



Stowe by Chartley Parish Council

For the attention of

Mr Andy O Brian
Executive Officer
East Staffordshire Borough Council,
PO Box 8045,
Burton Upon Trent,
Staffordshire,
DE14 9JG

27th August 2025

URGENT MAIL Next day delivery, signed for post by noon, with a copy sent by email on 28th August 2025.

Dear Mr O Brian,

Concerns with regards to proposed Solar Farms in Drointon, and Newton in Staffordshire.

Stowe by Chartley Parish Council write to **raise serious concerns** regarding the planning application for Solar Farms in the area in question. If these applications are perhaps **unsafe planning approvals**, owing to issues relating to problems with weak and unstable ground in the area. We, therefore, write to highlight our worries regarding historic gypsum and salt mine workings in the area. Sinkholes and cavities have appeared very close to all three locations on land that has been proposed for the construction of solar farms. Therefore, we feel we are duty bound to **inform you of this new evidence** that the parish council has received. This evidence, which has only recently come to our attention followings hours of detailed research which has been confirmed by both local and national experts.

Stafford Borough Council members unanimously refused a planning permission last year for a Solar Farm at **Lower Farm, Drointon**, (planning reference 23/36938/FUL), which was then approved on appeal. Also, East Staffordshire Borough Council have recently approved planning permission, on the chairs casting vote, for a solar farm at **Moreton Brook Farm, Newton** (planning reference P/2024/00696). There is also currently a proposed planning application being considered by Stafford Borough Council for a further solar farm at **Yew Tree Farm, Drointon**, (planning application 25/40571/FUL).

At least one sink hole has been reported at Drointon close to a major electricity pylon, in 2010. At least one of the other sink holes which occurred at Admaston was investigated by The Staffordshire Industrial Archaeological Society in 2008, the report was carried out by Mr Jim and the late Dr Anne Andrews which is attached. Another sink hole has appeared on the highway at Lea Heath, Hixon in 2020 and was dealt with by SCC Highways Department. Further, sinkholes have now been reported following recent discussions within the community, obviously there may be even more discovered in future months.

Gypsum mining and brine pumping has occurred in these aforementioned areas over many years and damage which was caused by these activities is referenced in many geological papers.

We have attached a comprehensive dossier of information we have gathered on the gypsum workings and sinkholes, along with witness statements from residents and landowners, listed below:

- **ATTACHMENT 1** - A plan of the area, indicating the three solar farms, and shows the sites of some of the sink holes.
NB: Mining tunnels are not shown as they were not always mapped, but need to be investigated, along with shafts and bore holes.
- **ATTACHMENT 2** - Individual statements from those who have witness these sink holes.
- **ATTACHMENT 3** - A report from the Staffordshire Industrial Archaeological Society in 2008, regarding Oakfield Farm.
- **ATTACHMENT 4** - Photographic evidence and a short summary of each sink hole.
- **ATTACHMENT 5** - Staffordshire County Council report on Normanswood Farm, dated on 8th June 2006.

Gypsum was previously mined at Normanswood Farm at Stowe by Chartley where the mine required pumping out for 18 hours per day and was closed following 3 miners drowning there in the 1950's.

Salt was also mined in this area, and deposits of salt are recorded locally in the area. In fact, the Site of Special Scientific Interest (SSSI) Chartley Moss, a large floating peat bog, formed as the result of dissolving salt deposits beneath the surface. This process created a hollow that filled with groundwater, forming an acidic lake. Over time, layers of peat accumulated, creating a floating raft of vegetation on top of the water. The unique conditions of this "quaking bog" support a variety of specialized plant and animal life. This is one of the most important schwingmoor peat bogs left in the country.

The above has not been raised by any report into Chartley Moss, prepared by the developers or their experts which we find is a serious and very deep concern to ourselves as local residents.

As part of the construction of the proposed solar farms in Drointon and Newton, it is proposed to use piling techniques to

install the structures for the solar panels, along with bringing large and heavy machinery onto the sites to install the infrastructure, structures and access roads to service the sites.

We again raise serious concerns that this work will damage the surface and anything beneath it, including potential unmapped mines shafts, boreholes and sinkholes. This could in turn create further sinkholes or destabilise the ground, both on the sites and in Drointon itself.

Our main concern here is that no reference has been made in any approved planning application or proposed application for historic gypsum or salt mine working or the presence of historic sinkholes.

We find this most surprising, as much of the information we have referred to above is in the public domain or can be found by conventional site investigation typical of major engineering schemes, or so we understand. Even in part, such information should surely have caused concern and further consideration by the applicants.

In the same way both the Borough Councils and the County Council have not carried out due diligence, especially when records are available that show that Staffordshire County Council investigated illegal activities at Normanswood Farm (copies of the report are attached see page 16 15.2 to 15.10 for reference dated on the 8th June 2006). It is perhaps at the least unfortunate, that this information was not made available prior to the planning meeting, or during the Lower Farm appeal. The Planning Inspector may have reached a different conclusion with full information.

We have provided details of our concerns in the attached documents, including witness statements and ask you read these as a matter of urgency.

As none of the historic mining has been investigated as part of the planning process, we consider that both the Lower Farm, Drointon and the Moreton Brook, Newton to be **unsafe planning approvals** and we seek to urgently request that the councils of Stafford Borough, East Staffordshire Borough and Staffordshire County Council request developers to stop all works in the planning of, or installation of solar farms until such a time that full mining surveys have been undertaken to plot and map all historic mining operations and to undertake ground surveys, including ground penetrating surveys to plot all mine shafts, boreholes and to locate and record all sinkholes, including ones that may affect future operations.

In terms of the mine workings (both mapped and unmapped) and historic sinkholes, no work has been undertaken by the developers to determine where groundwater goes within the mine workings or sinkholes and where this will drain to. **The developers have only ever considered surface water.**

As no investigation as to the presence of mine shafts, boreholes or sinkholes were carried out or raised during the planning process, then it is unlikely that any Statutory Consultee would have referred to them or commented upon the effect this may have on their area of expertise. For example, the Staffordshire County Councils Flood Risk response only refer to how flooding or groundwater may be affected on the surface i.e. groundwater runoff. They do not however, consider if there are potential mine shafts, boreholes or sinkholes and where this water may end up.

We believe that this may have potentially serious consequences that have not been investigated.

The potential impact of mine shafts, boreholes and sinkholes during the construction of the solar farms may have serious effect upon the proposed construction traffic using the lanes in and around Drointon and Newton. The two proposed solar farms at Drointon will see considerable HGV traffic. It is proposed that if approved over 12000 vehicles will be used to construct the sites of which around 6000 will be HGV's and associated construction vehicles required to use 3m wide single-track country lanes. There is only one proposed route in or out of the site, which passes over both a high-pressure Gas pipeline and a high-pressure Oil pipeline, both next to Chartley Moss.

Again, Staffordshire County Council highways are unlikely to have been aware of the presence of mineshafts, boreholes and sinkholes when determining these applications. They may have considered these differently had they been appraised of the full situation.

We further raise concerns that in the event of a BESS fire then where will the potentially contaminated water drain to. As you will be aware the proximity of both Blithfield Reservoir and the Chartley Moss, a protected Site of Special Scientific Interest (SSSI), being one of the most important peat bogs left in the country are likely to be affected by contaminated water from a BESS fire. Blithfield Reservoir is used for drinking water, if contaminated water from a BESS fire gets into this and Chartley Moss then these would be an ecological disaster.

As mentioned above NONE of this has been investigated by the developers or by any of the Statutory consultees.

We therefore consider the above make both approved applications to be **UNSAFE PLANNING APPROVALS**, along with the proposed application at Yew Tree Farm, Drointon.

The new evidence we are providing as part of our concerns **MUST** be investigated as soon as possible by all authorities and approved or proposed applications put on hold until such a time that further statutory consultations are undertaken to ensure that consultees are provided with accurate information in order to base their comments upon.

Therefore a **PLANNING DISCONTINUANCE ORDER**, issued under Section 102 of the Town and Country Planning Act 1990, needs to be issued by the local planning authority to halt or alter a lawful use of land or buildings. All work on the

projects mentioned above, should **CEASE AND DESIST** with immediate effect until the necessary work has been carried out as suggested above,

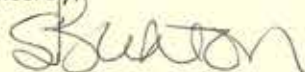
Finally, we write to make you aware of your obligations to investigate fully our concerns and to make you aware of your obligations and liabilities should an incident occur on site or in the immediate area because of your failure to act upon our concerns. **Therefore, Stowe by Chartley PC, would hold you liable by prior knowledge, should an incident occur.**

We trust that you will appreciate the importance of our concerns and' given the weight of evidence, will be taking appropriate immediate action to prevent losses that are now clearly foreseeable.

We have copied our concerns to several individuals and organisations, who are likely to be interested in our concerns and who may have responded to any consultation differently had they been made aware of the above facts, the list is below.

In conclusion, we request your urgent response to our concerns by highlighting the proposed measures you intend to undertake to address these serious issues immediately; by acknowledging receipt of this correspondence and highlight the actions you intend to take as an authority to act on the information provided in this letter.

Your sincerely,



Mrs Sue Buxton CiLCA
Clerk and RFO of Stowe by Chartley Parish Council



Cllr Peter Coote BA(Hons)MA(Ed)
Chair of Stowe by Chartley Parish Council,

Address: Four Oaks Farm, Hadley End, Yoxall,
Burton on Trent, Staffordshire, DE13 8PF
Telephone: 07398 756549
Email: clerk@stowe-by-chartley-pc.gov.uk

Address: 2 Chartley Manor Mews, Chartley,
Staffordshire. ST18 0LL
Telephone: 01889 270571
Email: cllrpcoote@stowe-by-chartley-pc.gov.uk

Circulated to:

Letters sent on 27th August and email sent on 28th August 2025:

- Cllr Aidan Godfrey leader of the Stafford Borough Council – letter and attachments sent only by email.
- Mr Patrick Flaherty, Chief Executive Officer letter and attachments sent by post to Chief Executive's Office ,Staffordshire County Council, County Buildings, Martin Street, Stafford, Staffordshire, ST16 2LH and a copy also sent by email Cllr Ian Cooper leader of Staffordshire County Council – letter and attachments sent only by email.
- Cllr Aidan Godfrey leader of the Stafford Borough Council – letter and attachments sent only by email.
- Mr Andy O Brian Executive Officer letter and attachments sent by post to East Staffordshire Borough Council, PO Box 8045, Burton Upon Trent, Staffordshire, DE14 9JG and a copy also sent by email.
- Cllr Mick Fitzpatrick leader of the East Staffordshire District Council – letter and attachments sent only by email.

Copies sent for reference by email on 28th August 2025, to the following:

- Cllr Andrew Mynors - Staffordshire County Councillor - Stafford Trent Valley.
- Cllr Gary Hales - Staffordshire County Councillor – Uttoxeter Rural
- Cllr Francis Beatty MBE, ARAGS - Stafford Borough Council
- Cllr Karine Aspin - Stafford Borough Council
- Mr Richard Wilshaw, Stafford Borough Council, the planning case officer for Yew Tree Farm
- Sir Gavin Williamson CBE MP – will receive a copy of the letters and attachments to act on this constituency matter on behalf of Stowe by Chartley Parish Council.
- Cllr Peter Atkins Chairman of Blithfield Parish Council
- Mrs Fiona Shipley Clerk of Blithfield Parish Council
- Cllr Colin Whitaker – East Staffordshire Borough Council – Blyth
- Dave Robertson MP – will receive a copy of the letters and attachments to act on this constituency matter on behalf of Blithfield Parish Council and will be contacted directly by the aforementioned, PC regarding these issues.
- Mr Ben Adams, the Staffordshire, Police, Fire and Rescue Commissioner
- All Stowe by Chartley Parish Councillors (7) and all Blithfield Parish Councillors (5)
- National Gas Transmission (2)
- Health and Safety Executive
- Natural England (2)
- High Pressure Oil Pipeline

NB: Copies have been circulated to 32 individuals and organisations for reference and comments.

ATTACHMENT I

A plan of the area,
indicating the
three solar farms,
and
shows the sites of some of
the sink holes.

NB: Mining tunnels are not shown as they were not always mapped, but need to be investigated, along with shafts and bore holes.

Proposed Solar farm locations in Drointon and Newton

Identified Sinkhole

Solar farm 1 and 2

Solar farm 3

Note

- Mining tunnels are not shown as they were not always mapped, but need to be investigated, along with shafts and bore holes
- "Stowe by Chartley PC" have evidence of a further 4 sinkholes, along with mine shafts. However, the landowners have requested their details are not disclosed at this stage. Please see attachment 4 for further information.

ATTACHMENT 2

Individual statements
from those who
have witness
sink holes.

The chair of Stowe by Chartley Parish Council, Cllr Peter Coote, has requested this statement below, regarding a sinkholes which have appeared in the area.

We hereby declare that we all sign and date this statement below as a true and correct record of what occurred regarding a sinkhole at Brookside Farm, Lea Road, Drointon, on land which belongs to Mr Philip Gregory.

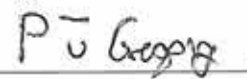
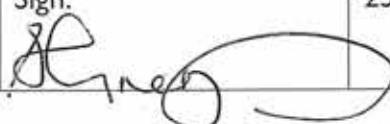
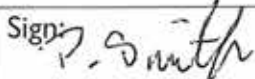
The Sinkhole was approximately 8ft wide and 5ft in depth and appeared in 2010.

An agricultural contractor Mr Peter Smith was working in the field, hedge cutting, when he suddenly felt his tractor move and turned around to view it from this rear-view window to witness the tractor back wheels sitting immediately in front of a large sinkhole which appeared immediately behind him. The ground literally calapsed without any warning, this action shocked and concerned all the individuals who have signed below.

Mr Peter Smith, stopped the tractor to investigate and reported the incident to the owner of the field. The sinkhole is in very close proximity to an electric pylon and the safety aspect of this was very concerning to the contractor.

Mr Smith alerted the owner and eventually the sink hole was fill to allow normal agricultural practises to continue.

All the below sign as witnesses of the said sinkhole and are aware it was filled in as described above.

Mr Philip Gregory	Brookside Farm, Lea Road, Drointon, Stafford	Sign: 	25 th August 2025
Mr Susan Gregory	Brookside Farm, Lea Road, Drointon, Stafford	Sign: 	25 th August 2025
Mr James Gregory	Brookside Farm, Lea Road, Drointon, Stafford	Sign: 	25 th August 2025
Mr David Gregory	Plough Farm, , Drointon, Stafford	Sign: 	25 th August 2025
Mr P Smith	3 The Blyth Kingston, Nr Uttoxeter	Sign: 	25 th August 2025

The chair of Stowe by Chartley Parish Council, Cllr Peter Coote, has requested this statement below, regarding sinkholes which have appeared in the area.

I hereby declare that I sign and date this statement below as a true and correct record of what occurred regarding a sinkhole, on Lea Road, at Lea Heath and a further 2 sinkholes near Knowle Farm.

I witnessed and discovered a sink hole in Lea Road Lea Heath in 2020. The sink hole was approximately eighteen inches in diameter and approximately nine feet deep. I reported this on the Stafford Borough Council website with supporting photographic evidence. A traffic cone was placed over the hole to make road users aware, as it took the council some considerable time to come and fill it in, which was of great concern to us as the cause was unknown and it was a serious health and safety issue.

This is the second sink hole that I'm aware of, the other one was approximately 20 years ago and further down Lea Road on the right-hand side whilst travelling towards Hixon, approximately two hundred and fifty yards from the entrance to Knowle Farm, which also included a hole in the field the other side of the hedge, which is still visible today, as are the repairs to the road surface.

I declare that I witnessed the above described sinkholes.

Carl Godridge 2 Hillcrest

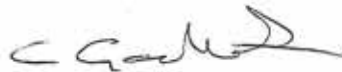
Sign: 25th August 2025

Lea Road, Lea Heath

Admaston, Rugeley

Staffordshire, WS15

3NU



The chair of Stowe by Chartley Parish Council, Cllr Peter Coote, has requested this statement below, regarding sinkholes which have appeared in the area.

I hereby declare that I sign and date this statement below as a true and correct record of what occurred regarding a sinkhole, on Lea Road, at Lea Heath.

I witnessed a sink hole in Lea Road Lea Heath in 2020. The sink hole was approximately eighteen inches in diameter and approximately nine feet deep. A traffic cone was placed over the hole to make road users aware, as it took the council some considerable time to come and fill it in, which was of great concern to us as the cause was unknown and it was a serious health and safety issue.

I sign below as a witnesses of the said sinkhole.

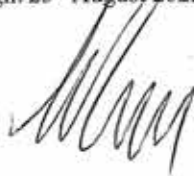
Mr Chris Shaw 1 Hillcrest

Lea Road, Lea Heath

Admaston, Rugeley

Staffordshire, WS15
3NU

Sign: 25th August 2025



ATTACHMENT 3

A report from the
Staffordshire Industrial
Archaeological Society
in 2008,
regarding Oakfield Farm.

The attached report was carried out by Mr Jim and the late Dr Anne Andrews.

THE ADMASTON HOLE

INTRODUCTION

In 2008 Mr George Hampson of Oakfield Farm, Lea Lane, Adbaston was spreading manure on his field when a large hole appeared at the edge of the field in the top NE corner.



Staffordshire Industrial Archaeology Society was subsequently asked to investigate the hole and suggest possible causes.

Figure 1. Hole at edge of field

SITE LOCATION

The site is at Admaston, 4 miles north of Rugeley in Staffordshire, just off the B5013 to Abbots Bromley, in the top corner of the Oak field, Map Reference SK 048 232. Access is from Lea Lane which runs from the B5013 past Oakfields Farm to Newton, north west of Blithfield Reservoir. The land was part of the Blithfield Estate, held by the Bagot family.

