



PLANNING APPLICATIONS COMMITTEE
Thursday, 26 October 2023, 2.00 pm
The Council Chamber, Moorlands House,
Stockwell Street, Leek

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Email: democratic.services@staffsmoorlands.gov.uk

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1. Chair's announcements
 - a) Webcasting;
 - b) Introductions of Members and Officers;
 - c) Other announcements.
2. Apologies for absence, if any.
3. Declarations of Interest
 - i. Disclosable Pecuniary Interests;
 - ii. Other Interests;
 - iii. Lobbying Interests.

A G E N D A (Continued)

4. Late Representations Report (circulated prior to the meeting i.e. any representations received since this agenda was published).
5. Urgent items, if any.
6. SMD/2019/0646 - Moneystone Quarry (Reserved Matters) **(Pages 3 - 66)**
7. SMD/2019/0716 - Moneystone Quarry (Laboratory Building Change of Use) **(Pages 67 - 88)**
8. SMD/2022/0014 - Moneystone Quarry (Outfall Structure) **(Pages 89 - 108)**

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Membership of Planning Applications Committee

Councillor P Wilkinson (Chair)	Councillor K Hoptroff (Vice-Chair)
Councillor B Cawley	Councillor B Emery
Councillor K Flunder	Councillor T Holmes
Councillor A Hulme	Councillor M Johnson
Councillor J Kempster	Councillor V O'Shea
Councillor I Plant	Councillor O Pointon
Councillor P Roberts	Councillor L Swindlehurst

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL PLANNING APPLICATIONS COMMITTEE

26th October 2023

Application No:	SMD/2019/0646	
Location	Moneystone Quarry Eaves Lane Oakamoor Staffordshire ST10 2DZ	
Proposal	Reserved matters application proposing details for the appearance, scale, layout and landscaping for phase 1 of the leisure development comprising 190 lodges; erection of a new central hub building (providing farm shop, gym, swimming pool, spa, restaurant, cafe, games room, visitor centre, hub management and plant areas) reuse and external alterations to the existing office building to provide housekeeping and maintenance accommodation (including meeting rooms, offices, storage, staff areas and workshop); children's play areas; multi use games area; quarry park; car parking; refuse and lighting arrangements; and managed footpaths, cycleways and bridleways set in attractive hard and soft landscaping.	
Applicant	Laver Leisure (Oakamoor)Ltd.	
Agent	Avis and Young	
Parish/ward	Kingsley and Oakamoor	Date registered 21/10/19
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffs Moorlands.gov.uk		

1. REFERRAL

This is a major application which is locally contentious.

SUMMARY OF RECOMMENDATION

Approve subject to conditions

2. INTRODUCTION

2.1 Outline planning permission was granted in 2016 under SMD/2016/0378 for what was described as a high quality leisure development at Moneystone quarry. The development included up to 250 lodges. It was EIA development and was accompanied by an Environmental Statement.

2.2 Access was approved at the outline stage and was shown to be via the existing quarry access off Whiston Eaves Lane. As part of the approval of access, offsite highway improvements to the A52/Whiston Eaves junction in Whiston village were secured to accommodate a right turn facility into Whiston Eaves Lane for traffic travelling from the west and an increased visibility splay to the west for traffic exiting Whiston Eaves Lane

(Conditions 4 and 25). In addition a 'no right turn' out of the application site was secured to prevent traffic from entering Carr bank (Conditions 4 and 24). A further condition was imposed which seeks a traffic management scheme to reduce speed levels on the A52 at the junction with the C0165 Whiston Eaves Lane.

2.3 The Council's decision was challenged by a third party. It was subject to a Judicial Review in the High Court in July 2017. The claim was dismissed. The grant of outline planning permission was found to be lawful and can therefore be wholly relied upon.

3. TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS (ENGLAND) 2017

3.1 As noted above the outline application (SMD/2016/0378) was accompanied by an Environmental Statement ("ES").

3.2 The current reserved matters application is a 'subsequent application' for the purposes of the above Regulations and as such the Council must consider the likely significant effects of the development before determining the application.

3.3 During the processing of the current application the applicant submitted an EIA Conformity Report to assist the Council in exercising its duty under the Regulations (Submission May 2020).

3.4 The Conformity Report reviews the proposals put forward in the current application in the context of the 2016 ES and considers whether it remains adequate to assess the significant effects of the development on the environment. It concludes that no new significant environmental impacts are identified and considers the 2016 to be adequate to assess the significant effects of the development on the environment. The conclusion of the Conformity Report can be relied on.

3.5 Together the 2016 ES and the EIA Conformity Report are material considerations when assessing the current application

3.6 The Conformity Report was submitted as part of a Supplementary Submission on 11th May 2020 (see details below) and was subject to a full re consultation

4. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

4.1 The application site is part of a former sand extraction quarry, known as Moneystone Quarry. Eaves Lane/Whiston Eaves Lane bounds the site to the north. In all other directions the site interfaces with pastoral agriculture fields and woodland. All mineral extraction in the quarry has now ceased and the majority of plant, equipment and buildings have been removed. Three buildings remain on site, one of which was included in the approved Parameters plan for retention (former Quarry admin building).

