AMOS DEVELOPMENTS LTD

PLANNING APPLICATION FOR:

THE EXTENSION AND REFURBISHMENT OF AN EXISTING COTTAGE

AT THE RAMSHORN HOLIDAY CHALET SITE RAMSHORN

PLANNING STATEMENT

Zyda Law LLP
Lindum House
44 Wellington Road
Nantwich Cheshire
CW5 7BX

T: 0 (44) 1270 620 660
F: 0 (44) 8452 991 229

www.zydalaw.com

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Zyda Law

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1. National Grid OS Map (Sheet SK 04 NE) (extract)
2. Letters from Mr Allen, Mrs Turner and Mr Rowlinson
3. Office Copy and Filed Plan
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1. INTRODUCTION

1.1 AMOS Developments Ltd, the Applicant, has today submitted to Staffordshire Moorlands District Council (the Council) a planning application seeking a full grant of planning permission for the extension and refurbishment of an existing cottage on the Ramshorn Holiday Chalet Site.

1.2 This application is supported by the following drawings:

1 Drawing No.: 2003-1203-25A Existing Cottage Location Plan;

2 Drawing No.: 2003-1203-24A Existing Cottage Site Plan;

3 Drawing No.: 2003-1203-16 Existing Conditions, and

4 Drawing No.: 2003-1203-23C Proposed Extension and Elevations.

1.3 This planning statement is submitted in support of and as part of the planning application and includes a design and access statement and tree survey.

1.4 Where the Council requires further information to assist its determination of the application the Applicant would be pleased to supply the same upon notice.

2. DESCRIPTION OF DEVELOPMENT PROPOSED

2.1 The development proposed is the refurbishment and extension to the existing cottage to provide accommodation space on a first floor and, extended and refurbished living space at ground floor level. The footprint of the existing cottage would be extended at the ground and first floor levels.

2.2 The existing cottage is a 1 bedroom property. The cottage is a single storey brick building with a tile and felt ridged roof. It incorporates window and door openings in its four elevations which are structurally sound. It is 11.6m long by 4.2m deep and measures 2.7m to eaves and 4.4m to ridge, having a floorspace of 52sq.m.

2.3 The extension and refurbishment works include the removal of the existing roof and installation of an attic truss slate roof to match the style of the eight holiday chalets situate elsewhere on the Application Site. The cottage's ground floor walls will be clad externally with timber (matching closely the holiday chalets) to improve the appearance and, insulated internally to improve the energy efficiency. Post completion of works the development will comprise a two bedroom cottage for use as holiday accommodation. The extended cottage would have a floorspace of 120sq.m.

2.4 Access to the Cottage from the holiday estate would be by foot. It is proposed to provide two car parking spaces at the southern end of the holiday estate accessed directly off Ramshorn Road. No vehicular access works are proposed. Pedestrian access would be over the track running from the holiday estate's vehicular access road. Access works would not impact or harm the surrounding woodland within which the Application Site is situated. A tree survey is attached.

2.5 The Application Site forms part of a luxury holiday estate comprising eight large holiday chalets, constructed with the benefit of planning permissions SM93-1196, 04/1239/FUL and 08/127/FUL.

3. PRE 1948 USE

3.1 In support of this application, the Applicant provides evidence to demonstrate that the Application Site and existing cottage, as with other areas within Ramshorn Common, have been used for residential (Use Class C3) purposes since the 1920s.

3.2 Attached (see Annex 1) is an extract of the National Grid OS Map (Sheet SK 04 NE) which shows the cottage on the Application Site which is believed to have first been constructed in the 1920s in wood and, used from that period for the purpose of residence. The extract shows other buildings within the Ramshorn Common also believed to have been used for residence purposes and, like the cottage, first constructed using wood.

3.3 Evidence of the continuing and later use of the Application Site and cottage for residence (C3) from the early to mid 1940s is found in the letters by Mr C Allen, Mrs E Turner and Mr C M Rowlinson (see Annex 3).

3.4 Further, attached (see Annex 3) are Office Copy entries and Filed Plan for the Application Site, dated 21 September 2009 which, in the Property Register (see paragraph 2), refer to a conveyance dated 29th November 1946 and where reference is made to "*occupation of the said property*".

3.5 The evidence demonstrates that use of the Application Site and, in particular, the cottage for residential purposes commenced during the 1920s and continued until the mid 1980s when the use became dormant.

3.6 By virtue of this evidence, and the legal provisions contained in Section 57 of the Town and Country Planning Act 1990, the Applicant contends that the use of the Application Site for residential purposes is lawful and continues to the present day without the need for a grant of planning permission.

4. PLANNING POLICY

4.1 In cognisance of the requirements of Section 70 of the Town and Country Planning Act 1990, the Applicant sets out the provisions of the Development Plan, so far as material to this application.

Development Plan

4.2 The Development Plan for the area where the Application Site is located includes:

- The Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, and
- The Staffordshire Moorlands Adopted Local Plan 1996 – 2011
- West Midlands Regional Spatial Strategy January 2008

Local Development Framework

4.3 In accordance with the reforms to the planning system, the Council is preparing a Local Development Framework (LDF). The Local Development Scheme for the District was submitted to the Secretary of State and brought into effect on 28th October 2008. At present the Local Plan consists of saved policies which remain in force until superseded by the Local Development Framework.

Structure Plan

4.4 The Staffordshire and Stoke on Trent Structure Plan 1996 – 2011 contains saved policies relating to development design and urban regeneration that are relevant to this Application , namely Policies D1, D4, E12, NC1 and NC2.

4.5 **Policy D1** Sustainable forms of new development, states:

Sustainable forms and patterns of new development will be sought which:

(a) concentrate as much new built development as possible within the fabric of existing urban areas (while protecting or enhancing their distinctive character and environmental quality);

(b) consider all possibilities for reuse of land and buildings, including the reclamation of contaminated and derelict land in sustainable development locations before using greenfield land (though use of rural brownfield land is generally unlikely to be a sustainable development option);

(c) generally restrict greenfield development to a limited number of strategic nodes in transport corridors where there is or could be accessibility to a choice of modes of transport;

(d) create communities where there is a balanced mix of land uses which will reduce the need to travel, the distance travelled and the adverse effects of transportation;

(e) minimise the consumption of all resources, particularly those which are non-renewable such as land (especially the best and most versatile agricultural land) and minerals;

(f) protect and, wherever possible, enhance natural and cultural assets, including open spaces;

(g) ensure that the interests of regeneration in adjoining urban areas are not prejudiced;

(h) have regard to the long term implications of development proposals, the implementation of which may run beyond the end of the Plan period;

(i) have regard to the location and effects of existing nearby land uses with the potential to generate pollution which could have an unacceptably detrimental effect on the proposed development.

4.6 This policy is permissive and recognises that a substantial amount of new development will be required in the area to 2011. The Application Site's location allied with the design principles applied to the proposed development will preserve the local character. Policy D1's mandatory checklist is, where relevant, complied with. In particular, the design principles applied would limit the impact on natural assets. Further, the proposal amounts to the sustainable use of land, using an existing building within an existing developed area thus reducing pressure for development on greenfield sites.

4.7 **Policy D4**, a general development policy, states:

The essential character and economic and social fabric of rural areas should be maintained and improved by:

(a) encouraging appropriate development which assists in diversifying the local economy and underpins or improves services and community facilities;

(b) seeking the provision of affordable housing where there is a local need;

(c) limiting development where it is not matched by supporting infrastructure and facilities, or where there is little prospect of a more balanced community evolving;

(d) ensuring that development does not have undesirable traffic impacts and is not of a scale or type which would adversely impact on the rural setting;

(e) generally seeking to protect open countryside for its own sake.

4.8 The development proposed will benefit and improve the existing holiday estate by providing a refurbished and extended holiday cottage. In turn, the development will enable the holiday estate to make a greater contribution to the local economy and, encourage diversification, in line with national policy and guidance (see below).

4.9 The development will be supported by appropriate existing infrastructure in relation to services and wastes.

4.10 The development would not have a perceptible impact on traffic flows of the local highway network. The additional traffic movements likely to be associated with the provision of a 2 bedroom development would be negligible when compared to the design and actual capacity of the local highway network and the existing traffic flows along the same.

4.11 The development would not have an adverse impact on the rural setting. It has been designed to high standards to sympathetically blend into its environment and would, by virtue of the refurbishment works improve the existing cottage's visual effect on its surroundings.

4.12 The Applicant respectfully submits that the proposed development should be appraised as being in accordance with this policy.

