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SENT BY EMAIL

Our Ref [SCC/21/0069/EIA-SCO](#)

Your Ref. R0015-2 25 February 2022

Dear Mr Carp,

Request for an EIA scoping opinion in connection with proposals for a western extension to existing sand and gravel quarry including use of existing processing plant and quarry infrastructure at Captain's Barn Farm, Weston Coyney, Stoke - on -Trent.

[The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017: Regulation 15 - Scoping Opinion](#)

I refer to your email received on 3 December 2021 sent on behalf of Dalecrete in connection with the above proposals and the request for a "scoping opinion" in accordance with the above regulations.

When asked, the County Council is required in accordance with Regulation 15, to give an opinion in writing about the scope and content of an Environmental Statement (ES) to accompany the planning application. Therefore, in accordance with the powers contained in the 'Scheme of Delegation to Officers', this letter and the accompanying report represents Staffordshire County Council's "scoping opinion".

I trust this information will be of assistance to you.

Yours sincerely

Principal Planning Officer

Please note that a copy of this letter and the document referred to herein should be retained and will be published on the internet via the County Council's Citizen Portal.



Staffordshire County Council's EIA Scoping Opinion report in connection with proposals for a western extension to existing sand and gravel quarry including use of existing processing plant and quarry infrastructure at Captain's Barn Farm, Weston Coyney, Stoke on Trent.

Date: 25 February 2022

Contents

Background	1
Summary of Proposals	1
Observations	3
Introduction.....	4
Operational details	4
Planning Policy Context.....	4
Potential Environmental Effects.....	4
Landscape and Visual Effects	4
Ecology and nature conservation effects.....	5
Effects of transport and access	6
Noise.....	6
Air quality and dust effects	7
Effects on archaeology and cultural heritage.....	7
Impact on water environment.....	9
Tree Protection	12
Effects on public rights of way	12
Effects on soil resources and land use.....	13
Other Matters	13
Mineral Development Statement.....	13
Utilities.....	13
Section 106 Legal Agreement.....	13
Additional topics.....	14
Development Considerations	14
Carbon Management and Climate Change	14
Potential benefits to local environmental initiatives and priorities	15
Alternatives and Need	15
Cumulative Impacts	15
Conclusions.....	15
A Non-Technical Summary	15
Design and Access Statement (DAS)	15
Concluding remarks.....	15
Appendix 1 The relevant development plan policies and proposals, and the other material planning considerations:	17

Background

Planning permission was granted in February 2006 following an appeal for the extraction and processing of conglomerate and sandstone to produce concreting sand and aggregate for the applicants' sole use (ref. [SM.03/26/171 M](#)). This application was submitted with an Environmental Statement. The permission was varied in 2006 (ref. [SM.06/11/171 M](#)); a non-material amendment was agreed in August 2014 (ref. [SM.06/11/171 M NMA1](#)); and planning permission [SM.06/11/171 M](#) was then varied in July 2016 (ref. [SM.15/08/171 M](#)). Recently, the 2016 permission was varied in 2021 (ref. [SM.20/05/171 M](#)).

Separate planning permissions have been granted for ancillary operations at the quarry: -

- [SM.08/12/171 M](#) dated 5 October 2009 - Erection of a concrete batching plant and change of use of agricultural building to repair workshop in association with established mineral working site, varied by [SM.15/09/171 M](#) dated 3 February 2016.
- [SM.13/05/171 M](#) dated 29 April 2014 - Change of use of repair workshop to manufacture of concrete products (ref. [SM.08/12/171 M](#)).
- [SM.15/10/171 M](#) dated 2 February 2016 - Change of use of barn to allow maintenance/ repair of quarry equipment as well as agricultural use.
- [SM.17/01/171 M](#) dated 16 May 2017- Proposed extension to an existing building and provision of a side canopy.
- [SM.19/02/171 M](#) dated 23 October 2019 - Retrospective application for the replacement of an existing portacabin office with a new larger portacabin office and the installation of a portaloo.

Summary of Proposals

This scoping opinion has been prepared in response to the scoping report prepared by Resource UK on behalf of Dalecrete.

This scoping opinion relates to proposals to extend mineral extraction to the northwest of the existing quarry (the area is allocated in the [Staffordshire and Stoke on Trent Minerals Local Plan](#) (see [Inset Map 1](#) in Appendix 1 to the Plan). The site area is approximately 18.8 hectares including the existing quarry and access road.

