

Date: 31 March 2023
Our ref: 380891
Your ref: SMD/2022/0014



Jane Curley
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
ST13 6HQ

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Jane Curley

Planning consultation: Proposed construction of a revised surface water outfall associated with Moneystone Park leisure development and engineering operations to infill the existing outfall structure.

Location: Moneystone Quarry Cheadle Road Oakamoor

Thank you for your initial consultation on the above dated and received by Natural England on 13 January 2022 and the further consultations.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- damage or destroy the interest features for which Whiston Eaves Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Outfall Method Statement / Construction Environmental Management Plan detailing how construction works will avoid damage to the SSSI and its notified species should be provided.
- A monitoring scheme for during and after construction.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

- *Outfall Method Statement / Construction Environmental Management Plan. The plan should detail how damage to the SSSI will be avoided and including, but not limited to, the following:*
 - No run-off into the SSSI during construction from the access road or the landscaping land, both of which are adjacent to and in hydrological continuity with the SSSI.
 - Safeguards must be in place to prevent run-off including fines, fuel and chemicals in surface water and groundwater during construction across the wider site from entering the SSSI. This is paramount given the identification of a significant role for sinkhole recharge and implied rapid flow through the underlying groundwater.
 - The agreed lake level is 156 AOD.
 - It should be clear that when considering any work in the SSSI, engagement with Natural England is key and required.
 - Stockpiled materials must only be stored in such a way as to prevent material and contaminated run-off entering the SSSI.
 - Works should be carried out in dry conditions and therefore the prevailing weather conditions must be considered when deciding when to carry out work. Working in dry conditions will limit the risk of overtopping/or runoff entering the SSSI.
- *Monitoring Scheme for during and after construction. This should include the following:*
 - A technical assessment to confirm
 - that flow monitoring apparatus is fit for purpose to accurately monitor the full range critical range of flows. This should be completed prior to the development.
 - the water level at the overspill for 5 years from the operation of the development. This should be completed post development. The agreed water level is 156 AOD.
 - Monitoring of water quality before and during construction to check that no fines, fuel or chemicals are entering the SSSI. See Annex A for further information.
 - Monitoring of future stream flows and sediments for 5 years from the operation of the development.
 - Annual reporting of the data and necessary interpretation. The reports should compare monitoring data against the results of predictive modelling carried out during the planning phase. Any discrepancies should be clearly identified and explained, and actions proposed as necessary.
 - A mechanism for mitigation if monitoring reveals issues. This is required in case the monitored results start to significantly deviate from predictions, in which case Natural England would require mitigation.

The above monitoring is required to safeguard the SSSI from harm, provide a quality control of the modelling that has been carried out to support the application and to address the remaining uncertainty in the modelling.

If the outfall proposal is not implemented then the land owner will need to provide details to Natural England of how the lake levels will be maintained at >156AOD to sustain seepages features at the site. How will the Applicant manage high/overtopping lake levels? Uncontrolled discharge of water cascading down the valley side at the current discharge point where the siphon pipes are located is unacceptable and will negatively impact the SSSI.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex B.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me on

We would be pleased to provide advice on the discharge of planning conditions or obligations attached to any planning permission to address the issues above.

Should the proposal change, please consult us again.

Yours sincerely

Gillian Driver

Ms Gillian Driver
Lead Adviser
Land use planning – West Midlands Area Team

Annex A-Water quality monitoring

We advise that the following trigger levels for water quality should be applied.

Determinand	Trigger level/outside specified range
Dissolved Oxygen (percent saturation, 10 percentile):	< 85%
Biochemical oxygen demand (BOD) (mg/l, 90 percentile):	>1.5mg/l
pH:	>=6 to <=9
Acid neutralising capacity (ANC)(annual mean values):	< 80
Soluble reactive phosphorus (applied as a growing season (March-September) mean and as a whole year mean):	> 15ug/l
Total Ammonia as nitrogen (mg/l, 90 percentile):	> 0.2mg/l
95%ile un-ionised ammonia (NH ₃ -N, mg L ⁻¹):	> 0.025mg/l
Suspended solids (annual median value based on earlier recommendation pre-quarrying):	>20mg/l
Calcium	27 - 38mg/l
Magnesium	2.7 - 5.4mg/l
Iron	>0.01 - 0.03mg/l
Manganese	>0.01 - 0.24mg/l
Cadmium	>0.005mg/l
Chromium	>0.01mg/l
Copper	>0.01mg/l
Nickel	>0.01mg/l
Lead	>0.01mg/l
Zinc	>0.01mg/l
Chloride	19 - 24mg/l
Sulphate	28 - 38mg/l

Annex B – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the [National Planning Policy Framework](#) (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#) Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the

proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on [Gov.uk](#) website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying [Good Practice Guide for Handling Soils in Mineral Workings](#).

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found on [Gov.uk](#).

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's [Biodiversity Metric 3.1](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.1](#) and is designed for use where certain criteria are met. It is available as a beta test version.

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.1](#) and is available as a beta test version.

[Green Infrastructure](#)

Natural England's [Green Infrastructure Framework](#) provides evidence-based advice and tools on how to design, deliver and manage green infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the [15 Green Infrastructure Principles](#). The Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

GI mapping resources are available [here](#) and [here](#). These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 100 and 174 of the NPPF highlight the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat.

Further information is available [here](#).