4.13 **Policy E12** a housing policy, states:

'New tourist and visitor accommodation should be allowed subject to:

(a) major hotel developments and conference centre facilities being located in or on the edge of town centres or where they have ready access to the main transport network and to public transport and where they will not have adverse impacts upon local residents, businesses or the environment;

(b) budget hotel accommodation and motels being in urban areas, at strategic points related to business and holiday potential, at motorway junctions, or close to the primary road and public transport networks;

(c) "country house" hotels, where appropriate, being established in redundant buildings of historic interest in suitable rural locations, where there is no adverse effect upon local residents, neighbouring uses, the environment or the transport network;

(d) guest house, bed and breakfast and self-catering accommodation being related to the main visitor and public transport routes in urban areas, or associated with existing built development in rural areas;

(e) touring caravan/tent sites being related to the main holiday and public transport routes and in other areas of tourist importance, located and designed so as not to intrude on the appearance of rural areas or generate traffic which cannot be accommodated on the road system without undue adverse effects.'

4.14 The development proposed complies with the spirit of policy E12 (and other land use policies), in particular paragraph (d). The proposed development is associated with existing built development, namely eight holiday chalets and, makes use of an existing rural building.

4.15 The Applicant contends that the policy weighs in favour of the development proposed.

4.16 **Policy NC1** A natural/cultural policy, which states:

'The countryside will be safeguarded for its own sake and non renewable and natural resources will be afforded protection. New building in the open countryside, away from existing settlements or from areas allocated for development in Development Plans, will be strictly controlled. Development which is acceptable with respect to other Structure Plan policies should respect the character of the countryside and maintain or improve the environment. Where overriding economic or social interests outweigh the need for environmental maintenance or improvement, development proposals should include measures for adequate mitigation of, or compensation for, adverse environmental impacts.'

4.17 The policy permits development in the open countryside which respects the character of the countryside and which maintains or improves the environment. The development proposed has been designed to be in keeping with and respect the character of its surrounding environment and nearby development. The proposed development will improve the appearance of the existing building, visually improving the built environment.

4.18 The Applicant respectfully submits that the development should be appraised as being in accord with Policy NC1.

4.19 **Policy NC2**, a natural/cultural design policy, which states:

'Development should be informed by and be sympathetic to landscape character and quality and should contribute, as appropriate, to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected. Proposals with landscape and visual implications will be assessed having regard to the extent to which they would:

(a) cause unacceptable visual harm;

(b) introduce (or conversely remove) incongruous landscape elements;

(c) cause the disturbance or loss of (or conversely help to maintain):

(i) landscape elements that contribute to local distinctiveness;

(ii) historic elements which contribute significantly to landscape character and quality, such as field, settlement or road patterns;

(iii) semi-natural vegetation which is characteristic of that landscape type;

(iv) the visual condition of landscape elements;

(v) tranquility.'

4.20 The development proposed has, in line with policy NC1 also, been designed to be in keeping and sympathetic to the landscape character and also contributes to regeneration of the local landscape.

4.21 The proposed development will not cause unacceptable visual harm. The Applicant contends that the development will improve the visual landscape and complement the existing adjacent and nearby built environment.

4.22 The proposed development will not introduce incongruous landscape elements by virtue of its design or location.

4.23 The proposed development will not cause the disturbance of elements which are distinctive to local character and seeks only to improve the existing cottage which in turn will contribute positively to the landscape character and its visual condition.

4.24 The Applicant respectfully submits that the development proposed should be appraised as being in accordance with policy NC2.

Local Plan

4.25 The Staffordshire Moorlands Adopted Local Plan 1996-2011 is the Council's key planning document and is used as the basis for all planning decisions taken within the District. The Adopted Local Plan that covers the period 1996 – 2011, was adopted in September 1998. The Local Plan contains policies that are directly relevant to the development proposed.

4.26 **Policy B13** a design policy, states:

Within the plan area development proposals will be expected to:

(A) Demonstrate a good quality of design which takes account of the scale, character, siting, alignment, mass, design, colour and materials of their surroundings.

(B) Provide design and landscaping of the spaces between and around the buildings throughout the whole site which takes account of and enhances the scale and character of their surroundings. Existing site features such as trees and walls should be maintained where they contribute to the character and appearance of the site and its surroundings. Where hard landscaping is appropriate, natural materials should be used where possible, particularly in the Special Landscape Area, in Conservation Areas and within the setting of listed buildings. Where soft landscaping is appropriate, it should follow

ecological principles and incorporate plant species which are indigenous to the locality.

(C) Provide satisfactory standards of amenity for existing and proposed users of buildings through the space between buildings, their design, interrelationship, window sizes and positions.

(D) Mitigate adverse environmental effects, including noise, as far as possible through the location of noise sensitive developments away from existing sources of significant noise and through the location of noisy developments where noise is less important as a consideration or where its impact can be minimised through design or conditions.

(E) Make adequate provision for people with restricted mobility through the design of site layouts, the relationship between buildings and parking areas and the provision of access to shops and other public services and facilities.

(F) Make provision for safety and security by maximizing opportunities for natural surveillance through the relationship between adjoining land uses and through the layout and design of buildings and spaces.

4.27 The development proposed has been designed to high standards, using materials to match the existing structure and incorporating existing features.

4.28 The development also takes account of the scale and character of the site's surroundings by incorporation of appropriate landscaping and preservation of existing features.

4.29 The development proposed will maximise opportunities for natural surveillance; by its design and location it will enhance security of the holiday site in which it would be situated. With regard to the trees on the Application Site, the Applicant has commissioned a Tree Survey.

4.30 The Applicant respectfully submits that the development be appraised as being in accordance with this policy.

4.31 **Policy H13**, a house extension policy, states:

'In the countryside outside town and village development boundaries extensions to existing dwellings will be allowed where the following conditions are met:-

(A) The extension is modest in relation to the original dwelling and does not result in the identity of the original dwelling being lost. In addition small ancillary outbuildings will normally be permitted.

(B) Larger extensions may be justified where the original dwelling size is very small and the extensions are necessary to improve the property to a satisfactory standard of facilities and accommodation. A satisfactory standard refers to the need to provide the dwelling with basic amenities rather than meet the specific needs of an occupier.

(C) Buildings required for ancillary domestic purposes such as stables, loose boxes and garages should be designed specifically for such purposes and be modest in size and appearance.

(D) Within recognized groups of dwellings it may be possible to relax these requirements if the resulting dwelling would be in keeping with the character of the adjoining properties and the area generally.

(E) The extension is well designed having regard to the scale, style and appearance of the original dwelling and uses appropriate materials.

4.32 The application submitted to the Council includes a proposal for extension to the existing cottage. In combination with the incorporation of existing built environment design features on the Application Site (such as timber finish) the extension would not cause the loss of identity of the existing cottage.

4.33 Where the extension is perceived to be large, a position not accepted by the Applicant, this policy permits larger extensions where they are necessary to bring the property to a satisfactory standard in terms of facilities and accommodation, the principle aim of the extension and refurbishment works proposed.

4.34 The policy also allows for relaxation of its requirements where the proposed extensions would be in keeping with the character of adjoining properties *'and the area generally'*. The existing cottage forms part of a holiday estate comprising eight chalets, some of which are significantly larger than that proposed by the Applicant in relation to the existing cottage.

4.35 The extension proposed has been well designed having regard to the scale, style and appearance of the existing cottage, its location and neighbouring built environment.

4.36 The Applicant respectfully submits that the development proposed should be appraised as being in accordance with this policy.

4.37 **Policy B21** Rural Buildings, states:

'The conversion of rural buildings to other uses will be permitted provided that the following criteria are satisfied:

A) The buildings are suitable for conversion with only limited rebuilding works necessary; without significant alteration extension or rebuilding.

B) The materials used are compatible in character and appearance with the materials of the existing building and local usage.

C) Where the building is isolated the activities generated by the proposed use can be satisfactorily contained within the building. Where the proposal forms part of a group of buildings activities outside the building may be accepted provided that they do not detract from the appearance of the area.

D) The uses are appropriate to the scale of the buildings and are compatible with the conversion. These may include conversion to stabling for private or livery use, small workshops, storage and related employment uses, bearing in mind the traditional use of such buildings would normally have been non-residential and because such uses are more likely to be in character and less likely to require additional works.

E) Traffic generated access and parking provisions and environmental considerations such as noise, smell, fumes etc do not have a significant detrimental impact on the character of the buildings and surroundings.

F) Where residential use is proposed, either the Applicant has made every reasonable attempt to secure suitable business re-use or residential use forms a subordinate part of a scheme for business use. Outside development boundaries the proposed development should not lead to the dispersal of economic activity on such a scale as to prejudice town and village vitality.

4.38 The Applicant contends that the development proposed complies materially with the criteria of this policy. The use of the building as a holiday cottage is in keeping with its established use and that of nearby developments used for holiday purposes. The existing cottage can be extended and refurbished without significant works.

