

From: [Sheila Walters](#)
To: [Jane Curley; Planning \(SMDC\)](#)
Subject: Heritage Assets / Moneystone Quarry
Date: 30 January 2025 17:35:36
Attachments: [Screenshot 2023-02-15 at 21.08.39.png](#)



Dear Mrs Curley,

There is a two fold purpose in writing this email to you, one of which will, by way of its contents, be as an objection to the application SMD/2023/0532 and will need no comment or expected response

from you other than for it to be lodged on the SMDC website, whereas the other is to open up or re kindle a broader issue about conservation and enforcement action by SMDC, a matter of which

you have a personal or historic interest or knowledge and, though being linked by the circumstances of a document now on the 0532 file, should, because of its wider implications, be the subject of

discussion and does need a response from the Council.

For that reason I am sending a copy of this email directly to the SMDC planning site for inclusion as usual, but because of the contents contained here below, I am copying this to you and others whom I think should be

concerned as matter of importance because of an apparent policy failure of the Council with regard to protecting and preserving known heritage assets at Moneystone quarry.

As you have been dealing with aspects of these issues for a number of years and obviously as case officer overseeing the planning development at the quarry, I would hope that you will be able to respond

to the policy and principles involved, though because of the unusual complexity of the subject matter, you may wish to consult with others whom I am also copying in.

I must begin however with a contextual link to the documents currently on display on the webfile for application SMD/2023/0532.

The Assessments for both Statement of Conformity and the new EIA which you are considering (despite it being out of time for submission as noted in earlier correspondence) allege that there is no change since 2016 when the outline

EIA was submitted.

This however cannot be true and is legally challengeable.

As an example I cite the following evidence from the LPA's own policy documents which have changed since 2016 as regards to heritage assets.

eg

The Local Plan

10.6 The Staffordshire Moorlands Core Strategy has now been superseded by the Staffordshire Moorlands Local Plan which was adopted on the 9th September 2020.

10.7 Policy DC 2 is applicable to the historic environment:

- 1. The Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance. This will take into account the desirability of maintaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.***
- 2. Protection will be given to designated heritage assets and their settings and non- designated heritage assets as set out in the NPPF.***
- 3. All applications likely to affect heritage assets will require the submission of a heritage statement, including a qualitative visual assessment where appropriate.***
- 4. Where development is likely to affect archaeology, both designated and undesignated, the Council requires the submission of a desk-based assessment, and where appropriate, field surveys and trench evaluation by a qualified professional.***

5. *Where the loss of significance is unavoidable, recording should take place and this should be added to the Historic Environment Record as a minimum, held by Staffordshire County Council.*
6. *The Council will continue its proactive approach to heritage assets at risk and welcomes development proposals which would result in the sympathetic reuse of these assets in line with NPPF policy.*
7. *The Council will promote development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area and those interests of acknowledged importance through the use of Conservation Area Appraisals, Design Guidance and Statements, Archaeological Assessments, Characterisation Studies and Masterplanning.*

Given those provisions which have now superseded those from pre 2020, I would point out to you that

1) changes in legislation both nationally and locally mean that the circumstances whereby the significant effects upon the previous archaeology and heritage assessment applied in 2016, no longer prevail .

2) the continued presence of the de -constructed former stable block which was the subject of an LBC prior to 2004/5 means that the stones and other materials associated with it, which are still arrayed in exactly the same pattern on

the ground plan for the past 20 years as they were originally laid out for the purposes of the LBC curation and have not been used by the quarry owners, ie Laver / the applicant, and who are responsible for the restoration of the quarry

both under the terms of the LBC and the 2014 agreement with Staffordshire County Council, are, by their legal nature, background and historic materials under the auspices of the LBC, which has not been completed, to be regarded

heritage assets.

Consequently Policy DC2 has therefore to be applied to the materials.

Unfortunately having previously alerted you to the fact that these assets have to be considered in any such planning development because they are known historic assets and from their permanency at the site since the conditions of

the LBC were implemented and which have still not been fulfilled, you have not taken account of them in your case recommendations / reports.

As a result, under items 1-4 of policy DC2 no measures have been included anywhere in the application documents submitted in SMD/2023/0532, or in any other recent applications involving the change of use or development of

the land upon which the materials are still stored, to account for such protection as is demanded by the LPA policy, as well as by the original terms of the LBC. Neither has Council taken account of item 6 whereby the materials from

the former listed building should be reused in line with NPPF policy.

The matter was also drawn to the attention of the Inspector during the course of the recent planning Inquiry at the quarry whereby, on record, the applicant's agent, Mr John Sutcliffe was cross examined and admitted to the Inquiry that

all liability for the quarry restoration including the full implementation of the LBC, passed to Laver /the applicant upon the change of ownership in 2010.

At no stage since taking ownership of the quarry has that bund area or the materials enclosed within it, been legally transferred to the ownership of another party.

Mr Sutcliffe attested to such and appeared from his response to know very little about them other than their presence on site.

