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Planning, Policy & Development Control

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Sent by email

Our Ref: [SCC/23/0010/CON](#) Your Ref: [SMD/2022/0249](#) 31st January 2023

Dear Mrs Curley,

Consultation from Staffordshire Moorlands District Council in connection with application (SMD/2022/0249) to them for residential development of 67 houses with a mix of two and two and a half storey dwellings, consisting of new access to Cheadle Road, new public open space, sustainable urban drainage, landscaping, pumping station and associated works on Land Off Cheadle Road, Upper Tean.

I refer to your consultation letter dated 25th January 2023 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 up to 67 houses on a site comprising of 3.6 hectares of land which is situated within the development boundary of Upper Tean.

Observations

The site falls within a Mineral Safeguarding Area (MSA), for Bedrock Sand and Superficial Sand and Gravel.

Paragraph 212, 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 as well as safeguarding permitted mineral operation from undue restrictions.

Policy 3.2 of the 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 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 allocation would not unduly restrict the mineral operations.

Policy 3.3 of the Minerals Local Plan 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.

Policy 3.4 of the new Minerals Local Plan states:

Within a Mineral Safeguarding Area, where important mineral resources do exist, and the above criteria have not been met, the non-mineral development except for those types of development set out in appendix 6, should not be permitted unless the development includes provision for the extraction of the mineral prior to the development being implemented.

The application is for housing development within a Minerals Safeguarding Area but is exempt from the requirements of Policy 3 of the Minerals Local Plan as the application is within the development boundary of Upper Tean and does not fall within a mineral consultation zone around an existing mineral site, mineral site allocation or mineral infrastructure sites.

Conclusions

Having regard to the policies, guidance and observations referred to above, it is reasonable to conclude that the application is exempt from the requirements of Policy 3 of the Minerals Local Plan.

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 for the residential development of 67 houses with a mix of two and two and a half storey dwellings, consisting of new access to Cheadle

Road, new public open space, sustainable urban drainage, landscaping, pumping station and associated works on land off Cheadle Road, Upper Tean.

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,

Matthew Griffin

Team Leader - Minerals Planning Policy and Development Control

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