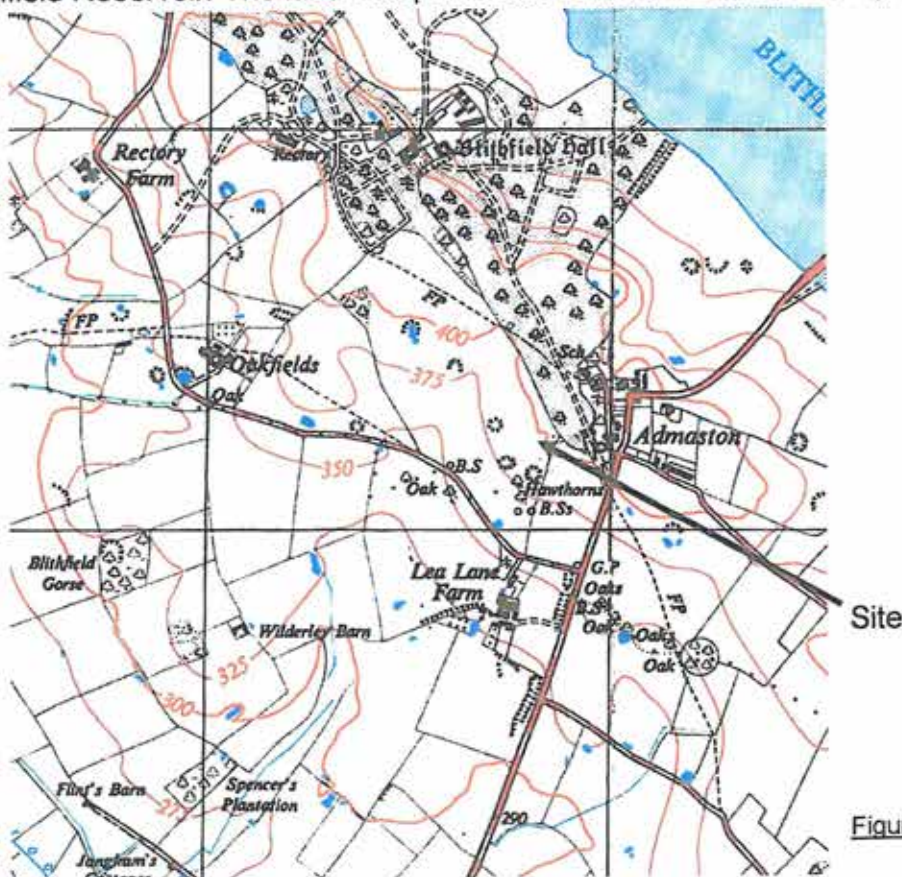


Figure 2. Location Map

SITE HISTORY

The earliest map of the area, Yates 1775, shows the road to Newton as a continuation of the lane to Steen Wood, crossing the Rugeley to Abbots Bromley Road at Admaston, and then continuing past Blithfield Church to Newton, Figure 2. Lea Lane, shown as Ley Lane is a short road forming two sides of a rectangle to join the above Admaston to Newton Road.

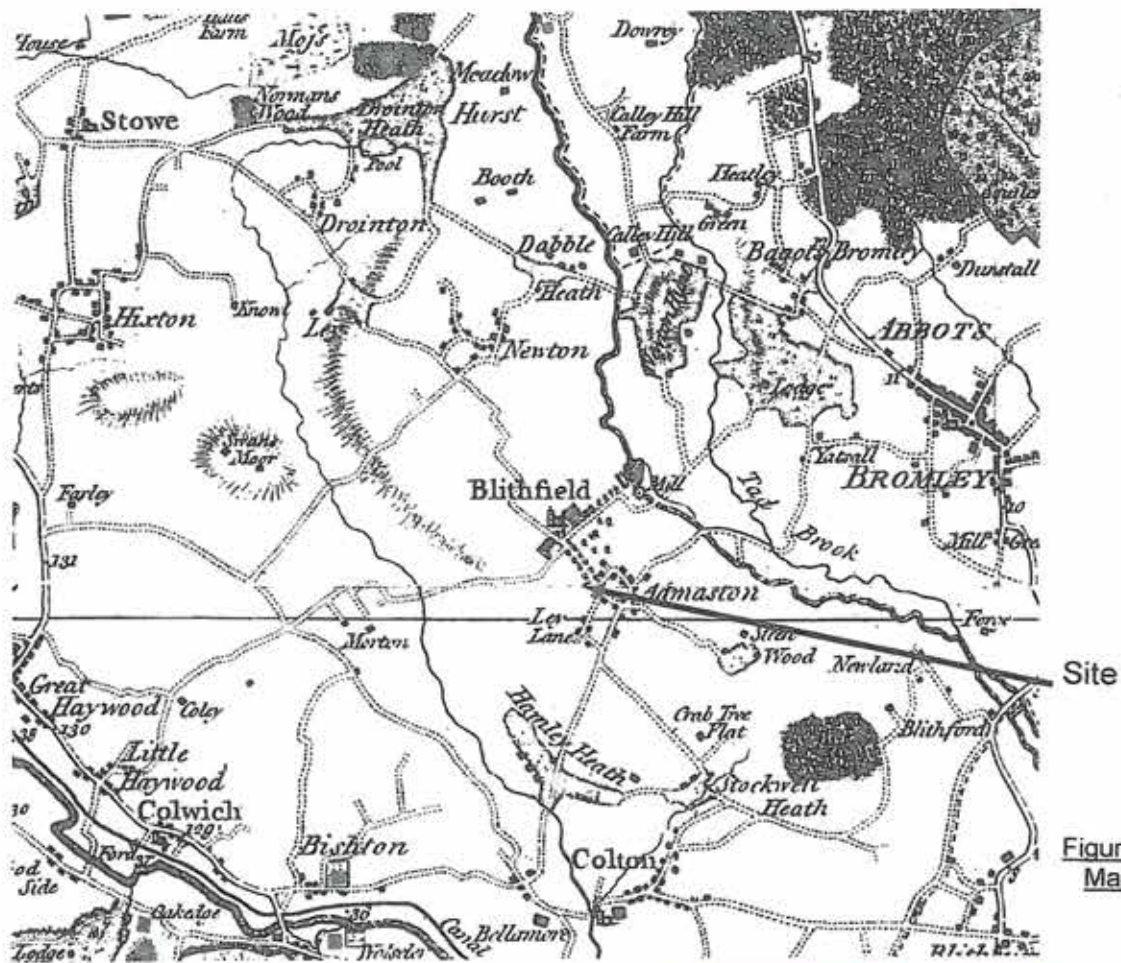


Figure 3 Yates
Map of 1775

The line of this road now appears as a hollow way running down the side of Oak Field and adjacent to the current hole.

No buildings are shown on the present site of Oakfield Farm.

Figure 4. Looking down the hollow way
from the hole



A 1724 Survey of Bagot's Estates¹ lists Joseph Hill's Farm with a total of just over 30 acres (30a 2r 17p), including ~15acres Arable and ~14acres Pasture at an annual rent of £9 5s 0d. The farm included Oakfield Piece, 2a.1r.0p; One other parcel of land called Oakfield

Piece, 2a.1r.11p; One parcel of land called Further Oakfield Piece, 3a 1r 14p; and a Messuage, Barns, Stables & the Oakfield Croft adjoining. Fields are measured in Acres, roods and poles or perches. An acre is 4 roods, and a rood is 40 poles or perches.

Twenty years later in 1744, Joseph Hill appears to have retired as he only occupies a messuage and Oakfield Croft, 3a 0r 5p. John Hodgson's holding of ~72 acres includes Oakfield Meadow, 1a 0r 5p.²

An 1762 Survey of the Estates is arranged both by Tenant Holdings³ and by Fields⁴. This also lists Oakfield Meadow, 1a 0r 5p under Hodgson's holdings and again in a later survey, probably 1810.⁵

The next map of the area is a map of Blithfield Township, dated 1799⁶, this is very similar to an a very large undated map of the Bagot Estate, which must come from about the same time⁷, part of the latter is shown in Figure 5. The 1799 map show only the first part of the proposed line of Lea Lane as far as the first marl pit, whereas the undated map shows the whole route. They both show the same road parallel to the main Admaston road, off Lea Lane going up the side of the field along the line of the ditch, .i.e. the Hollow Way. Two or three of the present 5 pits on Oakfields Farm land are shown, including the present "Sluice Pit" with water in it. The fields are numbered, but there are no corresponding schedules giving their names, sizes and tenants. The main Oakfield is numbered 77 and the field containing the hole, 102.

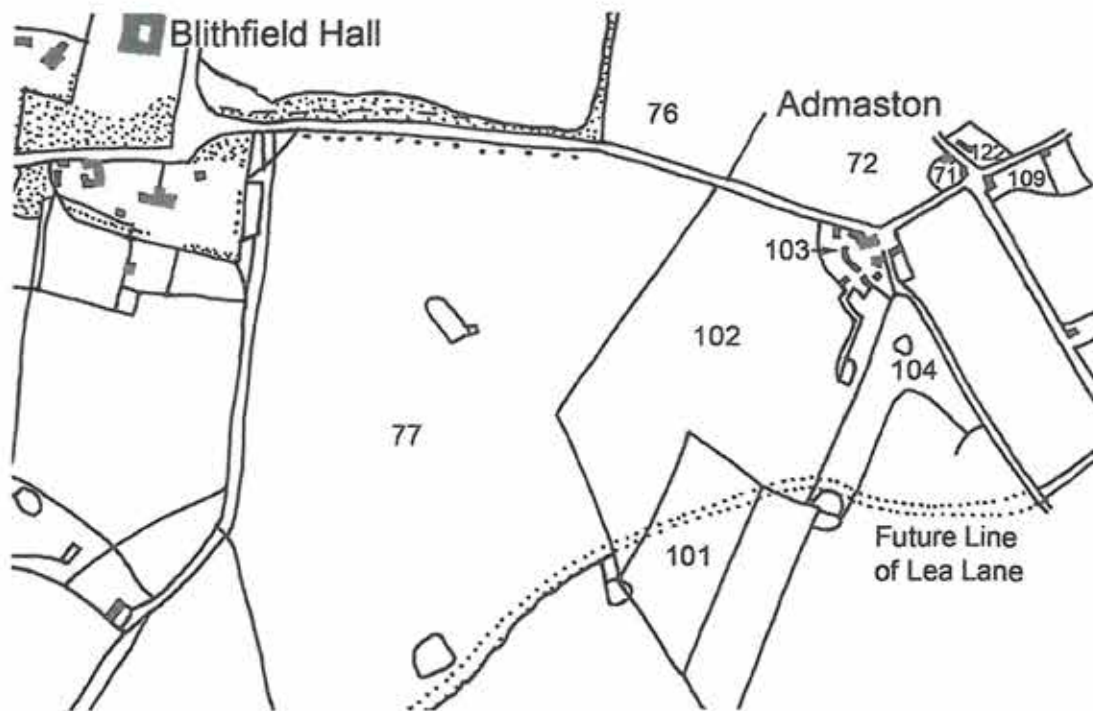


Figure 5. Area around present hole taken from a Map of the Blithfield Estate c1799

Both maps show a collection of about 7 buildings in the top corner of field 102 where the present hole is, Figure 6, with a track leading down to one of the pits below the present hole. These buildings could be associated with a brickworks, using marl from the pit to produce bricks for building work on the Estate. However, there is no documentary evidence to support this. Marl was also used in agriculture to improve soil condition by reducing the acidity and improving soil texture.

Both maps show a building in the top corner of the next field, but only the undated map shows a further building or structure on the field side of the Holloway nearer Lea Lane.

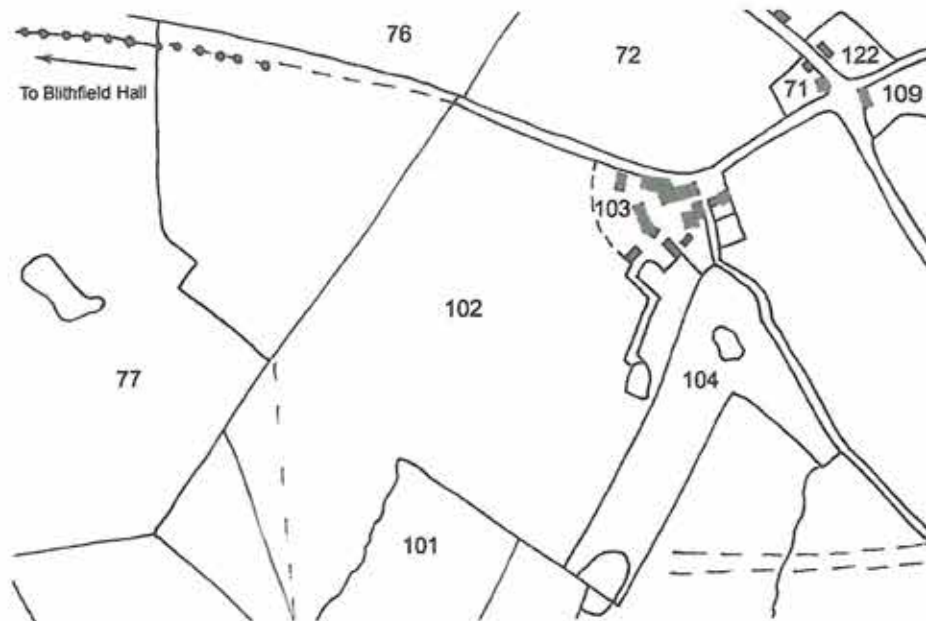


Figure 6. Area around present hole taken from the 1799 Map of Blithfield Township enlarged to show buildings in top corner of field

Another map of about the same time as it does not show the extended Lea Lane, is present in a volume of maps of the Estates of Sir Walter Wagstaffs Bagot⁸. This shows the rectangular grid of roads leading to Admaston, and it shows the field names, Figure 7. However field 102 has now been subdivided into a number of small crofts. There are 5 buildings by the site of the present hole in Home Croft and two in Abberley's Croft on the other side of the hollow way.

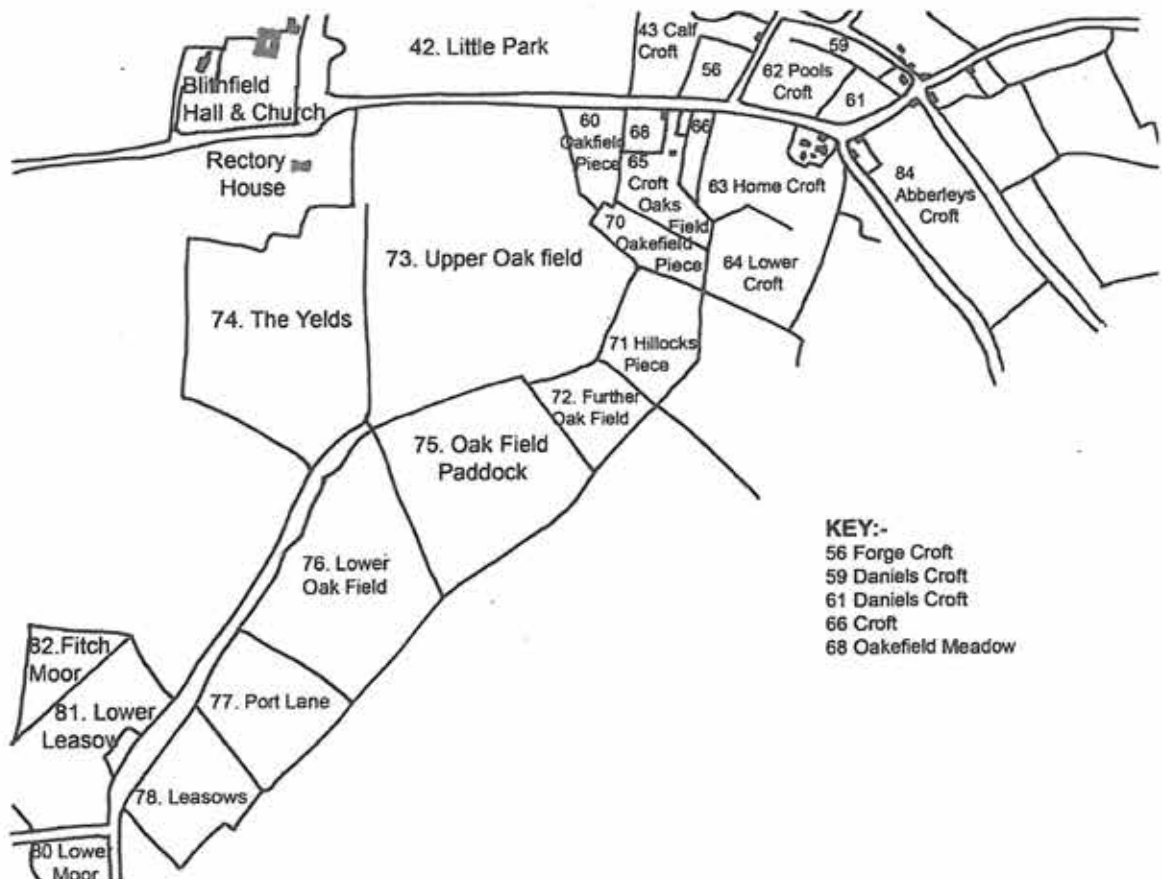


Figure 7. Part of a map from Sir Walter Wagstaffs Estates at Blithfield Township showing the field names

Another similar map of Blithfield Manor with 1810 added in pencil appears to be a copy of Sir Walter Wagstaffs map.⁹ The demesne lands occupied by the Manor are shaded, Figure 8. This map confirms that the fields not shown at the bottom of Figure 7 were part of Colton Lordship. This includes the lower part of the field containing the hole.

