

Staffordshire Moorlands District Council
Planning Department
Moorlands House
Stockwell Street
Leek
Staffs
ST13 6HQ

Alandeyne
Cedar Hill
Alton
Staffs
ST10 4BQ

September 4th 2022

Application Reference: SMD/2022/0409
Site Address: Land off Cedar Hill / Battlesteads, Alton. ST10 4BQ
Case Officer: Mr Ben Hurst

I wish to register my objection to the above planning application for the following reasons:

Application SMD/2022/0409 is an almost identical application to SMD/2019/0555 which was refused by SMDC planning on 30th December 2020.

Lisa Howard, the Case Officer for SMD/2019/0555, compiled a comprehensive 9-page decision report, subsequently the application was refused.

The refusal notice concluded:

Furthermore, development would appear visually intrusive and out of character with the site and locality. As such, this application fails to accord with policy DC1 which seeks to secure new development of a high quality that is designed to respect the site and its surroundings; and, similarly, fails to accord with policy DC3 which states that the Council will protect, and where possible, enhance local landscape by resisting development which would lead to a prominent intrusion into the countryside.

The reasons for refusal in December 2020 should be exercised again in 2022 so that this area of Alton's rich, unique countryside and glorious Churnet Valley landscape is protected from development forever.

Subsequently, it must be stressed that although there was only **568** days between the decision notice for SMD/2019/0555 (30.12.2020) and the received date for SMD/2022/0409 (21.07.2022) this current application is the **EIGHTH application to build in the field, land-off Cedar Hill, dating back to 1972, circa 51 years.**

Each of the previous **SEVEN** applications were refused by SMDC of which **FOUR** applications were refused/dismissed by the delegated **HM Inspector** at the appeal stage (1974, 1976, 1980 & 1985). The sixth application in 1996 was refused by the SMDC planning committee.

As the first application dates back circa 51 years to 1972 very few people will be aware of the considerable legacy and back catalogue of planning applications for the field. Hence, it is considered imperative that all previous refusals should be considered enabling a final refusal notice to be issued and finally bring an end to this relentless, audacious string of planning applications.

Pertinent data from the last 51 years of refusal notices from SMDC planning Officers, SMDC Planning committees and HM Inspectors is shown overleaf.

Planning history pertaining to the field, land off Cedar Hill, Alton

The online planning portal for SMDC does not include all of the planning information for 'historic documents' nonetheless they are available to view at SMDC offices in Leek. In September 2019 I visited both the offices at High Peak, Buxton and the SMDC offices in Leek and after spending hours trawling through historic documents that spanned nearly 5-decades (in 2019), I was able to compile a list of applications, by the same applicant, to build in the same field, land off Cedar Hill, all of which were refused (annex A).

A summary of my research was submitted in opposition to application SMD/2019/0555 in December 2019. Now in September 2022, I have included pertinent screen captures from decision notices and the reasons for refusal by the delegated HM Inspector.

Table 1 shows the chronological list of previous applications for the very same plot of ground i.e. the field that is 'land off' Cedar Hill in application SMD/2022/0409. Also shown are the applications that were dismissed at the appeal stage.

Table 1: Planning history, documents and decisions for the same plot of land subject to application SMD/2022/0409.

Year	OLD Reference	NEW Reference	Number of dwellings proposed	SMDC Decision	Appeal Decision
1972	NC-9472	•	•	Refused	•
1974	NC-9372	•	•	Refused	Dismissed
1976	SM-01799 #	•	1	Refused	Dismissed
1980	SM-08256 #	SMD/1980/0051	9	Refused	Dismissed
1985	SM-13733 #	SMD/1985/0028	4	Refused	Dismissed
1996	SM 96-0177 #	SMD/1996/0177	6	Refused	No appeal
2019		SMD/2019/0555	4	Refused	No appeal
Legend: • Data is unknown/unavailable # Full document including decision notice is available in pdf format at SMDC Leek.					

Screen captures from decision notices and the reasons for refusal by the delegated HM Inspector are shown overleaf.

Screen captures from the application in 1996 inform that it was not a delegated Officer who recommended refused but the Planning (Development Control) Committee. There was no appeal in 1996.