4.39 The proposed development has been designed to be in keeping with the surrounding environment and retains features of the existing structure (whilst extending the footprint) and incorporates elements of design compatible with nearby development in the local area.

4.40 The proposed use is appropriate to the scale of the proposed cottage. The proposed changes would accommodate residential holiday use.

4.41 The existing cottage is a detached building, isolated although not remote from nearby development. The activities to take place in the proposed development are residential in nature, use for which the existing cottage has always been put. The activities to take place will be easily accommodated in the development proposed.

4.42 The development proposed will not generate excessive additional traffic, noise or fumes and in any event will not be detrimental to the character of the buildings or surroundings.

4.43 The Applicant respectfully submits that the development proposed should be appraised as being in accordance with policy B21.

4.44 **Policy R17** Tourist Accommodation, states:

New build tourist accommodation will be expected to locate within town and village development boundaries and should be accessible by a range of means of transport. Outside town and village development boundaries new build tourist accommodation will be expected to be closely related to existing tourist development and of a scale which can be easily accommodated into the local landscape and be accessible by a range of means of transport outside town and village development boundaries, tourist accommodation will otherwise be restricted to the conversion of existing buildings, in accordance with policy B21.

4.45 The proposed development site is located in the open countryside, outside of the town and village development boundaries, within an area of existing tourist development comprising other holiday chalets. In accord with the policy, the development proposed makes use of the existing holiday estate and is thus in accord with the requirements of policy B21.

4.46 The development proposed is closely related to existing tourist development and, is of a scale which can be easily accommodated into the local landscape.

4.47 The Applicant respectfully submits that the development should be appraised as being in accordance with policy R17.

4.48 **Policy R18** Tourist Accommodation, states:

'Planning permission will be granted for the conversion of existing buildings to self catering accommodation in accordance with policy B21. 'New build' self catering

accommodation will be expected to locate within town and village development boundaries except where it is closely related to existing tourist development and of a scale which can be easily accommodated into the local landscape.'

4.49 The Applicant contends that the development proposed is in accordance with policy B21 as above and should also be appraised as being in accordance with policy R18.

4.50 **Policy N8** Development Control, states:

'In the Special Landscape Area permission will not be given for development which would materially detract from the high quality of the landscape because of its siting, scale, design and materials, and associated traffic generation. In areas where the Special Landscape overlaps the Green Belt there will be a presumption against most development in accordance with policy N2.'

4.51 The Applicant contends that the development proposals are in accord with Policy N8. The development proposed has been designed to incorporate qualities of the existing built structures at a scale appropriate to its surrounding environment and nearby development. Further, the proposals are for the refurbishment of an existing cottage to a high standard of design, and will not result in inappropriate traffic generation or detract from the quality of the landscape. The Applicant contends that by extending and reforming the cottage it will make a positive contribution and improvement to the landscape of the area.

4.52 The Applicant contends that the development proposals, which relate to works of short duration, are highly unlikely to impact on the amenities of neighbouring occupiers, and would not result in inappropriate traffic generation or compromise highway safety.

4.53 **Policy N9** Special Landscape Area, states:

'Within the Special Landscape Area the Local Planning Authority will promote and require especially high standards of design for development.'

4.54 The Applicant contends that the development proposals satisfy Policy N9. The development proposed is designed to a high standard, incorporating materials and features of the existing structure.

Regional Spatial Strategy

4.55 Since the commencement of the Planning and Compulsory Purchase Act 2004, Regional Planning Guidance has been replaced by Regional Spatial Strategies. Relevant to this Application is the West Midlands Regional Spatial Strategy January 2008, policies RR1, RR4, PA10 and PA14.

4.56 **Policy RR1**, Rural Renaissance, states:

A. Rural areas of the West Midlands will be regenerated through the improvement of choice in housing; the diversification of the rural economy; better transport links both within rural areas and between urban and rural areas; improving health, education, skills training, social, shopping, community facilities and other services, the sustainable use of environmental assets, and the prudent use of natural resources.

B. Policy priorities will vary according to a number of factors, including the quality of the environment, local character and distinctiveness, need for new employment, need for additional housing, including affordable housing, to meet local needs and stem population decline, and access to services and facilities.

C. In preparing their development plans, local authorities will need to have regard to the inter-relationship between urban and rural areas and to draw a general distinction between:

i) rural areas which are subject to strong influences from the MUAs and which are relatively prosperous and have generally good access to services. For these, the main priority will be to manage the rate and nature of further development to that required to meet local needs, whilst ensuring that local character is protected and enhanced; and

ii) rural areas which may be remote from the MUAs, with generally sparse and in some cases declining population, poor access to jobs and services. Here the main priorities should be economic diversification (PA14-15), affordable housing, better services and improved public transport.

D. Significant incidences of low income and social exclusion occur throughout the rural areas and should be addressed wherever they occur, although the most severe problems tend to be in the most remote areas.

4.57 As a regional policy, policy RR1 has wide objectives which, relevant to the Application, include:

- Rural economic diversification;
- Local character and distinctiveness, and
- Need for new employment.

4.58 The Application Site is located in an area of remote countryside with opportunity for economic diversification. The development proposed will aid such diversification and provide direct and indirect benefits in terms of employment opportunities and trade to support local services. The Good Practice Guide for Planning for Tourism clearly states the local value of tourism and the benefits it can bring to an area, and should weigh heavily in favour of the proposed development.

4.59 In line with other development plan policies and the Good Practice Guide for Planning for Tourism, the proposed development seeks to enhance the local landscape in both the interests of local residents, visitors and the Applicant. The existing Cottage requires extension and refurbishment to bring it into a viable economic use and to improve the local visual landscape. In particular, the policy refers to rural areas which are remote from Major Urban Areas ('MUAs') and how "*Here the main priorities should be economic diversification*".

4.60 **Policy RR4**, Rural Renaissance, states:

'A. Rural areas of the West Midlands will be regenerated through the improvement of choice in housing; the diversification of the rural economy; better transport links both within rural areas and between urban and rural areas; improving health, education, skills training, social, shopping, community facilities and other services, the sustainable use of environmental assets, and the prudent use of natural resources.

B. Policy priorities will vary according to a number of factors, including the quality of the environment, local character and distinctiveness, need for new employment, need for additional housing, including affordable housing, to meet local needs and stem population decline, and access to services and facilities.

C. In preparing their development plans, local authorities will need to have regard to the inter-relationship between urban and rural areas and to draw a general distinction between:

i) rural areas which are subject to strong influences from the MUAs and which are relatively prosperous and have generally good access to services. For these, the main priority will be to manage the rate and nature of further development to that required to meet local needs, whilst ensuring that local character is protected and enhanced; and

ii) rural areas which may be remote from the MUAs, with generally sparse and in some cases declining population, poor access to jobs and services. Here the main priorities should be economic diversification (PA14-15), affordable housing, better services and improved public transport.

D. Significant incidences of low income and social exclusion occur throughout the rural areas and should be addressed wherever they occur, although the most severe problems tend to be in the most remote areas.'

4.61 The development proposed relates to tourism which feeds the local economy, and encourages the creation of employment opportunities and creation/support of other services in the local area. In particular, the Applicant submits that the development proposed contributes towards the *'diversification of the local economy'*.

4.62 The Application Site is situated in a rural area and one which is remote from a MUA. The policy states that one of the main priorities for local planning authorities should be economic diversification.

4.63 **Policy PA10**, Tourism and Culture, states:

'A. Development plans should generally encourage both the improvement of existing provision as well as the creation of new facilities, subject to the capacity of infrastructure and the environment to accommodate the new facilities and visitors associated with them. They should include policies that support the further development and success of key Regional tourism and cultural assets such as:

- *The National Exhibition Centre.*
- *Birmingham International Airport.*
- *The International Convention Centre and Eastside regeneration in Birmingham.*
- *Historic town and city centres such as Ludlow, Shrewsbury, Worcester and Lichfield.*
- *Stratford-upon-Avon and Shakespeare Country.*
- *Warwick Castle.*
- *The Region's network of live theatre and music venues.*
- *The Malvern Hills and the Marches and the small parts of the Peak District National Park (covered by RPG for the East Midlands) and the Cotswolds that lie within the West Midlands Region.*

- *Black Country Heritage Attractions in particular Dudley Town Centre and its surroundings.*
- *Ironbridge Gorge World Heritage Site, the Severn Valley Steam Railway and West Midlands Safari Park.*
- *Alton Towers and Drayton Manor Park.*
- *Stoke and the ceramics and pottery heritage.*
- *The canal network.*
- *The Region's significant historic sites, buildings and gardens.*
- *The Region's registered museum collections, major libraries and archive collections.*
- *Indoor and outdoor sports stadia and venues of all types.*

B. Where large-scale, innovative projects can contribute to the overall "offer" of the Region, these should also be encouraged in suitable locations well served by public transport and where this can make an appropriate contribution to urban or rural regeneration. In this respect it is important that development plans take forward and carefully consider the long-term potential of the National Forest.