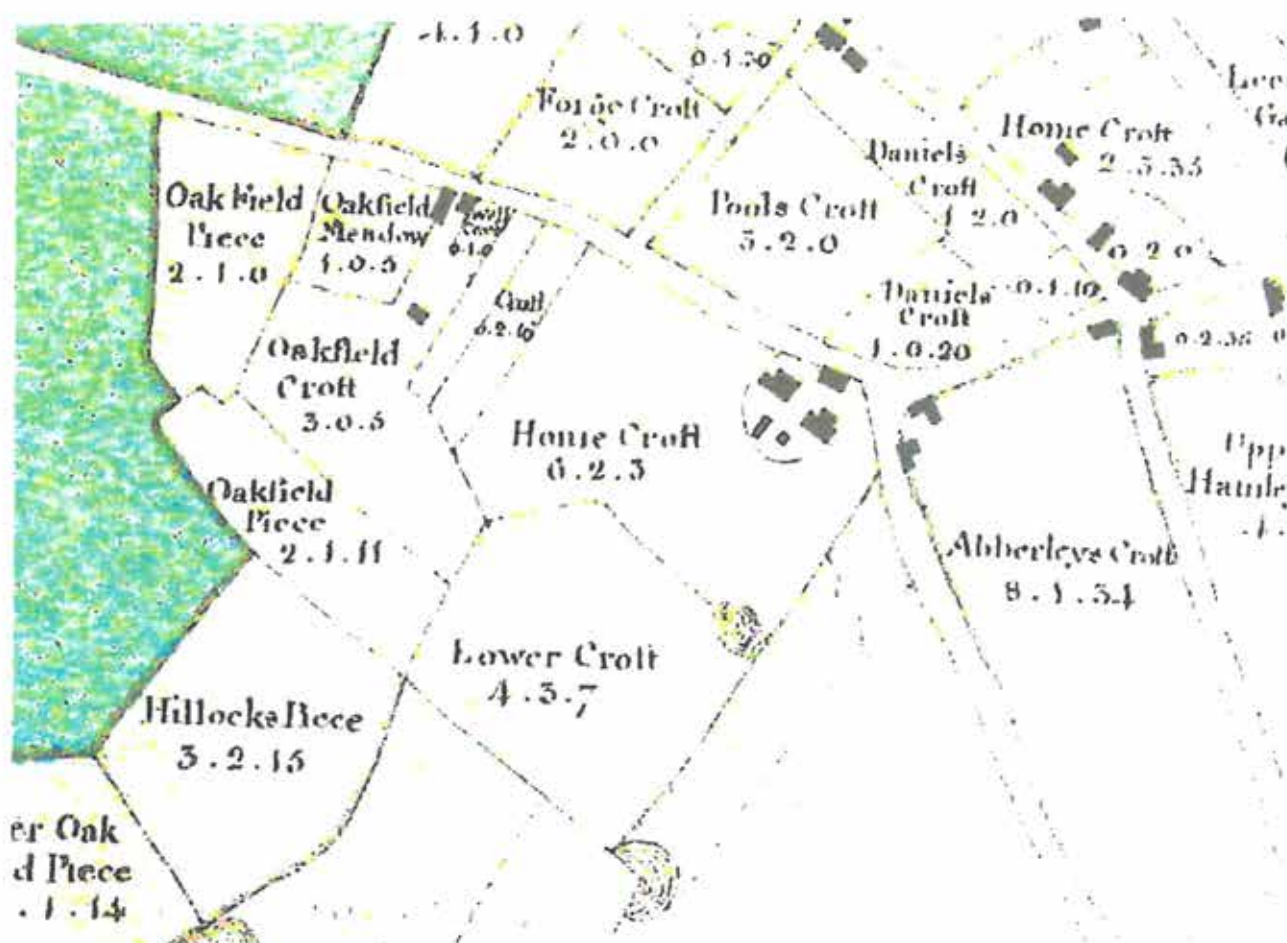


Figure 8. Part of a map from the Blithfield Manorial Survey [1810] enlarged to show the area around Home Croft.

There is generally good correlation between the field names, numbers and acreage between the three surveys dating from 1762 – c1810, Appendix 1. The area shown in Figure 8 is of particular interest. Although the 1799 maps, Figures 5 and 6 show field 102 apparently undivided, all three surveys show Home Croft, No.63, 6a.2r.3p occupied by George Holland who occupied a large holding of 328 acres – possibly the Blithfield Home Farm. Abberleys Croft in the adjacent field is similarly shown as No.84, 8a 1r 34p occupied by Joseph Hodgson who had a total of 72 acres.

Moving along the top boundary of the present field and beyond to Blithfield Hall, we first come to a series of small crofts:

No.66, of 2r 16p occupied by the same Joseph Hodgson, no doubt sub-let;

No.67, called Well Croft, 1r 0p occupied by George Holland in 1762. This location coincides with a brick lined shaft discovered some years ago by Mr Hampson and subsequently filled in;

No.65, Oakfield Croft which is a strange shape like an inverted T, with a narrow frontage on the road to Blithfield containing a building, and a further building some distance from the road. The strange shape may have been due to the need to include the well adjacent to the road where it could easily be reached by the villagers;

No.68, Oakfield Meadow, 1a 0r 5p occupied by Joseph Hodgson, which contained one building in the c1810 map;

No.60, Oakfield Piece, shown as 7 acres in 1799 and 2a 1r 11p in 1810.

Possibly the smaller subdivisions were either part of an open field system, or not worth the cartographer showing in detail.

Finally we come to the large No.73, Upper Oak Field, 29a 0r 38p part of the demesne lands. There is no mention of any industrial activity such as brickmaking on any of these sites.

The road to Newton must have been re-aligned south of Blithfield Hall along the present line of Lea Lane about this time. In 1823 there are plans for straightening the road approaching Admaston from Rugeley, from Lea Lane to the entrance drive to Blithfield Hall.¹⁰

In 1846 a further map of the Blithfield Estate was drawn, and appears in three versions,^{11, 12, 13}. Part of this is shown in Figure 9.

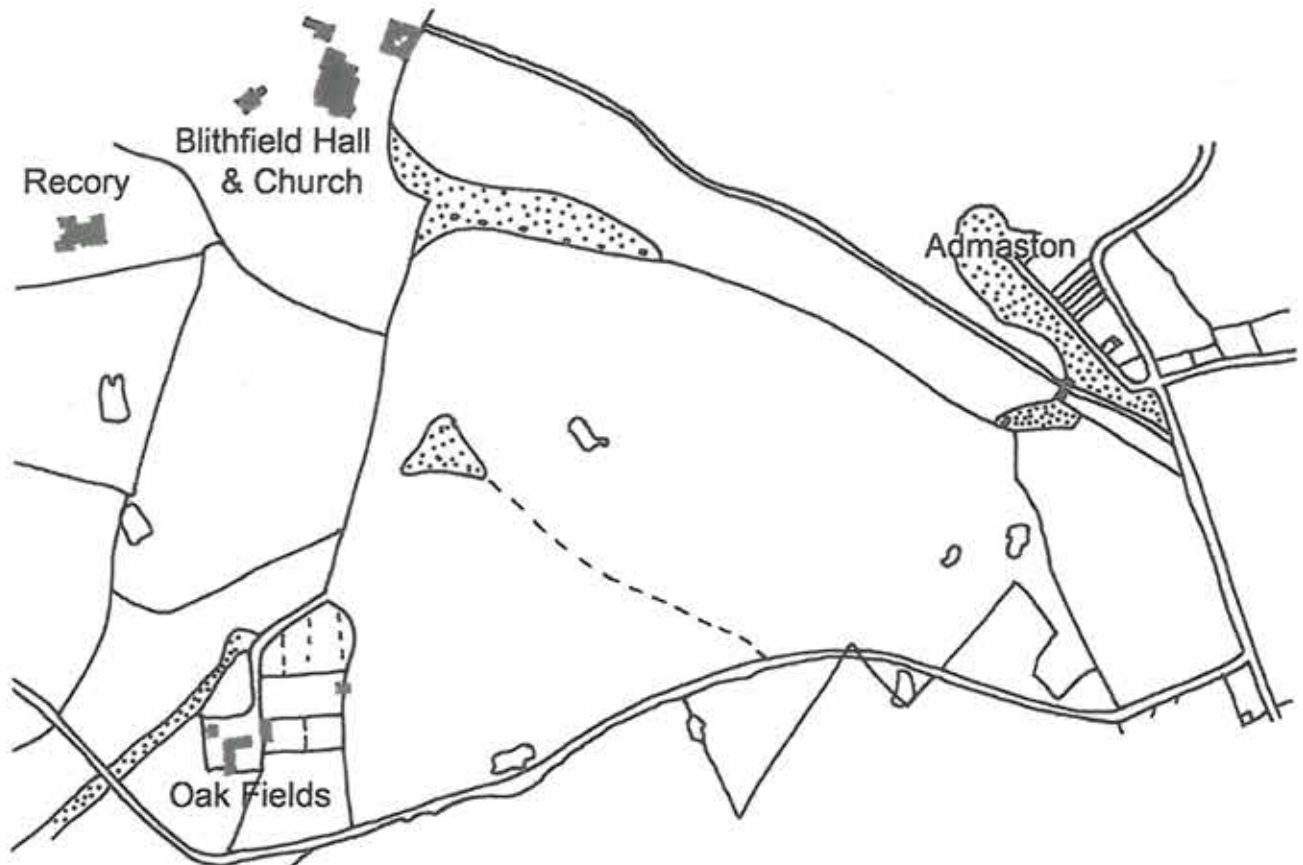


Figure 9. Part of an 1846 Map from the Blithfield Parish

The 1846 map shows a farm at Oak Fields for the first time, with a very large field containing 4 marl pits including the sluice pit, and a triangular wood, accessed by a footpath from Lea Lane. There is no sign of any of the smaller sub-divisions into crofts, or of any buildings in this field. The drive to Blithfield Hall has been realigned and the two lodges built on either side of the entrance gates. Interestingly the kink in the hollow way field boundary, shown in Figure 6 as the point where fields Nos. 102 and 104 met the hollow way, is still visible.

The 1848 Blithfield Tithe Map does not show any further detail of interest and the apportionment does not list field names, tenants, etc.¹⁴ Another map of 1858 appears to be a copy of these earlier maps.¹⁵

A valuation of Bagot property was carried out in 1859 and this shows Thomas Hollis as the tenant at Oakfields Farm, occupying a total of just over 133 acres, including a hovel and yard next to Brook Leasow and New or Port Lane Piece; House, Outbuildings, Yards,

Garden & Orchard; and Oak Field, 49a Or 22p. It comments that the farm is well managed and in good condition.¹⁶

The first edition of the 6 inch to 1 mile Ordnance Survey Map is dated 1884 and shows the line of pits and the kink in the field boundary near the hole.¹⁷

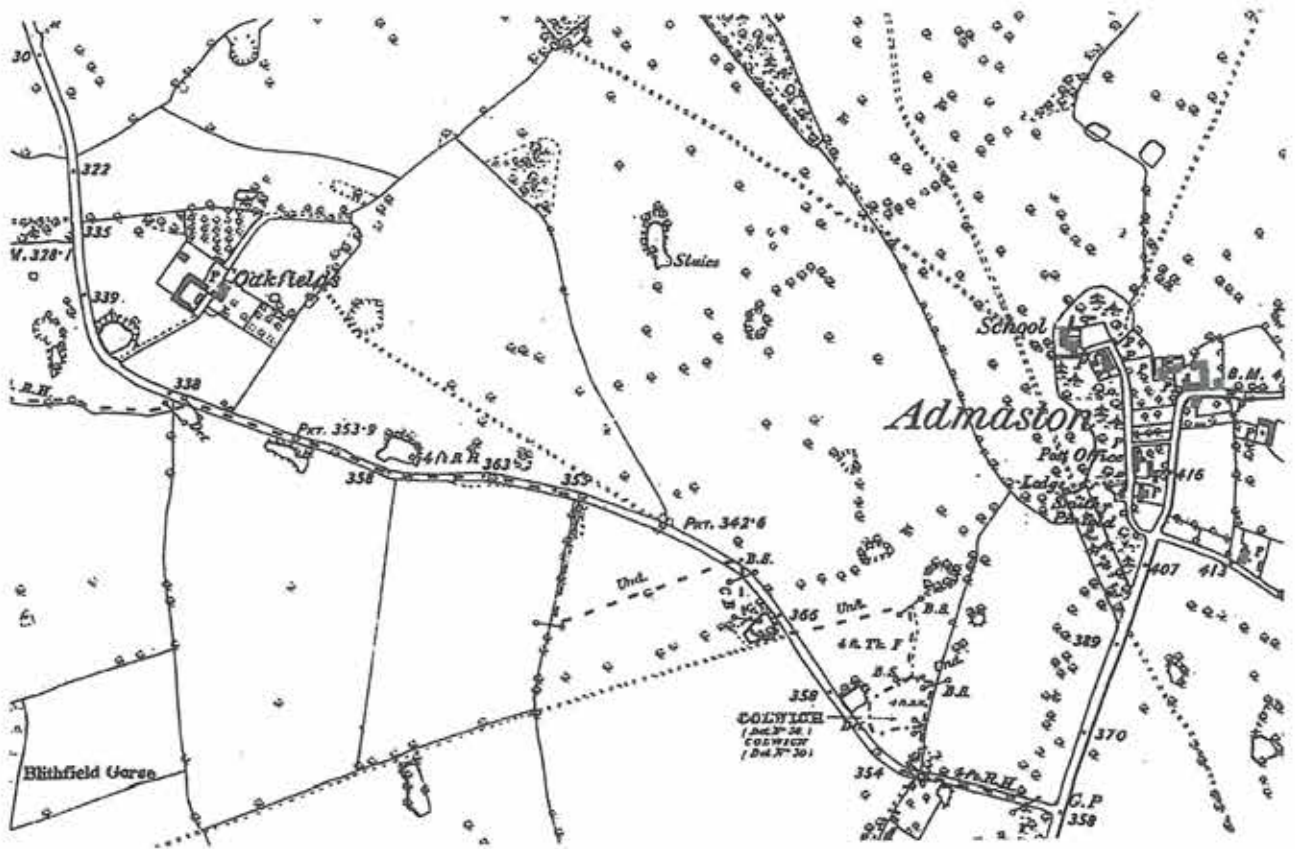


Figure 10. Part of the 1884 1st Edition 6inch:1mile Map showing Admaston and Oakfields Farm
Bliethfield Hall and Church are off the top of the map.

GEOLOGY

Admaston is situated on the Keuper Marl, now known as part of the Mercian Mudstones, Figure 11.¹⁸ Gypsum has been mined at Tutbury, ~10 miles to the north east and at Stowe by Chartley ~3½ miles to the north west.