1976 Application SM-01799 (One detached house) **Refused and dismissed at appeal.**

January 1976 Application refused by SMDC

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL		PG 13
TOWN AND COUNTRY PLANNING ACT 1971		Application No.
REFUSAL OF PERMISSION FOR DEVELOPMENT		SM.1799
To: Mr. [REDACTED] [REDACTED] [REDACTED] Cheahire.		
The Council of the Staffordshire Moorlands District in pursuance of powers under the above-mentioned Act, hereby refuse to permit building of a detached house, Cedar Hill, Battlesteads, Alton, Staffs. in accordance with the accompanying plans, for the reasons specified hereunder:- The development if permitted would constitute an undesirable extension of ribbon development along the Alton/Cheadle Road and form an undesirable and prominent intrusion into an area of Great Landscape Value, the character of which it is intended to preserve.		

October 1976 Application dismissed at appeal

The Inspector Mr Crow (London) visited the site on Wednesday September 1st 1976.

Extract from the Inspector's report

As you point out, there are a number of houses on Cedar Hill which are further out of the village than the appeal site. In addition there are a number of other, non residential, activities carried on nearby. Nevertheless, in my view, the length of the frontage is not so small, nor the other development so continuous, as to enable the site to be described as infilling in the usual sense of filling a small gap in an otherwise developed frontage. The site, as the Council point out, is a prominent one, and in very attractive surroundings. Far from enhancing the scene, the proposal would add further intrusive urban development in an otherwise pleasant country lane.

Department of the Environment Becket House Lambeth Palace Road London SE1 7ER	
Telephone 01-925 7855 ext 400	
	Your reference Our reference T/APP/0 Date

I am Sir Your obedient Servant  H S CROW, MA MRTP1 FROS Inspector

Summary of the reasons for REFUSAL

Undesirable and prominent intrusion into an area of Great Landscape Value, the character of which it is intended to preserve.

The site was not defined as infilling. The site is a prominent one in very attractive surroundings. Far from enhancing the scene, the proposal would add further intrusive urban development in an otherwise pleasant country lane.

1980 SM-08256 application to construct Nine (9) dwellings. New reference: SMD/1980/0051.
Refused and dismissed at appeal.

May 1980 Application refused by SCC

Decision notice

STAFFORDSHIRE COUNTY COUNCIL TOWN AND COUNTRY PLANNING ACT 1971		Form 13 Application No. SM.8256
REFUSAL OF PERMISSION FOR DEVELOPMENT		
To:- Mr. [redacted] [redacted] [redacted] Cheshire. The Staffordshire County Council in pursuance of powers under the above-mentioned Act, hereby refuse to permit the construction of nine dwellings on 3 acres of land off Cedar Hill, Alton. in accordance with the accompanying plans, for the reasons specified hereunder:- 1. The proposed development would form a prominent intrusion into a rural area of Special Landscape in the approved County Structure Plan. 2. It is not practicable within the site curtilage to construct an access with Cedar Hill (C65) which would provide sufficient visibility for vehicles emerging from the site.		

November 1980 Application dismissed at appeal

The Inspector, Mr Mercer (Bristol) visited the site on Wednesday October 15th 1980.

Extracts from the Inspector's report.

Section 3

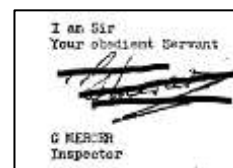
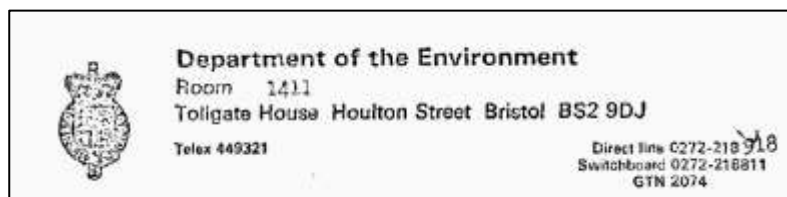
The site is a short distance outside the south west corner of the Alton/Parley Conservation Area which embraces, to the north and north-east, much of Toot Hill, older parts of the village, part of the Churnet Valley and Alton Park; it is within a Special Landscape Area defined in the approved Structure Plan and which covers a wide area of countryside around the site.

Section 4

4. Your proposal has attracted opposition from Alton Parish Council, the local conservation group and some local residents, as well as the Water Authority and the tenant farmer.