C. Within development plans, local authorities should identify those areas where the development of sustainable tourism can be encouraged to the benefit of the local economy and employment without damaging local environment or character. In doing so, they should assess the cumulative impact of tourism on the environmental assets (including biodiversity), character, infrastructure and local economy of each area, and on the needs of local residents. In the light of these factors, it may be necessary to limit development to particular types or scales of tourism. Plans should also include proposals to mitigate any problems caused by existing tourism.'

4.64 The development proposed forms part of an established tourist development area comprising several holiday chalets. The extension and refurbishment of an existing holiday cottage in the area is consistent with policy in that the Council should encourage the provision of new facilities and services together with supporting and improving existing provision, and also the principles of sustainable development where the development uses an existing structure, minimises use of natural resources and takes the opportunity of improving the local visual landscape.

4.65 The development proposed is not in conflict with the policy where it refers to limitation of development. The scale of the development is not inconsistent with the other (larger) existing chalets or the natural environment, it being a modest, sympathetically designed 2 bedroom proposal incorporating features of the existing cottage.

4.66 **Policy PA14**, Economic Development and the Rural Economy, states:

A. Development plans and other strategies should support the sustainable diversification and development of the rural economy through the growth of existing businesses and the creation of new enterprise. This should be undertaken in ways that meet local employment needs, maintain viable and sustainable local communities, conserve and enhance environmental assets and respect local character and distinctiveness.

B. Development plans should ensure that, subject to policy PA15, most economic development is concentrated in towns and other large settlements accessible to their rural hinterlands. Development should be consistent with the character and environment of the settlement.

C. Priority should be given to: economic activity with strong links to the rural area, including for example food and drink processing, tourism and leisure, the environmental economy and businesses ancillary to farming and forestry; and to sustainable new activity which will strengthen the Region's rural economy.

D. Encouragement will be given to the provision of affordable broadband services in rural areas to aid the development of businesses using ICT, including increased opportunities for home working.

4.67 One aim of this regional policy is to encourage and plan for economic development in rural areas, with priority given to the economic activity with strong links to the rural area, including tourism and leisure.

4.68 The development proposed is part of an existing business enterprise run by the Applicant in conjunction with a Holiday Letting Agent (Sykes Holiday Cottages) and Hoseasons. Where the development is allowed it would assist the growth of the business enterprise and the diversification/growth of the local economy.

4.69 This policy also seeks to ensure that development in rural areas is consistent with its setting, which the Applicant contends has been demonstrated by the high quality of design and incorporation of existing features to complement nearby development and improve the local landscape area, to the benefit of residents, the local economy and, the Applicant.

Policy Appraisal: Conclusion

4.70 The Applicant respectfully submits that the development proposed should be appraised as being in accord with the development plan.

4.71 The Structure Plan policies material to the Application are Policies D4, E12, NC1 and NC2. Tourism is a key consideration. This proposal would contribute (economically) by improving the available holiday accommodation in the area and encourage diversification. It is thus compliant with Policy D4. Policy E12 provides that new tourist accommodation should be allowed in rural areas subject to the requirement that it be associated with existing built development; the proposed development is located on an existing and successful holiday site comprising eight holiday chalets and so the proposal is in compliance with policy E12.

4.72 Design is an important aspect of any development, particularly where the development is situated in an area known for its landscape quality. The proposed development respects the character of the countryside whilst maintaining and improving the visual built environment by the refurbishment of a dated building. The design has been informed by the landscape character, sympathetically incorporating features of the existing cottage so as not to introduce incongruous landscape elements causing visual harm. The development proposed is thus in accordance with policies NC1 and NC2.

4.73 The Local Plan policies material to the Application are B13, B21, H13, N8, N9, R17 and R18. The Applicant respectfully submits that the development proposed should be appraised as being in accordance with the Local Plan.

4.74 Policies B13 and B21 are concerned with the design of buildings and the conversion of rural buildings respectively. The development is to a high standard of design, regard being had to the Special Landscape status of the local area and informed by the surrounding environment, the existing chalets and nearby development. The existing structure is suitable for the development proposed and is in accordance with its established use as a holiday cottage.

4.75 Policy H13 is concerned with the extension of houses in rural areas and seeks to control extension development to ensure that rural dwellings are not extended unnecessarily or excessively. The Applicant has highlighted the economical and practical reasons for the extensions proposed to the existing cottage and how they are necessary and not excessive. They will provide room for accommodation and facilities in accordance with modern standards and, ensure that the development proposed will provide a viable holiday let capable of attracting visitors to generate income. The Applicant respectfully submits that the policy requirements of H13 have been complied with.

4.76 Policies N8 and N9 are concerned with the design of buildings within the Special Landscape Area and the effect on amenities of nearby residents. The development

proposed has been designed to incorporate qualities of the existing structure at a scale appropriate to its surrounding environment and nearby development. Further, the proposals are for the extension and refurbishment of an existing holiday cottage to a high standard of design, and will not result in inappropriate traffic generation or detract from the quality of the landscape. The Applicant contends that by converting the building it will make a contribution to improvement of the landscape area, and respectfully submits that policies N8 and N9 have been complied with.

4.77 Policies R17 and R18 are concerned with tourist accommodation. The Application Site is located within an area of existing tourist development comprising other holiday chalets and is thus closely related to those developments. The development proposed is of a scale which can be easily accommodated into the local landscape.

4.78 The Regional Spatial Strategy now forms part of the Development Plan and the Regional Policies relevant to the Application are RR1, RR4, PA10 and PA14.

4.79 Policies RR1 and RR4 relate to the regeneration of rural areas through development and are supportive of development which aids economic diversification. The policies also seek to encourage new employment which would be furthered by allowing the proposed development.

4.80 Policies PA10 and PA14 aim to guide tourist and economic developments to the right places and ensure good design to preserve local character and distinctiveness. These principles, together with principles of sustainable development have informed the design and location of the proposed development.

5. OTHER MATERIAL CONSIDERATIONS

Planning Policy Statement 1 (Delivering Sustainable Development)

5.1 The aims of sustainable development are set out in the UK Strategy 1999 (A Better Quality of Life - A Strategy for Sustainable Development for the UK - CM 4345, May 1999):

- social progress which recognises the needs of everyone;
- effective protection of the environment;
- the prudent use of natural resources; and,
- the maintenance of high and stable levels of economic growth and employment.

5.2 PPS1 is concerned with the delivery of those aims through the planning system and is supportive of developments which contribute to the achievement of those aims.

5.3 The development proposed accords with the thrust of national policy in that it makes prudent use of natural resources and contributes towards the effective protection of the environment and, the maintenance of economic growth and employment. By using an existing structure and incorporating high standards of design, the development seeks to minimise input and maximise output both in terms of resources used and preservation and enhancement of the environment.

5.4 The development proposed will also contribute towards the local economy. It would form part of an existing holiday chalet site, yielding direct and indirect benefits to employment and trade emanating from the visitors who would occupy the Application Site.

Planning Policy Statement 7 (Sustainable Development in Rural Areas)

5.5 Planning Policy Statement 7 specifically refers to the provision of tourist accommodation and facilities in rural areas (at paragraph 35 onwards). In particular, at paragraphs 37 and 38 it states:

'37. The Government expects most tourist accommodation requiring new buildings to be located in, or adjacent to, existing towns and villages.

38. The conversion of suitable existing rural buildings to provide hotel and other serviced accommodation should be allowed, taking into account the policies on the re-use of rural buildings in paragraphs 17 and 18. Similarly, ***planning authorities should adopt a positive approach to proposed extensions to existing tourist accommodation where the scale of the extension is appropriate to its location and where the extension may help to ensure the future viability of such businesses.***

39. In considering planning policies and development proposals for static holiday and touring caravan parks and ***holiday chalet developments****, planning authorities should:*

(i) carefully weigh the objective of providing adequate facilities and sites with the need to protect landscapes and environmentally sensitive sites, and examine the scope for relocating any existing, visually or environmentally-intrusive sites away from sensitive areas, or for re-location away from sites prone to flooding or coastal erosion;

(ii) where appropriate (eg in popular holiday areas), set out policies in LDDs on the provision of new holiday and touring caravan sites and chalet developments, and on the expansion and improvement of existing sites and developments (eg to improve layouts and provide better landscaping); and

(iii) ensure that new or expanded sites are not prominent in the landscape and that any visual intrusion is minimised by effective, high-quality screening.

