Planning, Policy & Development Control
No. 1 Staffordshire Place (Floor 2)
Stafford
ST16 2LP

For the attention of:
Arne Swithenbank,
Staffordshire Moorlands
District Council,
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Staffordshire,
ST13 6HQ

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Please ask for: Andrew Christelow

Our Ref: SMD/2017/0313 MSA Your Ref SMD/2017/0313 8 June 2017

Dear Mr Swithenbank,

SCHEME OF DELEGATION TO OFFICERS: CONSULTATION FROM STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL IN CONNECTION WITH AN APPLICATION TO THEM FOR A PROPOSED NEW DWELLING AT SITE ADJACENT TO NO. 40, THE GREEN, KINGSLEY

I refer to your letter dated 30 May 2017 in connection with the above, and write to confirm the observations of Staffordshire County Council, acting as the Mineral and Waste Planning Authority.

Background

The proposal is for the erection of a single dwelling house on an area of land between existing gardens and residential properties.

Observations

Our records confirm that the site falls within a minerals safeguarding area (MSA) for shallow coal and associated fireclay.

Paragraph 144, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), aim to protect mineral resources from sterilisation by other forms of development.

Policy 3.2 of the new Minerals Local Plan states that:

Within a Mineral Safeguarding Area, non-mineral development except for those types of development set out in appendix 6, should not be permitted until the prospective developer has produced evidence prior to determination of the planning application to demonstrate:
a) the existence, the quantity, the quality and the value of the underlying or adjacent mineral resource; and
b) that proposals for non-mineral development in the vicinity of permitted mineral sites or mineral site allocations would not unduly restrict the mineral operations.

Exemptions apply in most cases where the proposed development falls within the development boundary of an existing settlement, but these do not apply to development within the MSA for shallow coal and fireclay. In this case, however, the site is not "major development" as it measures about 430m^2, so it is reasonable to conclude that it would not be practical or environmentally acceptable to work any underlying mineral resources, and the proposed development is exempt from the requirements of Policy 3.

Conclusion

Under the powers contained in the 'Scheme of Delegation to Officers', this letter confirms that the County Council, acting as Minerals and Waste Planning Authority, has **NO OBJECTION** to the proposed new dwelling at site adjacent to No. 40, The Green, Kingsley.

I trust that Staffordshire County Council's observations will be taken into account in reaching a decision on the application.

Yours sincerely

Andrew Christelow
Senior Planning Officer

Please note that a copy of this letter will be published on the internet via the County Council's on-line Applications Register.