The Planning Inspectorate

Appeal Decision

Site visit made on 4 June 2019

by B Bowker Mplan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 June 2019

Appeal Ref: APP/B3438/W/19/3220103
The Ramshorn Estate, Ramshorn Road, Oakamoor ST10 3BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ramshorn Estates Ltd against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2018/0349, dated 30 May 2018, was refused by notice dated 9 November 2018.
- The development proposed is described as '*the delivery of additional holiday lets at the Ramshorn Woodland Lodge Park. In total 5 new units are proposed. This is through the delivery of four additional lodges of the same specification as those currently permitted on the site. The redevelopment of the currently redundant building on the site to deliver a two person cabin. The relocation of the permitted utility building to the refuse area'*.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   - The effect of the proposal on the character and appearance of the area; and,
   - Whether sufficient information has been submitted in respect of biodiversity.

Reasons

Character and Appearance

3. The appeal proposes five lodges and a facility building at Ramshorn Estate Woodland Lodge Park, an established holiday park located in a woodland area. Four of the lodges would be sited to the south eastern section of the site, a relocated facility building to the south west, and the remaining lodge (to replace a redundant building) would be to the north west section of the site.

4. The site is covered by a Tree Preservation Order and is located in the countryside. With reference to the Churnet Valley Landscape Character Assessment, the site falls within the 'Alton and Oakamoor' sub area, key characteristics of which include substantial woodland belts and large broadleaf woodlands. The site has a woodland character, appreciable from the nearby section of Ramshorn Road and a public footpath that runs along its western boundary. Thus it exhibits key characteristics of this sub area.

5. Of particular relevance, Core Strategy (CS) Policy SS7 supports visitor accommodation and the expansion of existing tourist facilities and measures to protect and enhance the landscape character of the Churnet Valley. It goes onto say that any development should be of a high standard of design and that the consideration of landscape character will be paramount in all development proposals. Two Aboricultural Impact Assessments have been submitted in support of the proposal.

6. Three of the proposed lodges to the south east would be close to Ramshorn Road and a site access. No lodges exist here (nor have any been permitted) and as such a woodland character prevails. As other lodges at the site are set away from public vantage points, they are not visually dominant features. From Ramshorn Road the proposed lodges would be an incongruous feature, resulting in the clearance of a noticeable area of woodland, including for parking areas and access. Despite the retention of a number of trees and the design and construction materials proposed, the siting and scale of the lodges would be significantly harmful to the woodland character prevalent along this section of Ramshorn Road.

7. The facility building would be sited on a surfaced area where storage already takes place and would utilise a relatively low key design that has been permitted elsewhere at the site on appeal[1]. Based on the information submitted, it is not possible to make a full comparison between the previously allowed appeal and the appeal before me. However, the Aboricultural Impact Assessment has not surveyed a number of trees near the proposed facility building. As such, and taking into account its comparatively close siting to Ramshorn Road, it has not been demonstrated that that the facility building and associated engineering operations could be undertaken without undue harm to the woodland character of the area.

8. It is put to me that the dilapidated building to the north west of the site has no architectural or historical merit. However, owing to the vegetation growing on and around it, its inactive use, and isolated location away from other development at the site, it is an inconspicuous feature when viewed from the adjoining public footpath. As such the replacement building proposed, including its associated curtilage area and its active use, would significantly diminish the woodland character of the site. This harm would be prominent from the adjacent public footpath. In addition, whilst each case must be judged on its own individual merits, owing to the narrow, densely vegetated and long access path to the lodge, I share the Council's concern that pressure would arise to clear more trees to allow vehicular access. Furthermore, no details have been submitted to demonstrate that the servicing and construction of the lodge could be undertaken without the need to remove further woodland. These factors add to my overall concerns.

9. Two lodges (which are currently under construction) and the already permitted utility building (referred to above) were part of the previously allowed appeal at the site. However, the overall scale of the proposed 14-person lodge would be greater than the permitted utility building. In addition, the three lodges proposed to the south east would allow views of it and of the other nearby permitted lodges. This would be to the detriment of the local woodland character. However, in isolation, the resultant effect of just the 14-person

[1] APP/B3438/A/12/2169632.

lodge on the woodland character of the area would not justify dismissal of the appeal. Nonetheless the other material harm identified above would remain.

10. Therefore the proposal would have a harmful effect on the character and appearance of the surrounding area. Consequently the proposal would be contrary to CS policies SS1, S1a, SS6c, SS7, E3, DC1, DC3 and R1, and paragraph 83c) of the National Planning Policy Framework (the Framework) which are of most relevance to this matter. Combined and of relevance these policies seek to ensure that development is designed to respect its surroundings and protect and respond sensitively to local landscape character, including the character of the countryside.

Biodiversity

11. The proposed development would be within woodland and the submitted plans indicate that there are two ponds at the site. In addition, the site is adjacent to a Site of Biological Interest and Nature Conservation Site. Whilst Aboricultural Impact Assessments have been submitted, an Ecological Survey has not been provided to support the proposal. Thus, based on the evidence before me, I cannot conclude with certainty that the proposal has demonstrated that it would not have a harmful effect on biodiversity.

12. Therefore sufficient information has not been submitted in respect of biodiversity. Consequently the proposal would be contrary to CS policies SS1, SS7, E3, R1 and NE1 and paragraphs 170 b) and d) and 175a of the Framework which of relevance seek to ensure that development recognises the wider benefits from ecosystems, and minimises impacts on, conserves and does not significantly harm biodiversity.

Other Matters

13. A number of benefits are associated with the proposal and are documented in the appeal submission. These include the proposal's support to an established business, local businesses, employment (including during construction), tourist attractions, and utilisation of facilities and infrastructure at the site. In addition, no other planning harm has been identified by the Council other than that set out above. However the absence of harm can only be considered as a neutral factor in the planning balance.

14. In this case, the environmental harm identified above in respect of local character and appearance and biodiversity would outweigh the combined benefits associated with the proposal. Furthermore, the harm identified in relation to character and appearance in isolation is sufficient to justify dismissal of the appeal.

Conclusion

15. For the reasons given above, the proposal would not accord with the development plan when taken as a whole and no considerations are before me that would alter this finding. As such, the appeal is dismissed.

B Bowker

INSPECTOR