40. ***Local planning authorities should support the provision of other forms of self-catering holiday accommodation in rural areas where this would accord with sustainable development objectives.*** *The re-use and conversion of existing non-residential buildings for this purpose may have added benefits, eg as a farm diversification scheme. (****emphasis added****)*

5.6 The development proposed is tourism based which PPS7 generally supports where directed appropriately. In particular, it supports extensions to existing tourist accommodation where appropriate and where the extension may help to ensure the viability of such businesses. The development proposed makes use of the existing building, whilst extending its footprint. The development would make the provision of financially viable, tourism based income by providing a modern holiday cottage capable of attracting visitors.

5.7 PPS7 also states that local planning authorities should support the provision of other forms of self-catering accommodation in rural areas where in accord with sustainable development objectives. In accordance with the sustainable development objectives set out in the UK Strategy 1999, the development proposed makes use of an existing structure located in an established holiday chalet area. The high standard of design combined with the screening effect of the woodland itself will aid its fluid incorporation into the Special Landscape Area and enhance the quality of the visual landscape and environment.

Planning Policy Statement 9 (Biodiversity and Geological Conservation)

5.8 The development proposed is located in woodland on Ramshorn Common protected by a tree preservation order which seeks to ensure the preservation of a site of natural heritage.

5.9 The development would not be alien to or result in the loss of the woodland and contrarily, seeks to sympathetically incorporate itself into the landscape and would enhance the visual amenity of the area by high standards of design.

5.10 The Application Site is not known to be a habitat of any protected specie and does not have a statutorily designated status in terms of conservation or scientific interest. The only designation to which it is subject is that designated at local level as a Special Landscape Area. In accordance with the principles of sustainable development, the development proposed will implement high standards of design and would not result in loss of countryside or woodland but would make a positive enhancement to the surrounding environment.

LOCAL NEED

5.11 Tourism is a significant part of many rural economies, not least so in Staffordshire. Highly relevant to the application is the need for further holiday accommodation on the Ramshorn Common site.

5.12 Appended to this statement (see Annex 5) is data showing the number of bookings for the Ramshorn Common holiday site throughout the year. Particularly of note is the high level of occupation during the autumn and winter months where the Ramshorn Holiday Estate remains a popular holiday destination; on the whole, the Holiday Estate maintains a very consistent level of occupation with virtually maximum occupation over the summer months.

5.13 In support of the Application and the principle of local need, there is appended to this statement a letter from the licensee of the 'Ye Olde Star' public house (see Annex 4). The Licensee relies heavily on trade emanating from the Ramshorn holiday site. The Licensee states:

"Since the opening of the Ramshorn Chalet site we have noticed a marked increase in trade during the winter season. We have talked to these new customers and are aware that they come from this site. This additional custom is in both drinks and meals and is crucial to the viability of this and other local facilities."

The Applicant submits that the development proposed on this increasingly popular site will contribute towards the growth and viability of the local economy.

GOOD PRACTICE GUIDE FOR PLANNING FOR TOURISM

5.14 The Good Practice Guide for Planning for Tourism supersedes Planning Policy Guidance 21 (cancelled from 1st September 2006) and is a material consideration in this Application.

5.15 The guide plainly states the importance of tourism to the United Kingdom because it:

- Generates significant revenues
- Provides millions of jobs
- Supports communities, and
- Helps maintain and improve important national assets

5.16 The value of tourism at local level is also stated in plain terms. The broader benefits to local communities include:

- the focus of regeneration of urban and rural areas;
- provide a catalyst for growth in an area, raising its profile and stabilising out-migration

5.17 The guide then goes on to state the benefits of the revenue generated by tourism, including how it can:

- support and enhance local services and facilities such as shops and pubs, particularly in rural areas;
- aid diversification within the rural economy; and
- underpin the quality of the local environment and facilitate further enjoyment of it by residents and visitors.

5.18 A local example of how tourism can support local services and facilities in rural areas is found in a letter from the licensee of the Ye Olde Star public house who relies on the trade generated by tourism in the area and, from the Ramshorn Common chalet site in particular (See Annex 4). He states:

"Changes to licensing laws, the availability of cheap beer, wines and spirits in supermarkets, the rising costs associated with the upkeep of an old building and staff costs have all combined to make running a country pub difficult.

The current financial situation and the threat to family earnings by the announcement of redundancies and shorter working hours have a clear impact on spending at public houses. In this area we rely very heavily on trade from tourists…

Since the opening of the Ramshorn Chalet site we have noticed a marked increase in trade during the winter season. We have talked to these new customers and are aware that they come from this site. This additional custom is in both drinks and meals and is crucial to the viability of this and other local facilities."

5.19 The research upon which the guide is based reveals that tourism is a huge contributor to the national and local economies:

Tourism is a vital component in the make-up of the national economy:

- *It contributes £74 billion to GDP. This revenue accounts for 6.4% of the UK's total GDP and 3.4% of Gross Value Added (GVA).*
- *It is the UK's third largest foreign exchange earner after oil and vehicles – tourism accounts for over 4% of total exports4.*
- *It contributes an estimated £11.8 billion to the national exchequer in terms of the tax paid by tourists on goods and services5. This equates to 70% of central Government expenditure on education and 44% of the defence budget.*

- *Every 1% increase in tourism revenue generates £118m in revenue for Government. Achieving central Government's target to increase the value of tourism to £100bn by 2010 will increase Government revenue from tourists to almost £16bn per annum.*

- *For every £1 the country invests in tourism, it gains £5 through taxation for reinvestment.*

5.20 Staffordshire is a county of rural character with much loved landscape and tourist attractions, including of national significance, Alton Towers theme park. Tourism is certainly an important part of the character, economy and natural heritage of Staffordshire Moorlands. The guide refers to how tourism relies heavily on the natural (and the built) environment, and how it can be the key to maintaining and enhancing that environment:

- Derelict land and buildings may be brought back into use and the countryside can be better maintained.

- Visitors to historic buildings, archaeology and landscapes can provide income or voluntary effort which help maintain and conserve such assets.

- In rural areas the health of the environment and of the community depends on the viability of the local economy. So areas which attract visitors for their scenic beauty and which enjoy income from tourism will be better able to afford to sustain the local environment.

- Proposals involving high quality design improve the visual and environmental experience for visitors and the local community alike

5.21 Relevant to this application are the principles of economic and environmental benefit to the local community. The Application Site would make use of a dated building and in its refurbishment and extension involving high quality design, would improve the visual and environmental experience for visitors and the local

community.

5.22 In turn, by contributing to improvement of the local environment, the development proposed would contribute to the local economy and aid its diversification; The guide states how *"...areas which attract visitors for their scenic beauty and which enjoy income from tourism will be better able to afford to sustain the local environment."*

5.23 In conclusion, the benefits of the development proposed are social, environmental and economic and, weigh heavily in its favour. The Application Site lies within an established holiday estate and thus its location is already supported by an existing tourism demand in the area and, if allowed, would serve to contribute towards the social, economic and environmental benefits already enjoyed by local residents and visitors.

6. DESIGN AND ACCESS STATEMENT

6.1 In accordance with the requirements of the Planning Act 1990, Section 62 and in support of the application for planning permission for the proposed development, the Applicant provides:

(a) a statement about the design principles and concepts that have been applied to the proposed development, and

(b) a statement about how issues relating to access to the proposed development have been dealt with.

DESIGN

Use

6.2 The application proposes the refurbishment of an existing holiday cottage. The propose use is for tourist accommodation.

Amount

6.3 The proposed extension and refurbishment works involve an increase in the height and footprint of the existing cottage to provide first floor accommodation. The proposal therefore increases the amount of floorspace from 52sq.m. to 120sq.m.

Layout

6.4 Whilst the footprint of the cottage will change, the layout of the site remains unchanged. The layout of the building changes to accommodate the proposed additional first floor.

Scale

6.5 The application proposes a limited increase in the scale of the building by proposing to raise the height of the ridge of the building by 1.5m.

Landscaping

6.6 Given the nature of the site, the application does not propose additional landscaping.

Appearance

6.7 The appearance of the proposal follows the character of other tourist accommodation on the site by adopting the use of timber cladding and a slate roof.

ACCESS

Vehicular and Transport Links

6.8 The site is not located close to a bus route. By virtue of countryside protection policies and the requirement to protect the woodland setting of the cottage, access to the building from the holiday site will be by means of a pedestrian access. Visitors would access the Holiday Site directly from Ramshorn Road, and leave their vehicle at the southern end of the main site access road.