The proposals involve the following elements:

- Mineral extraction would take place in a north westerly direction from Phase 1 of the existing quarry (shown on the Phasing Plan (Dwg_No_RUK0015-5-4)).

- The restoration programme will be amended and updated for the entire site and the quarry would be to restore to agriculture on the quarry floor and nature conservation uses on the side-slopes (shown on Restoration Phasing Plan (Dwg_no_RUK0015-5-6)).
- The Geological Report states the extension area contains approximately 2.7 million tonnes of conglomerate, pebbly sandstone and fine-grained sandstone
- An increase in output is proposed from the current 100,000t per year to 150,000 - 200,000 tonnes per year.
- A small extension to the office is required comprising one unit to be attached to the existing office located on the existing visitor's car parking area which is already concreted.

The submitted scoping report indicates that the potential effects on the environment that could result from the proposed development are:

- Geology
- Ecology
- Landscape and Visual Impact
- Heritage
- Traffic
- Noise
- Air Quality
- Hydrology and Hydrogeology including Flood Risk

The following information accompanied the scoping request:

- Air Quality Assessment (DRAFT) - 16_July_2021
- Hydrology and Hydrogeology
- Heritage Desk Based Assessment - (DRAFT) 24 May 2021
- Breeding Bird Survey - 26 August 2020
- Geological Report 2020 FINAL
- Great Crested Newt Survey – 5 August 2020
- Landscape and Visual Impact Assessment -15 Nov 2021
- Noise Impact Assessment
- Transport Statement (DRAFT) – 5 July 2021
- HGV Distribution
- Werrington - Site 1 ATC data
- Werrington – Site 2 ATC data
- Concept Restoration Masterplan (Dwg_No_CE-CB1780-DW02-Draft_Resto_Plan_v2)
- Electrical Diversion Route Plan (Dwg_No_RUK0015-5-5)
- Phasing Plan (Dwg_No_RUK0015-5-4)
- Restoration Phasing Plan (Dwg_no_RUK0015-5-6)
- Source Protection Zones Plan

The following internal and external consultees were contacted in order to seek their views on the scope of the ES (a tick (✓) indicates where a response has been received).

Internal consultees:

- Environmental Advice Team ✓
- Flood Risk Management Team ✓
- Highways Development Control ✓
- Noise Engineer ✓
- Planning Regulation Team

External Consultees:

- Staffordshire Moorlands District Council (Planning)
- Staffordshire Moorlands District Council (Environmental Health)
- Caverswall Parish Council
- Dilhorne Parish Council
- Werrington Parish Council
- Environment Agency ✓
- Natural England ✓
- Historic England ✓
- Severn Trent Water
- Cadent Gas ✓
- National Grid ✓
- Neos Networks ✓
- Western Power Distribution ✓

Observations

Staffordshire County Council welcomes this opportunity to comment on the scope of the Environmental Statement (ES). Each topic should include an assessment of the baseline conditions, predicted direct and indirect impacts, mitigation measures (where necessary), residual impacts and conclusions in accordance with the guidance in [Schedule 4 to the 2017 EIA Regulations](#) and in [Planning Practice Guidance – Preparing an Environmental Statement](#). The relevant topics will include those mentioned in Planning Practice Guidance - [Assessing environmental impacts from mineral extraction](#).

The following comments are made regarding the proposed topics and content of the ES and incorporate a brief summary of the consultee comments where relevant. *

[* Note: The consultee comments, where relevant, have been published on-line to accompany this Scoping Opinion report and should be taken into account when preparing the Environmental Statement. Where relevant we will notify you of any additional comments received and publish them on-line. The additional comments should also be taken into account when preparing the planning application and Environmental Statement.]

Introduction

You are advised to incorporate an introduction section to the ES which should provide an overview of the submission and ES. It should outline the submission package and its structure and introduce the site and its surroundings, the applicant, the proposed development and rationale. The ES should include a description of the site and its surroundings and details of the planning history of the site. This section should also include a section which describes the various elements of the proposed development including the extent and duration of the operations and the restoration works. This section should also explain where copies of the ES can be obtained and the cost of copies which may be purchased as this is a requirement of the 2017 EIA regulations (Regulations 23 and 24).

Operational details

A section relating to operations should describe the development proposals. A clear description of the existing and proposed operations is required, including the operating hours, working practices, and the measures to protect the environment and amenity of residents and nearby users of land/ property.

