

**INTERNAL CONSULTATION RESPONSE**

**Regulatory Services and Health**

Cheshire East Council

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<b>SITE LOCATION</b>	Ryton House Farm, Wrenbury Heath Road, Wrenbury, Nantwich, CW5 8BT
<b>APPLICATION No.:</b>	<b>19/5816N</b>
<b>PROPOSAL:</b>	Conversion of agricultural barn to single dwelling
<b>TO:</b>	Cheshire East Planning
<b>PLANNING OFFICER:</b>	Edward Cratchley
<b>DATE:</b>	31 January 2020
<b>OUR REF:</b>	065230

Regulatory Services and Health has considered this application and would make the following updated comments with regards to **CONTAMINATED LAND** only. All other environmental protection comments remain as previous. The recommendations are intended to provide sufficient information to guide planning officers to adequately word conditions. Where the planning officer considers that the recommendations should be substantially altered, or not included in the decision notice, it is requested that he/she discusses the matter with the relevant officer in this Service.

**CONTAMINATED LAND COMMENTS**

**Rebekah Norbury**

**Tel: 07805 694792**

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site.
- The application area has a history of agricultural use and therefore the land may be contaminated.
- A Phase I Preliminary Risk Assessment (Report Ref: 19-12-02 Revision 0, Demeter Environmental Ltd., January 2020) has been submitted in support of the planning application and has concluded that there are no significant potential contaminant linkages for the site.

As such, and in accordance with the NPPF, this section recommends that the following conditions, reasons and notes be attached should planning permission be granted:

**CONDITION 1**

- Any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping shall be tested for contamination and suitability for use prior to importation to site.
- Prior to occupation, evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the LPA.

**CONDITION 2**

If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

**REASON RCLC1**

-To ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development.

**REASON RCLC5**

-The actions are considered necessary as a result of a proposed change of use to a more sensitive land use.

**INFORMATIVE NCLC1**

-The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

- Purchasers, where applicable, are advised that they should satisfy themselves that land contamination issues, if present, have been satisfactorily discharged given that the Council expects full compliance with any contaminated land requirements prior to the occupation of the site. Upon occupation such matters could then be the responsibility of the owner to remedy.

This section has used all reasonable endeavours to recommend the most appropriate measures regarding potential contamination risks. However, this recommendation should not be taken to imply that the land is safe or otherwise suitable for this or any other development.

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If you have any queries, please contact the relevant Officer.