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Please ask for: Matthew Griffin

### **Sent by email**

Our Ref: [SCC/23/0035/CON](#)

13<sup>th</sup> April 2023

Dear Mr. Davies

### **Consultation from Staffordshire Moorlands District Council in connection with Checkley Neighbourhood Development Plan**

I refer to your consultation email sent 3 March 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**

Checkley was designated as a Neighbourhood Area in 2016. It includes the villages of Upper Tean, Lower Tean, Checkley and Hollington, the hamlet of Fole and their rural surroundings.

The development plan covers the period from 2021-2035.

### **Observations**

Within the draft Neighbourhood Development Plan, references are made to the influence of quarrying within the parish and in particular, to historic and current quarrying of building stone at Hollington. Having regard to the first paragraph of page 11 of the draft Plan, it should be noted that the three remaining permitted quarries in Hollington are all subject to restoration and aftercare requirements to ensure that the quarries are satisfactorily reinstated upon the cessation of stone extraction.

Draft Policy HSG1 allocates two sites for residential development. The proposed allocated site at Tearne House, Quarry Bank, Hollington falls within a Mineral Safeguarding Area for Building Stone and includes Tearne Quarry which is subject to an extant mineral planning permission (our ref: [SM.14/05/117 M](#)).

Permission for housing within the northern part of the quarry where the stone reserve is exhausted was granted in 2018 (your ref: [SMD/2018/0045](#)) but the southern part the quarry remains operational with permission to extract stone until February 2042.

Paragraph 212 of the [National Planning Policy Framework](#) 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 in 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) The 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 benefits of the underlying or adjacent mineral; or,
- c) It is not practicable or environmentally acceptable in the foreseeable future to extract the mineral.

Having regard to the proposed allocation at Tearne House, it will be necessary to assess whether the proposal accords with Policy 3 of the Minerals Local Plan. It is recommended that an assessment is carried out in accordance with Policy 3.2.

## Conclusions

Having regard to the policies, guidance and observations referred to above, it is reasonable to conclude that proposals for residential development at Tearne Quarry need to be assessed in accordance with the requirements of Policy 3 of the Mineral 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 a **holding objection** to the Checkley Neighbourhood Development Plan for the reason described above.

I trust that Staffordshire County Council's observations will be taken into account in reaching a decision on the application.

Yours sincerely,

Redacted text

Minerals Planning Policy and Development Control Team Leader

Please note that a copy of this letter will be published on the internet via the County Council's [Citizen Portal](#).

