STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Miss Louise Hinsley
Next Phase Development
Vantage Suite
Virage Point
Green Lane
Cannock
WS11 0NH

53a High Street
Saffron Walden
Essex
CB10 1AA

Application no: SMD/2018/0349

Determined on: 9th November 2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
The Ramshorn Estate, Ramshorn Road, Oakamoor, Staffordshire ST10 3BZ

Description of Development:
The erection of four holiday chalets, the conversion of the redudant building into a holiday let and the reloction of the utility building

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:

0437 01 01B
0437 01 02D
0437 01 04
0437 01 05
0437 01 06
0437 01 07
0437 01 08
0437 01 09
EA-2018-005
EA-2017-071 (TCP)
EA-2018-005 (TCP)

for the reason(s) specified below:-

1. From the information submitted it is concluded that the proposed development would not protect or enhance, and indeed would significantly harm, the local landscape and character of the area within which the site is located, i.e. protected woodland area with broad

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leaf trees, which is a key feature of this local landscape within the Churnet Valley. It is evident that some protected trees would be cleared and that the proposed development would encroach into undeveloped and barely used areas of the estate woodland. The proposed holiday chalets would be highly visible from public vantage points. In addition, although a significant degree of impact can be ascertained, it is also the case that insufficient information has been submitted to be able to conclude that the proposed development would not have any greater impact on the protected trees than that identified. It is considered that the proposals would lead to significant pressure for future development within the woodland, eg. a vehicle access track to the proposed replacement building, additional chalets/lodges stemming off such a track and further chalets, internal tracks and infrastructure across the estate woodland area. Consequently, it is concluded that the proposed development would have a significant detrimental impact on the local landscape, which would be significantly detrimental to the character and appearance of the area. The proposed development would therefore not accord with the landscape protection and enhancement tenets of Core Strategy policies SS1, SS6c, SS7, E3, DC1, DC3 and R1, the Churnet Valley Landscape Character Assessment (2011), the SMDC Tree Strategy and Good Practice Guides 1-4 (March 2016) (which are material considerations) and it would undermine the Churnet Valley Masterplan Supplementary Planning Document, which is a significant document guiding development within the Churnet Valley, especially tourism related development. The proposal would also, therefore, not accord with section 15 of the NPPF.

2. Insufficient information has been submitted to be able to conclude that the proposed development would a) not harm ecological/biodiversity interests on the site or b) be able to provide biodiversity enhancements. Therefore the proposal has not demonstrated that it accords with the ecological/biodiversity protection and enhancement tenets of Core Strategy policies SS1, SS7, E3, R1 and NE1 or section 15 of the NPPF.

3. It is considered that the nature, siting and scale of the proposed development (which are roadly design issues) would, as a result of the clearing of/and impact upon trees, not accord with the design tenets of CS policies SS1, SS6c, SS7, E3, DC1, DC3 and R1 or those outlined in the Churnet Valley Matsterplan, which would undermine the vision, objectives, spatial strategy and policies of the Development Plan. In addition, accordingly, the proposal would not accord with section 12 of the NPPF.

4. It is acknowledged that the proposal would provide some social benefit (i.e. accommodation for tourists visiting the District and some employment opportunities) and economic benefits from the construction phase, the resultant visitor economy and to the site owner. However, the benefits are considered not to outweigh the identified harm to the landscape and character of the area. As such, the environmental harm leads to concluding that the proposed development is not a sustainable form of development that accords with Core Strategy policies SS1 and S1a or the concept of sustainability at the heart of the NPPF.

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Informatives

1. The LPA has liaised with the applicant during the course of the application. It is considered that the identified harm to the landscape and character of the area cannot be readily overcome via amended plans, conditions or legal agreements. Para 38 of the NPPF has been adhered to.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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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.

3. If this is a decision to refuse planning permission for a minor commercial 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.

4. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

5. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

6. The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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.

7. 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.

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