The accompanying plans should include details of the existing operations (including mineral extraction areas, the access to the highway and any plant and equipment) and details of the areas subject to restoration and aftercare.

Planning Policy Context

A specific section (or a separate Planning Statement) should describe the planning history (i.e., the current planning permissions and other current proposals) together with an explanation of how the proposals have been developed having regard to the relevant planning policies and government guidance which will be used to determine the planning application. Particular regard should be given to the policies and guidance listed in [Appendix 1](#).

Potential Environmental Effects

Landscape and Visual Effects

Natural England (NE) provided generic advice about the scope of the EIA, including advice on landscape character and that the ES should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#) (see [response dated 27 January 2022](#)).

The **County Council's Environmental Advice Team (EAT)** concurs with the conclusion of the Landscape and Visual Impact Assessment: Summary Landscape and Visual Baseline for EIA Scoping report.

More detailed comments from the EAT included:

The Landscape and Visual Impact Assessment: Summary Landscape and Visual Baseline for EIA Scoping report concludes that:

Visibility of the proposals is fairly limited and on the whole, publicly accessible views occurs beyond 500m from the Site, thus the Proposed Development will form part of a wider panorama. Also, surface working will progress to lower depths below the intervening landform in most cases, limiting visibility, with progressive restoration of upper slopes within the existing quarry complex. At this stage, it is considered that, accounting for potential mitigation and restoration, materially significant landscape and visual effects are unlikely to arise which would give rise to unacceptable landscape and visual effects that would form a constraint to development.

Having read the LVIA scoping report and studied the key viewpoints, the EAT concur with the above conclusions. However, despite the fact that the proposed extension is included in the Minerals Local Plan, the location of the quarry is locally sensitive, and the report should respond to public and community objections on the grounds of landscape impact. Further viewpoints may emerge from the consultation stage and whilst some identified viewpoints have limited impact, local knowledge should be taken into account.

A fully developed restoration and phasing plan should be provided with approximate programme dates and phasing for advance planting or mitigation measures. If there is any anticipated management plan for the adjacent woodland this should also be considered in the LVIA, as removal of any woodland could open up the site to new views not considered in the scoping report.

Ecology and nature conservation effects

Natural England (NE) provided generic advice about the scope of the EIA, including advice on Ecology and nature conservation effects (see [response dated 27 January 2022](#)) covering Nationally designated sites (in this case Wetley Moor SSSI); Regionally and Locally Important Sites, Protected Species, District Level Licensing for Great Crested Newts, Priority Habitats, Ancient Woodland, Ancient and Veteran Trees and Species and Biodiversity net gain.

The **County Council's Environmental Advice Team (EAT)** commented that generally, the conclusions of the Preliminary Ecological Appraisal and species-specific survey reports associated with the appraisal are reasonable and that the recommendations if followed, should avoid harm to species present.

More detailed comments from the EAT included:

Further work as recommended should be carried out. The reports are dated August 2020, meaning that any recommended update survey reports should be completed (except possibly Great Crested Newt, see below) during 2022 survey seasons and ideally, prior to submission of any application.

The ecology report identifies potential veteran trees. Any report submitted with an application should be clear whether there are veteran trees, and it should be noted that these are irreplaceable habitat (NPPF 180.)

Regarding Great Crested Newts, the applicant may wish to explore District Level Licencing as an alternative to standard survey (and mitigation) which can incur delays. [Great Crested Newt District Licensing Scheme - NatureSpace Partnership \(naturespaceuk.com\)](https://www.naturespaceuk.com/great-crested-newt-district-licensing-scheme) - a scheme for Staffordshire is now available. Emma Lawson is the Newt Officer for Staffordshire and can advise further emma.lawson@naturespaceuk.com.

The Breeding Bird Survey identified a colony of sand martins, and one of house sparrows. The restoration plan should consider how continuity of suitable habitat for these species would be provided.

The restoration plan should utilise local meadows as seed sources – there are meadows within the area that would be suitable. There should be written monitoring plans for the restored habitats that include proportions of target species and timescales. Reference to invertebrate features in the final design is welcomed.

Effects of transport and access

The **County Council's Highways Development Control Team** commented that the Transport Statement (TS) is lacking some points of detail. It quantifies the additional HCV trips generated from the proposal but in terms of effect on the network refers to 'modest' and 'negligible' with no detail to support this.