4.2 Levels within the site are consistent with that of a former quarry. The site sits below the level of Eaves Lane by at least 20 metres and consists of two excavated quarry hollows (a third, Quarry 2 is not part of this application). The proposed hub building sits within the former production area which is on the lower part of the site and from here land then falls steeply southwards to the River Churnet and the eastern spur of the Churnet Valley Railway through established woodland.

4.3 The nearest properties to the application site are Crow Trees Farm and Cottage Farm on Eaves Lane, both of which sit adjacent to the site and Little Eaves Farm, a Grade II

Listed building which lies to the south west and shares access with the site. There is a small hamlet at Moneystone on Blakely Lane to the north west.

4.4 There is a Restoration scheme in place for the site which was approved by Staffordshire County Council in 2014.

4.5 There is a network of public footpaths (PROW's) surrounding the site, one of which runs through the site following the main access road and then heading in a south westerly direction towards Little Eaves Farm.

5. DESCRIPTION OF THE PROPOSAL

5.1 This application seeks approval for the reserved matters of Layout, Scale, Appearance and Landscaping for Phase I of the development. Phase I includes those areas identified and referred to as Quarry 1 and Quarry 3 in the outline application with the exception of the Archery centre and Watersports buildings. Whilst land is shown reserved for these buildings, the applicant has confirmed that the detail for these buildings will come forward in the final reserved matters application(s).

5.2 The applicant has until 25th October 2023 to make the final reserved matter(s) application(s). All consented elements of the outline scheme that are not provided for in Phase 1 will be expected in these final applications.

5.3 As indicated above approval of access has already been given and therefore despite the many letter of representation expressing concerns about matters relating to highways/access it is not a consideration for this application.

5.4 The application confirms that Phase 1 includes the following:-

Hub Area

The main components of the Hub area are as follows:-

- a) A Hub Building which will include the following main facilities:
 - Swimming pool/toddler pool (415 m2)
 - Restaurant/bar/games area (265 m2)
 - Spa/treatment rooms (150 m2)
 - Gym (100 m2)
 - Café (70 m2)
 - Reception area (145 m2)
 - Farm shop (45 m2)
 - Visitor centre (60 m2)
 - Bowling alley
 - External terrace / seating area
 - Toilets
 - Plant rooms
- b) 106-space car park, 24-space check in car park and 55 space staff car park
- c) Multi Use Games Area ("MUGA") of 620 m2
- d) Children's Play Area (350 m2)
- e) Retention of and external alterations to the existing administration building to provide a maintenance and housekeeping building. The building includes three offices, a meeting room (which is accessed independently), a large laundry area, two staff rooms, w/c's, stores, a workshop and area for charging and storage of electric buggies. The DAS says it is a service function for the holiday accommodation and will be the base for all cleaning and laundry services.
- f) Roads, footpaths and cycleways
- g) Landscaping.

5.5 The plans show the western lake in Quarry 1 to be extended westwards towards the proposed hub building. The rooms are arranged internally so that the restaurant/bar/coffee lounge are all located on the upper floor with windows overlooking the lake.

Quarry 1

- 122 lodges
- Open space, 'Quarry Park'
- 4 natural areas of play;
- Roads
- Car parking with each lodge
- Footpaths and cycleways
- Landscaping

Quarry 3

- 68 lodges;
- Roads, car parking with each lodge, footpaths and cycleways;
- A bridge to the south-western corner of the lagoon; and,
- Landscaping.

5.6 Details of the Archery centre and Watersports centre are not included in the application. The plans show that space has been left for them and it is confirmed that they will come forward in the final reserved matter (s) application.

Phasing

5.7 A Phasing plan (also a requirement of Condition 5 of the outline permission) confirms the sequence in which development of the site will be delivered. It is proposed to be developed in two phases;

Phase 1 - Quarry 1 and Quarry 3

Phase 2 - Quarry 2

5.8 Phase 1 and 2 have been further split following Officer feedback so that the central hub building, the focal point of the proposal containing on site facilities/activities to support the development is delivered early in Phase 1 and the watersports and archery centre is delivered in the first part of Phase 2 thereby contributing to the delivery of a sustainable development

Parking provision

5.9 The application is accompanied by a Parking Note (amended May 2020) prepared by Peter Brett Associates. It confirms the parking provision for Phase 1 to be as follows:-

- 197 car parking spaces located adjacent to lodges;
- 24 space car park (including six spaces for disabled users) located in front of the Hub building for arrivals/ check-ins
- 106 space main car park (including six spaces for disabled users) to south of the Hub for visitors; and
- 55 space staff car park (including three spaces are for disabled users) located behind the administration/ housekeeping building.