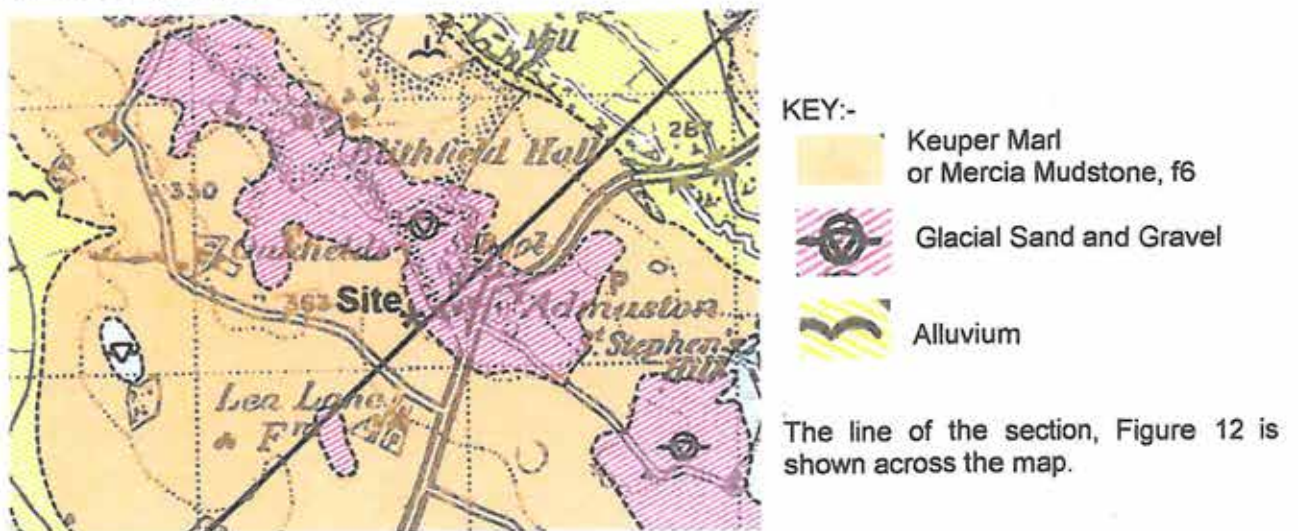


Figure 11 Geological Map of area around the hole¹⁸

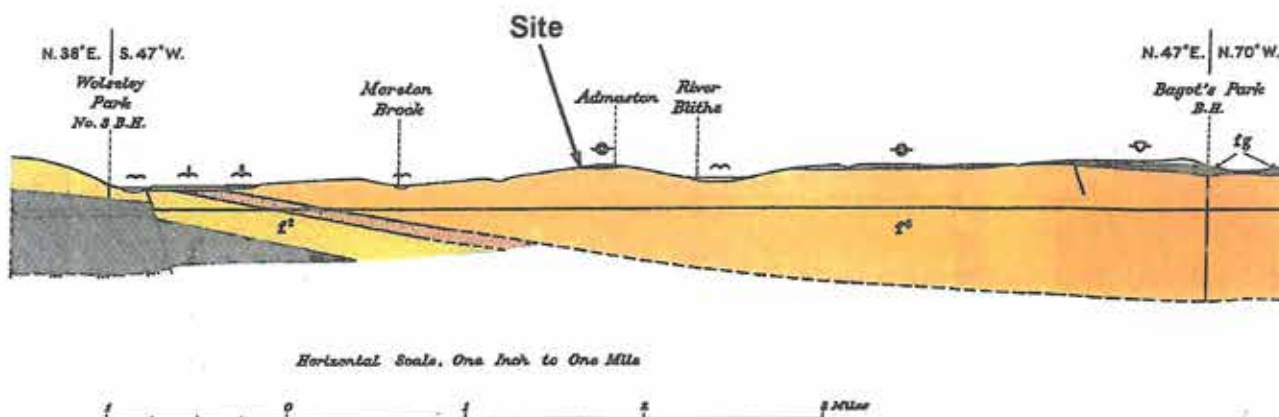
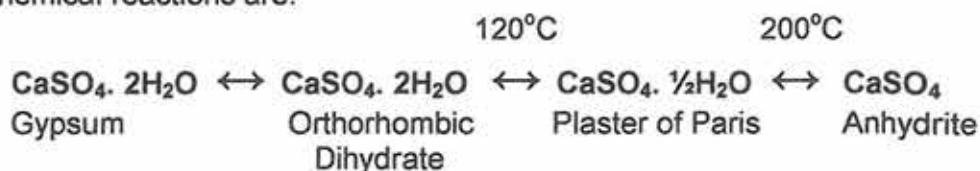


Figure 12 Geological section through area around the hole (See Key for Figure 11)¹⁸

Gypsum is used uncalcined for Alabaster, Portland Cement, Pebble-dashing, Flux and Mineral White; and calcined to make Plaster of Paris, Plaster Board, Hardwall and Finishing Plasters, and Cements.¹⁹

The chemical reactions are:²⁰



According to Pevsner, 1974, plaster was used at Blithfield Hall in the Great Hall c1660-1770; c1740 for a pilastered ceiling in the Library, and in 1769 for the south range which had a modest stucco ceiling.²¹ It would have been useful if a local source could have been used.

In 1948 a borehole was sunk in Bagots Park, ~3 miles to the north west and identified numerous small bands of Gypsum in the Marl, at depths of 157 to 1154ft, with the maximum depth of Gypsum being 1½ft, and other sections including Gypsum veins and nodules; Anhydrite was found at depths of 252 – 1066ft including bands of Fibrous Anhydrite up to 1ft thick; Salt was found at depths of 528 – 734ft with maximum thickness of 3ft 3ins²². In addition there were numerous sections where there was no core which may represent voids, these varied in thickness from 6 ins to 37ft 6ins, and occurred at depths of 226 – 1205ft.

The Geological Memoir reports: "*The lower bed of gypsum, some 9 ft. thick, occurs 150 ft. below the top of the Keuper. It has been extensively worked at Hanbury and Fauld, near Tutbury, and in consequence is usually referred to as the Tutbury Gypsum. It forms a massive bed at outcrop, but under cover the proportion of anhydrite increases. Though thick beds of gypsum are restricted in number, thin bands and nodules of this mineral occur throughout the Keuper Marl, but they are apparently less common towards its base. Their removal in solution probably accounts for the fact that they are rarely seen in natural exposures.*"

"*The same bed is also known near Chartley at Normanswood Farm, three-quarters of a mile east of Stowe, where it was formerly worked..*" The Gypsum was extracted from underground via several shafts, but the exact date is uncertain. More recently, sometime before 1955: "*Sneyd Colliery Co. put down a large number of borings, In every case these commence in boulder clay and reach the gypsum horizon at depths varying from 135 ft. to 155 ft. Although 'white gypsum' was encountered in many of the holes, in others only 'gypsum and marl mixed', or 'marl with gypsum' is recorded. Some failed to prove the*

gypsum, presumably due to local solution of the deposit, or the presence of solution-pipes similar to those noted at Hanbury (p.55). The area in which they are situated is more or less rectangular in shape and is bounded by Norman's Wood, Normanswood Farm, Broadmoor Cottages, The Broadmoor and Bond's Wood. The Broadmoor lies near the south-western angle of the rectangle, which is approximately 1,000 yds. long by 500yds. wide and extends on either side of the Stowe to Drinton road. Within this area the borings suggest that the structure of the gypsum is that of a basin elongated from north-west to south-east. On the sides of the basin the observed dips are small and do not exceed 5 degrees. Since the area was surveyed the Normans- wood Gypsum Mine has been opened in this locality. The gypsum bed has been found to be much less regular than at Tutbury, though the total thickness of gypsum, including 'rocks' or 'balls' (see p. 53), is almost 20 ft. in places."

A 1956 plan shows the old and later Gypsum workings at Normanswood Farm near Stowe by Chartley, Figure 13 ²³.

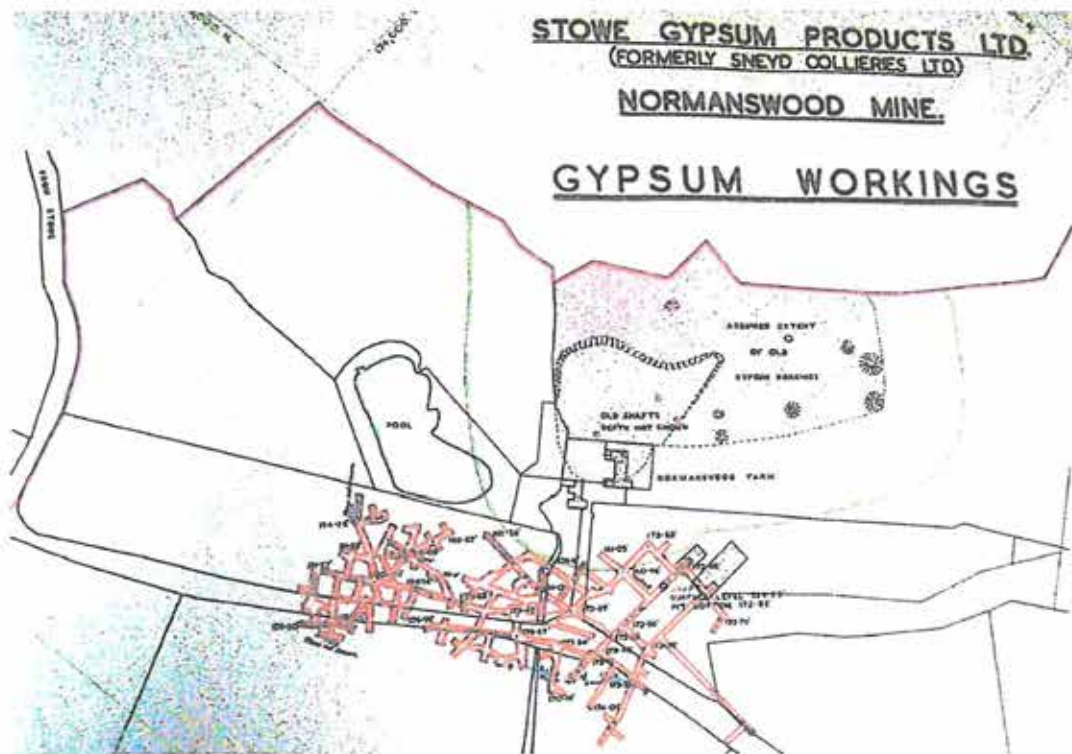


Figure 13 Plan of Gypsum Workings at Normanswood Farm, Stowe by Chartley

According to information on Staffordshire Past-track the "Gypsum was sent to London to make castings, especially for dentists." They also noted that the 165ft deep shaft was very wet and had to be pumped out 18 hours /day. ²⁴

A further borehole was sunk at Chartley "some 930 yds. N.E. of Stowe church, proved Keuper Marl to 901 ft., and then entered Waterstones. Gypsiferous marl was met with between 58ft. and 102ft., but it appears that the boring commenced a few feet below the gypsum horizon. Saliferous marls were encountered between 313 ft. 6 in. and 533 ft. The close resemblance of these beds to the salt horizon in Bagot's Park Boring has already been noted."

At Tutbury Gypsum was mined by the pillar and stall method, with 25% of the gypsum being left in the supporting pillars. ²⁵ However, subsidence is a known risk, in areas which have previously been mined for Gypsum, although Staffordshire is not specifically mentioned as a risk area. ²⁶ Any communication to the surface may allow water to enter and dissolve the Gypsum, leaving a cavity which may then fill with marl, or remain as a void. ²⁷

2008 HOLE

The location of the hole which appeared in Mr Hampson's Field is shown in Figures 14 & 15. It was located 103ft or 31.394m from the northern boundary of the field and 6ft or 1.829m from the adjacent hedge.

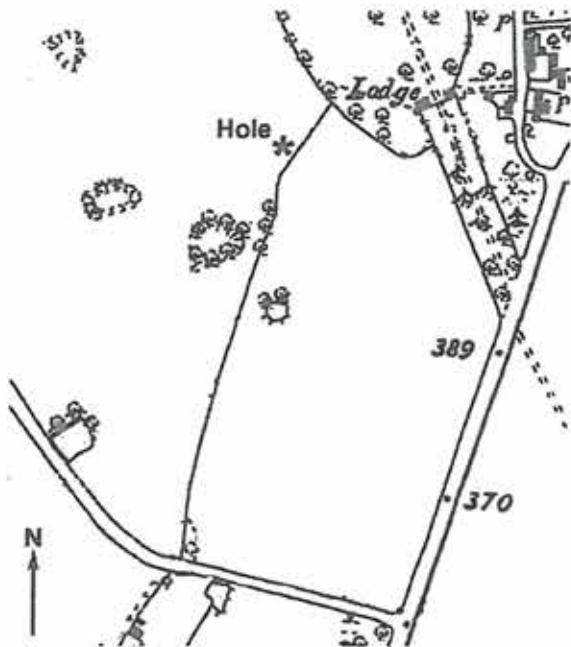


Figure 14 Map showing location of hole



Figure 15 Looking to top of field from hole

The hole was irregular and elongated on its north-south axis. It measured a maximum of 7ft or 2.134m across at the surface and 9ft across at the base, 15ft 6ins or 4.724m below ground surface. The width was 2.13m and it was a minimum of 1.83m from the hedge.

From the surface the walls of the hole showed a succession of layers of glacial gravels overlaying the Keuper Marl, Figure 16. On descending by ladder into the hole, Figure 17, the bottom of the hole as seen to be filled with the field surface which had fallen vertically down into the void.



Figure 16 Hole looking towards south west



Figure 17 Jim down the hole

There was no sign of any man made structures in the sides of the hole, although there were a few bricks which appeared to have come from the surface – possibly the remains of some of the buildings shown on earlier maps (See Figure 6).

There was no sign of any further voids leading away from the base of the hole. Figure 18 show more detail of the sides of the bottom of the hole.



Figure 18 Side of the hole looking up from the bottom with ladder on fallen in surface material

DOWSING

In order to investigate whether the hole was part of earlier Gypsum mining activity as shown in Figure 13, the area of the field was investigated by dowsing. Dowsing has been shown to be effective in detecting underground cavities and water²⁸, Figures 19 and 20.



Figure 19 Dowser with rods uncrossed



Figure 20 Dowser with rods crossed

The dowsing rods cross when the dowser walks over the boundary from solid to a void.

The area adjacent to the hole was lade out in three 30 metre squares from a base or datum line drawn out 5m from a post by the hole which was 3.96m from the field boundary and running approximately east west. Each 30 metre square was subdivided to form a grid at 5 metre intervals using tapes. The dowser then walked along these straight lines and when the dowsing rods moved a marking peg was inserted. The dowser then returned along the same to line to confirm the position of these changes.

The initial results for the 30m squares are shown in Figure 21. Not all lines of the grid were completed, i.e. East to west +30m and the 30m square south of the datum line; North to south 0 and 30m. Voids are only labelled when they appear in both directions.

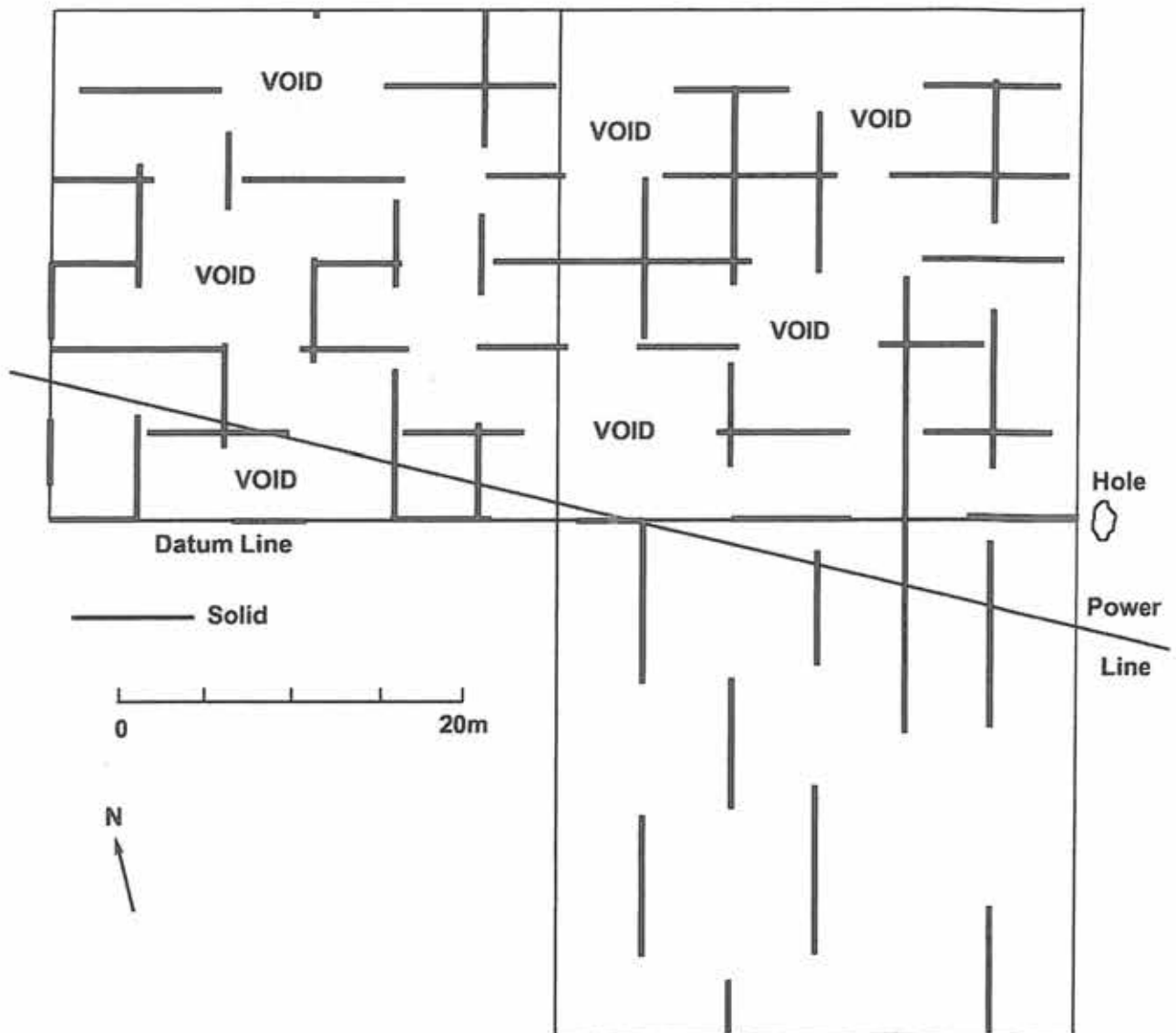


Figure 21 Results for dowsing the 30m squares adjacent to the hole

The dowsing showed a lot of activity, but there was no evidence of any consistent pattern as would have been expected if Gypsum mining by the pillar and stall method had been carried out in the area. The power line did not have any observable effect on the dowsing results.

As an additional check, the 10m square immediately adjacent to the hole, i.e. to the north west, was subject to further dowsing with a 1m grid compared to the 5m grid used previously. The results are shown in Figure 22.