Traffic counts are included in the submission, paragraph 2.3.1 of the 'EIA Scoping: Transport Statement' refers to data currently being collated, but the counts are included in the submission. Highways Development Control Team have stated the TS should be updated to include them and an accurate analysis of the actual effect of the increase in HCV trips on the network.

Highways Development Control Team have stated the access is "to a good standard and directly onto A520 with good visibility, but output is being doubled". The sand production trips are increasing from 22 to 66 per day.

Noise

The **County Council's Noise Engineer** commented that the application will require a noise assessment to be included as part of the Environmental Impact Assessment and the applicant has provided a very detailed noise assessment in advance of the formal application. The Noise Engineer has reviewed the document with respect to the scope of the noise assessment, but no detailed analysis has been made of the actual assessment results or the report's conclusion.

More detailed comments from the Noise Engineer included:

- The scope of the report covers baseline monitoring, predicted noise levels for each phase and in accordance with the appropriate guidance.

- The report also provides extensive calculation details for the predicted noise levels.
- The Noise Engineer advises the applicant to include a section on mitigation measures where mitigation is required to ensure predicted noise levels are acceptable.

Air quality and dust effects

Staffordshire Moorlands District Council (Environmental Health) has not responded to the consultation. It is therefore advised that you contact the District Council directly to discuss and agree the dust and air quality assessment and the modelling of the potential impact on air quality of emissions arising from the proposed operations and traffic associated with the existing and proposed development.

Natural England (NE) provided generic advice about the scope of the EIA, including advice on 'Air Quality' (see [response dated 27 January 2022](#)).

Effects on archaeology and cultural heritage

Historic England reviewed the submitted information and comments as follows:

- The ES should contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of such assets.
- Historic England also expects the ES to consider the potential impacts on non-designated features of historic, architectural, archaeological, landscape or artistic interest, since these can also be of national importance and make a valuable contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority [Historic Environment Record](#) and relevant local authority staff.
- Historic England notes that the Heritage Desk Based Assessment states that there are no World Heritage Sites, Registered Parks and Gardens, Registered Battlefields, Listed Buildings or Scheduled Monuments either within the area of the Proposed Development or the wider Study Area. Historic England assume that the boundary of the wider study area has been defined in agreement with the Local Authority. As you will be aware the setting of a heritage asset is not always easy to define and can extend some considerable distance from the asset itself; as such we have produced guidance which can be of assistance: [The Setting of Heritage Assets \(Historic Environment Good Practice Advice in Planning: 3 \(2nd Edition\)](#)
- It is strongly recommended that you involve the Local Authority's Conservation Officer and archaeological staff in the development of this

assessment. They are also best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

- It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this.
- The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, noise, dust and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits and can also lead to subsidence of buildings and monuments.

The **County Council Environmental Advice Team** (EAT) reviewed the submitted information and comments as follows:

The submitted draft Historic Environment Desk-based Assessment (dHEDBA), which was requested in our pre-app advice (dated 21/5/20), has been produced in line with the relevant Chartered Institute for Archaeologists' standard and guidance and provides a useful summary of the archaeological potential of the site and the potential impacts of the proposals. The conclusions of the dHEDBA are generally supported and it is agreed that further evaluation work (as per paragraph 194 of the NPPF 2021) will be required to be carried out. The proposed evaluation work, comprising a geophysical survey and metal detecting survey, with a view to assessing the potential for the remains of a WW2 air crash (a Wellington bomber which crashed in 1943) surviving within the application site is supported, although it is suggested that the MOD Archaeological Officer is contacted to confirm this approach and to discuss any additional requirements that they may have. This evaluation work would inform the need for any further archaeological evaluation/ recording before or during soil stripping works. Ideally the results of the evaluation work (i.e., the metal detecting and geophysical surveys) should be submitted and the dHEDBA updated accordingly. This survey work would also add further resolution to the overall archaeological potential of the application site and inform as to whether an archaeological condition on consent, should it be granted, be required.

EAT have stated that should, due to reasons outside of the applicant's control, such as cropping/ land access, the undertaking of the above archaeological evaluation work not be possible within the proposed timescale for submission of the ES, then these reasons should be made clear within the final HEDBA and a draft programme/ timetable for undertaking the work proposed. This evaluation work should be carried out by suitably experienced professionals working to a

brief provided by this office (or a Written Scheme of Investigation approved by this office.) Should evaluation work be undertaken post submission, it must be carried out suitably in advance of any soil stripping in order for any further archaeological works to be designed and implemented. This situation would necessitate a suitably worded archaeological condition to be included should consent be granted.