5.10 The Parking Note confirms at para 4.3.5 that the 150 space secure long-stay car park as cited in Condition 6 of the outline consent is no longer necessary. It says that the 106 spaces in the main car park is significantly below the maximum permitted 170 short-stay car parking spaces stipulated in Condition of the outline permission and could be increased

during further phases of the development (para 4.5.2). It confirms that no coach parking bays are proposed for Phase 1.

5.11 The applicants sought pre application from the Council advice prior to making this formal submission.

Amendments made during the course of the application

5.12 Two supplementary submissions have been made during the processing of the application as detailed below. In both cases a full re consultation exercise was carried out.

Supplementary submission 11th May 2020

This included:-

- a) EIA Statement of conformity
- b) Photomontages to show impact with Little Eaves Farm
- c) New and amended plans to address Officer queries/concerns

Supplementary submission 3th January 2022

This included a full resubmission of the all the plans including revised levels in Quarry 3, revised landscaping plans, provision of bridleway and a Slope Stability Statement.

5.13 There have been many other less significant amendments made or additional information provided during the course of the application as would be expected for a proposal of this scale. All amendments and additional information have been placed on the file/on line.

5.14 The full application and copies of consultee responses and letters of representation received can be found at the following link:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=131319>

6. RELEVANT PLANNING HISTORY

SMD/2016/0388 Formation of a no right turn vehicular access onto Eaves Lane. Refused

SMD/2016/0378 Outline planning permission with all matters reserved except access for the erection of a high quality leisure development comprising holiday lodges; a new central hub building; (providing swimming pool, restaurant, bowling alley, spa, gym, informal screen/cinema room, children's soft play area, café, shop and sports hall); café; visitor centre with farm shop; administration building; maintenance building; archery centre; water sports centre; equipped play areas; multi-sports area; rope walks, car parking; and managed footpaths and cycleways and bridleways set in attractive landscaping and ecological enhancements. Approved

SMD/2014/0682 - Outline with all matters reserved except access for the erection of a leisure development of up to 250 lodges. Refused

7. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (20th September 2020)

5.3 The following policies are relevant to the application:-

- SS1 Development Principles

- SD1 Sustainable Use of Resources
- SD3 Sustainability measures in development
- SD4 Pollution and water quality
- SD5 Flood risk
- SS10 Rural Area strategy
- SS11 Churnet Valley Strategy
- DC1 Design Considerations
- DC2 Heritage
- DC3 Landscape and visual impact
- E4 Tourism and cultural development
- C1 Creating Sustainable Communities
- C3 Green infrastructure
- NE1 Biodiversity and Geological Resources
- NE2 Trees, woodland and hedges
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

Churnet Valley Masterplan

National Planning Policy NPPF

National Planning Policy Guidance

8. CONSULTATIONS CARRIED OUT

Press Notice: Expired

Site Notice: Expired

Local residents have been notified by letter. The following is a summary of the main issues raised in letters of representation.

Letters of Objection (330)

- This is a very different application to that agreed at outline stage, in terms of density, impact on wildlife, and quality/tenure of accommodation
- The volume of revisions is too much for local people to be expected to comment on and compare
- Existing road network not suitable and cannot cope; villages have enough traffic already from Alton Towers which blights the area
- HGV use of the roads has increased, increasing danger – can a traffic survey be provided?
- Children cross the road at Kingsley – not safe to add more visitor traffic
- Traffic to site has been hugely underestimated
- A52 cannot safely take more traffic
- Junction with Whiston Eaves Lane is dangerous – particularly due to tree growth
- No public transport in the area
- Contradicts the Councils Emergency climate committee
- This is in effect a new village far bigger than Whiston or Oakamoor. It will have a negative impact on these local villages
- This is not a viable business proposition and in reality is the creation of a rural housing estate by the back door
- Increased CO2 emissions
- Increase light pollution
- Increase noise pollution from traffic, outdoor activity, plant and machinery
- Increase air pollution from vehicle emissions
- Increase risk of flooding especially in Oakamoor