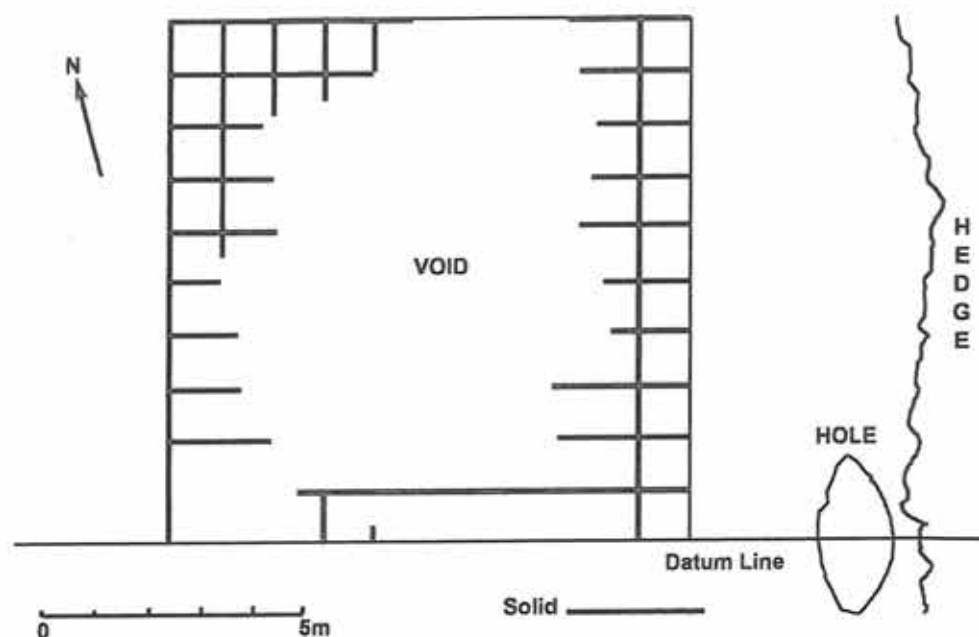


Figure 22 Results for more detailed dowsing of the 10m square adjacent to the hole

Unfortunately they did not correlate very well with the results from the original 5m grid for this area, although they did consistently show a central void. However, they were carried out some time later and underground water conditions could have changed.

Overall the dowsing did not provide any evidence of previous man made activity below the ground surface.

CONCLUSIONS

It is known from the geology of nearby boreholes and the geological survey, that significant bands of gypsum are present within the Mercia Mudstones (previously called the Keuper Marl) as well as missing sections of the bore which may represent voids.

Despite the history of previous Gypsum mining in the area, i.e. at Stowe ~3½ miles to the north west and at Tutbury ~10 miles to the north east we found no evidence of any Gypsum mining at the Oakfields Farm site.

Although there was a collection of buildings in the top north east corner of this field around 1800, these had disappeared by 1884 when the first edition of the 6 inch Ordnance Survey map was drawn. They appear to have been used as a croft, with a track down to one of the pits for agricultural use as marl to improve the soil. There is no evidence that they were used for brickmaking or any other industrial activity.

The presence of the hollow way at the edge of this field, marking the line of an earlier track leading up to Admaston also forms a natural ditch on the field boundary. Gypsum is soluble in water, and underground deposits can dissolve if surface water can reach them. This seems to be the most likely explanation for the sudden appearance of the hole at the edge of Mr Hampson's field.

APPENDICES

Appendix 1. Table showing Field names, numbers, sizes and tenants from estate surveys 1762 – c1810

Date	Ref.	Field No.	Field Name	Field Size
c1799	8	60	Oakefield piece	7a
1810?	9		Oakefield piece	2a 1r 11p
1762	3	63	Home Croft w house, outbuildings &c	6a 2r 03p
c1799	8	63	Home Croft	
1810?	9		Home Croft	6a 2r 3p
1762	3	64	Lower Croft	4a 3r 07p
c1799	8	64	Lower Croft	
1810?	9		Lower Croft	4a 3r 7p
1762	3	65	A Messuage & Oakfield Croft	3a 0r 05p
c1799	8	65	Croft Oaks field	
1810?	9		Oakfield Croft	3a 0r 5p
1762	3	66	A small Croft	0a 2r 16p
c1799	8	66	Croft	0a 2r 16p
1810?	9		Croft	0a 2r 16p
1762	3	67	Well Croft	0a 1r 0p
1810?	9		Well Croft	0a 1r 0p
1762	3	68	Oakfield meadow	1a 0r 5p
c1799	8	68	Oakefield meadow	7a 0r 0p ?
1810?	9		Oakefield meadow	1a 0r 5p
1762	3	69	Oak Field Piece	2a 1r 0p
1762	3	70	Oak Field Piece (Another ditto)	2a 1r 11p
c1799	8	70	Oakefield piece	2a 1r ?p
1810?	9		Oak Field piece	2a 1r 0p
1762	3	71	Hillocks piece	3a 2r 15p
c1799	8	71	Hillocks piece	
1810?	9		Hillocks piece	3a 2r 15p
1762	3	72	Further Oak Field Piece	3a 1r 14p
c1799	8	72	Further Oake field	29a 0r 38p
1810?	9		Further Oak Field Piece	3a 1r 14p
1762	3	73	Upper Oak Field	29a 0r 38p
c1799	8	73	Upper Oake field	29a 0r 38p
1810?	9		Upper Oak field	29a 0r 38p
1762	3	74	The Yeld	15a 1r 22p
c1799	8	74	The Yelds	15a 1r 22p
1810?	9		The Yelds	15a 1r 22p
1762	3	75	Oak Field Paddock	11a 2r 20p
c1799	8	75	Oak Field Paddock	11a 2r 20p
1810?	9		Oak Field Paddock	11a 2r 20p
1762	3	76	Lower Oak Field Piece	11a 2r 14p
1810?	9		Lower Oak Field	11a 2r 14p
1762	3	77	Port Lane Leasow	5a 0r 0p
c1799	8	77	Port Lane	
1810?	9		Port Lane	5a 0r 0p

Date	Ref.	Field No.	Field Name	Field Size
1762	3	78	Port Lane Leasow (Another ditto)	4a 2r 30p
c1799	8	78	Leasows	
1810?	9		Leasows	4a 2r 30p
1762	3	79	Berwicks Port Lane Piece	5a 3r 30p
c1799	8	79	Port Lane piece	
1810?	9		Berwicks Port Lane Piece	5a 3r 30p
1762	3	80	Lower Moor	1a 3r 11p
c1799	8	80	Lower ?	
1810?	9		Lower Moor	1a 3r 11p
1762	3	81	Lower Leasow	6a 1r 12p
c1799	8	81	Lower Leasow	
1810?	9		Lower Leasow	6a 1r 12p
1762	3		Fitch Moor	2a 1r 0p
c1799	8	82	Fitch Moor	
1810?	9		Fitch Moor	2a 1r 0p
1762	3	83	A Tenement & Yards	0a 1r 08p
c1799	8	83	<i>Buildings</i>	
1762	3	84	Abberley Croft	8a 1r 34
c1799	8	84	Abberleys Croft	
1810?	9		Abberleys Croft	8a 1r 34

Appendix 2. Contact details:

Anne & Jim Andrews, 2, The Hanyards, Tixall, Stafford ST18 0XY

Tel: 01785 246101

Email: Tixandrews@hotmail.com

10 November 2008

REFERENCES

SRO Staffordshire record Office

LRO Lichfield Record Office

- ¹ 1724 Survey of Bagot's Estates SRO D(W)1721/3/260
- ² MDCCXLIV Survey of Bagots Estates SRO D(W)1721/261
- ³ 1762 Survey of Bagots Estates SRO D(W)1721/3/262
- ⁴ 1762 Survey of Bagots Estates SRO D(W)1721/3/263
- ⁵ Blithfield Manorial Survey SRO D(W)1721/2/29
- ⁶ 1799 Map of Blithfield Township SRO D(W)1721/2/28
- ⁷ ? 1799 Map of Bagot Estate SRO D(W)1721/2/22
- ⁸ Estates of Sir Walter Wagstaffs Bagot SRO D3259/Add/1
- ⁹ [1810] Blithfield Manorial Survey SRO D(W) 1721/2/29
- ¹⁰ Plan of proposed new road at Admaston SRO D(W) 1721/2/37a and b
- ¹¹ 1846 Map of Bagot Estate (on Paper) SRO D(W) 1721/2/23
- ¹² 1846 Map of Bagot Estate (on Cloth & creased) SRO D(W) 1721/2/24
- ¹³ 1846 Plan of Blithfield SRO D(W) 1721/2/26
- ¹⁴ 1848 Blithfield Tithe Map & Apportionment LRO
- ¹⁵ 1858 Map of Blithfield Parish SRO D(W) 1721/2/27
- ¹⁶ 1859 Valuation of Bagot Property SRO (D(W) 1721/3/274
- ¹⁷ 1884 1st Edition 6ins: 1mile OS Map Sheet XXXVIII SE 38SE
- ¹⁸ Institute of Geological Sciences Sheet 140 Burton upon Trent Solid & Drift edition 1953
- ¹⁹ Sherlock, R.L. and Hollingworth, S.E. 1938. *Gypsum and Anhydrite, and Celestine and Strontianite*, 3rd edition Mem.Geol.Surv., Min.Resources, 3.
- ²⁰ Garside & Phillips *Textbook of Pure and Applied Chemistry* 1953, p507
- ²¹ Pevsner, N. *The Buildings of Staffordshire* 1974 Penguin Books
- ²² Stevenson, I.P. and Mitchell, G.H. *Geology of the Country between Burton upon Trent, Rugeley and Uttoxeter*, HMSO 1955
- ²³ Stowe by Chartley Gypsum Workings D5102/50 (Further records D5102/ 76-15135)
- ²⁴ 1956 January plan of workings - photographs
- ²⁴ Staffordshire Past-Track View of Gypsum Works, Stowe by Chartley.
www.search.staffspasttrack.org.uk accessed 11.4.2008
- ²⁵ Nottinghamshire Revised Minerals Local Plan at www.nottinghamshire.gov.uk accessed 9.4.08
- ²⁶ www.jordansproperty.co.uk/conveyancing/britishgypsum.com.jsp accessed 11.4.08
- ²⁷ Sherlock, R.L. and Hollingworth, S.E. 1938. *Gypsum and Anhydrite, and Celestine and Strontianite*, 3rd edition Mem.Geol.Surv., Min.Resources, 3.
- ²⁸ Wilcock, John, 1997 *An exploration of previous research on the dowsing method, and its justification as a practical technique for the detection and charting of underground watercourses and cavities* J.Staffs Industrial Archaeology Society No.16 p9

ATTACHMENT 4

**Photographic
evidence
and a
short summary
of each
sink hole.**

Photographic evidence and a short summary of each sink hole.

Sinkhole Number 1

The sinkhole is on Oakfield Farm, Lea Lane, Admaston on land belonging to George Hampson and the evidence is fully supported by a report by the Staffordshire Industrial Archaeological Society in 2008, and is in **attachment 3**. The report was written by Mr Jim Andrews and the late Dr Anne Andrews.

Mr Andrews has confirmed verbally to Stowe by Chartley Parish Council that the land around the sinkhole was unstable at the time of his report.

The sinkhole is marked on the plan in **attachment 1**.

Sinkhole Number 2

This sinkhole is situated on Brookside Farm, Lea Road, Drointon, and the land belongs to Mr Philip Gregory. The Sinkhole was approximately 8ft wide and 5ft in depth and appeared in 2010. An agricultural contractor was working in the field hedge cutting, He suddenly felt his tractor move and turned around to view his back wheels were sitting immediately in front of a large hole. This sinkhole is near to an electricity pylon.

The sinkhole is marked on the plan in **attachment 1** and witness statements appear in **attachment 2**.







Sinkhole Number 3, 4 and 5

This sinkhole appeared on the public highway at Lea Heath in 2020. The sink hole was approximately eighteen inches in diameter and approximately nine feet deep. A traffic cone was placed over the hole to make road users aware, until it was repaired by Staffordshire County Council Highways Department and eventually filled in.

A second sink hole appeared, approximately 20 years ago and it was further down Lea Road on the right-hand side travelling towards Hixon, approximately two hundred and fifty yards from the entrance to Knowle Farm, which also included a hole in the field the other side of the hedge, which is still visible today, as are the repairs to the road surface.

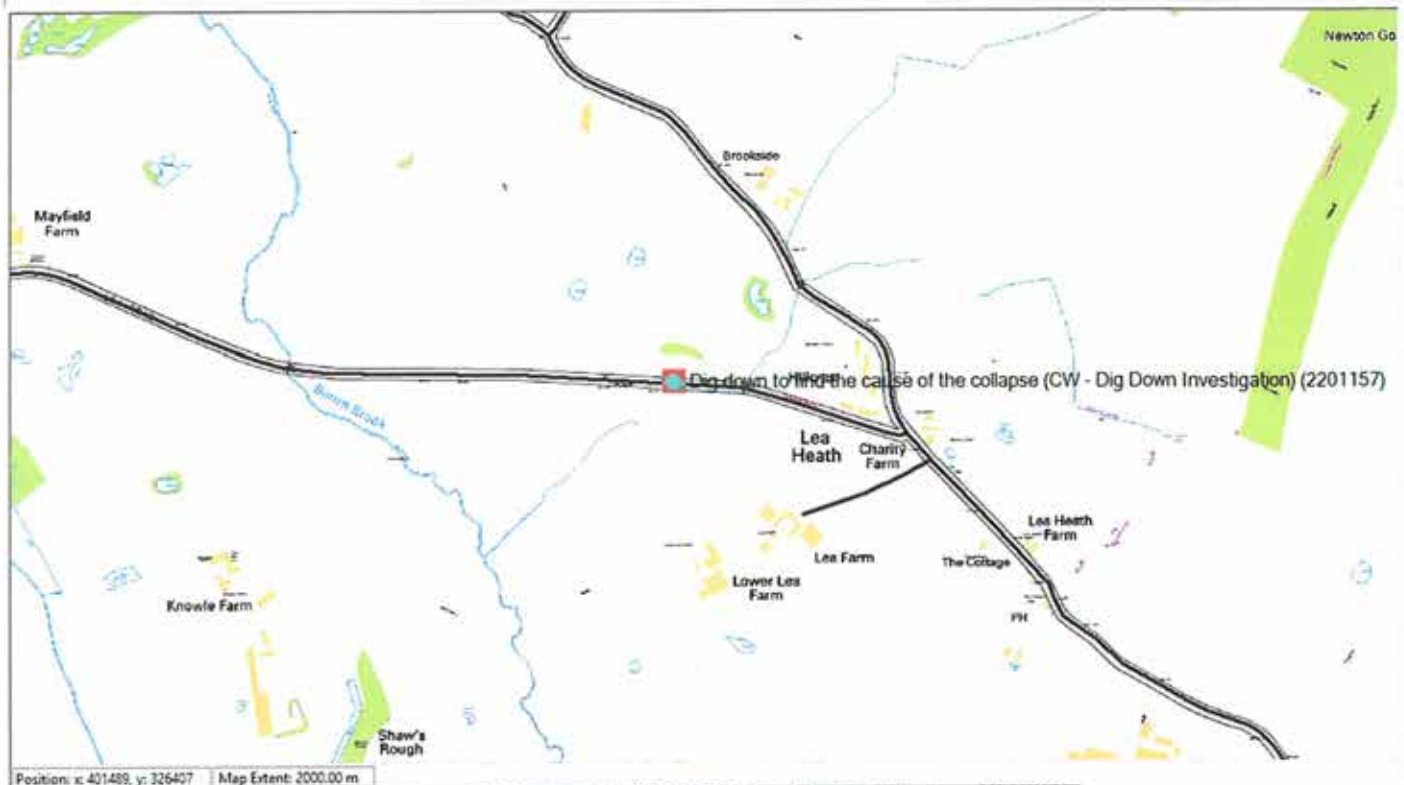
Staffordshire County Council report

The email states:

Subject: Fw: Historic sinkhole

I have checked confirmation and have found a task from April 2020 for a dig down to investigate a collapse on Lea Road. Location description reads 50m from Lea Heath sign. A screen shot of the task is below:

Job		Additional		Current Status	
Job Number	2201157	Placed on W.O.	HWSCC/5180399	Committed	Parent Job
Site	LEA ROAD 37600810 ...				
	HIXON, STAFFORD, STAFFORDSHIRE				
Asset Id	...	Location	Driven		
Asset No	1.00 Inspected Network				
Area	S - Stafford Trent Valley	Ward	Stone Operational Depot		
Description	Dig down to find the cause of the collapse (CW - Dig Down Investigation)		Work Location	50m from Lea Heath sign	
Job Type	CWDD	CW - Dig Down Investigation	Estimated Value	.00	
Hazard Type	General H & S				
Priority	Cat 3: 28 Days From Insp		Price Factor	Routine Maintenance	
Cost Code	...				
Customer	Staffordshire County Council		Partial Payments	☐	
Customer Reference			Est. Start Date	03/03/2021 02:26:00	
Pref. Contr.	HWSCC	Amey Staffordshire Highways	Actual Start Date	01/03/2021 08:10:59	
Status	0505	Completed - Crew	Est. Completion	03/03/2021 10:26:00	
Officer	MBON	Mark Bone	Target Completion	13/05/2020 11:46:58	
			Actual Completion	03/03/2021 11:27:31	







The sinkhole is marked on the plan in **attachment 1** and witness statements appear in **attachment 2**.

Further sinkholes

Whilst councillors, from Stowe by Chartley Parish Council have been carrying out our investigatory work into Sinkholes, we feel we should record the following notes for reference:

- Some landowners clearly wish to remain anonymous, as they do not wish to upset the neighbours - a typical local attitude in a small rural hamlet.
- In particular they do not wish to upset the neighbours, who have applied for planning permission to develop the land for a solar farm, even though they disagree with the proposed projects.
- Therefore, these individuals are usually unprepared to sign letters or send written evidence to Stafford Borough Council.
- When a landowner first discovers a sinkhole, they seem to go into "shock mode", not quite knowing what to do, as there is no official body to report this problem to.
- Most landowners decide to fill the sinkhole at the first opportunity, and sow grass seed over the top of the affected area, which has been filled in to enable normal farming practices to continue.
- At least one sinkhole has been filled with water, and therefore creating a pond, and it is reported that this area never empties and water remains in the area during all four seasons of the year.