Thus the ownership of all the materials still residing at the allocated bund area where they were deposited in accordance with LBC provisions for their safe curation pending the completion of the quarry's restoration which you are now

considering, has to be a matter for the owners, who, in order to complete the extant terms of the LBC, have to incorporate these assets or reuse them in their development plans.

That liability remains as the materials are still on site and in the protective bund as prescribed by the LBC.

Under the conditions of the NPPF and the LPA's own policy DC2 , the stones and all other material stored there, are also to be treated as heritage assets, either designated or undesignated .

Neither does it matter which sort, as the LPA has a duty to adhere to its own policy items as mentioned above.

These require additional information to be supplied to the LPA for consideration and then for the necessary implementation of the LPA policy to be agreed before any planning permission for an application can be given.

To date that has not been included in any of the recent applications and neither have you as the case officer involved on behalf of the LPA, either considered that lack of provision in the plans put before you to be a reason for concern

or even refusal, and despite being aware of the situation, you have also not sought to enforce the obligations that policy DC2 provides.

The restoration of the stones and other materials into a re-formed building was and always has been the responsibility of the owner of the quarry under the LBC conditions.

The extant LBC conditions provide that the building or re use of its materials must be at the completion of the restoration of the quarry.

Laver / the applicant is the owner of the quarry.

The materials from the building belong to the quarry site itself and are not transferrable.

Laver /the applicant is therefore under the conditions of the 2014 agreement with Staffordshire County Council, responsible for the completion of the restoration of the quarry.

It follows therefore that both as part of that 2014 responsibility and under the extant conditions of the LBC , whereby the original owners of the quarry were permitted to remove the building on condition it was to be rebuilt later within

quarry enceinte, it is still the owners of the quarry, ie the applicant whose duty it is to ensure that that takes place.

Any development of the quarry site has to meet those criteria.

You will be aware that the applicant is claiming that the EIA refers to the whole site in its cover letter of October 2024 when it was submitted to you and in its Statement of Conformity from the original validated application.

However these plans based on such, show no evidence of intent to meet the EIA requirements regarding heritage assets as I have outlined above and therefore are unacceptable.

Also as you will be aware, and for the record again, the Inspector in his recent Inquiry report upon the development plans for the quarry was clearly wrong, or had insufficient grasp of the actualities of the case, where he stated in his report

reference Appeal Ref: APP/B3438/W/24/3344014

Moneystone Quarry, Eaves Lane, Oakamoor.

" 60. Materials from a building demolished outside the appeal site have been stored here. The Conservation Society were concerned that this proposal would jeopardise its re-building but that would involve another site, outside the red line of the appeal site, and is not a matter for my consideration. "

As you will know, the demolished building in question was *not outside the appeal site* as the Inspector wrongly concluded. It was originally standing within the boundary of the appeal site and as such the implications from the LBC

conditions should have been a matter for his consideration.

If he had fully understood the evidence that had been produced for the Inquiry and had realised the ownership and responsibility for the building belonged to the quarry owner and not to a third party who now claims he no longer wants

the material anyway, a more equitable solution for the protection and preservation of the material as required by the unfulfilled LBC should have been implemented.

As it is at the moment, the LPA still has a responsibility in this instance to

- 1) question the integrity of the EIA claim as detailed above
- 2) insist upon measures being included in the application to warrant sufficient protection under the terms of DC2 as stated above
- 3) require a design as a part of the RMA which would result in the sympathetic reuse of these assets in line with NPPF policy and its own policy requirements for heritage assets .
- 4) ensure that by doing the above that the terms and conditions of the original LBC for which the LPA is responsible for enforcing, is satisfactorily achieved..

Because this arrangement to protect the de constructed building was originally instigated by SCC who agreed the terms and conditions of the LBC, I am also writing to the County Archaeologist to explain the current

situation as I believe that this matter has become so protracted for a variety of reasons that it is vital to ensure that this heritage asset that was so carefully taken apart by their expert who reported each stage step by

step and went to the trouble to lay out the exact footprint of the building on the ground inside the protective bund for ease of reconstruction once the restoration of the quarry was completed, should not now be allowed

to deteriorate any longer.

Over 20 years has passed and there is still no resolution to the situation.

It is a shameful indictment of the failure of the LPA to ensure that the measures that were supposed to guarantee a useful preservation of that building, especially as in truth the original foundations are still visible and it

was only the inconvenience of safeguarding the building in situ while quarrying happened nearby that was the problem for the then owners Sibelco.

Now it seems the new owners of the quarry are being allowed to duck the issue and ignore their responsibility towards the heritage asset that they own and which is still integral to the site.

Your council has a duty to act to prevent further harm coming to this heritage asset and I should be grateful to learn precisely what it intends to do to rectify the situation as soon as possible.

i would hope too that the County Archaeologist will comment upon the lamentable situation that has evolved through neglect and seek or advise upon immediate and appropriate action being taken to remedy

this lack of preservation and failure to carry the provisions of the LBC that was designed to accommodate such.

Yours sincerely,

David Walters

Secretary

Churnet Valley Conservation Society

CVCS