Inclusive Access

6.9 The development provides for occupation by less abled people through compliance with Part M of the Building Regulations by the provision of level accesses to the principal entrance to the building, and provides internal arrangements, such as the width of corridors and doorways, that are suitable for less able access.

7. CONCLUDING COMMENTS

Pre 1948 Use

7.1 Upon reliance of the evidence submitted, and in accordance the provisions of sub section 57(7) and Schedule 4 of the Town and Country Planning Act 1990, it is asserted that the Use Class C3 of the Application Site is lawful and extant.

Development Plan

7.2 The proposed development has been appraised against the Development Plan and found to be in accord with identified relevant polices. In particular:

a. The Structure Plan polices material to the Application are Policies D4, E12, NC1 and NC2. Tourism is a key policy, this proposal would contribute economically by improving the available holiday accommodation in the area and encourage further diversification and is thus compliant with Policy D4. Policy E12 provides that new tourist accommodation should be allowed in rural areas subject to the requirement that it be associated with existing built development; the development would be located on an existing holiday site and so the proposal is in compliance with policy E12.

b. The proposed development respects the character of the countryside whilst maintaining and improving the visual built environment. The design has been informed by the landscape character, sympathetically incorporating features of the existing cottage so as not to introduce incongruous landscape elements causing visual harm. The development proposed would contribute to the enhancement of the built environment by the conversion of a dated building. The development proposed is thus in accordance with policies NC1 and NC2.

c. The Local Development Plan policies material to this Application are B13, B21, H13, R17, R18, N8 and N9. The proposed development is compliant with these policies with regard to design, scale and character. The development seeks to preserve existing features and enhance the quality of the visual landscape whilst also making efficient use of resources and available space by use of the existing structure. The development can be easily accommodated into the local landscape and in turn closely relate to nearby developments by its use and

design. The development proposed is in accord with the requirements and spirit of the local development plan policies.

d. The proposed development is in accord with the broad principles espoused within the Regional Spatial Strategy particularly with regard to:

- diversification of the rural economy by the development of leisure facilities;
- supporting community facilities and other local services (see letter of support from *Ye Old Star* at Annex 7);
- the sustainable use of environmental assets by development within an existing site;
- the improvement of existing provision by provision of on-site staff accommodation;
- creation of jobs suitable for local people, and
- the sustainable diversification and development of the rural economy.

e. The demonstrable local need for development of this kind supports the proposed development, where it will contribute towards the diversification, growth and viability of the local economy.

f. The concerns raised in objections should not weigh against the proposal where perceived impacts can be mitigated by way of condition. Further, the perceived impacts raised by local residents have not been substantiated by evidence.

7.3 Identified material considerations weigh in support of the proposed development, recognising its ability to satisfy the objectives of national policy and, its ability to make a greater economic contribution to the well being of the local economy in a sustainable way. Tourism is highly material to the consideration of this planning application. Tourism is a vital component in the make-up of the national economy:

- It contributes £74 billion to GDP. This revenue accounts for 6.4% of the UK's total GDPand 3.4% of Gross Value Added (GVA).

- It is the UK's third largest foreign exchange earner after oil and vehicles – tourism accounts for over 4% of total exports.

- It contributes an estimated £11.8 billion to the national exchequer in terms of the tax paid by tourists on goods and services. This equates to 70% of central Government expenditure on education6and 44% of the defence budget.

- Every 1% increase in tourism revenue generates £118m in revenue for Government. Achieving central Government's target to increase the value of tourism to £100bn by 2010 will increase Government revenue from tourists to almost £16bn per annum.

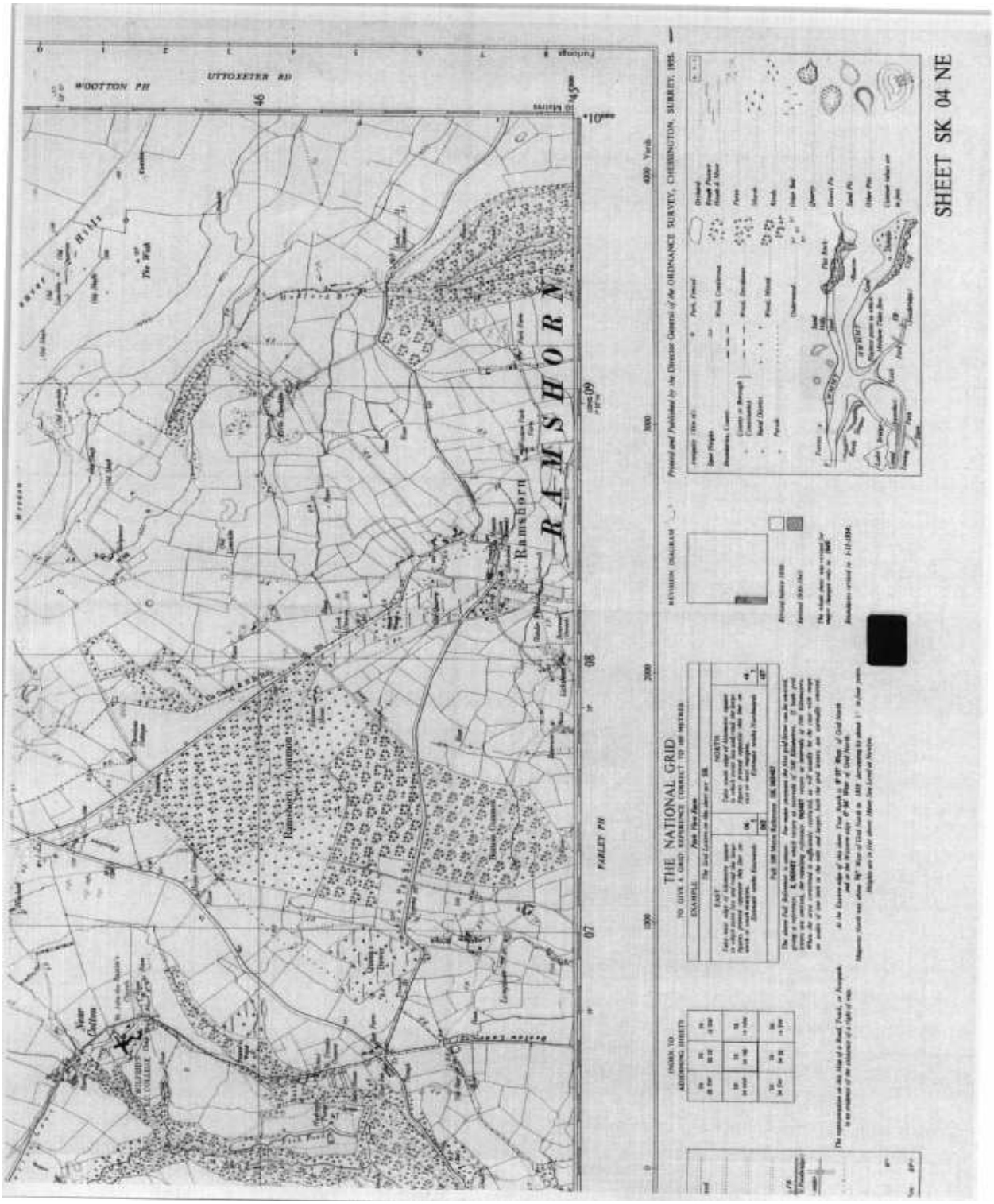
- For every £1 the country invests in tourism, it gains £5 through taxation for reinvestment.

7.4 In accordance with the provisions of the Town and Country Planning Act 1990, Section 54A it is respectfully submitted that the proposed development is in accordance with the Development Plan and that material considerations weigh in support. The Council is respectfully asked to grant this Application.

Zyda Law LLP
September 2009

ANNEX 1

National Grid OS Map (Sheet SK 04 NE) (extract)



Zyda Law

ANNEX 2

Letters from Mr Allen, Mrs Turner and Mr Rowlinson

Mr Christopher Allen
Ashbourne Road Garage
Whiston
Froghall
Stoke on Trent
ST10 2JE

22nd September 2009

The Planning Inspectorate
Room 3/23
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Dear Sir

I write in connection with the appeal against the Council's refusal of planning for the works to the bungalow. I do not agree that there is no record of use for the bungalow.

I have been well acquainted with Ramshorn Common having been born and lived nearby until 1987 (my D.O.B is 4th March 1957). My family home was St Marys Mount, Ramshorn Road, Oakamoor, ST10 3BZ, where my parents lived until 2004.

I know that the bungalow was owned by the Hadley family (friends of my family) since the mid 1940s and can confirm that it was used during the summer as a holiday home into the 1980's.

My parents lived in the area for much longer and knew the Hadley family well. I know that my parents went to parties at the bungalow after WWII, from around 1947. My late father Francis Joseph Allen used to play the accordion at parties there.