It is also requested that further details regarding the commemorative plaque to the WW2 air crash is included in the ES - the dHEDBA states that it is on a low post on the northeast boundary of the site. This should include an exact location plan (with grid reference), an understanding of how this will be impacted by the proposals, and information on how this will be protected during operation works and restoration works, and information as to how access to this will be maintained during the life of the quarry extension and subsequently.

Finally, it is noted that the figures mentioned in the dHEDBA are not included in the current submission- this situation should be rectified in the final submitted version.

Natural England (NE) have provided generic advice about the scope of the EIA, including advice on 'Heritage Landscapes' (see [response dated 27 January 2022](#)). The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Impact on water environment

The **Environment Agency (EA)** have reviewed the Hydrology & Hydrogeology report, dated October 2021 and the Geology report by Resource UK, dated February 2021 submitted in support of this request.

More detailed comments from the EA included the following comments which relate solely to the protection of 'Controlled Waters'. Matters relating to Human Health should be directed to the relevant department of the Local Council.

The site is located on the Chester Formation of the Sherwood Sandstone Group (a Principal aquifer) and falls within the catchments of public potable abstraction boreholes at Sheepwash to the south and Wallmyres to the north. The site sits on sloping land, falling away towards the south-west and the south-east.

Furthermore, the site borders the Cresswell's Piece Local Wildlife Site to the east, which has a small brook running through the middle of it, approximately 200m from the quarry boundary. The river Blithe flows at approximately 700m south-westerly.

The site is an operational quarry, active since 2006, working the Triassic sandstones and conglomerates from which sand and gravel is produced. Following recent further exploratory drilling and investigations, new reserves in the proposed extension area are estimated at 2.74 million tonnes, split equally

between gravel, pebbly sandstone and fine sandstone. A further 0.25 million tonnes is available in the existing quarry if the working base is deepened to 215m AOD in the northern part, giving a potential total reserve of 3.65 million tonnes.

The EA understand that the workings since the start of extraction have always remained above the water table as expected due to the elevated topography plus additional local influence of the cones of depression formed by the water abstraction boreholes in the area. The groundwater level is monitored by a borehole at the site as required by planning condition 50 of the existing Planning Permission where it has always been found to be dry. The base of this borehole is 210.44 m AOD, significantly below the proposed new maximum working depth of 215 m AOD.

The Local Wildlife site in the west appears to be underlain by additional superficial deposits locally, notably glacial Till and Alluvium directly beneath the brook. This provides an immediate confinement to any drainage risks. The stream and any shallow water table associated with it falls away with the local gradient in a southerly direction, not towards the quarry. The EA notes that the watercourse runs for the most part in a dip/ valley feature at a level below the proposed new quarry floor already with only a small stretch in the north-west slightly above this. The sandstone bedrock locally shows regular vertical faulting and (thin) horizontal beds of low permeability clay/ shale bands, as seen in the quarry's northern and eastern faces (a band of approximately 30cm in thickness), further severing any hydrogeological connectivity with the quarry.

Further to this, the EA advised under their letter ref. UT/2021/119085/01 dated 18 February 2021, that they had no objections to the variation of conditions application at this site (ref. SM.20/05/171 M) to allow the operator to work the existing quarry to a lower level (215m AOD) in the northern part of Phases 1 and 2. This also included an extension of time to complete these additional mineral workings and subsequent restoration.

The **Flood Risk Management Team (FRMT)** have provided an assessment in line with the Staffordshire County Council (acting as Lead Local Flood Authority) guidance, including general flood risk advice: -

According to the FRMT records and information, the site itself is not currently impacted by the 1 in 30 and 1 in 100 Surface Water Flood Zones (from the Environment Agency's updated Flood Map for Surface Water). Beyond the site boundary, an existing watercourse flows from the northeast to the southwest in an arc just beyond the eastern and southern boundaries eventually flowing into the River Blithe to the west. Flood Zones 2 and 3 are associated to this watercourse, however they are at least 200 metres to the east of the proposed site so shouldn't be impacted by the proposed works.