Section 6

6. In my opinion, on the basis of the development that already exists, your site lies outside the village. Your proposal is not infilling because although there is ribbon development along Cedar Hill and Battlesteads it is well broken and in any case you propose development in depth. Even though you intend a well designed and landscaped low density development I consider it would be significantly out of character locally. The configuration of the site is such that development would stand out and be markedly visible for some distance in northerly directions; in my view it would constitute an unacceptable intrusion of housing in this very attractive landscape.



Summary of the reasons for REFUSAL from SCC

The development would form a prominent intrusion into a Special Landscape Area.

It is not practical within the site curtilage to construct an access with Cedar Hill (C65) which would provide sufficient visibility for vehicles emerging from the site.

Summary of the reasons for REFUSAL from the appointed planning Inspector.

The site is a short distance outside the Alton/Farley Conservation area. It is within a Special Landscape Area as defined by the approved structure plan.

The proposed site cannot be defined as infill.

The development would be significantly out of character locally.

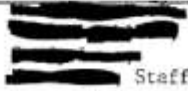
The configuration of the site is such that development would stand out and be markedly visible for some distance in northerly directions.

In the inspectors view it would constitute an unacceptable intrusion of housing in this very attractive landscape.

1985 SM-13733 application to construct Four (4) dwellings. New reference: SMD/1985/0028.

Refused and dismissed at appeal.

February 1985 SMDC Decision notice

Notice of Refusal of Planning Permission	Application No. SM/13733
STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL	
In accordance with the Town & Country Planning Acts, Orders & Regulations.	
To	 Staffs.
Particulars of Development	Construction of four dwellings on land at Cedar Hill, Alton
In pursuance of their powers under the above Acts, the Council hereby REFUSE to grant planning permission for the development referred to in the above application and accompanying plans submitted by you, for the following reason(s) :-	
1. The site lies beyond the Village Plan boundary for Alton and is unallocated for development. Residential development would be contrary to the policy for the control of new development in the countryside. 2. The proposal would represent an unjustified extension of development beyond the recognised limits of Alton and would detract from the generally rural appearance on this side of Cedar Hill. It is considered that the development would cause an unacceptable intrusion of housing in this very attractive landscape, which is within a designated Special Landscape Area. 3. It appears impracticable within the site curtilage to construct an access with the C65 Cedar Hill Road which would provide sufficient visibility for drivers of vehicles emerging from the site.	

October 1985 Application dismissed at appeal

The Inspector Mr Davies (Bristol) visited the site on Monday October 7th 1985.

Extracts from the Inspectors report.

Section 3

3. Access to the proposed development from the adjacent C65 road, Cedar Hill, is shown on the site plan as being opposite the entry drive of The Cedars which is a large detached property located on the north side of the road. At this point the existing ground level on the appeal site is some 2 m above the level of the road and visibility to the east is restricted, partly by the bend in the road and partly by the changing gradient, to about 20 m. This length of highway carries a significant amount of traffic and in my opinion the suggested access point is quite unacceptable.

Section 7

7. After taking into account all the other matters raised in the representations including the implications of the recent Department of the Environment Circular 14/85 which encourages development wherever reasonable I am of the opinion that there is nothing to justify making the application an exception to the restriction on development which applies in Special Landscape Areas.



Summary of the reasons for REFUSAL from SMDC

This site would detract from the generally rural appearance on this side of Cedar Hill.

It is considered that the development would cause an unacceptable intrusion of housing in this very attractive landscape, which is within a designated Special Landscape Area.

It appears impracticable within the site curtilage to construct an access with the C65 Cedar Hill road which would provide sufficient visibility for drivers of vehicles emerging from the site.

Summary of the reasons for REFUSAL from the appointed planning Inspector

The C65 road Cedar Hill carries a significant amount of traffic and in my opinion the suggested access point is quite unacceptable.

At the suggested access point for the development visibility to the east is restricted partly by the bend in the road partly by the changing gradient.

I am of the opinion that there is nothing to justify making the application an exception to the restriction on development which applies in Special Landscape Areas.

