

Dealt with by: Environmental Health

Our Ref: smd/2026/0188

Direct Dial: (01538) 395400

Your Ref: as above

Email: EHealth.Consultation@highpeak.gov.uk

Date: 7th August 2026

MEMORANDUM: PLANNING CONSULTATION
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LOCATION

**LAND AT AUGUSTUS WAY
CHEADLE**

PROPOSED DEVELOPMENT

Full planning application for residential development including public open space, landscaping and associated infrastructure works

Potential Areas of Environmental Concern.

1. Construction Impacts – condition
2. Proximity of pitches - Footballs causing a nuisance, damaging properties and injury to residents.
3. Noise – Mitigation unsuitable for a mainly residential area and unlikely to be effective for higher maximum noise levels.
4. Possible Contamination – Condition
5. Air Quality – Condition
6. Football Pitches and Club (Agent of change principle)
7. Lighting - Condition

General Comments.

Proximity of football pitches – The proposed housing in the western section of the site will be approximately 20-25m from the eastern goal mouth and touchline on pitch 1.

It is likely any future residents positioned in this section along pitch 1 will be subject to footballs landing on their property as missed shots on goal or deflected balls cross the boundary. This is likely to cause nuisance due to the annoyance as balls land on the properties, damage to properties or maybe the potential though lower risk of injury to residents themselves. There might be an argument to place a protective net across the boundary but who would maintain this in the future, how high would it be and there would be the noise implications as footballs hit the screen and rattle posts.

The current pitches are grass and do not have floodlighting. This obviously restricts their use to fair weather and daytime use only. The general move in amateur football is to develop pitches to all weather with floodlighting to increase use. The introduction of housing along the boundary

could compromise this possibility in the future, therefore limiting the potential for the club to develop.

We would draw attention to the recent High Court Case (2025) : 'Mohamed Ahmed Bakhaty and Marie-Anne Goodlad Bakhaty v. Hampshire County Council. Section 83(c).

The court determined that the frequent projection of footballs over a fence from a playing area would constitute a nuisance. The case also does tend to highlight the issues caused by noise from playing areas such as football pitches to nearby residents and the likelihood of restriction to the use of the playing pitch if this development is permitted as currently proposed.

The Agent of Change Principle should be considered to protect the interests and potential future development needs of the football club.

Noise Impact Assessment – A noise impact assessment has been undertaken to assess the noise impact of football pitch noise at the proposed residential units (Logika Group_ Noise Consultants 17376A-20-R01-02 01/04/2026).

External amenity – the assessment proposes an acoustic barrier of various heights along the boundary line between the football pitches and residential gardens. Although this will assist in achieving average BS8233:2014 criteria levels it will not address high maximum noise levels such as coaches, players or fans shouting.

Internal amenity – to ensure BS8233:2014 Guidance on Sound insulation for Buildings sound level criteria are met, windows will be required to be shut and ventilation installed. The requirement that neighbours should shut their windows to achieve reasonable amenity in this mixed rural/residential area does not appear appropriate.

Contamination: Condition

Air Quality: Condition

Recommendation: Environmental Health recommend this application is refused due to the likelihood that football activities will adversely impact future residential amenity. There is also the risk that the football club's future development will be impeded by the introduction of residential housing so close to the boundary.

The development of housing along the boundary close to the first pitch should be reconsidered. In our opinion a buffer zone of reasonable distance should be maintained.

Consultation should be made directly with the football club.

Advisory Note/ Informative:

A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of any existing buildings built before the year 2000. 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 noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.

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>

During any demolition and construction activities (including landscaping) the contractor should 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 and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.
 - 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