FRMT note that the EIA Hydrology and Hydrogeology report provided as part of this scoping request states that a comprehensive Flood Risk Assessment (FRA) is not considered necessary. As this proposed development is greater than 1

hectare in site area, this constitutes 'Major Development' so a Flood Risk Assessment (FRA) and Drainage Strategy are required. These should demonstrate how the flood risk from all sources will be managed on site. Also, evidence will need to be provided to show that no increase in flood risk offsite is caused or aggravated by the development. The flood risk and drainage proposals should also consider the flood risk from all sources over the lifetime of the site, given that the quarry layout will evolve over time.

For more detail as to what this should include, refer to the advice in our [Sustainable Drainage Systems \(SuDS\) Handbook](#) and [website](#). A Sustainable Drainage Scheme/ Strategy is required for all Major Development proposals to ensure that sustainable drainage systems for the management of runoff are implemented, unless it can be demonstrated that a scheme/ strategy is not necessary or that a more appropriate solution can be proposed. Please be guided by the [website](#).

For more specialist advice, you are advised to contact FRMT (as a technical Statutory Consultee on all Major Developments) via the Planning Authority.

In general, any surface water drainage scheme should demonstrate, but not necessarily be limited to, the following:

- Surface water drainage system(s) designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS) – (DEFRA, March 2015).
- Limiting the discharge rate generated by all rainfall events up to the 100 year plus (40%) Climate Change.
- Provision of adequate surface water runoff attenuation storage
- Detailed designs (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return period and storm durations.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems are maintained and managed for the lifetime of the development.
- Provision of supporting information to demonstrate that sufficient water quality measures have been incorporated in the design. This should be in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria
- Evidence of compliance with the principles of the drainage hierarchy, as described in Part H of the Building Regulations. If applicable, evidence of infiltration testing in accordance with BRE365 should be provided. If discharge is proposed to a surface water sewer, then evidence should be provided regarding permission to connect.
- A Construction Environment Management Plan to show that safe construction practices will be implemented and that the flood risk both to

the site and elsewhere is identified, managed and mitigated appropriately during the construction phase.

The FRMT also recommend that the Environment Agency Groundwater and Contaminated Land team should be consulted as part of the application process.

Natural England (NE) have provided generic advice about the scope of the EIA, including advice on 'Water Quality' (see [response dated 27 January 2022](#)).

Tree Protection

The **County Council's Environmental Advice Team (EAT)** have confirmed that tree protection for all retained trees and hedges should be included, in line with BS 5837:2012: *Trees in relation to design, demolition and construction*, however post and rail or post and wire fence is likely to be acceptable in the context of the quarry, rather than the standard Heras fencing used on building sites.

Effects on public rights of way

The **County Council's Environmental Advice Team (EAT)** confirmed the County Council's [Definitive Map](#) of Public Rights of Way shows that no rights of way cross the proposed application site.

More detailed comments from the EAT included:

EAT notes in the 'Landscape & Visual Impact Assessment' there are several public rights of way within the vicinity of the proposed site:

2.6.1 '... The nearest lies to the west, where it leads from the A520 Leek Road in a north-west direction (Werrington 1) and connections with several other footpaths that lead towards the village of Hulme & Washenwall (footpaths Werrington 2,3, 4 and 8)...'

However, from the submitted documentation, it does not appear that these rights of way will be impacted by the proposals.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question.

It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980.

It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

Natural England (NE) have provided generic advice about the scope of the EIA, including advice on 'Connecting People with nature' (see [response dated 27 January 2022](#)).

Effects on soil resources and land use

Natural England (NE) have provided generic advice about the scope of the EIA, including advice on Soils and Agricultural Land Quality (see [response dated 27 January 2022](#)).

Note that a development consideration for the site (see below) relates safeguarding best & most versatile land and the application will need to address this potential impact on soils.

Other Matters

Mineral Development Statement

In accordance with the validation requirements described in our '[A to Z Guide to Planning Applications](#)' all mineral applications should be accompanied by a Mineral Development Statement (MDS) (see 'M' for 'Mineral Development Statement'). In this case, however, most if not all of the matters normally addressed in a MDS may be addressed in the ES. If that is not the case, then a MDS should accompany the planning application.

Utilities

Cadent Gas provided a holding objection in relation to the scoping opinion request (see [email response dated 14 December 2021](#) and [plans](#)) concerning their gas asset in the vicinity of the proposal. You are therefore advised to contact them direct for information about the presence of their utilities in the vicinity of the proposed development.

National Grid – based on the location, the area has been found to not affect any National Grid Electricity Transmission plc's apparatus (see [letter dated 14 December 2021](#)).