1996 SM 96-0177 application to construct Six (6) dwellings. New reference: SMD/1996/0177.

May 1996 application refused by SMDC

Decision notice

	STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL MOORLANDS HOUSE STOCKWELL STREET LEEK, STAFFS. ST13 6HQ Telephone: Leek (0538) 388181 Facsimile: Leek (0538) 387813
Town and Country Planning Act 1990	
DECLT4	
REFUSAL OF PERMISSION FOR DEVELOPMENT	
c/o PE mtd	Application No. SM96-0177 Date registered 07 Mar 1996 Decision date 22 May 1996
The Council of the Staffordshire Moorlands District in pursuance of powers under the above mentioned Act hereby REFUSE to permit OUTLINE APPLICATION FOR SIX DWELLINGS At , CEDARHILL/BATTLESTEADS, ALTON, in accordance with plans ref: 490/1, 490/2A & 490/4A for the reasons specified 1) Notwithstanding the special nature of the development, the proposal would unacceptably harm the character and appearance of the Special Landscape Area because of the prominent and isolated position of the site, its poor relationship with the existing settlement and the visual impact of the development on an entrance to the village. 2) Its appears impracticable within the curtilage of the application site to construct a junction with the highway which would have sufficient visibility for drivers of vehicles entering the highway. 3) The C85 road has no pedestrian facilities and additional pedestrian movements on the highway are likely to result in increased danger for road users. 4) The proposed footpath layout would result in pedestrians entering the public highway at a point where there would be severely restricted visibility because of the vertical and horizontal alignment of the C85 road. Page 1 End of reasons Signed on behalf of the said Council.	

Page 10 of the 1996 document lists the planning history for the field.

<u>Planning History</u>	NC.9372:	Residential development on six acres of land - Refused - 1972.
	NC.9472:	Residential development on two acres of land - Refused and appeal dismissed - 1974.
	SM.1799:	Construction of detached house - Refused and dismissed at appeal - 1976.
	SM.8256:	Construction of nine dwellings - Refused and dismissed at appeal - 1980.
	SM.13733:	Construction of four dwellings - Refused and dismissed at appeal - 1985.

Page 13 of the document lists the County Surveyor's concerns regarding visibility and lack of pedestrian footpath.

Access to the site is proposed off Cedarhill/Battlesteads, directly opposite the Cedars Bungalow. Visibility to the east is particularly restricted - partly by the bend in the road and partly by the change in ground levels. A further reason for refusal at the time of the previous applications was that it appeared to be impracticable to construct an access to the site with sufficient visibility. The County Surveyor has objected to the current application because of poor visibility and because there is no pedestrian footpath between the site and the main part of the village.

Again, the road and the associated hazards are identified as a key factor in deciding NO to the application.

As long ago as 1996 it was recognised that the road continues to serve the village the best it can, but by virtue of its topography, layout, width and lack of pavements is severally ill-equipped to facilitate any housing development.

Page 14 of the 1996 document, dated 11th April 1996, lists the Planning (Development Control) Committee conclusions, recommendation refuse.

SM.96-0177 - Continued

Observations
(Continued)

In conclusion, it is considered that the site is not suitable in terms of its impact on the landscape and would create a highway danger because of poor visibility and because there is no footpath between the site and the main part of the village.

Recommendation

Refuse:

1. Notwithstanding the special nature of the development, the proposal would unacceptably harm the character and appearance of the Special Landscape Area because of the prominent and isolated position of the site, its poor relationship with the existing settlement and the visual impact of the development on an entrance to the village.
2. It appears impracticable within the curtilage of the application site to construct a junction with the highway which would have sufficient visibility for drivers of vehicles entering the highway.
3. The C85 road has no pedestrian facilities and additional pedestrian movements on the highway are likely to result in increased danger for road users.
4. The proposed footpath layout would result in pedestrians entering the public highway at a point where there would be severely restricted visibility because of the vertical and horizontal alignment of the C85 road.

Site Visit

SD/REC

Planning (Development Control) Committee - 11th April, 1996

Research Findings

Historical documents clearly inform that there is a significant back-catalogue and legacy of refused planning applications for the field, land off Cedar Hill, spanning 5-decades.

The consistent factors by numerous Planning Officers and, on four occasions, Planning Inspectors, that have determined refusal of each application have been:

- The road, which was classified as a C-road in the 1920s (C 065) is less than 5 metres wide in places is dangerous.
- The brow of Cedar Hill which is a hazard, impairing safety, increasing stopping distance for motorists and generally making the road dangerous.
- There are no pavements on either side of the road. From Battlesteads Cottages to the foot of Cedar Hill a distance of 614 m (671 yards).
- Any development would cause an unacceptable intrusion of housing in this very attractive landscape, which is within a designated Special Landscape Area.
- Cedar Hill and Battlesteads and the immediate locality is rural in character, subsequently, any development would have a significant adverse impact on the character and appearance of the countryside.

