

Staffordshire Moorlands District Council -
Development Control

Reference: PA-0008584/01
Customer reference: SMD/2026/0273
07 August 2026

F.A.O: Lisa O'Brien

Proposed demolition of existing buildings and erection of 8no. dwellings, detached garages and associated works at Jim Hallam Landrovers, Macclesfield Road , Rushton Spencer, Staffordshire, SK11 0SE

Dear Lisa

Thank you for referring the above application which was received on the 20 July 2026. We have no objection to the proposed development and would offer the following comments and conditions for your consideration at this time. Queries relating to human health should be directed to the relevant department of the Local Authority.

Site Context: Controlled waters are particularly sensitive in this area, as the site is underlain by a Principal Aquifer. The underlying bedrock geology comprises the Chester Formation, which is classified as a Principal Aquifer. Principal Aquifers are layers of rock or drift deposits with high intergranular and/or fracture permeability, meaning they typically provide a high level of water storage and may support water supplies and/or river baseflow on a strategic scale.

The site also lies within a Source Protection Zone 3 (SPZ3) for a public water supply. However it is also in immediate proximity to SPZ1 and therefore at a heightened risk that contamination that could be mobilised and subsequently pollute controlled waters.

We have previously provided comment on an application on land adjacent to the proposed development (your ref: SMD/2018/0537) where we recommended a suite of planning conditions. Based on previous land uses on the current site, and the sensitivity of controlled waters in this location, we would expect further consideration of any potential impacts.

Condition: No development, or phasing as agreed below, shall take place until the following components of a scheme to deal with the risks associated with contamination of the site are submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy, if necessary, of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. This should include any proposed phasing of demolition or commencement of other works.
- 5) Prior to occupation of any part of the development (unless in accordance with agreed phasing under part 4 above) a verification (validation) report demonstrating completion of the works set out in the approved remediation strategy (3 and 4). The report shall include results of any sampling and monitoring. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To protect ground and surface waters (‘controlled waters’ as defined under the Water Resources Act 1991).

We are aware that there is no mains foul drainage in this area and therefore a non-mains solution will be required. Based on the information submitted we note the a proposed package treatment plant. Based on the scale and nature of the proposed development we offer the following advice to assist your consideration of this application.

To comply with the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) on foul drainage matters your Council needs to be satisfied that foul drainage can be provided without adverse impact on the environment.

A completed Foul Drainage Assessment (FDA) form, or equivalent information, should accompany all planning applications particularly where use of a non-mains system is proposed for foul drainage to enable your Council to make a considered judgement on the environmental risks associated with the application. In some cases, further assessment may be required.

Based upon the scale of the application (non-major), we would not expect to comment upon foul drainage proposals. We would refer you to the following guidance to assist with your decision making. '[Advice for local authorities on non-mains drainage from non-major development](#)'

However, whilst we would not wish to comment further, based on the scale of the development, upon confirmation of the proposed method of foul drainage you may wish to impose the following condition.

Condition: *The development permitted by this planning permission shall be carried out in accordance with the approved [enter supporting evidence] including the following specific mitigation measures detailed therein [function to list specific mitigation measures to be included as appropriate or choose from the following]:*

- *infiltration systems are to be constructed to BS6297:2007 and A1:2008 (amendment May 2008 and corrigendum August 2008).*
- *no connections are to be made to a watercourse or land drainage system*
- *no part of the infiltration system is to be situated within 10 metres of any ditch or watercourse.*
- *no siting of any septic tank/package sewage treatment plant within 50 metres or upslope of any well, spring or borehole used for private water supply.*

Reason: *To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and '[The Environment Agency's approach to groundwater protection](#)'*

Advice to the Applicant – Environmental Permit: Under the Environmental Permitting Regulations (2010) an Environmental Permit may be required from the Environment Agency for the discharge of treated effluent to watercourse. This permit may be withheld.

Please note that if the discharge is of **5m³/day or more**, or the General Binding Rules cannot be met ([General binding rules: small sewage discharge to a surface water - GOV.UK \(www.gov.uk\)](#)), then a Permit has to be applied for.

Permit applications will be considered based on a risk assessment and the appropriateness of the discharge with respect to the local environmental setting. A Bespoke Permit may require you to submit a Quantitative Risk Assessment.

The increase in wastewater effluent discharged as a result of the proposed growth should not lead to a deterioration of the water quality in the receiving watercourse. We may set water quality emission limits as part of the permit.

Further information is at: [Risk assessments for your environmental permit - GOV.UK](#)
We recommend that you contact the Environment Agency for further advice by using the following link: [Get advice before you apply for an environmental permit - GOV.UK](#)

For complex cases, including where a bespoke permit is required 'twin tracking' of the permit and planning application is recommended. See our [Guidance for developments requiring planning permission and environmental permits](#).

Waste on-site: The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the [position statement](#) on the Definition of Waste: Development Industry Code of Practice
- The [waste management](#) page on GOV.UK

Informative: Where a site is affected by contamination responsibility for securing a safe development rests with the developer and/or landowner. Developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed

- Refer to the contaminated land pages on gov.uk for more information.

Yours sincerely

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