

The Cross Keys  
Cheadle Road  
Upper Tean  
Staffordshire  
ST10 4DR

Mr N Felstead  
30 Station Street  
Stoke On Trent  
Staffordshire  
ST6 4NA

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Cheadle Road  
Upper Tean  
Staffordshire  
ST10 4DR

Application no: SMD/2014/0643

Determined on: 13/08/2015

**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure)(England) Order 2015**

**REFUSAL OF PLANNING PERMISSION**

**Location of Development:**

The Cross Keys (PH) Cheadle Road Upper Tean Staffordshire ST10 4DR

**Description of Development:**

Change of use of spare land to camp site, together with ancillary facilities

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref: A3/01, A3/02 for the reason(s) specified below:-

1. The proposed development would contrast significantly with the identified character of the area. It would have a detrimental impact on the open, rural appearance of the field within which the tents / caravans would be sited and their incongruous appearance would be clearly visible from surrounding properties. The Council consider, therefore, that the proposed development would harm the character and appearance of the area, contrary to Policies SS1 SS6c, E3, DC1, DC3 and R1 of the Core Strategy, which, together with the Council's Landscape Settlement Character Appraisal and the National Planning Policy Framework (NPPF) more generally, which seek to protect, and where possible reinforce and enhance local distinctiveness, with development required to respect the site and its surroundings and to promote a positive sense of place and identity.

2. This site is shown on Environment Agency indicative Flood Maps to be located within Flood Zone 3 and therefore has a high probability of flooding. The National Planning Policy Framework (NPPF) requires applicants for planning permission to submit an FRA (Flood Risk Assessment) when development is proposed in such locations. An FRA is vital if the Local Planning Authority is to make informed planning decisions. In the absence of an FRA, the flood risk resulting from the proposed development is unknown. Furthermore, the development type proposed is classified as 'more vulnerable' in accordance with Table 2 paragraph 66 of the Planning Practice Guidance (PPG). Table 3 paragraph 67 of the same document makes it clear that the exception test must be applied for a change of use to a

caravan, camping or chalet site in Flood Zone 3. As such, there is clear conflict with Core Strategy Policy SD4 and the Framework more generally.

3. No information has been provided regarding the impacts of noise and smoke/cooking smells as a result of the proposed caravan / camp site on this large, uncontained site. There are number of residential properties which are likely to be affected by such impacts as a result of the proposal and therefore unlikely to be effectively controlled to a degree that such impacts could be considered to be small to negligible i.e. acceptable. In these circumstances, the proposal would be likely to significantly impact upon the amenity of existing residential properties. As such, there is clear conflict with Core Strategy Policy SD4 and the National Planning Policy Framework (NPPF) more generally.

4. The Council will not permit any development proposal which would directly / indirectly result in significant harm to geological and biodiversity conservation interests unless a number of criteria have been satisfied in accordance with Core Strategy Policy NE1. The submitted 'Mammal Survey' does not follow basic requirements for an ecology assessment and is therefore insufficient in these respects. Fundamentally, the survey does not present an evaluation of any existing records. As a minimum, the Council would require a consultation with the Staffordshire Ecological Record. Also, the survey focuses almost exclusively on mammals. In these circumstances, the Council does not have a clear understanding of the evaluation of the impacts of the proposed development on nature conservation interests, including protected species. As such, there is conflict with Policies DC1 and NE1 of the Adopted Core Strategy and the National Planning Policy Framework (NPPF) more generally.

### **Informative(s)**

1. The principle of such development is unsustainable and does not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

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**Signed on behalf of Staffordshire Moorlands District Council**

### **NOTES**

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you

can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

2. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
3. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.