- Will have a harmful impact on ecology. Inadequate monitoring of biodiversity has taken place on the site since 2014
- Will threaten the proposal for AONB status for the Churnet Valley
- Will have a negative effect on local businesses
- There is no unemployment in the Staffordshire Moorlands. All staff would be transported in from other areas following the experience of Alton Towers
- Scale of potential of job creation is over exaggerated
- We do not need another Alton Towers
- Will impact on the NHS
- There will be no benefit to the local economy as it is a self contained resort. Visitors will not spend money in the local area; it will be identical to Centre Parcs
- The phasing plan shows future potential development in Black Plantation
- There is no mention of the impact on nesting birds or of the areas of densely covered in orchids by the waterside in Quarry 2 in the submitted 'Ecology Statement for Condition 9'
- The marsh areas and wet grasslands are important locations for nesting curlews
- Will the water courses be allowed to flow naturally, and maintained sufficiently?
- Concern for the ecology and conservation of Frame Wood if it is used particularly by mountain bikes
- Lack of ecological connectivity
- Safety lights round the quarry all night will be hugely damaging for wildlife
- No mention of the stability of the quarry – sand is very difficult to make stable
- Transportation of fill to level off parts of the site will create havoc on the local roads and could be contaminated – this is not addressed
- An up to date EIA is needed
- Late publishing of plans and lack of CEMP
- Too many plans for the public to compare and make sense of
- How can a quarry 'adapt to meet changing needs?
- A scrap metal business has operated in Quarry 1 contrary to the Restoration Plan and toxic waste has been buried in Quarry 2
- The lab is unsightly and should have been demolished by now
- Siphoning during construction may affect wildlife, and siphoned water is dangerously acidic – where will this go?
- No credible management plan is presented
- No right turn refusal – will cause dangerous conditions
- There is a restrictive covenant in place prohibiting the sale of alcohol on the land where the hub restaurant and other facilities will be built
- Phasing plan shows 253 lodges not 250 as approved. they are now too dense
- Once approved, the LPA has little control over expansion of facilities
- All previous applications referred to lodges of high quality yet we now discover they are infact caravans – original permission not being complied with
- Ownership is now rising to 60%, and seems likely to rise again – Laver Leisure have historically sold all their caravans, not rented them out
- This huge development will not contribute favourably to the Councils Air Quality Project and will produce more long term damage to the planet
- The Restoration plan should be honoured and the land restored, including promised protection of invertebrates and sand martins
- The address is wrong – it's not on Cheadle Road
- Experience elsewhere shows it will be used for long term residential use rather than holiday lodges
- There is no impact study to show the effects on Oakamoor Conservation Area
- This is not sustainable tourism

- The proposed materials are not traditional and buildings are not in the local style
- Lodges are too close to the solar farm
- Buildings will jar with the view from Listed buildings
- No consideration of safety with lodges near to lots of water bodies, ponds in Frame Wood
- Quarry 2, not down for development, is dangerous and there will be accidents
- The bridge in Quarry 3 is of limited capacity. The pedestrian part does not look wide enough for buggies. It shows a gap between bridge and carriageway
- We don't need another swimming pool as Alton Towers has that. Whiston village hall has a climbing wall
- Safety concerns over visitors climbing rock faces – and what are 'rock traps'?
- Dangerous deep water in Quarry 3
- Hub facilities are very basic for the number of lodges. The changing rooms are tiny with just 2 showers and the swimming pool resembles a paddling pool. This will force visitors to leave the site for better facilities
- No carbon saving measures have been designed into this scheme
- The poor contrast of colours makes it difficult to distinguish the different surfacing material. Unbound gravel should not be used where children may fall. Use of stone to dust will cause dust in windy conditions. Where is the porous recycled rubber surface?
- Private owners are likely to be older people with medical conditions
- How will ongoing maintenance be secured? The applicant has other holiday parks in East Anglia that have become poorly looked after
- This is not the sustainable use of waste material; it is the creation of a land fill
- Will spoil peace and beauty in the area
- Non-compliance with the SMDC Core Strategy or the Churnet Valley Masterplan
- Too few staff parking spaces. Car sharers will park in Whiston and Oakamoor and then be picked up by colleagues
- Many lodges will need more than the assigned one car parking space
- Concerns about safety of the development and guests. Foundation of lodges is on supports set into rock face and on stone filled gabion baskets buried into the rock face. Sandstone is a weak material that fractures easily and erodes. How is stability to be monitored in the long term?
- Are there sufficient maintenance details for the dam?
- The development will be seen for miles
- Reliance on sat navs will take visitors down unsuitable roads
- The first application was refused due to traffic volumes – new plans for an added farm shop will worsen previous estimates
- Unsustainable – relies on visitors arriving by car – insufficient car parking will result in overspill parking on Whiston Eaves Lane
- Visitors following sat navs will use narrow and unsuitable lanes
- Are there opening hours/hours of access – if not will vehicle noise be an issue all night?
- Plans indicate that site traffic will not pass through Oakamoor. This condition will be enforced by means of a no left turn regulation into the site. This will be impossible to police
- Heavy use of Whiston Eaves Lane will alter the character of the village
- Congestion will impede emergency vehicles
- The quarry was supposed to be returned to nature after work was completed
- The fully restored quarry should be used as the ecological benchmark – proposal would then not show improvements
- Ecological report viewed as out of date in a climate change context
- Inadequate monitoring has taken place since 2014-2019 with species migration and recolonisation continuing.

