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Sent by email

Our Ref.: [SMD/2021/0089 MSA](#)

Your Ref.: SMD/2021/0089

8 July 2021

Dear Mr Johnston

Consultation from Staffordshire Moorlands District Council in connection with an application to them for outline planning permission with all matters reserved for a residential development at Capri, Gallows Green, Alton

I refer to your consultation letter dated 30 June 2021 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 application seeks outline planning permission for the erection of 13 dwellings on a 0.7-hectare site on the southern edge of Alton. The northern part of the site constitutes the garden of an existing dwelling (Capri), while the southern part of the site is undeveloped land in use as a paddock.

Observations

Our records confirm that the garden associated with the existing house, and the northernmost quarter of the adjoining paddock, fall within the Mineral Safeguarding Area for Building Stone, as defined in the [Minerals Local Plan for Staffordshire \(2015 – 2030\)](#).

Paragraph 206, 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. Specifically, Policy 3.2 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.

In this case, however, that part of the proposed development site which falls within the MSA, is surrounded by residential development on all sides but the south. It is, therefore, unlikely that it would be practicable or environmentally acceptable to extract any underlying mineral in the foreseeable future.

The remainder of the site lies outside the MSA, and so is, of course, exempt from any mineral safeguarding policies.

Conclusions

Having regard to the policies, guidance and observations referred to above, it is reasonable to conclude that the proposed development will not lead to the permanent sterilisation of significant mineral reserves.

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 outline planning application with all matters reserved for a residential development at Capri, Gallows Green, Alton for the reasons described above.

Finally, I wish to take this opportunity to remind you of the policy requirement (as detailed in Policy 1.2 of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan, and as supported by paragraph 8 of the National Planning Policy for Waste) to make better use of waste associated with non-waste related development. In accordance with Policy 1.2, all



'major development' proposals (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015, or any subsequent changes/revisions) should:

- i. Use / Address waste as a resource;
- ii. Minimise waste as far as possible;
- iii. Demonstrate the use of sustainable design and construction techniques, i.e.: resource-efficiency in terms of sourcing of materials, construction methods, and demolition;
- iv. Enable the building to be easily decommissioned or reused for a new purpose; and enable the future recycling of the building fabric to be used for its constituent material;
- v. Maximise on-site management of construction, demolition and excavation waste arising during construction;
- vi. Make provision for waste collection to facilitate, where practicable, separated waste collection systems; and,
- vii. Be supported by a site waste management / waste audit if the development is likely to generate significant volumes of waste *

* updated to take account of Planning Practice Guidance – Waste – Determining planning applications - paragraph 049 - Should significant developments include a waste audit?

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.