Sinkhole Number 6 and 7

There are two sink holes in a field, close to an electricity pylon and one of the proposed battery storage areas. The first sinkhole appeared 15 years ago in 2010 and the second sinkhole appeared in 2021. The second sink hole has further deteriorated last year in 2024 and has now become deeper. The landowner has stated they wish to remain anonymous.

Sinkhole Number 8

Approximately 20 years ago, a sinkhole appeared in a field, running adjacent to Drointon Lane near Stowe by Chartley village, by the time the present landowner commenced farming the land, the sinkhole was filled in., The landowners have stated they wish to remain anonymous.

Sinkhole Number 9

A sinkhole appeared in a field running parallel to the A518 on the outskirts of the village Stowe by Chartley appeared in 1979, which was over 50 yards in length and 10 ft deep, a pond was formed within the area, which was eventually filled in by tons of rubble and hard core. The area has now naturally re-seeded and is farmed accordingly. Again the landowner wishes to remain anonymous.

In conclusion

The PC are unaware if there are sinkholes on the sites of either proposed solar farms in Drointon, however we do believe there is a mine shaft on one of these proposed solar farm sites and it is evidenced on public maps. We are also unaware if there is any unstable ground at Normanswood Farm, which was the original site of the gypsum mine, and is situated in close proximity to both the proposed solar farm developments in Drointon.

ATTACHMENT 5

**Staffordshire
County Council
report on**

Normanswood Farm,

dated on 8th June 2006.

NB: Please see page 16 of this report, under 15.2 to 15.10 for reference.

Item No. 8 on Agenda

Local Members' Interest
N/A

PLANNING COMMITTEE - 8 JUNE 2006**REPORT OF CORPORATE DIRECTOR (DEVELOPMENT SERVICES)****ANNUAL REPORT ON PLANNING REGULATION****1. Purpose of Report**

- 1.1 A submission of the annual report on the regulation of planning control in relation to mineral and waste planning.

2. Summary

- 2.1 During the last financial year, the Regulation Team conducted a total of 295 formal site visits at 150 of the 227 sites within Staffordshire that required monitoring.
- 2.2 The 77 sites that were not monitored mainly consisted of sewage treatment works, dormant sites and sites in aftercare. These sites will be made a priority for monitoring in the next financial year where resources allow. The performance target for the monitoring aspect of regulation is to attempt to meet the requirements of the approved programme as set out in the Monitoring and Enforcement Policy Statement.
- 2.3 Ensuring that sufficient resources are allocated to meet monitoring requirements is always a difficult balance to achieve given the demands on the limited resources available. Having said that the monitoring and enforcement function ensures that priorities are met in terms of dealing with complaints and taking appropriate enforcement action when necessary.
- 2.4 On 6 April 2006 The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2006 came into force. This amendment now enables Mineral and Waste Planning Authorities (MWPAs) to charge operators with permissions for mineral extraction and waste landfill only, for the re-imbursement of their average costs in providing a monitoring service.
- 2.5 It should be noted that the fee is a national average of all MWPA's costs and does not meet in full the estimated cost to this Authority of meeting their obligations for the whole regulation service. In addition the costs of monitoring for a large number of sites does not fall eligible for reimbursement under the fee regulations and the cost

of regulating unauthorised development undertaken by the Regulation Team will still be included in the outgoing costs to the Authority.

- 2.6 In order to maintain an effective and efficient regulation service it is important that adequate training is undertaken especially in the areas of gathering and presenting evidence in court, undertaking investigations, updating on planning law and those areas requiring technical competence (e.g. GPS). This will be given appropriate priority within the Departmental training budget.

3. **Recommendation**

- 3.1 It is RECOMMENDED that the contents of this report and the conclusions be noted and that Members continue to receive annual reports on the activities of planning regulation relating to minerals and waste management developments.
-

4. **Background**

- 4.1 The Town and Country Planning Acts give powers to local planning authorities to enforce planning control. Whilst this is a discretionary power, to be exercised when expedient to do so, the integrity of the development control process depends on the planning authority's readiness to take effective enforcement action when it is necessary. Public acceptance of the development control process is quickly undermined if unauthorised development, which is unacceptable in planning terms, is allowed to proceed without any apparent attempt to intervene before serious harm to amenity results. Planning enforcement can be the most technically complex component of the development control regime. Monitoring and enforcement is labour intensive, and requires a range of professional and investigative disciplines in order to be effective.
- 4.2 The County Council needs to exercise control over developments associated with mineral and waste activities. These activities are different from other forms of built development because they can be ongoing over many years, they can be large in scale and have the continuing potential for unacceptable adverse environmental impact. The County Council's own development projects must be self 'policed' by the authority to ensure that the terms and conditions of any permissions are met.
- 4.3 Effective control can only be achieved through regular and continuous monitoring of all aspects of operations. This report details the regulation service performance over the past year and updates Members on the progress in resolving protracted breaches of planning control.

5. **Update of Statutory Legislation**

Monitoring Fees

- 5.1 On 6 April 2006 The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2006 came into force. This amendment now enables Mineral and Waste Planning Authorities (MWPAs) to

charge operators with permissions for mineral extraction and waste landfill only, for the re-imbursement of their average costs in providing a monitoring service.

- 5.2 Site monitoring undertaken by MWPAs allows for up to 8 visits for active sites and one for dormant sites per 12 month period. Fees for the visits are charged to the main site operator at a national rate of £288 for active sites and £96 for dormant sites.
- 5.3 Operators have been notified in writing of this authority's proposed number of site monitoring visits for year 2006 / 2007. A total number of 86 sites, of which 26 will be dormant sites or sites in aftercare, will be eligible under the fee regulations for reimbursement of these costs.

Assuming the proposed number of visits for year 2006 / 2007 in accordance with the Statement of Monitoring and Enforcement Policy:

60 sites x 4 visits average = £288 x 4 x 60 = £69120

26 sites (taking half as being in aftercare and half dormant)

13 x £ 288	=	£ 3744
13 x £ 96	=	£ 1248

Total potential income generated = £74112

Clean Neighbourhoods and Environment Act 2005

- 5.4 New legislation in the form of the Clean Neighbourhoods and Environment Act 2005 (The Act) gained Royal assent on 7 April 2005 and came into force in June and October 2005 and April 2006. Part 5 of The Act enhanced those powers available to certain local authorities and the Environment Agency to act in the remediation of the declared unlawful actions and to take extensive punitive measures against persons who transport and dispose of all waste materials in an unlawful manner.
- 5.5 The requirement to submit waste management plans for major developments has yet to be enabled and is awaiting the introduction of regulations and guidance on the subject.
- 5.6 These powers were not granted to Waste Planning Authorities or Waste Disposal Authorities (County Councils) in England.
- 5.7 The new powers included those to undertake the stop and search of waste haulage vehicles, when accompanied by police officers, forfeiture and seizure of equipment, the issue of on the spot fines of up to £300 for breaches of a waste haulier's duty of care and an increase in the maximum fine to £50,000 on sentencing by the courts.
- 5.8 A recent consultation document on Central Government's Waste Strategy Review gave an opportunity in Chapter 7 to review the enforcement powers against waste crime. Officers have, through the consultation process which ended on 9 May 2006,

proposed amendments to the current position, to extend the powers to act against unlawful handling and deposit of waste to include County Councils in England.

6. Lone Working Arrangements

- 6.1 A review of the risks to staff posed by working on their own at remote sites is currently being undertaken. This need for a review was highlighted by an incident involving a member of the regulation team in July 2005 and which led to the arrest of a landowner for breach of the peace under section 4 of the Public Order Act.
- 6.2 It is proposed to keep details of individuals who have or are suspected of potentially making threats or causing harm to officers in pursuit of their duties. Those people will receive a written warning about their future behavior and that by their actions officers meeting these individuals or their associates are considered to be at risk of injury or harm.
- 6.3 Officers will not visit sites or facilities unaccompanied, where there is risk of harm, and a system is being evaluated, in addition to the Directorate's proposals for a new lone working monitoring system, that will allow officers to summon immediate help and record everything that is then said to them on site.

7. Mineral and Waste Activities in Staffordshire

- 7.1 In the County of Staffordshire there are a total of 227 mineral and waste sites requiring some degree of monitoring with sometimes several planning permissions at each site, these sites are at various stages of activity and are of varying types, 43 of these are operational mineral sites. There are also a further 98 closed / dormant / restored or unauthorised sites in the county.

8. New Planning Permissions

- 8.1 Between 1 April 2005 and 31 March 2006, 81 new planning permissions relating to mineral and waste operations have been issued, 34 submissions required by planning conditions have been received and approved but no new permissions have been reviewed under the terms of the Environment Act 1995. These new permissions and submissions will be added to the existing monitoring and enforcement workload.

9. Resources

- 9.1 A review of the staff dedicated to the regulation function within the Development Control Unit was undertaken at the end of 2005. This has resulted in the team now operating in two sections with a dedicated monitoring section comprising of three officers and an enforcement section with one dedicated officer. In addition since March 2005 one administrative officer has been provided to support the Regulation Team.
- 9.2 Prosecutions result in a greater majority of officer time being expended in gathering and compiling witness evidence to assist our legal team in pursuing these prosecutions. Previously these actions were undertaken at the expense of active

monitoring of minerals and waste permissions. It is envisaged that the creation of a dedicated monitoring section will overcome this historic problem.

- 9.3 In addition to the existing experience held within the team, officers are able to call on the experience of other officers within the Development Control Unit, The County Acoustics Engineer, the Environmental and Countryside Unit, the Corporate Director (Resources) Legal Section, the Environmental Health Officers at District and Borough Councils, The Environment Agency and The Health and Safety Executive.
- 9.4 Technical equipment available to the team includes IT resources, a hand held Global Positioning System, a total station theodolite, two digital cameras and one digital video camera. It will be necessary, due to additional staff, to supplement this with two further cameras.
- 9.5 It is the intention of the Directorate to purchase basic noise monitoring equipment comprising of two sound level meters for the monitoring section that they may undertake monitoring of noise conditions which are more frequently being applied to planning permissions. Detailed noise analysis of problem sites will still be referred to the County Acoustics Engineer (Staffordshire Engineering Services) with a full consultation on remedial measures.
- 9.6 One long running legal prosecution of an individual from Hopton in the criminal court is still ongoing. Additionally one debt recovery action through the Civil Courts is also taking place against the same individual with the authority seeking to recoup the costs associated with taking the direct action at Hopton in April 2003. Various other formal actions have been conducted with limited success. It has been observed from the interpretation of judgements that the courts at all levels are experiencing difficulty grasping the technical content of environmental and planning prosecutions presumably due to minimal training of the judiciary, an infrequent case load and a perceived view that other types of offences take priority.
- 9.7 Experience has shown that pro-active monitoring, negotiation and more direct forms of preventing and undertaking remedial action on the land as a means of preventing and resolving breaches of planning control is a more productive use of planning resources.
- 9.8 There remains a requirement for the introduction and development of a new IT system to improve the efficiency in the planning regulation workload. However such a system meeting all the requirements of Development Control remains at the development stage. When completed it is expected to meet the requirements of an administrative function to assist the team.

10. Constraints to Site Monitoring

- 10.1 There are competing demands on the planning service as a whole and therefore a balance has to be struck as to how those resources are applied between the differing elements, including monitoring and enforcement.
- 10.2 Staffordshire is one of the main sand and gravel producing counties in England with a larger than average number of sites. The environmental impact of heavy

commercial vehicles (HCVs) on a mainly rural road network in and around quarries continues to have a significant impact on the surrounding amenity.

- 10.3 In 2005 / 2006 the main reason for complaints from the general public, excluding the largely unsubstantiated complaints associated with one composting site, were related to the unauthorised importation of waste. One officer has now been dedicated to the investigation of complaints relating to unauthorised development.
- 10.4 The performance indicators for the monitoring and enforcement part of the service relate to the frequency and quality of site monitoring; efficiency and effectiveness of dealing with complaints, and controlling unauthorised development. Performance levels in these areas are referred to below.

11. **Monitoring Activity**

- 11.1 Not all sites require the same level or frequency of monitoring, since this depends on the nature, scale and stage of any particular operation. For example, sites involved in soil stripping, movement and storage will require more frequent monitoring to ensure self compliance with safeguarding soil resources, than sites that are in aftercare, which may only require an annual visit.
- 11.2 Since 2003 the sites within Staffordshire have been classified into those which should optimally receive 4, 2 and 1 annual monitoring visits. The frequency regime associated with a particular site is reviewed annually to ensure monitoring effectiveness is maintained. This rate also accords with the proposed regime as embodied within the new fee regulations.
- 11.3 In October 2005 one member of the 4 officer Regulation Team, whose duties included site monitoring, resigned his position, a replacement was not appointed until 8 March 2006 due in part to the absence of the team leader for two months in November and December 2005 due to illness. As a result pro-active regular site monitoring was all but stopped in deference to responding to complaints.
- 11.4 During last year a total of 295 formal monitoring visits were undertaken by the Regulation Team from a required minimum of 497. The breakdown of visits within each category is detailed in Table 2. (Figures relating to site monitoring visits do not include those additional site visits undertaken by other planning officers neither do they take into account noise monitoring visits by the County Acoustics Engineer, which are undertaken on request).
- 11.5 A system of annual site audits for major operations has been introduced as single officer visits per quarter at large and complex sites is insufficient to control all aspects of the development. Two audits were undertaken at major landfill sites and detailed reports were sent to the operators. The audits involved four members of staff and they took between five and six hours each to complete. Compliance with all planning conditions and the impact of site operations was studied in detail at each site.

- 11.6 The requirement for a system of annual site audits has been embedded in the new fee regulations, at an identical fee of only £288 per visit, even though experience shows the actual cost of the audit is estimated to be 3 to 4 times this cost.
- 11.7 The audit is designed to verify the operator's compliance with the extremely large and complex number of planning conditions that are now being imposed on the planning permissions and which are becoming more increasingly technical in their requirements. They also include the monitoring of any Section 106 agreements in a pro-active rather than reactive manner.
- 11.8 In addition to these duties officers of the Regulation Team are responsible for the investigation of unauthorised development and with authority delegated to the Corporate Director (Development Services) in consultation with the Corporate Director (Resources), take such discretionary measures as are considered necessary to remedy any breach of planning control. These cases are only recorded where they have given rise to a complaint from the general public, officers or elected Members and are detailed in the complaints statistics.

12. SITE MONITORING

Table 1: Monitoring visits undertaken.

Sites requiring 4 visits

No of visits	No of sites			No of visits		
	'03/04	'04/05	'05/06	'03/04	'04/05	'05/06
≥4	11	20	9	53	108	57
3	1	7	9	3	21	27
2	7	7	10	14	14	20
1	17	7	10	17	7	10
0	9	6	9	0	0	0
Totals	45	47	48	87	150	114

Sites requiring 2 visits

No of visits	No of sites			No of visits		
	'03/04	'04/05	'05/06	'03/04	'04/05	'05/06
≥2	25	44	23	63	128	65
1	39	25	36	39	25	37
0	28	24	30	0	0	0
Totals	92	93	89	102	153	102

Sites requiring 1 visit

No of visits	No of sites			No of visits		
	'03/04	'04/05	'05/06	'03/04	'04/05	'05/06
≥1	50	52	52	66	81	75
0	66	61	38	0	0	0
Totals	116	113	90	66	81	75

- 12.1 18.5% of sites requiring a minimum of 4 visits per year actually received at least this number of visits, compared to 42.5% for the previous year.
- 12.2 25.8% of sites requiring 2 visits per year actually received at least this number of visits, compared to 47.3% for the previous year.
- 12.3 77 sites did not receive a monitoring visit, compared to 91 for the previous year. This is mainly due to a large number of Sewage Treatment Works in the monitoring schedule that have been given a lower priority. Sites that did not receive a monitoring visit this year will as normal be given a higher priority for monitoring in the forthcoming year.
- 12.4 In overall terms, the frequency targets for monitoring sites have not been met and some sites received a greater number of visits than programmed at the expense of others. However 66.1 % of sites received at least 1 visit, compared with 59.3% for 2004/2005.
13. **Complaints**
- 13.1 There follows a brief analysis of the number and type of complaints received by officers of the County Council between 1 April 2005 and 31 March 2006. Statistics from previous years have been included for comparison.