- The original Environmental Impact Assessment was heavily criticised by the County Council in 2016. It was initiated back in 2014 by agents on behalf of Laver and so is now out of date. There is no evidence of the shortcomings identified by the County Ecologist then being properly addressed.
- Geotechnical documents are out of date
- The number of changes necessary implies a poor case for approval
- Ecology advice should be taken from Natural England, not the agent
- Habitat loss. Development will damage nesting sites for curlew – a threatened species – plus affect great crested newts, reptiles and adders, and also destroy orchids
- Planting schedule contains non-native species which will damage the valley
- Laver ecologists make conflicting claims – new reports are amended
- Noise and light pollution – impact on wildlife and people
- Dark skies are a key element of open countryside and the loss of this would be detrimental to the area and to the area as a potential ANOB.
- Concerns over plans to import large amounts of waste material to stabilise parts of site
- Local evidence would suggest that this could well be contaminated re what happened after outline permission was granted back in 2016.
- Enforcement action only occurred when locals raised the matter with SCC.
- Centre will take away business from local high streets
- Residential site will damage independent holiday cottage business
- Insufficient services and infrastructure for this volume of people
- Layout much more ‘crammed’ than originally suggested – lodges very near solar farm
- Lodges designed to cantilever over the lakes - safety issue? Also safety issues with lodges so close to the water and insufficient barriers
- River Churnet often a flood risk – development at the Quarry will increase runoff and worsen the issue. Back Plantation regularly floods in winter
- Why can’t the quarry be turned into a nature reserve like Tittesworth?
- Laver Leisure have proposed a visitor volume of 85,000 visitor per year, and yet the Christie Report states that Laver Leisure do not believe the enterprise will be sustainable until visitor numbers of 250,000 per annum are attained: Therefore the proposal as stands is, by Laver Leisure’s own admission, not sustainable.
- The Alton Towers accident demonstrated that such leisure facilities should not be placed in such remote rural areas
- Quarry development must consider ‘protection of national important high grade silica
- Two heritage assets to consider – the former Whiston Eaves stable block, and the storage area of building materials – components of former listed buildings
- It will be residents which suffer with any ill effects such as health issues, poor air quality. This in turn would impact on local NHS services
- No evidence of any pollution reducing options on site such as electric car charging points or sustainable forms of transport such as minibus transport to nearby places of interest such as Alton Towers.
- Impact on local heritage assets such as listed Little Eaves Farmhouse
- Neither is there any evidence of the lodges offering appropriate storage such as cycling facilities for visitors using other means of travel to the lodges rather than a vehicle.
- Experts employed by Laver trespassing to survey for newts on neighbouring properties
- Cables required to be buried on neighbouring property – not mentioned in planning
- Land instability risk – particularly at Q3 – has implications for downstream pollution
- Pollution from Quarry 2 has the potential to seep into Q3 and downstream – risk to wildlife and people
- Both the 0716 and 0725 applications are admitted to fall outside of the red line boundary of the approved SMD/ 2016/0378 outline planning permission. They therefore fall to be screened under the EIA Regulations.

- Outline permission has never covered use of the hub building in the new development, or cutting through bedrock.
- The hub building was supposed to be demolished following the Restoration and After Care Plan
- Planning history omitted from screening report
- Reports not made available to planning authorities
- Screening report makes false claims – e.g. the majority of proposed uses are already approved
- The ecology situation has evolved – data is too old
- The EIA screening assessment applies the test of ‘significant environmental harm’ – a more sensitive test should be applied
- Twice in the last approximate six months Severn Trent have been called out to repair pipes connecting Q2 & Q3
- Q3 is much fuller than at the time outline permission was granted – increases instability
- The area is prone to local landslips due to the Westphalian Coal Fault
- Moneystone Quarry has been sinking slowly into the River Churnet over recent years, threatening local settlements
- 31 lodges are planned to sit below the current water line and rest on piers in the water – this is dangerous and will be unstable on thixotropic sand – higher lodges also on thixotropic sand may slide down to the reservoir
- Risk of saturation to soft rock such as sandstone – will disintegrate
- Tsunami risk to lakeside lodges following landslide into lake
- The Committee were not informed of quarry instability when passing outline permission
- Time must be allowed for investigation of newly available information
- Rising water will have been saturating and weakening the existing benches – needs new bund
- A landslide on the northern side of Q3 would be hugely damaging to the SSSI
- Larger volumes of rainfall will have entered the quarries than would have been predicted ten years ago due to climate change
- Quarterly geological reports and biennials summaries on the geohydrological conditions of quarry 3 have been produced but apparently not provided to planners
- Abbeydale promised further stability reports on the tunnel at reserved matters stage – not materialised – tunnel also has highways impacts as it runs below Eaves Lane
- Insufficient bat surveys
- The quarry has geological similarities to Berry Hill Sand Quarry, Mansfield, which recently collapsed, as well as the recent landslide in Norway
- Ancient woodland should have greater buffer zone - layout needs rearranging
- Arboricultural and Woodland Trust opinions do not concur
- Land once part of Frame Wood - Plantations on Ancient Woodland Sites – has residual soil value and needs protecting. Buffer zone must be extended
- Potential archaeological remains in ancient woodland
- The new, denser layout will have different ecological implications than implied at outline, which relied on an old EIA
- WT Planners Manual for Ancient Woodland plainly not consulted
- Need an up to date and full tree survey
- No evidence has been advanced in the AIA that any assessment of the impact of ammonia on the ancient woodlands of Frame Wood and Key Wood – at risk from vehicle emissions
- No attempt to identify veteran trees, or mention of below ground ecosystems
- Application needs an up to date hydrological impact assessment (HIA) of the quality required and recommended by the Environment Agency. This should include a pollution report on Q3 and its discharge

