Planning, Policy & Development Control
1 Staffordshire Place
Stafford
ST16 2LP

For the attention of:
Arne Swithenbank,
Staffordshire Moorlands
District Council,
Moorlands House,
Stockwell Street,
Leek,
Staffordshire,
ST13 6HQ

Postal Address: Planning, Policy & Development Control
Staffordshire County Council
2 Staffordshire Place
Tipping Street
Stafford
ST16 2DH

Telephone: (01785) 276705
Email: andy.christelow@staffordshire.gov.uk
Web site: www.staffordshire.gov.uk/planning
Please ask for Andrew Christelow

SENT BY EMAIL

Our Ref: SMD/2017/0757MSA Your Ref: SMD/2017/0757 13 December 2017

Dear Mr Swithenbank,

SCHEME OF DELEGATION TO OFFICERS: CONSULTATION FROM STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL IN CONNECTION WITH A PLANNING APPLICATION TO THEM FOR WORKS TO FORM 3NO. PONDS AND ENHANCE HABITAT AT WOOD END FARM, WESTWOOD, WETLEY ROCKS, STAFFORDSHIRE.

I refer to your consultation letter dated 6 December 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 seeks to secure planning permission to create a chain of three ponds, of decreasing size, along an existing watercourse in a narrow valley, and to enhance the natural habitat in an area of agricultural land close to Wood End Farm. The total area of the development would be approximately 0.1ha.

Observations
Our records confirm that the site falls within minerals safeguarding area (MSA) for Silica Sand and for Shallow Coal and Fireclay, but that there are no permitted or allocated mineral sites in the vicinity.

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.

Furthermore, Policy 3.3 states:

Within a Mineral Safeguarding Area, where important mineral resources do exist, except for those types of development set out in appendix 6, non-mineral development should not be permitted unless it has been demonstrated that:

a) the non–mineral development is temporary and does not permanently sterilise the mineral; or,

b) the material planning benefits of the non-mineral development would outweigh the material planning benefits of the underlying or adjacent mineral; or,

c) it is not practicable or environmentally acceptable in the foreseeable future to extract the mineral.

Exemptions apply in cases of small-scale development within the boundary of urban areas and rural settlements defined in an adopted development plan document, but the application site is well away from any defined settlement. The nature of the proposal, however, is such that it would be unlikely to have a direct impact on any underlying mineral resources, or to hinder any future extraction should that be contemplated.

Conclusions
Having regard to the policies and observations referred to above, it is reasonable to conclude that the development would not lead to the significant sterilisation of an important mineral resource.

Therefore, in accordance with the powers contained in the 'Scheme of Delegation to Officers', this letter confirms that Staffordshire County Council, acting as the Mineral and Waste Planning Authority, has **NO OBJECTION** to the planning application to them for works to form 3No. ponds and enhance habitat at Wood End Farm, Westwood, Wetley Rocks, Staffordshire, for the reasons described above.

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

For the avoidance of doubt, you should note that, in the unlikely event of usable mineral being extracted during the construction of the ponds and other works, any proposal to remove the material from the site for sale would require planning permission from the Mineral Planning Authority.

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.