I attach to this letter a sworn statutory declaration made by my late mother, Annie Elizabeth Allen, dated 11th March 2008 which confirms that the Hadley family purchased the site in 1946 and soon afterwards (around 1947) built the bungalow and used it as a holiday home until the mid 1980s.

The bungalow was used by the owners and their family and friends taking a holiday. I know that Simon Hadley's two sisters whose families used the bungalow as a holiday retreat from their homes in Bristol.

I have also been to parties at the bungalow which had gas for lighting and cooking (from gas cylinders), water (collected from the roof) and a toilet. I know that water for drinking was fetched from my parent's property.

Yours faithfully



Mr C Allen

Your ref: APP/B3438/A/09/2110328/NWF

I, ANNIE ELIZABETH ALLEN of 2 Silverstone Avenue, Cheadle, Staffordshire, ST10 1DD do solemnly and sincerely declare as follows:

1 I am well acquainted with the piece of woodland shown edged blue on the attached plan marked "AEA1" ("the Site") and with the bungalow property edged red on the said plan which stands on it ("the Property"). I lived in close proximity to the Site at St Marys Mount, Ramshorn Road, Oakamoor, ST10 3BZ from 1951 until August 2004 when I moved to my present address.

2 I am aware that Felix Hadley bought the Site from Bernard Rowlinson in 1946 and constructed the Property soon after purchase. The Property was used continuously for part time residential purposes between the date of its construction and at least until the early 1980's. The Property was one of a number constructed for recreational residential purpose in the vicinity.

3 The track shown coloured yellow on the said plan between Ramshorn Road and the Site was constructed 20 feet wide but has now become overgrown. It was heavily stoned as it lead not only to the Site but also to other nearby properties. I recall that Queen Victoria's jubilee railway coach was positioned on land adjacent to the Site in the late 1940's early 1950's and was winched up the stoned road in order to put it in position.

4 The Site remained in the ownership of the Hadley family between 1946 and 2004 when it was sold by Simon Hadley. The successive owners were Felix Hadley, Alan Hadley and Simon Hadley.

5 I am aware that up to seven people used to stay in the Property at weekends during summer holidays and sometimes on a semi permanent basis for periods of a few weeks.

6 I am aware of the facilities both inside and outside the Property as I frequently went there for social gatherings. My late husband Francis Joseph Allen used to play the accordion at parties there. The Property had a gas supply from gas cylinders. There was no full sewerage system but I believe that there may have been a cesspit linked to the toilet. The Property had gas lighting and I

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believe that it may have had its own generator. Water for domestic purposes was gathered from the roof of the Property and there were sinks in the Property. Water for drinking purposes was fetched from my own property.

7 The use of the Property for part-time residential purposes became more infrequent in the late 1970s and the 1980s and subsequently ceased. As far as I am aware the Property has been used for no other purpose since it ceased to be used for residential purposes.

8 I make this solemn declaration conscientiously believing it to be true and by virtue of the provisions of the Statutory Declarations Act 1935.

A. G. Adler

Declared at CHEADLE, STAFFORDSHIRE ON 11TH MARCH 2008.

before me

~~A Commissioner for Oaths/~~

~~Justice of the Peace/~~

Solicitor

EDDOWES, SIMM + HALDRON
13 CHURCH STREET
ASHBOURNE
DERBYSHIRE
DE6 1AE

Zyda Law

TITLE NUMBER

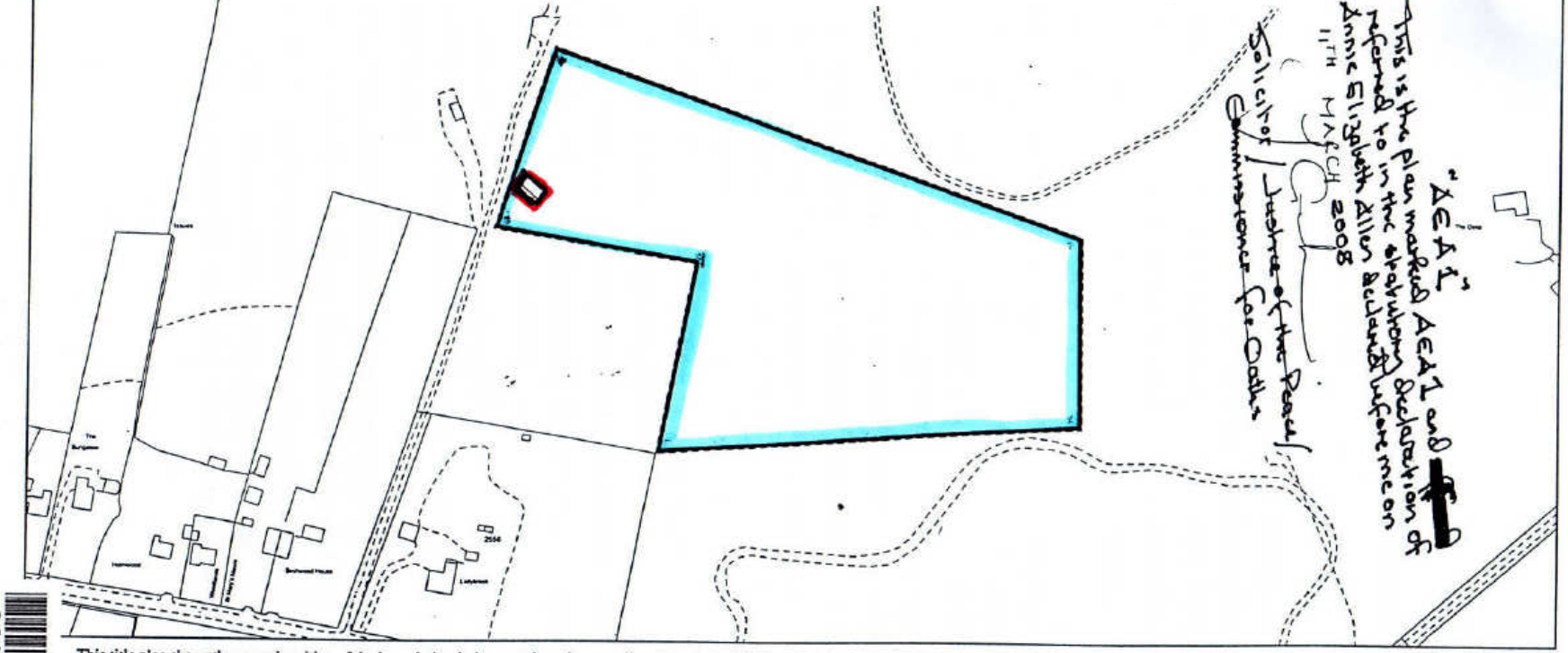
SF272063

STAFFORDSHIRE : STAFFORDSHIRE MOORLANDS

ORDNANCE SURVEY MAP REFERENCE: SK0745NW

SCALE 1:2500

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This title plan shows the general position of the boundaries: it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - *Title Plans*.
This official copy shows the state of the title plan on **28 March 2006** at **9:41:08**. It may be subject to distortions in scale.
Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
Issued on 28 March 2006.
This title is dealt with by the **Birkenhead (Old Market) District Land Registry.**

H.M. LAND REGISTRY RA 10/2004

Lyndal Law

Mr C Rowlinson
Rainbows End
Ramshorn
Near Oakamoor
Stoke on Trent
ST10 3BS

22nd September 2009

The Planning Inspectorate
Room 3/23
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Dear Sir

I write in connection with the appeal for refusal of planning for works to the bungalow in the woodland at Ramshorn Road. I don't agree that the bungalow wasn't used as a holiday home.

My family are local farmers and we've been in the area at Edgewells Farm, Ramshorn, Nr Oakamoor since 1909. I've lived and worked as a farmer near to Ramshorn Common since 1959, when I was born, and was raised and lived in the area ever since.

The bungalow was owned by the Hadley family since the 1940s and it was used in the summer as a holiday home until the 1980's.

I know that there were also other properties, mostly of wooded construction, built in the 1940s owned and used by other families as holiday retreats in the Ramshorn Common. My own brother, Raymond Rowlinson, owned and used one of these wooded huts as a holiday home before getting planning permission to build a brick built holiday home.

The Ramshorn Common site has been used by holidaying families since the 1920's.

Yours faithfully



Mr C Rowlinson

Your ref: APP/B3438/A/09/2110328/NWF

ANNEX 3

Office Copies and Filed Plan

Land Registry

Official copy of register of title

Title number SF272063 | Edition date 06.03.2008

- This official copy shows the entries on the register of title on 21 Sep 2009 at 14:14:43.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 21 Sep 2009.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide *1-A guide to the information we keep and how you can obtain it.*
- This title is dealt with by Land Registry Birkenhead (Old Market) Office.