- Prior to quarrying Stream A rose high on the adjoining hillside, some distance from the quarry. Since quarrying blocked the direct route of the stream its catchment must now 'discharge' in part into other adjacent streams with the remainder diffusing into Quarry 3. Although there is some probable, additional diffusion coming into Q3 from Quarry 1 (Q1) that is located at a nearby significantly higher level, there is no confirmation in the application's documentation that once Q1 is developed that the water flows into Q3 will be maintained and that the raising of Q3 to AOD 156 will be enough to supply sufficient water for the future needs of the Whiston Eaves SSSI
- The proposed development of Q1 in phase 2 should be considered as it will likely lead to required amendments to the current phase. The very specific outfall level of AOD 156 for Q3 has been recommended without the EA having any knowledge of a Phase 2 development and as such the EA advice may well be insufficient to adjudicate the effects on Q3 of any permanent change in water levels. Q3 may well need a further rise in water levels in order to maintain the required water flows through Whiston Eaves SSSI
- Clients cleaning their cars will lead to run off of contaminated water into lake
- Former workers at the quarry were worried about the dangers of using the quarry for this sort of development because of the instability of the of the ground and weakness of the rock. I am mindful of the recent landslip and sink hole nearby in Oakamoor.
- Alton Towers provides similar facilities, the area does not need another large tourist attraction. It would destroy the ambiance of the valley for residents
- Concerns regarding stability and long term safety risk
- Failed to meet the adopted (2014) SMDC Core Strategy and specifically its Spatial Objectives as set out in paragraph 8.1.7 . (SS1)
- Concerns regarding protection of great crested newts, bats, reptiles, peregrine falcons, and Red Kites creating a cumulative impact.
- Legal duty to restore the site not fulfilled. The applications The Restoration and After Care Plan.
- The applications fail to meet the Conditions and Reasons that attach to the overarching planning permission SMD/2016/0378
- The applications fail to meet the concerns of Natural England and the SWLT
- The applications put at risk the evidence of a resurgent palette of endangered wildlife at and surrounding MQ
- The applications lay outside of the Red Line Plan and put at risk the integrity of the whole of the restoration and after care plan
- The applications go against the SMDC Core Strategy Plan 2014 and its policies
- They put at risk the National, regional and District obligations to reduce carbon emissions and meet the obligations of the Paris Climate Accord recently endorsed by the Supreme Court
- New plans filed on 13/08/2020 do not relate to those from the outline permission.
- The SMDC is bound by the legal provisions established by Paris Climate Change Accord which has been the law in the UK since it was ratified into law in November 2016. Ignorance to the law has never been excused. the case before the Court of Appeal made public on Thursday 27th. February 2020 under the reference number C1/2019/1154 [2020] EWCA Civ 213 and referred in the media as the case of Heathrow -v- Friends of the Earth did not change the law which has remained the same since November 2016. On any applications determined since 2016 they are therefore obliged to factor in climate change. All applications are no susceptible to the same challenge.
- Moneystone and Whiston are surrounded by countryside. Both have few local services. Evidence establishes that neither have a regular or indeed any bus service. There are no footpaths along the route to the Hamlet and beyond to the A 52. It is self-evident that the narrow, twisting and undulating nature of these roads coupled to the damaged and badly deteriorating road surfaces makes travelling at or near 60 mph highly dangerous. The massive increase in traffic that is needed to make the proposed development sustainable the serious accident statistics seem certain to vastly increase.