Table 2

COMPLAINTS RECEIVED ON MINERALS AND WASTE PLANNING ISSUES :
1 APRIL 2002- 1 APRIL 2003 and APRIL 2003 – APRIL 2004

District Complaint Category	Borough of East Staffs.		Cannock Chase Council		Lichfield District		Newcastle Borough		South Staffs. Council		Stafford Borough		Staffs. Moorlands District		Tamworth Borough	
	02/03	03/04	02/03	03/04	02/03	03/04	02/03	03/04	02/03	03/04	02/03	03/04	02/03	03/04	02/03	03/04
Access/Mud on Road		1	1					1	2	4	3		2	2		
Blasting/Vibration																
Breach of Condition	1	1	1		1		4	4	1	3			3	10		
Breach of Injunction								1		6						
Dust		1														
Extraction/Deposition						1	2	2	1	1	2	2	1	2		
Footpaths			1													
Hours of Working					1								2		1	
Inappropriate Waste Material			1				3	1	1		1	1		1		
Number of Lorry Movements							1			1		1				
Lorry Routeing									1							
Miscellaneous			3			1	3		1	1	1	1		2		1
Noise					1				3							1
Unauthorised Extraction							2		1				2			
Unauthorised Operations		2	2	1		2	2	1		1	5		1	2		
Unauthorised Stockpiles		3								1	2	2		1		
Unauthorised Importation		1			5	1	2		1	2	8	1	6	2	1	
TOTAL	1	9	9	1	8	5	19	10	8	24	22	8	17	22	2	2

COMPLAINTS RECEIVED ON MINERALS AND WASTE PLANNING ISSUES:
APRIL 2003 – APRIL 2004 and 1st April 2004 to 31st March 2005

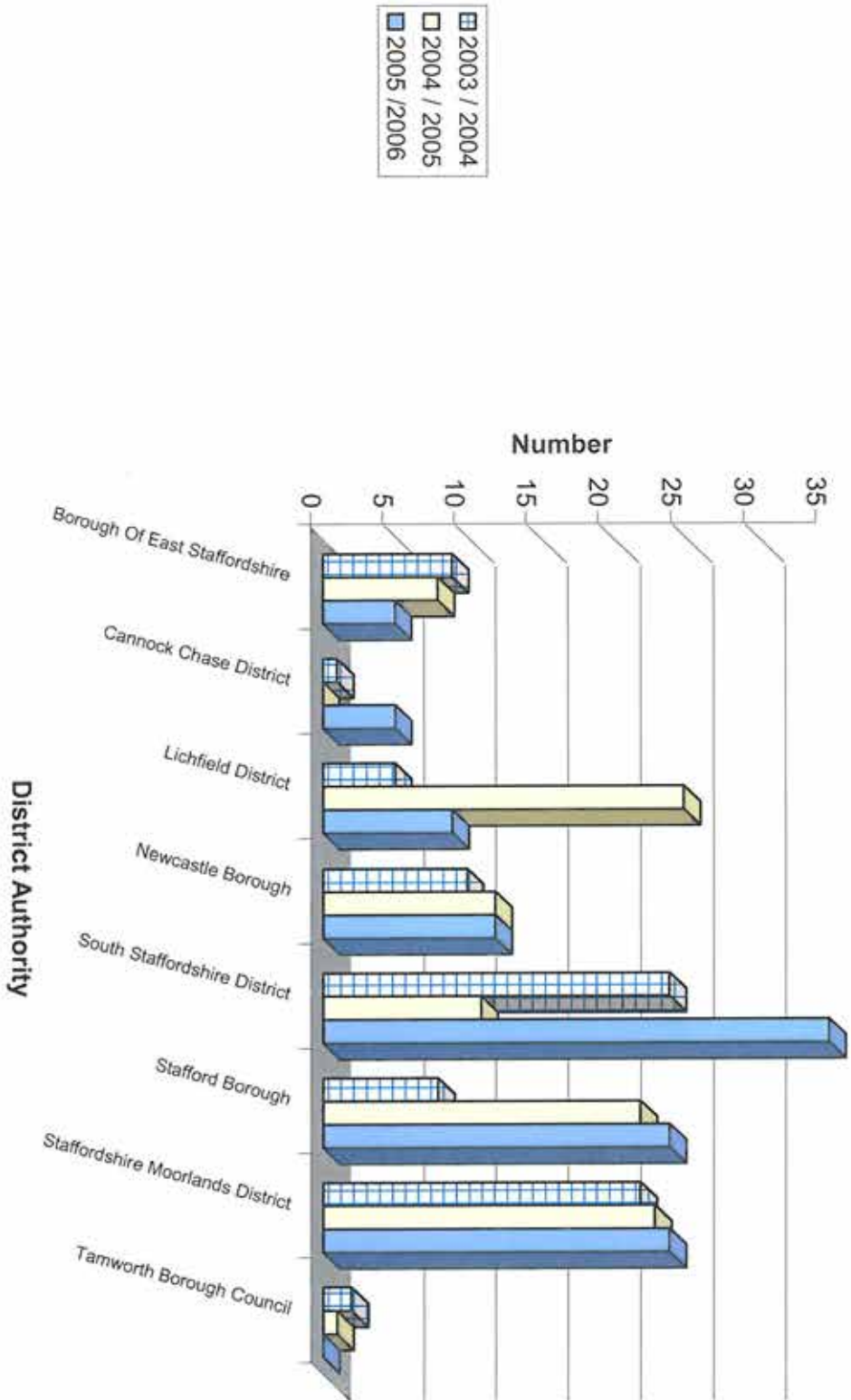
District Complaint Category	Borough of East Staffs.		Cannock Chase Council		Lichfield District		Newcastle Borough		South Staffs. Council		Stafford Borough		Staffs. Moorlands District		Tamworth Borough	
	03/04	04/05	03/04	04/05	03/04	04/05	03/04	04/05	03/04	04/05	03/04	04/05	03/04	04/05	03/04	04/05
Access/Mud on Road	1					1	1	2	4	1			2			
Blasting/Vibration																
Breach of Condition	1					1	4	4	3			2	10	3		
Breach of Injunction																
District Issue						1				1						
Dust	1	1				1	1		6	3						
Extraction/Deposition		1			1	1	2	1	1		2		2			
Footpaths																
Hours of Working						1										
Inappropriate Waste Material		1					1	1			1	3	1	4		
Number of Lorry Movements						1			1		1					
Lorry Routeing								1				1				
Miscellaneous					1	2			1		1	3	2	4	1	1
Noise						3			3	1		1			1	1
Unauthorised Extraction									1	1						
Unauthorised Operations	2	3	1	1	2	5	1	2	1		4	2				
Unauthorised Stockpiles	3					2			1	1	2		1	1		
Unauthorised Importation	1	2			1	6		1	2	3	1	8	2	11		
TOTAL	9	8	1	1	5	25	10	12	24	11	8	22	22	23	2	2

Table 4

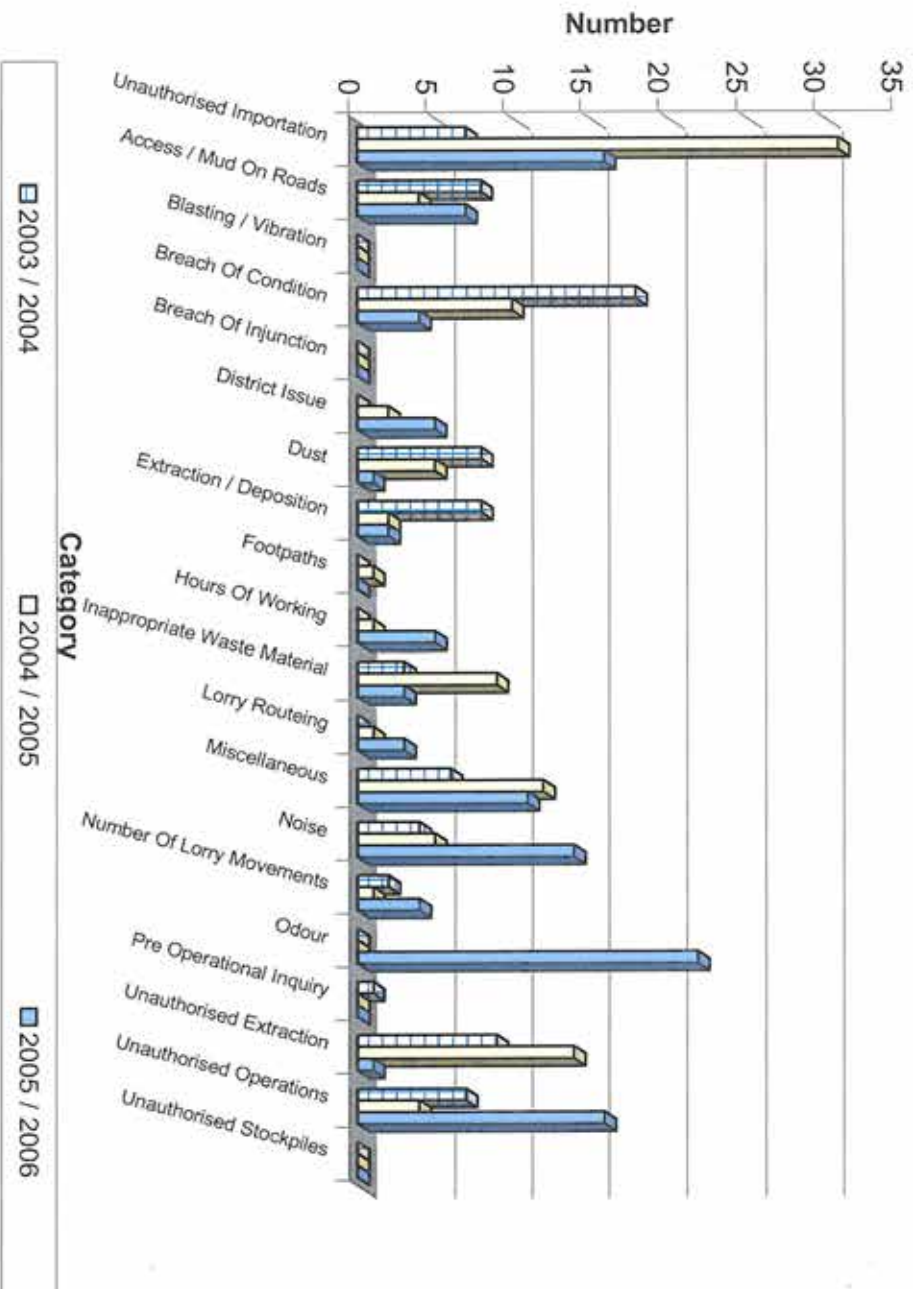
COMPLAINTS RECEIVED ON MINERALS AND WASTE PLANNING ISSUES :
APRIL 2004 – APRIL 2005 and 1st April 2005 to 31st March 2006

District Complaint Category	Borough of East Staffs.		Cannock Chase Council		Lichfield District		Newcastle Borough		South Staffs. Council		Stafford Borough		Staffs. Moorlands District		Tamworth Borough	
	04/05	05/06	04/05	05/06	04/05	05/06	04/05	05/06	04/05	05/06	04/05	05/06	04/05	05/06	04/05	05/06
Access/Mud on Road					1	1	2	1	1	2		1		2		
Blasting/Vibration																
Breach of Condition					1	1	4	1		1	2		3	1		
Breach of Injunction																
District Issue				2	1				1			3				
Dust	1				1	1		1	3	1						
Extraction/Deposition	1				1		1									
Footpaths																
Hours of Working				1	1			1						3		
Inappropriate Waste Material	1						1				3	1	4	2		
Number of Lorry Movements					1			1		1				2		
Lorry Routing							1	2			1			1		
Miscellaneous				1	2	1		1		20	3	5	4	5	1	
Noise		2			3	1		1	1	9	1	1			1	
Unauthorised Extraction									1					1		
Unauthorised Operations	3	1	1	1	5		2	1			4	8		5		
Unauthorised Stockpiles					2				1				1			
Unauthorised Importation	2	2			6	4	1	2	3	1	8	5	11	2		
TOTAL	8	5	1	5	25	9	12	12	11	35	22	24	23	24	2	

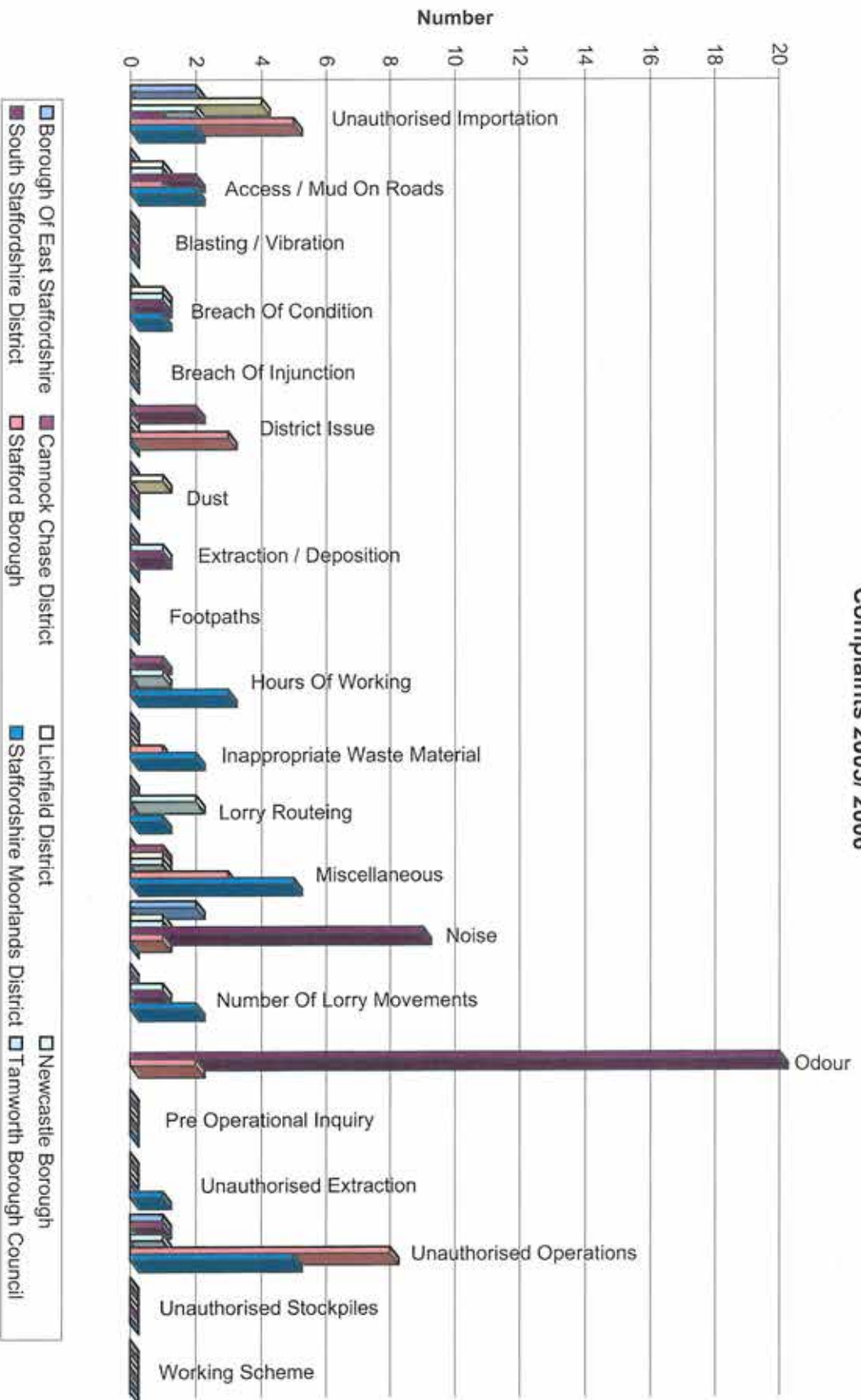
Total Complaints



Total Complaints
by Category



Complaints 2005/ 2006



- 13.2 There were 114 complaints relating to 141 issues at 64 sites in 2005/06. 62% of complaints were responded to within two working days down 23 percentage points from the previous year, 89% of complaints were investigated within 10 working days up 3 points on 2004/05 and 96 % of complaints were remedied or resolved within 13 weeks, up 6 points from the previous period.

- 13.3 There are 19 categories of complaints. Listed below is the number of complaints relating to each category for 2005/06, in ascending order (last years figure in brackets).

Odour	22 (-)
Unauthorised importation of waste material	16 (31)
Unauthorised operations	16 (15)
Noise	14 (7)
Miscellaneous	11 (10)
Access/Mud on road	7 (4)
District Issue	5 (2)
Hours of working	5 (3)
Breach of condition	4 (10)
Number of lorry movements	4 (1)
Dust	3 (5)
Inappropriate waste material	3 (9)
Lorry routeing	3 (2)
Unauthorised extraction	1 (1)
Unauthorised stockpiles	0 (4)
Blasting/vibration	0 (0)
Breach of injunction	0 (0)
Extraction/Deposit	0 (3)
Footpaths	0 (0)

- 13.4 As a result of investigations by the Regulation Team, continued breaches of planning control have resulted in the service of 3 enforcement notices relating to 2 sites (one included a temporary stop notice); No breach of condition notices; and 2 planning contravention notices relating to two sites, in total 5 notices relating to 2 sites. Only one notice at one site related to mineral extraction and the remainder concerned waste management sites.

14. Liaison Committees

- 14.1 Regulation officers have attended 17 liaison committee meetings at a total of 11 sites throughout the year, many outside normal working hours, to further the dialogue between operators and the general public.

15. Sites Update

- 15.1 The following cases are those that have warranted special attention by the Planning Regulation Team since the previous Progress Report and that have resulted in some cases being formally pursued.

Normanswood Farm, Drointon

- 15.2 Normanswood Farm lies in open countryside and is situated on an unclassified road near Drointon, Stafford on a site previously used for Gypsum extraction, all activity associated with mineral extraction ceased in the early 1950's. There are no current planning permissions on the site other than agricultural building development issued by Stafford Borough Council.
- 15.3 Following complaints received of numerous lorry movements and a new access being constructed a joint site visit was made by the County Council and the District Council. It was apparent that a new substantial access had been constructed into a field adjacent to the property, most of the vegetation had been removed and machinery had been brought onto the site to screen and stockpile various materials including soils, rubble, mineral and concrete foundations exposed on the site. Vertical structural columns had been erected for an agricultural building.
- 15.4 It was suspected by Officers that mineral had been extracted and removed, mineral deposits having been disturbed and it was suspected that waste soils were being imported onto the site. At a later date evidence was gathered that positively established that over 11,000 tonnes of mineral had been removed from the site and sold to a nearby gypsum mine.
- 15.5 A Temporary Stop Notice was served in July 2005 and a Planning Contravention Notice (PCN) requesting information from the landowners was initially served on 26 July. On 23 August reminders for non-return of these notices were sent. Following denial of receipt and the return of one undelivered notice, the notices were again served on 6 September and although inadequate responses to the PCNs were received Enforcement Notices were served on the declared owners in October 2005 to prevent the winning and working and exportation of gypsum from the land and / or the removal of gypsum from a mineral working deposit and for the prevention of importation and deposit of waste on the land.
- 15.6 The landowners, by this time made claim to having restored the land completely without informing the authority as to how this restoration was undertaken and to what standard.
- 15.7 Appeals against the Enforcement Notices were received in November 2005 and following counsel advice there have been protracted negotiations to try to agree a written undertaking prior to formally withdrawing the Notices. A date for the enforcement inquiry had been set for early July 2006, however, on the further advice of counsel both enforcement notices were withdrawn in the greater public interest and the inquiry will no longer proceed. This followed extensive negotiations with the landowners' legal advisor and the failure on their part to agree to an acceptable written undertaking to admit responsibility and not to undertake further mineral extraction and deposit of waste, the landowners have since expressed a desire to pursue a claim for costs with compensation, which the authority will appeal against.
- 15.8 A unilateral declaration of the authority's stance on the matter, together with a refusal to accept the principle of costs and compensation was sent to the landowner on withdrawal of the notices.