A: Property Register

This register describes the land and estate comprised in the title.

STAFFORDSHIRE : STAFFORDSHIRE MOORLANDS

1 (24.10.1989) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Land at Ramshorn Common, Farley.

2 (24.10.1989) The land has the benefit of the following rights granted by the Conveyance dated 29 November 1946 referred to in the Charges Register:-

Together with the right for the Purchaser and the persons deriving title under him (in common with all others entitled to the like right) at all times and for all purposes in connection with the occupation of the said property thereby conveyed and any buildings to be erected thereon to go pass and repass with or without motor cars and other vehicles and horses and other animals over and along the roadway leading from Ramshorn Road from and to the said property hereby conveyed.

3 (24.10.1989) The Conveyance dated 29 November 1946 referred to in the Charges Register contains the following provision:-

It is hereby declared that the Purchasers shall not be entitled to any right of access of light or air over the property hereby conveyed which shall or may restrict or interfere with the free use of the adjoining property of the Vendor for building or any other purpose

4 (05.10.2004) A new title plan showing an amended extent has replaced the original plan.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title number SF272063

B: Proprietorship Register continued

Title absolute

1 (06.03.2008) PROPRIETOR: RAMSHORN ESTATES LIMITED (Co. Regn. No. 5194043) of Alexandra House, Queen Street, Leek, Staffordshire ST13 6LP.

2 (06.03.2008) The price stated to have been paid on 31 January 2008 for the land in this title and other property was £1,125,000.

3 (06.03.2008) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

4 (06.03.2008) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 31 January 2008 in favour of Lloyds TSB Bank PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 (24.10.1989) A Conveyance of the land in this title and other land dated 29 November 1946 made between (1) Bernard Rowlinson (Vendor) and (2) Felix Hadley (Purchaser) contains the following covenants:-

The Purchaser hereby covenants with the Vendor that he the Purchaser will not at any time hereafter carry on any trade business or manufacture on the said property or in any buildings to be erected thereon and will use any such buildings for private residential purposes only and will not do anything on the said property which may be or become an offence or annoyance to the owners or occupiers of adjoining or neighbouring property.

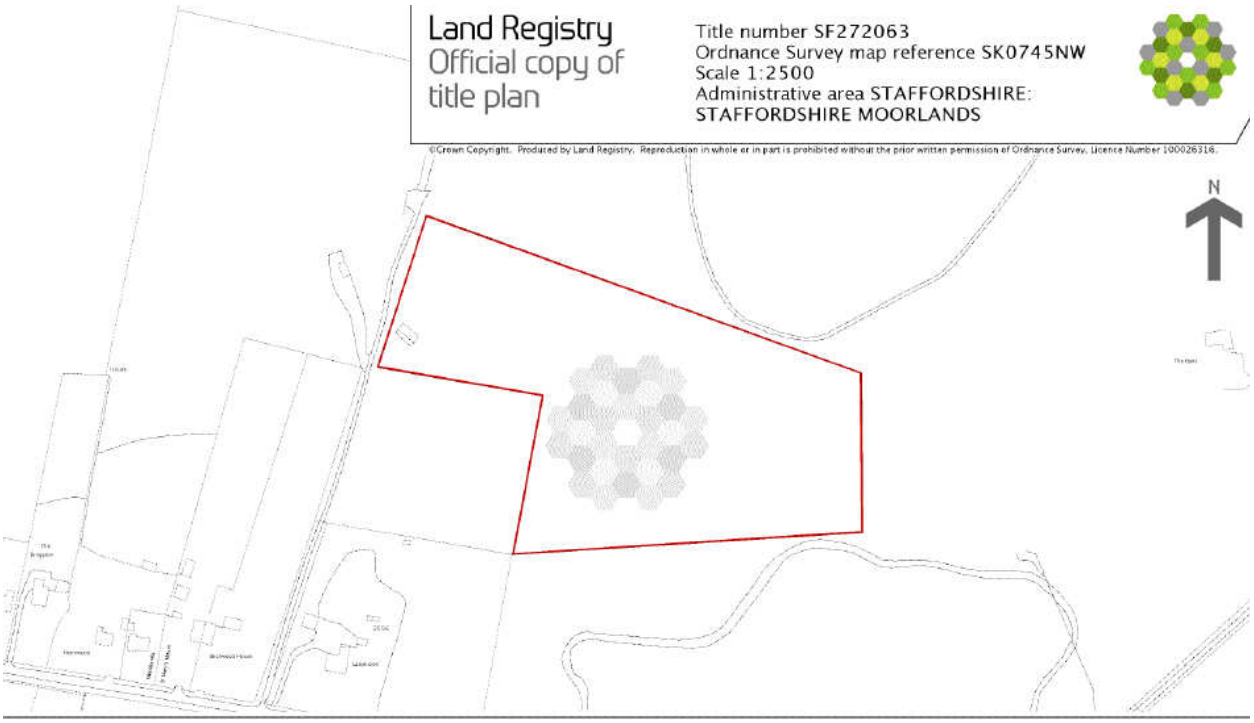
2 (06.03.2008) REGISTERED CHARGE dated 31 January 2008 affecting also other titles.

NOTE: Charge reference SF272063.

3 (06.03.2008) Proprietor: LLOYDS TSB BANK PLC (Co. Regn. No.2065) Dept. No. 9890 of Leeds Securities Centre, P.O. Box 5, 6/7 Park Row, Leeds LS1 5LB.

End of register

Zyda Law


Land Registry
Official copy of
title plan
Title number SF272063
Ordnance Survey map reference SK0745NW
Scale 1:2500
Administrative area STAFFORDSHIRE:
STAFFORDSHIRE MOORLANDS
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ANNEX 4

Letter from Ye Olde Star

Dear Sirs,

I am the owner/ licensee of Ye Old Star PH at Oakamoor.

As you will have seen from national and local press coverage, public houses are experiencing a difficult time. Many have closed and I see in the local paper that the Council is dealing with planning applications to redevelop these sites for other purposes. Changes to licensing laws, the availability of cheap beer, wines and spirits in supermarkets, the rising costs associated with the upkeep of an old building and staff costs have all combined to make running a country pub difficult.

The current financial situation and the threat to family earnings by the announcement of redundancies and shorter working hours have a clear impact on spending at public houses.

In this area we rely very heavily on trade from tourists. We are well placed in terms of Alton Towers, the Star Bank Caravan Park and the Peak District National Park. Whilst these attractions assist our business, they are seasonal.

Since the opening of the Ramshorn Chalet site we have noticed a marked increase in trade during the winter season. We have talked to these new customers and are aware that they come from this site. This additional custom is in both drinks and meals and is crucial to the viability of this and other local facilities.

I am aware that the Site is applying for planning permission for a site reception with a manager's flat. I would like to lend my support to this application. In the current economic climate it is imperative that the Council supports proposals that assist tourism in the area. This site has very quickly demonstrated its capacity for supporting local services. The presence on the site of a reception area that can hold details of local services and an on site manager that can give advice and information will clearly assist local businesses further.

I give my strong support to the proposal and urge the Council to grant planning permission.

Yours faithfully

ANNEX 5

Booking Data

Booking Levels at Ramshorn Estate

Due to the introduction of Hoseasons as an additional marketing avenue added to the existing channels of Sykes Cottages and direct advertising, levels of occupancy have now increased significantly for all periods of the year.

During the year commencing 1.4.09, we are anticipating the following levels of occupancy:

March 2009 (low season) – 69%

April 2009 (mid season) – 75%

May 2009 (mid season) – 80%

June 2009 (high season) – 85%

July 2009 (peak season) – 95%

August 2009 (peak season) – 98%

September 2009 (high season) – 78%

October 2009 (low season) – 95%

November 2009 (winter season) – 67%

December 2009 (winter/peak season) – 71%

January 2010 (winter) - 52%

February 2010 (winter) 65%

Fluctuation in demand for the accommodation is not as dependant on the seasons as may be expected due to the following:

a. The popularity of the lodges to accommodate large groups for special events e.g. birthdays.
b. Variation in school holiday dates throughout the UK e.g. the Scottish half term week in October is one week before the standard UK school week.
c. The rise in popularity of UK short break holidays throughout the year.
d. A range of promotional offers to attract guests during the winter and low seasons
e. The location of the lodges is an ideal meeting point for being central in the UK.
f. A high percentage of repeat guests wanting to return to the properties due to the excellent standard of the properties.
g. The lodges filling a gap in the market for holiday accommodation for large groups. For example the lodge sleeping 14 has been fully occupied from the beginning of July through to the end of October and is booked for at least 3 days every week from the end of October 2009 until mid April 2010.