

Your Ref:

Our Ref: JS/SS/796D

17 June 2016

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

Dear Jane

**RE-SUBMISSION OF PLANNING APPLICATION SMD/2014/0682 PROPOSING A HIGH QUALITY LEISURE DEVELOPMENT AT MONEYSTONE PARK, WHISTON**

As you are aware, HOW Planning, on behalf of Laver Leisure (Oakamoor) Ltd, submitted an outline planning application (ref SMD/2014/0682) for a high quality leisure development at the above site to Staffordshire District Moorlands Council (SMDC) on 20 October 2014.

Despite the Council's Planning Officers recommending the application for approval, SMDC's Planning Committee resolved to refuse the planning application at its meeting on 26 November 2015. The application was formally refused by the Council on 2 December 2015. There were four reasons for refusal:

- i. **Landscape** – relating to the height of the hub building and the principle of the proposed lodges at Black Plantation;
- ii. **Highways** – relating to an increase in the amount of traffic using Carr Bank and also the reliance of visitors staying at Black Plantation to use private cars to access all facilities within the hub area;
- iii. **Heritage** – relating to the adverse impact the multi-activity hub area would have on the setting of Little Eaves Farm, a Grade II listed building; and
- iv. **Planning Balance** – stating that the benefits of the leisure scheme when considered together would not be sufficient to significantly and demonstrably outweigh the harm identified above.

Paul Tucker QC advised Laver Leisure throughout the preparation of the original planning application. Leading Counsel undertook a detailed review of the application prior to its submission as well as a review of the Planning Committee report following its publication. Laver Leisure has sought further advice from Leading Counsel following the refusal of the original planning application and an appeal was lodged to the Planning Inspectorate on 18 February 2016. It is the position of Laver Leisure, as supported by Counsel, that the original proposals are in accordance with the development plan and represent sustainable development. In light of this, and the recommendation for approval by the Council's Planning Officers, Laver Leisure has been advised that it has a strong case for the planning appeal.

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Nevertheless, Laver Leisure have sought to accommodate the concerns of the Planning Committee. Accordingly, without prejudice to the ongoing appeal by Laver Leisure, HOW Planning has been instructed to submit this revised planning application which directly addresses all the issues raised within the reasons for refusal. The planning application is re-submitted in outline with all matters reserved except for means of access and proposes:

*“The erection of a high quality leisure development comprising holiday lodges; a new central hub building (providing swimming pool, restaurant, bowling alley, spa, gym, informal screen/cinema room, children’s soft play area, café, shop and sports hall); café; visitor centre with farm shop; administration building; maintenance building; archery centre; watersports centre; equipped play and adventure play areas; multi-sports area; ropewalks; car parking; and managed footpaths, cycleways and bridleways set in attractive landscaping and ecological enhancements (re-submission of Planning Application SMD/2014/0682)”.*

### **Application Supporting Documents**

The planning application is accompanied by a comprehensive suite of supporting documents, the scope and extent of which has been agreed with Officers during pre-application discussions. The supporting plans and documents submitted with the planning application are listed in full below. As agreed, 1 hard copy and 1 CD containing an electronic submission of the revised planning application have been submitted.

- Completed Application Forms;
- Completed Certificate of Ownership B;
- Application drawings including:
  - Red Line Location Plan (drawing ref. PL1088.M.106 rev 3);
  - Overall Illustrative Masterplan (drawing ref. PL1088.M.100 rev 4);
  - Illustrative Detailed Plan – The Hub (drawing ref. PL1088.M.101 rev 3);
  - Illustrative Detailed Plan – The Upper Lake (drawing ref. PL1088.M.102 rev 4);
  - Illustrative Detailed Plan – The Lake (drawing ref. PL1088.M.103 rev 3);
  - Illustrative Site Sections (drawing ref. PL1088.M.107 rev 4);
  - Parameters Plan (drawing ref. PL1088.M.110 rev 5);
  - Character Areas Plan (drawing ref. PL1088.M.113 rev 3);
  - Eaves Lane Access Plan (drawing ref. PB5196-0100 rev C);
  - Proposed Layout of A52/Whiston Eaves Lane Junction (drawing ref. PB1608/SK001 rev C);
  - Detailed Footpath Connection Plan (Plan 1) (drawing ref. PL1088.M005 Rev 1);
  - Detailed Footpath Connection Plan (Plan 2) (drawing ref. PL1088.M006 Rev 1);
  - Detailed Footpath Connection Plan (Plan 3) (drawing ref. PL1088.M007 Rev 1);
  - Detailed Footpath Connection Plan (Plan 4) (drawing ref. PL1088.M008 Rev 1);
  - Detailed Footpath Connection Plan (Plan 5) (drawing ref. PL1088.M009 Rev 1);
  - Detailed Footpath Connection Plan (Plan 6) (drawing ref. PL1088.M010 Rev 1);
  - Overall Footpath Connection Plan (drawing ref. PL1088.M004 Rev 2);
  - Existing and Restored Landscape Plan (drawing ref. PL1088.M016 Rev 1);
  - Illustrative Proposed Landscape Plan (drawing ref. PL1088.M017 Rev 1); and
  - Illustrative Landscape Detailed Plan - The Hub (drawing ref. PL1088.M015 Rev 1)
- Supporting Planning Statement prepared by HOW Planning (June 2016);
- Environmental Statement: Non-Technical Summary (Volume 1) prepared by HOW Planning (June 2016);
- Environmental Statement - Main Text (Volume 2) prepared by HOW Planning (June 2016);
- Environmental Statement – Appendices (Volume 3) prepared by HOW Planning (June 2016);