Neos Networks provided details of the apparatus located in the vicinity of the proposal (see [letter dated 14 December 2021](#) and map titled "[Overview map of the worksite](#)").

Western Power Distribution (WPD) Electricity / WPD Surf Telecom provided information about their apparatus located in the vicinity of the proposal see [letter dated 14 December 2021](#) and [overview plans](#), [guidance concerning avoiding danger from electricity overhead lines and underground cables](#) and the [safe use of mechanical plant in the vicinity of electricity overhead lines](#); and [Charging Schedule](#)). You are therefore advised to contact them direct for information about the presence of their utilities in the vicinity of the proposed development.

Section 106 Legal Agreement

A Section 106 legal agreement (S106) and supplemental agreements cover the permitted mineral operations (ref. [SM.03/26/171 M](#) (ref. LD/PN428A/PP415C)

and [SM.15/08/171 M](#) (ref. SS4/011431); the concrete batching plant/ change of use of agricultural building to repair workshop (ref. [SM.08/12/171 M](#) (ref. 4/LD/GM/PP415C)); the change of use of repair workshop to manufacture of concrete products (ref. [SM.13/05/171 M](#) (ref. SS4/006894)).

Information should be included in the ES/ Mineral Development Statement to clarify/ confirm whether the operator considers the undertakings set out in the Section 106 legal agreement (S106) and supplemental agreements remain relevant. Note: a Section 106 legal agreement (S106)/ supplemental agreement would be required to secure any undertakings required.

Additional topics

Development Considerations

Information is required in the ES/ Mineral Development Statement to demonstrate that the proposal accords with Policy 4 of [Staffordshire and Stoke on Trent Minerals Local Plan](#) and addresses the 'development considerations' for the site referred to in Appendix 1 (see [Inset Map 1](#)) (as set out in Policy 1.2 of the Mineral Local Plan. The 'development considerations' are as follows:

- The site is affected by the protection zones associated with two groundwater abstractions for public water supply.
- There is a high risk of best & most versatile land being present, so this should be safeguarded in the restoration of the site.
- Reduction of the site has reduced visual impact, especially to the south. Immediate views from A520 should be addressed. Restoration should include features such as broadleaf woodland, stone walls, and pastoral farming.
- There is potential to contribute to BAP targets for lowland meadow, heathland and acidic woodland planting as well as restoration to agriculture.
- Historic character of the wider area should also be considered in restoration, e.g. through re-establishment of lines of original field boundaries.
- Proximity to sensitive properties to the north of the site needs to be considered.

Carbon Management and Climate Change

The implications of Carbon Management and Climate Change should be considered either as individual topics, jointly, or as part of the appraisal of the other topics. The ES should therefore address energy consumption and carbon

emissions from the existing and proposed operations and any potential to mitigate the impacts of climate change e.g. measures to reduce carbon emissions through transportation.

Natural England (NE) have provided generic advice about the scope of the EIA, including advice on 'Climate Change' (see [response dated 27 January 2022](#)).

Potential benefits to local environmental initiatives and priorities

The ES should consider any potential benefits of the proposal to local environmental initiatives and priorities.

Natural England (NE) have stated the ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains (see [response dated 27 January 2022](#)).

Alternatives and Need

Explain alternative options considered in developing the proposals and the main reasons for the choices made.

Cumulative Impacts

The potential cumulative impacts with any existing or approved development should be considered in accordance with [Paragraph 024](#) of the Planning Practice Guidance and Policy 4.1 (p) of the [Staffordshire and Stoke on Trent Minerals Local Plan](#). Natural England (NE) provided guidance concerning cumulative and in-combination effects (see [response dated 27 January 2022](#)).

Conclusions

The conclusions for each topic should summarise and grade the significance of the impacts and provide an assessment of the proposed mitigation in order to assess the overall net costs or benefits of the proposals.

A Non-Technical Summary

The EIA regulations require the ES to be accompanied by a non-technical summary which will enable non-experts to understand its findings.

Design and Access Statement (DAS)

It is not necessary to provide a DAS to accompany a planning application for mineral development.

Concluding remarks

This is an EIA development as it falls under Schedule 2 Part 13 (b) to the 2017 EIA Regulations and is a change to an EIA development listed in Schedule 2 (Part 2 (a))- 'Quarries, open cast mining and peat extraction (unless included in

Schedule 1') (refer to our letter dated 8 June 2020 ref: [SCE.256/SM/171 M](#) confirming a screening opinion for a proposed western extension of the quarry).

