't look like they've totally broken down then it may be worth turning again and leave to stand until everything is completely broken down.

As with most waste, important legislation now controls the disposal of horse waste and for many stables, disposal incurs a financial cost.

The Law

Classification of manure as a waste depends upon how it is utilised:

- **When manure is used as a fertiliser**

Where horse manure is being used as a fertiliser on any land (such as grazing, agricultural farms, allotments or private gardens etc.) for benefit, it is not treated as controlled waste. A permit or exemption under the Environmental Permitting Regulations is not required to store or spread the manure as a fertiliser on the premises where it was produced, or at another premises. Neither is a waste transfer note or waste carrier registration required for the movement of manure that is to be used as a fertiliser. However, it should be emphasised that the application of manure to land must be of benefit and that proper management is still required: land applications must not cause pollution or harm. This will involve complying with legal controls such as the Nitrate Vulnerable Zone (NVZ) Action Programme, Groundwater Regulations and Water Resources Act. The Code of Good Agricultural Practice, written by Defra and Natural England, should also be followed. This incorporates guidance such as making allowance for the available nitrogen total phosphate and total potash in manures, when working out fertiliser requirements.

- **When manure is a Controlled Waste**

If manure produced at a private, agricultural or commercial stables is disposed of by burning, tipping or burial or mixed with other wastes, then it is classed as a 'Controlled Waste' and subject to Environmental Permitting Regulations. Waste becomes 'controlled' where:

- *it is discarded,*
- *there is intent to discard*
- *it is required that it must be discarded.*

Where waste is controlled (i.e. it is not to be used as a fertiliser and is discarded), it is subject to regulation under the Environment Protection Act 1990 and Environmental Permitting Regulations 2007. The permitting regime and 'Duty of Care' etc. apply. Exemptions can be made – subject to complying with the requirements of the Environmental Permitting Regulations - and registered with the Environment Agency. In short, you cannot be exempt if there is a risk of pollution or if a nuisance is caused.

Contravention of the regulations constitutes a criminal offence and could lead to heavy penalty upon conviction. Pollution of 'Controlled Waters' is regulated under the Water Resources Act 1991.

The open burning of manure as a controlled waste is an offence under the Environmental Protection Act 1990 and Clean Air Act, 1993. Effluent leaching from large manure piles can have serious pollution implications, also prosecutable under the Environmental Protection Act, 1990, the Groundwater Regulations 1998 and the Water Resources Act 1991.

- **Duty of Care**

Anyone who keeps horses and ponies producing manure classified as Controlled Waste has a 'Duty of Care' to ensure that their horse manure is stored and disposed of correctly.

The Environment Agency regulations state:

- *"The Duty of Care requires that you ensure all waste is stored and disposed of responsibly, that it is only handled or dealt with by individuals or companies that are authorised to deal with it and that a record is kept of all wastes received or transferred through a system of signed Waste Transfer Notes."*

Solution

The best way for horse or pony owners to manage their manure is to compost it in a properly constructed manure store and use it as a fertiliser. If the manure cannot be used at the site of origin, options for manure to be used elsewhere as a fertiliser should be investigated, e.g. at allotment sites.

Summary

Horse manure is a valuable by-product. Proper handling will prevent manure from causing environmental harm or causing concern to others. Horse owners can help to create a positive image of their activities by handling and storing manure as considerately and inoffensively as possible.