- Statement of Community Involvement prepared by HOW Planning (June 2016);
- Design and Access Statement prepared by Planit-IE (June 2016);
- Feasibility Study Update letter prepared by Christie + Co (15 June 2016);
- Feasibility Study prepared by Christie + Co (March 2014);
- Sustainability Statement prepared by WSP (June 2016);
- Energy Strategy prepared by WSP (June 2016); and
- Tunnel Stability Report prepared by Abbeydale (June 2016).

The planning application re-submission is made in accordance with Regulation 9 of the 2012 Fees Regulation and as such a planning application fee is not required.

### **The Proposed Changes to the Leisure Scheme**

This planning application re-submission has made the following changes to the proposed development:

- i. The height of the proposed hub building has been reduced from 12 metres to 6 metres and the proposed climbing wall has been removed and does not form part of this planning application;
- ii. The Parameter Plan provides more certainty on the future location of the hub buildings. The area in which the hub buildings can be located at the detailed design stage have been significantly reduced as shown on the Parameter Plan which accompanies this application re-submission;
- iii. Additional landscaping is proposed within the hub area, which further screens the hub development from the listed building and the surrounding footpaths. The additional landscaping is shown on the Illustrative Landscape Detailed Plan for The Hub which also accompanies this application re-submission;
- iv. The 14 lodges proposed at Black Plantation and the proposed vehicular access from Blackley Lane have been removed as part of this application re-submission. Whilst both the land at Black Plantation and Blakeley Lane remain within the site edged red, permission for this work is not sought as part of the re-submitted application. Black Plantation is shown as “retained existing woodland” on the Parameter Plan;
- v. The total number of lodges for which planning permission is sought as part of this application re-submission remains at up to 250 lodges. The 14 lodges removed from Black Plantation have been re-distributed within Quarry 2 – The Upper Lakes. The re-distributed lodges are within the existing development areas as shown on the Parameter Plan and the Illustrative Masterplan for the Upper Lakes;
- vi. A “no right turn” vehicular access arrangement is proposed onto Eaves Lane. The revised vehicular access design is shown on the Eaves Lane Access Plan which accompanies this application re-submission;
- vii. A Tunnel Stability Report has been prepared and submitted with this application resubmission. The report demonstrates that in its current state the overall stability of the tunnel is considered acceptable with no significant failures or displacement observed; and

- viii. Further detail has been provided to clarify the alignment of the proposed footpaths, cycleways and bridleways at the site. This detail is provided on the Detailed Footpath Connection Plans and the Overall Footpath Connection Plan which accompany the application re-submission.

### **Summary**

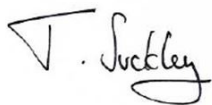
In summary, it is Laver Leisure's principle position that the original planning application was refused on unreasonable grounds and that it has a strong case at the public inquiry which is scheduled to take place in December 2016. Nevertheless, Laver Leisure has reviewed the proposed development and has made a series of changes to the scheme proposals which are promoted as part of this application re-submission. The proposed changes seek to address the comments made by the Members of the Planning Committee and the key issues raised in the reasons for refusal.

It is beyond doubt that the proposed development conforms with the Council's development plan. This is supported by the officer's report for the previous application. However, even if that is wrong, the proposed development still represents sustainable development having regard to the three roles of sustainability, as set out in the NPPF. Moreover, the benefits of the scheme far outweigh any harm identified by the Council. This is, therefore, a material consideration which indicates that consent should be granted in any event. Accordingly, all routes lead to the grant of consent in respect to this scheme. There is, therefore, no legitimate reason, having regard to planning legislation and policy, for consent to now be refused.

This planning application re-submission in no way prejudices Laver Leisure's position at the forthcoming public inquiry. Both the original and revised planning applications fully accord with the adopted development plan for the area, specifically the Council's Core Strategy DPD and the Churnet Valley Masterplan SPD. The Council's Professional Officers supported the original application and recommended it for approval and Laver Leisure respectfully request that the Council approves this planning application re-submission.

I trust the above is in order and should you require further information or wish to discuss, then please do not hesitate to contact me.

Yours sincerely



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Enc: Planning Application Re-submission

cc: Peter Swallow – Laver Leisure  
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