STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr Salt

Application no: SMD/2019/0318

Determined on: 20/08/2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land West Of Sutherland Road Longsdon Staffordshire

Description of Development:
Change use of land for recreational camping including the erection of eight camping pods and an amenity 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: 2015-1087-03 Rev C, 04, 05, 06 & 07, for the reason(s) specified below:-

1. Green Belt policy contained in paras 145 and 146 of the National Planning Policy Framework (NPPF) lists the forms of development which are not inappropriate in the Green Belt. The proposed change of use and engineering operations would adversely affect the openness of the Green Belt. The associated buildings are not considered to be “appropriate” facilities for outdoor sport and recreation. The proposal is therefore deemed to be inappropriate development in the Green Belt which is harmful to its openness and there are considered to be no very special circumstances which would provide benefits considered to outweigh the harm to the Green Belt or the operation of Green Belt policy. The proposal does not comply with Section 13 of the NPPF and in this respect is also contrary to Policy E3 ‘Tourism and Cultural Development’ Policy SS6c 'Other Rural Areas Area Strategy' of the Council's adopted Core Strategy Development Plan Document which requires strict control over inappropriate development in the Green Belt.

2. The proposed camping pods would be adjacent to the Cauldon Canal Conservation Area, a designated heritage asset and of significant historic importance. The pods would be highly visible from the Conservation Area and would also be considered to affect views of the Conservation Area. The harm caused to the significance of a designated heritage asset is considered to be “less than substantial”. However, the NPPF states in Section 16 that this

level of harm should be weighed against the public benefits of the proposal. It is not considered that the proposal would provide public benefits that are significant enough to outweigh the harm to the Conservation Area. The harm to the Conservation Area, although less than substantial, is still significant and would be contrary to policy DC2 of the Core Strategy 'The Historic Environment' which seeks to protect and enhance heritage assets and also NPPF Section 16 'Protecting and Enhancing the Historic Environment'.

3. The proposed development is within Flood Zone 3b, considered to have the highest risk of flooding. There are other parts of the site considered to have a lower risk of flooding but no justification has been given for why the buildings cannot be located in these areas. The application also does not include a sufficient and up to date Flood Risk Assessment which relates to the particular proposal. The proposed development therefore is considered to potentially be at risk of flooding and therefore does not comply with Policy SD4 'Pollution and Flood Risk' of the Core Strategy or Section 14 of the NPPF.

Informatives

1.The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. In this case it was not possible to negotiate changes to overcome the harm identified above.

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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