- 15.9 When the breaches of planning control were originally investigated one of the site visits was undertaken on their recommendation with the Police in attendance, following other incidents with this landowner. It was during this inspection that an unprovoked confrontation with the landowner took place at the site entrance, this resulted in his being arrested for a Breach of the Peace. A date for trial has been set for August 2006 following a plea by the defendant of 'not guilty' to a charge under Section 4 Public Order Offence and resisting arrest.
- 15.10 No prosecution under Section.196C (2) of the Town and Country Planning Act 1990 as amended, for obstructing officers in pursuit of their duties, was brought by the authority against the landowner.

'Woodside', Within Lane, Hopton and Hopton Pools Covert, Within Lane, Hopton

- 15.11 This is a long standing breach of planning control which culminated in the taking of direct action by the authority in April 2003.
- 15.12 A prosecution in 2004 for not complying with a temporary injunction granted in 2002, resulted in a High Court judge ordering an amendment to the injunction permitting the operator to import waste materials within an area subject to the grant of a Certificate of lawful Use by Stafford Borough Council in 1994 and contrary to the requirements of the 1988 and 1997 Enforcement Notices.
- 15.13 Proceedings to recover the cost to the County Council of undertaking the Direct Action to remedy the breach are currently proceeding through the County Court in Birmingham. This action has now been combined, at the request of the defendant, with an application for a permanent injunction that will accord with the requirements of the Enforcement Notices and has been moved to the High Court for determination. It is anticipated a final hearing should take place before the end of the year.
- 15.14 Long standing prosecutions for not complying with the Enforcement Notice served in 1997 and which came into effect, following a public inquiry, in 1999 are to re-convene at Stafford Crown Court on 19 June 2006, following considerable delays and a medical consultation carried out on the defendant on 10 May 2006 which showed the defendant was medically fit to stand trial.
- 15.15 Substantial legal and regulation time and resources have been absorbed in trying to exercise planning control over this case within the powers currently available to the Waste Planning Authority.

Tower Hill Road, Biddulph

- 15.16 This is a long standing breach of planning control involving the importation and deposit of inert waste that has forced the authority to undertake prosecutions for not complying with the requirements of an Enforcement Notice served in 1999.
- 15.17 The site is currently unrestored and to date, waste materials are still being imported into the site under the pretext of the creation of a hardstanding and access road

which would have the benefit of a deemed permission under part VI of The General (Permitted) Development Order 1995.

- 15.18 A prosecution by the authority took place on 27 March 2006 at Newcastle Magistrates Court for further importation and deposit of waste and was supported by officers' eye witness statements, video evidence and an interview with the landowner and defendant under caution.
- 15.19 Magistrates found the defendant not guilty believing the defendant's subsequent claim in court that he merely moved soils off the site and then back onto the site for restoration purposes.
- 15.20 In addition, a further Enforcement Notice has been served on land at Moody Street Farm, Biddulph (his former residence) following investigations by officers which revealed that the same operator had been depositing waste there, further unauthorized tipping and use of the land as a skip hire and waste transfer operation is still ongoing at the site.
- 15.21 This operator resides at a property known as 'The Falls' on Akesmore Lane, Biddulph and officers, investigating reports of unauthorized tipping at this address, undertook a site inspection on 24 May 2006 and discovered small scale deposits of waste materials in several locations on the land adjacent to the property.
- 15.22 Officers undertook a further site survey at Tower Hill Road on 11 May 2006 to quantify the amount of waste imported into the site and now that the operator has finally registered the land in his name, the authority is considering a suitable course of action and one that is most likely to secure compliance with the Enforcement Notice and the restoration of the land.
- 15.23 There are two possible courses of action that remain open to the authority:
- (a) The taking of default action by the authority under section 178 of The Town and Country Planning Act 1990 as amended;
 - (b) A further prosecution for failure to comply with the requirements of the Enforcement Notice.
- 15.24 Option (a) would guarantee the restoration of the land but if all the material were to be removed the cost to the authority could exceed the value of the land and may well exceed £100,000 with no prospect of recovering those costs.
- 15.25 Option (b) carries no guarantee of a successful prosecution due to a lack of understanding of planning law by the courts and would not achieve a restoration of the site. Further prosecutions could be undertaken however, were the site not to be restored. There would also be a cost in legal time and barristers fees associated with this option.
- 15.26 Officers are considering what would be the most expedient option in the greater public interest.

Brereton Tip, Cannock

- 15.27 This is a long standing breach of planning control relating to the restoration of a former colliery tip to mixed woodland and areas of open grassland adjoining Cannock Chase. Under permission CH.99/411, restoration was required to be completed by August 2001.
- 15.28 A Breach of Condition Notice was issued and served under delegated powers in July 2003. Two prosecutions for failure to comply with the requirements of the notice were successfully brought in the Magistrates Court in June 2004 and March 2005.
- 15.29 Since the last prosecution, there has been greater cooperation from the operator and many of the outstanding details have been provided. However, a satisfactory scheme to deal with a land-slipped area has still to be agreed and the physical restoration and landscaping of the site is still to be completed.
- 15.30 Brereton Parish Council together with the County Council are most anxious to resolve the unsatisfactory situation on this site. As the landowners plans for the long term future of the site have failed following discussions with Cannock Chase District Council negotiations between the County Council and other third parties are continuing in an attempt to seek a successful restoration of the site.

Cherry Hill Skip Hire, Newcastle

- 15.31 A new consolidated planning permission has been approved but not issued pending the signing of a section 106 agreement, which has been drafted and which the Council's solicitors are trying to seek completion of at the earliest opportunity. The site is regularly monitored and is now generally in compliance with the proposed conditions following a series of monthly site meetings with the owner and agent, these are now being considerably reduced in frequency.

Chemical Lane, Newcastle

- 15.32 Recycling operations of Incinerator Bottom Ash (IBA) have taken place at the Longport site since March 2002. A retrospective planning application was submitted for the operations in May 2002 and a report taken to committee in July 2003 recommending approval subject to a Section 106 agreement. The report was agreed but the Planning Permission was not issued due to difficulties in getting the persons with an interest in the land to sign the Section 106 agreement. Site operations ceased in June 2004 with all the machinery and office equipment removed but leaving excessive quantities of IBA on site. Removal of the IBA from the site commenced in September 2004 but ceased by the end of the year as there was no market for the IBA in its existing condition. This made little impact on the remaining quantities on the site. On 9 February 2005 a complaint was received of waste being imported to the site. Hardcore was being imported, screened and crushed and then mixed with the IBA before the aggregate product was exported from the site. Planning Contravention Notices (PCN) were issued and served on the landowners and those considered to have an interest in the site. The hardcore was imported from a local major highway project and the mixed product exported to other

local developments. On 7 April 2005 the Section 106 agreement was signed and the Planning Permission was issued on 21 April 2005. The PCN's have been returned from those persons who can still be traced but other than monitor the situation closely it is not considered expedient nor in the public interest to take any further action at present in the hope that this will facilitate the removal of all the IBA at the earliest opportunity. There have been no further complaints received of operations on the site and substantial progress has been made to secure the removal of all the IBA from the site.

Power Station Road, Rugeley (J & J Recycling)

- 15.33 An Enforcement Notice was served on 6 December 2004, with the Notice coming into effect on 16 January 2005.
- 15.34 The site operator has since left the site and the owner is currently attempting to restore the site and remove the remaining unsightly materials.

Keele Tileries

- 15.35 A Breach of Condition Notice was issued and served on Ibstock Brick PLC and the Ibstock Group alleging a breach of condition 3 requiring the phased working of the marl to take place only within the approved working area. The notice stated that workings must cease outside the approved working plan area, even where those workings were still within the larger planning permission area with consent under the terms of the 1955 permission. The notice further requested the submission of a new working scheme before 1 June 2005 detailing the phasing and manner of working the next permitted area.
- 15.36 All workings outside the approved working area but within the old 1955 planning permission area have ceased. Clay is currently being extracted from the western end of the quarry.
- 15.37 To date no working phasing plan has been submitted and outstanding details under the Environmental Impact Assessment for either the consolidating permission or the mineral review permission have yet to be submitted.
- 15.38 Central Government are currently looking at these stalled review permissions with a view to preventing operators from carrying on extracting mineral whilst drawn out and protracted negotiations to determine acceptable conditions continue.
- 15.39 A complaint was received on 21 May 2006 from the local member for this constituency, stating that large numbers of lorry movements from the site were continuing to cause disruption on the public highway at Madeley Heath. Legal counsel has advised against taking formal action to control this aspect of the development which could only be undertaken under the old 1955 planning consent.

Pepper Street, Keele

- 15.40 Following a long standing High Court action in which the County Council was ultimately successful, a further appeal by the developers was made to the Appeal

Courts. All legal actions and planning regulation issues have now been resolved with the signing of a section 106 agreement between the County Council, the developers and the landowners.

- 15.41 Restoration works were carried out under the agreement by the Council's contractors in a manner similar to that of direct action and was overseen by the Regulation Team in July 2005. The landowner has now sold the land and the matter has been concluded

Seighford Fishing Pools, Stafford

- 15.42 This site, situated to the west of Stafford between Doxey and Seighford, is in a prominent location adjacent the M6 motorway and West Coast main rail line. The site received permission from Stafford Borough Council in 1992 for the construction of five fishing pools. Works commenced in 1995 and by summer 2000, three of the permitted pools had been completed. Over the last 5 years, however, there has been little progress on the remaining pools.
- 15.43 Over recent years, the main use of the land has appeared to be as an unauthorised waste importation and inert recycling facility, as more and more construction waste and concrete railway sleepers have been brought onto the site and excavated sand and processed peat has been screened and exported as a topsoil substitute. Officers have held meetings with the operator and expressed concern about the lack of progress with the authorised district permission, but site operations have continued unchanged.
- 15.44 A Planning Contravention Notice (PCN) was issued and served on 17 May 2005 under delegated powers in order to obtain further information about site operations. An Enforcement Notice requiring the cessation of importation of waste materials, the incorporation of existing inert waste on the site into the remaining pools and trackways and the removal of any surplus inert waste to a suitable authorised facility was served on the landowner Brooks Metals and Waste Limited on 25 July 2005, no appeal was registered to the serving of the notice.
- 15.45 It is understood that a further planning permission has been issued by Stafford Borough Council at the beginning of this year allowing the continued extraction of peat from the land for a further 3 years to enable the completion of the remaining 2 fishing ponds.

- 15.46 This consent also permits the drying and screening of the peat before removing it from site, so HCVs are still entering and leaving the site.

Blackhills Quarry, Swindon, S. Staffs

- 15.47 This is a long established sand quarry situated to the west of Wombourne. Mineral extraction has ceased and over recent years the quarry has been progressively backfilled with inert waste with restoration proposed to form a pitch and putt course. The extant permission SS.910/92 required that all tipping operations and initial restoration be completed by the end of December 2004.

- 15.48 Complaints from residents and monitoring of the site revealed that the operator was breaching a number of planning conditions – restoration soils were being removed from the site, no restoration and aftercare scheme had been submitted and there were no approved final surface levels. When it became apparent that the December deadline for initial restoration would not be met, the decision was taken to issue and serve four Breach of Condition Notices under delegated powers to address all these breaches of planning control.
- 15.49 The Notices were issued and served on 19 January 2005 and took effect on 18 February 2005. The operator has so far complied with the Notices and a planning application (SS.04/27/624MW) to extend the end date for importation of soils by a further 12 months followed by a 3 months period for restoration which was approved in September 2005.

Wyrley Grove Landfill, Great Wyrley

- 15.50 An alleged breach of planning control came to the attention of officers of the Regulation Team at the end of the reporting period in April 2005. As a direct result a formal site audit undertaken by four members of the team was carried out at the site.
- 15.51 The audit identified several breaches of the conditions attached to the planning permissions to infill old colliery discard lagoons with domestic and industrial waste. The infill is carried out above surrounding ground level and the tip is confined with colliery discard retaining bunds. The audit also identified concerns with the integrity of the retaining structure and detailed negotiations with the operator the landowner and the Environment Agency were held to investigate the remedial works to be undertaken. Currently the importation of all waste has stopped at Wyrley Grove and is being diverted to Poplars Landfill.
- 15.52 Remedial works are ongoing, cells 1 to 3 have been temporarily capped to prevent water ingress and the leachate is being pumped out of the completed cells and tankered off site.
- 15.53 The feasibility of drainage works to stabilise the colliery discard retaining bunds is currently under evaluation when completed and approved it is hoped the works when undertaken will ensure the integrity of the structures retaining the domestic waste.

Wilnecote Landfill, Tamworth

- 15.54 Ownership of Wilnecote clay quarry has recently transferred from Tarmac to Hanson Building Products and discussions have taken place with the new owners to resolve outstanding issues relating to operations in the new extension area, resolving complaints about noise, hours of working and dust, and approving a restoration scheme for the whole site.
- 15.55 The landfill has caught up with the extraction of clay and on completion of the current phase of landfill in approximately 18 months time Biffa Waste Services will move their domestic landfill operations to the adjacent Baggeridge Brickwork site in Warwickshire for a period of approximately 7 years to enable the creation of further void space by clay extraction.

- 15.56 Discussions are taking place on the improvement of noise attenuation bunding, replacement of mobile plant and the re-location of clay stocks to further minimize the impact on adjacent properties from noise and dust.

Iverley Farm Composting Site, Stourbridge

- 15.57 Composting activities commenced on this site on 1 June 2005 since that time over 100 complaints have been received by the authority from nearby residents. In conjunction with South Staffordshire and Dudley Environment Health and The Environment Agency, all complaints have been investigated as far as resources will permit but not all have been substantiated.
- 15.58 It is estimated in costs to the Authority in terms of time to investigate local residents' complaints many of which relate to the enforcement of planning conditions and answer correspondence from the local action group some £24,000 has been spent on this one site.
- 15.59 Complaints have centered on noise and odour issues however, to date no substantive obnoxious odours have been experienced by the Regulation Team and complainants have stated that they ultimately wish to see the site closed down.
- 15.60 In general this is one of ten composting sites currently operating within the County and has a grant of a planning permission until October 2009. Iverley Farm in general is a well run composting operation. Issues relating to site access, disposal of leachate and field stores were addressed in April 2006 with the approval of two applications to vary the planning conditions attached to the original permission.

Dunstall Pool, Tamworth

- 15.61 An Enforcement Notice was served in March 2005 requiring the cessation of the use of land for the importation, sorting, screening and handling of inert waste the time for completion was deferred pending the determination of a retrospective application to regularise the development being undertaken on the site, this application was subsequently refused, a subsequent appeal to the planning inspectorate was also refused and the Enforcement Notice came into effect.
- 15.62 The landowners did not immediately comply with the terms of the notice however, following warnings of potential prosecution from the legal services unit, the site is currently being restored.

Bodnetts Farm, Tamworth

- 15.63 A Temporary Stop Notice was served in July 2005 followed by a Breach of Condition Notice (BCN) requiring the cessation of the use of a trommel screen on site, the cladding of an agricultural building being used to contain the waste bulking and transfer operation and the operation of the site in compliance with the approved plan.
- 15.64 The trommel screen has been removed from site in accordance with the notices and the operational plans are being complied with. The operators rather than re-clad the

building are shortly to submit an application for the demolition of the old building and the construction of a new replacement.

- 15.65 Complaints from one adjacent neighbour are ongoing, however officers continue to inspect the site and investigate the complaints and are currently satisfied that the operators are taking all reasonable measures to comply with the requirements of the notice and the requirements of the planning permission.

16. **Restoration Protocol**

- 16.1 In May 2004, a working protocol was agreed with the Environmental Planning and Countryside Unit to ensure close co-operation when dealing with initial soil stripping and the landscaping and restoration of mineral and waste sites.

- 16.2 Following the departure of both officers who were dealing with the application of this protocol replacements have been appointed and training is ongoing to ensure that the authority will once again be able to view and advise on soil stripping operations and attend annual aftercare meetings at a number of sites.

17. **Equal Opportunities**

- 17.1 This report has been prepared in accordance with the County Council's policy on equal opportunities.

18. **Resource Implications**

- 18.1 The staffing costs of the planning regulation function will be subsidised by the income generated from applying the new monitoring fees provisioned under the new fee regulations. The remaining costs are contained within the overall departmental staffing budget.

Contact: Doug Walker
Ext. No: 7294

RON HILTON
Corporate Director (Development Services)

BACKGROUND DOCUMENTS

Staffordshire County Council Statement of Monitoring and Enforcement Policy