- The SMDC are bound by the Paris Climate change Accord (PCCA) which came into law in 2016. Ignorance of the law is never an excuse. 2020 court appeal C1/2019/1154 [2020] did not change this law. The SMDC are under a duty to apply PCCA to all planning applications since November 2016. Applications SMD/2014/0682, SMD/2016/0378, SMD/2019/0725 and SMD/2019/0716 are therefore subject to this challenge. Therefore the applications previously granted permission should now be subject to determination of PCCP and should be void.
- Moneystone and Whiston are surrounded by countryside, with few local services and no regular bus service. Moneystone hamlet is linked to Eaves Lane via Blakeley Lane, with no footpaths along the route or beyond the A 52. Between the A 52 and Moneystone Quarry along Whiston Eaves Lane (WEL) there are virtually no footpaths. The 30MPH speed limit is often ignored. Beyond Whiston village hall the road is national speed, with a deteriorating road surface makes traveling at 60MPH dangerous. the massive increase in traffic that is needed to make the Moneystone Quarry development sustainable becomes a reality serious accident statistics seem certain to vastly increase. These road conditions on the only access route are unfavourable to permit walking and cycling alongside the road carriageways.
- Revised plans for SMD/2019/06464 revealed the extreme paucity of service facilities in the Hub area of the development. the Hub facilities seem very basic considering the potential numbers guests and day visitors. There are only 32 seats, the bar is extremely small. The changing rooms have only 2 showers with tiny changing rooms. The overall impression is that the development is intended as a retirement village. Visitors will be forced to leave the site for better facilities against the aims of SMDC CS Policy T1. As 40% of the lodges are intended to be sold for private ownership the retirement concept seems more likely.
- The Manual for Streets (MfS), referred to in expert traffic report by Paul Mew Associates does not include the suitability of the road conditions for walking or cycling, nor inclement weather.
- There are no streets lights along WEL beyond the Village Hall until Eaves Lane enters Oakamoor.
- The applicant have not submitted any traffic evidence that complies with the requirements of the Town and Country Planning Act (Development and Management Procedure) (England) Order No. 595 2015.
- Appeal against refusal of planning permission by SMDC. The planning inspector when speaking of the development at Moneystone quarry ruled that 'This is not a case whereby under the NPPF the proposed development at Moneystone Quarry would support services in Whiston [and by extension Moneystone Hamlet, Oakamoor etc]. it will not enhance or maintain the vitality or rural communities with limited local services. Rather it will deprive those communities'
- The development as proposed is not a suitable location for housing etc due to accessibility to services. It does not comply with SMDC CS Policy T1 to reduce reliance on cars
- SCC Highways made it clear in objections to SMD/2014/0682 and the conditions permission of SMD/2016/0378 that it did not commit itself nor should the applicants assume that it would approve any alterations to the A52/WEL junction to facilitate the MQ development.
- Appeal ref APP/B3438/W/19/3240834 (20/02/2020) against refusal of former Whiston Copper Works site. there are similarities between the appeal and SMD/2019/0646. In particular similarities include highways concerns. The dismissed appeal encapsulated all the highways safety, traffic and SMDC SC Policy reasons that made the proposal unsafe and none compliant. The refused access to the Whiston site was approx. 100 yards east of the MQ development access. The major difference is that the refused site only had domestic traffic for 9 houses, the MQ development will have an additional 450,000+ vehicle movements per annum.

- The applications under consideration do not assess the issues of instability. The SMDC should consider Mineral planning guidance 5 – stability in surface mineral workings and tips reissued by National Government 05/05/2006. This guidance advises local authorities
- Criticism of the scoping report provided by the applicant is considered to be defective and deficient. A full EIA report that is fully informed of all the relevant information should be provided.
- Attention drawn to survival guide from international panel on climate change in relation to SMDC Core strategy on climate change.
- Heavy downpours/rain in 2023, attention drawn to the links of this rain fall to rise sea temperatures and the impacts of climate change on the UK.
- Critique on the June 2022 supplement arboriculture report my SMDC arboricultural officer for lack of clarity.
- 'it is impossible to understand how any of the above cited MQ applications can be determined by the SMDC LPA PAC in view of the findings and requirements of the Wardle Armstrong Peer Reviewed Moneystone Quarry (Stability) report of June 2022 which, it must be understood, was (only lately-04/05/2022-) Commissioned by SMDC LPA itself.'

Letters of support (5)

- Positive for the area and welcome the investment
- Positive for employment opportunities and will add interest for local young people
- Traffic will not be a major problem as residents will not arrive and leave daily
- Economic benefits

Neither (43)

- The quarry has geological similarities to Berry Hill Sand Quarry, Mansfield, which recently collapsed
- Groundwater pollution risk
- Mountain biking will damage ancient woodland
- Loss of habitats
- Is the mass of accumulated water being considered with regards to instability?
- Insufficient information regarding location of pollutants and spoils
- Harm to heritage assets
- Have reports on stability since closure been considered?
- Apparently inconsistent decision making
- Poor clarity regarding documents on website
- Details of reprofiling and construction operations required to assess impact on land stability
- Insufficient information of status of reservoir – affects legal safety requirements
- Why have parish councils not been invited to be party to a PPA
- Concerns regarding sewage discharge into river churnet

Oakamoor Parish Council

Object to the application on the following grounds:-

In October 2016, outline planning permission for SMD/2016/0378 was granted. Applauded for its innovation as a tourist development on a previously developed site, it was predominantly characterised as sustainable. Three years have elapsed and in November 2019 a reserved matters planning application (SMD/2019/0646) has been made. There have been the inevitable changes in the Southern End of the Churnet Valley and of course, globally, the realisation that planet earth has reached a climate emergency. Although much

of the national and local planning guidance remains unchanged, the emphasis on key environmental descriptors and stresses is now increased. i.e. Sustainability, high quality build and sensitive development.