Note: the permission granted in 2006 for mineral extraction (ref. [SM.03/26/171 M](#)) covers an area of approximately 11 hectares and was accompanied by an ES. The existing site and extension would cover an area of approximately 19 hectares

In accordance with the 2017 EIA Regulations ([Regulation 18](#)) the Environmental Statement must be based on the most recent scoping opinion and be prepared by competent experts.

The key topics/ environmental issues to be assessed as part of the EIA must therefore include those mentioned in your scoping report and mentioned in this report, including the additional topics. The topics largely reflect those referred to in Planning Practice Guidance - [Assessing environmental impacts from mineral extraction](#).

The latest government guidance should be followed when preparing the Environmental Statement. This can be found on the Government website, in particular the guidance in [Schedule 4 to the 2017 EIA Regulations](#) and in [Planning Practice Guidance – Preparing an Environmental Statement](#).

Having regard to the validation requirements in our '[A to Z Guide to Planning Applications](#)' you are also advised to consider the following, either as part of the ES or as separate supporting statements:

1. Economic Statement
2. Statement of Community Involvement
3. Planning Statement
4. Minerals Development Statement
5. Planning obligations
6. Sustainability Statement.

Finally, I wish to remind you that we offer a [pre-application advice service](#) and our '[A to Z Guide to Planning Applications](#)' contains a wider range of information related to the topics referred to above. The Guide also includes advice on submitting a valid application (for example 'E' for 'Electronic Applications', 'M' for Mineral Development Statement, 'P' for Plans, Photographs and Drawings and 'V' for Validation).

Appendix 1 The relevant development plan policies and proposals, and the other material planning considerations:

[Staffordshire and Stoke on Trent Minerals Local Plan](#) (2015 - 2030) (adopted 16 February 2017). A [partial review of the Minerals Local Plan for Staffordshire](#), completed in February 2019, to check conformity with the revised National Planning Policy Framework concluded that the policies in the Minerals Local Plan continue to conform with the revised NPPF and therefore continue to carry weight in the determination of planning applications for mineral development.

- Policy 1: Provision for Sand and Gravel.
- Policy 4: Minimising the impact of mineral development.
- Policy 6: Restoration of Mineral Sites.

[Staffordshire Moorlands District Council Local Plan](#) (2014 to 2033) (adopted September 2020)

- Policy SS1 - Development principles.
- Policy SS 10 -Other rural Areas Strategy.
- Policy SD1 – Sustainable Use of Resource.
- Policy SD 4 - Pollution and water quality.
- Policy SD 5 - Flood Risk.
- Policy DC 1 - Design considerations.
- Policy DC 2 – The Historic Environment.
- Policy DC 3 - Landscape and Settlement Setting.
- Policy NE 1 - Biodiversity and Geological Resources.
- Policy NE 2 - Trees, Woodland and Hedgerows.
- Policy T 1 - Development and Sustainable Transport.

[Planning for Landscape Change](#). Staffordshire County Council Supplementary planning guidance.

[National Planning Policy Framework](#) (updated February 2019):

- [Section 1](#): Introduction.
- [Section 2](#): Achieving sustainable development.
- [Section 4](#): Decision-making.
- [Section 6](#): Building a strong, competitive economy.
- [Section 9](#): Promoting sustainable transport.
- [Section 11](#): Making effective use of land.
- [Section 12](#): Achieving well-designed places.
- [Section 13](#): Protecting Green Belt land.
- [Section 14](#): Meeting the challenge of climate change, flooding and coastal change.
- [Section 15](#): Conserving and enhancing the natural environment.
- [Section 16](#): Conserving and enhancing the historic environment.
- [Section 17](#): Facilitating the sustainable use of minerals.

Planning Practice Guidance

- [Conserving and enhancing the historic environment](#)
- [Design: process and tools](#)
- [Environmental Impact Assessment](#)
- [Flood risk and coastal change](#)
- [Green Belt](#)
- [Light pollution](#)
- [Minerals](#)
- [Natural environment](#)
- [Noise](#)
- [Planning obligations](#)
- [Transport evidence bases in plan making and decision taking](#)
- [Travel Plans, Transport Assessments and Statements](#)
- [Use of planning conditions](#)
- [Determining planning applications](#)
- [Regulatory regimes](#)
- [Water supply, wastewater and water quality](#)

[Return to Policy Context section of the report.](#)