

Staffordshire Moorlands District Council	Our ref:	SV/2024/112222/01-L01
Development Control	Your ref:	SMD/2024/0025
Moorlands House Stockwell Street	Date:	22 February 2024
Leek		
Staffordshire		
ST13 6HQ		

Dear Sir/Madam

ERECTION OF NEW DETACHED DWELLING AND ASSOCIATED LANDSCAPING WORKS.

LAND ADJ KNOTT INN STATION LANE RUSHTON SPENCER

Thank you for your email which was received on 23 January 2024. The Environment Agency has no objection to the proposals, as submitted, and would offer the following comments for your consideration at this time.

We have previously commented on an application for development on this site (your ref: SMD/2023/0067) where we had initially objected but subsequently provided a conditioned response). The current application has provided further information to cover some of the points and conditions we had raised in our previous response.

Our comments below relate solely to the protection of 'Controlled Waters'. Matters relating to human health should be directed to the Local Authority.

We have reviewed the following documents:

- SEA consulting Engineers Letter Re: Land Adj. Knott Inn, Station Lane, Rushton Spencer – Planning Conditions Submission L- 00149 – 002 12th January 2024.
- Ground Investigation Report Proposed Residential Development Land adjacent to Knott Inn, Station Lane, Rushton Spencer May 2023 Prepared by Soiltechnics.
- Land adjacent The Knot Inn Detailed Drainage Strategy 16th May 2023 Version 1.0 RAB: 3128 Prepared by RAB Consultants Limited.

As previously stated the site is lies partially within Source Protection Zone (SPZ) 1 for an adjacent public water abstraction. SPZ1 is the area of highest sensitivity for groundwater. The site also falls within a Principal Aquifer. Our approach to groundwater protection is set out in the following document:

Environment Agency
Hafren House Welshpool Road, Shelton, Shrewsbury, SY3 8BB.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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In implementing the position statements in this guidance we will oppose development proposals that may pollute groundwater, especially where the risks of pollution are high and the groundwater asset is of high value. In this case, position statements G1, G2, G6, G8, G12 and G13 apply.

We designate source protection zones, vulnerable aquifers and safeguard zones to identify the catchment areas of sources of potable water (that is high quality water supplies usable for human consumption) and show where they may be at particular risk from polluting activities on or below the land surface. To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed.

The reports show that the applicant intends to install a package sewage treatment plant with a discharge to the neighbouring surface watercourse. There are no proposals to discharge foul effluent to ground. The applicant has committed to supplying the upgraded drainage that has been previously requested for the pipework specification, and the drawings show that the trenches are to be lined with 0.6mm HDPE membrane along with the Package treatment plant and inspection chambers. The pipework is to be integrity tested and CCTV surveyed post installation. The information submitted provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development.

The proposed foul drainage scheme will be subject to the General Binding Rules (GBR's) General binding rules for small sewage discharges (SSDs) with effect from 2 October 2023 - GOV.UK (www.gov.uk). The applicant will need to demonstrate compliance with the GBR's. It will need to be demonstrated that the discharge point to the surface watercourse is at least 50m away from the permitted discharge at the Knot Inn (NGR SJ 93629 62496).

The applicant should ensure that the proposals for surface water drainage from the site do not pose a risk to groundwater, taking into account position statements G11, G12 and G13 in the abovementioned document ([The Environment Agency's approach to groundwater protection \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)).

Advice to Applicant and Developer:

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 and the waste management page on GOV.UK.

Waste to be taken off-site:

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Yours faithfully

Miss Aileen Parry
Planning Officer

Direct e-mail