Staffordshire Historic Environment Records (HER)

The unique and stunning beauty of the countryside and Churnet valley landscape in which the field, land-off Cedar Hill, nestles is clearly obvious. However, what is not always appreciated is that within a relatively small radius of only 150 m from the field there are 7-listings of historic sites/monuments on the Staffordshire HER website available here:

https://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=MST4423&resourceID=1010

Each monument/site has a unique HER identifier, the closest of which is the site of the old Brickworks (HER number 04840). The site of the brickworks and associated clay pit are located within the field, less than 40 m from the proposed development (annex B).

Conclusions

Information gleaned from SEVEN previous refusal notices and the Staffordshire HER website, the unique siting, location and beauty of the landscape combine to warrant the field, the pond and copse being included within the Alton conservation boundary. Currently, the field is circa 52 m (google maps) from the conservation boundary and as such this area, having recognised Special Landscape Character, deserves inclusion. After circa 5 decades of planning applications and refusals SMDC Planning Officials now have a unique opportunity to become guardians of the landscape and bestow Conservation status on the field and finally protect it from development forever.

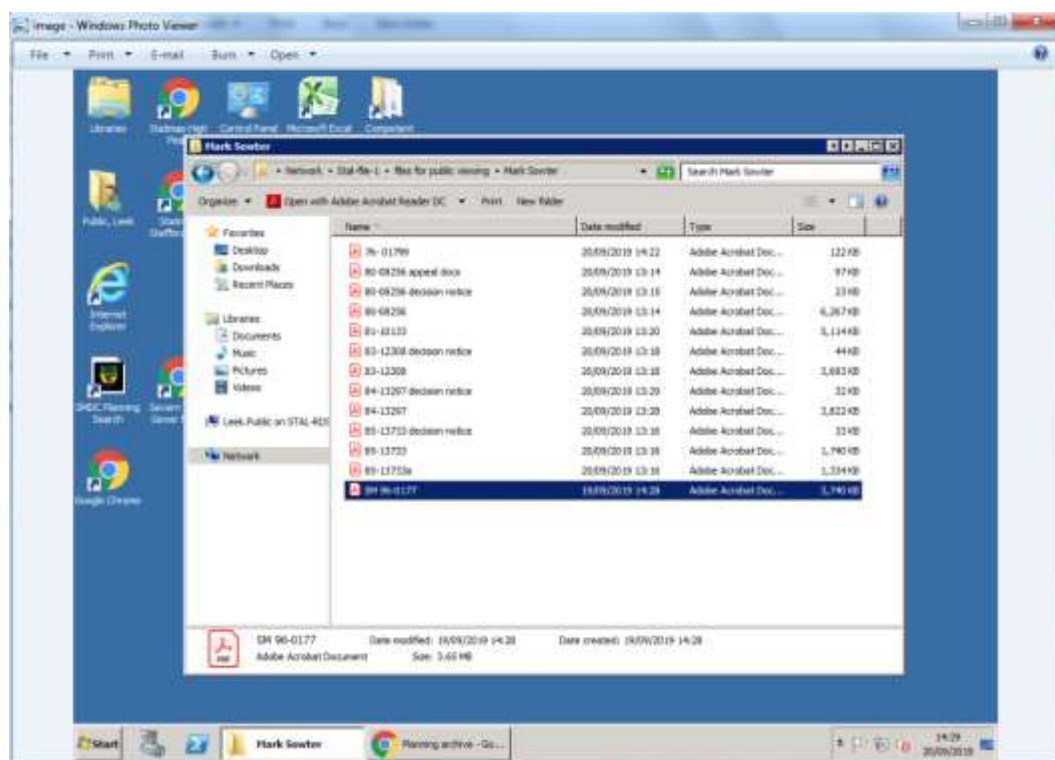
The rural character in this small corner of glorious Churnet Valley landscape is unspoilt by progress and for that we should all be grateful.

As with application SMD/2019/0555 (REFUSED Dec 2020) then SMD/2022/0409 should also be refused.

Kind regards

MK Sowter
Alandeyne Cedar Hill Alton

Annex A: Screen shot public documents viewed SMDC Leek (20.09.2019)



Annex B: Screen shot Staffordshire Heritage Gateway.

HER listing 04840 site of Brickworks Alton