Furthermore, the publication of the emerging Local Plan for the Staffordshire Moorlands 2016 - 2031 and the creation of a Climate Change Committee for the Moorlands greatly changes the perspective from which this application must be viewed. The detail included in the Reserved Matters application gives rise to grave and alarming concerns over the long-term detrimental effects this development will have on the surrounding area and for the quality of life and the health of residents of the Oakamoor Parish.

Sustainability

Oakamoor Parish Council believe that there are many factors that make this development totally unsustainable, and have listed our concerns under the three tenets of sustainability.

Environmental Impact:

Traffic:

OPC's chief concern regarding the Environmental impact of the application is related to the consequences of the inevitable and substantial increased vehicle movements.

The proposal is situated amidst the most sensitive part of the Churnet Valley. The traffic generated by the proposal consists of 200 vehicular arrivals and 200 departures per day for lodge guests, and 139 arrivals and 139 departures daily for dayvisitors. Additionally a conservative estimate for staff and delivery persons is 36 trips in and 36 out of the site. This will subject the villages of Oakamoor and Whiston to an additional **c.750** extra vehicle movements on Whiston Eaves Lane per day. The net result of this will be:

- A negative impact on air quality, due to an exponential rise in greenhouse gasses & particulate matter. This in itself is of great concern, however, it must be taken in conjunction with the high base levels of air pollution created by the volume of traffic travelling through Oakamoor to and from Alton Towers (up to 20,000 visitors/day), the removal of all public transport servicing the area, the general increases in car ownership nationally, and the increased housing stock in the Oakamoor Parish.
- A sizeable increase in vehicle related noise levels in what is predominantly a quiet countryside Parish. This will affect not only the residents, but diminish the attractiveness of the area for the many countryside loving regular visitors.
- An increase in vehicle related litter levels. (SMDC currently provides no regular street cleansing [litter picking] service to OPC).
- A substantial increase in potential for RTA's especially involving non motorised vehicle users and pedestrians - Neither Whiston Eaves Lane nor Blakeley Lane have pavements, contain tight bends, and in places have no opportunity for pedestrian refuge. Carr Bank has a 1 in 5 gradient. The lanes (the clue is in the description!) - despite the best efforts of SCC to beautify them through recent mass patching works, coupled with persons unknown attempting to widen them by continuously driving heavy vehicles on the verges, and using mini diggers to scrape back the road edges, are entirely unsuitable for regular and sustained traffic levels that this development will bring.
- There is no up to date Highways Report supporting the application. Given the above, Oakamoor Parish Council asks SMDC to consider how a development of this magnitude in the already vehicularly saturated Southern End of the Churnet Valley can be considered sustainable..... Particularly when the precedents which are set out below are viewed:

On 15/2/2019, Planning Officer, Ben Haywood concluded in his statement concerning the refusal of planning permission for a proposed campsite in Hollington (SMD/2018/0575) for 6 portable shepherd huts and the siting of 12 tents;

“By reason of the sites remote location, poor accessibility to surrounding services/facilities and inevitable reliance upon the motor vehicle for travel to/from the application site as well as catering for day-to-day needs, it is considered that the proposal would not represent sustainable development as required by the Framework .The application is therefore contrary to the requirements of policies SS1, SS1a, SS6c, SD1, E3, R1 and T1 of the Core Strategy Development Plan Document (March 2014) and the National Planning Policy Framework including sections 2, 6, 9, 11 and 12.”

Mr Haywood also comments in that application;

“The proposed development has the potential to cause a significant and adverse change to the acoustic nature of this quiet rural area. The associated noise including the comings and goings of vehicles and outdoor noise generated by visitors would be unacceptable and to the detriment of this quiet rural setting and occupants of surrounding dwellings.”

A different application (but of a similar nature) for three lodges (SMD/2017/0816) – again in Hollington, but unrelated to (SMD/2018/0575) was also rejected. Mr Haywood cited the following reasons.

“The proposed lodges constitute an unsustainable form of development ...

Hollington is a 'smaller village' with a low population, very few services, facilities or tourist attractions and barely any public transport close to the site. The location of the proposed lodges would therefore encourage journeys by private car. Consequently, the proposals would be contrary to Development Plan policies T1, SS1a, SS6b, SS7, E3, R1 and the Churnet Valley Masterplan. As a result, aspects of the vision, aims and objectives and strategies of the Core Strategy would be threatened and undermined. The proposals would also not adhere to the sustainability thread running through the NPPF or section 4 of the NPPF, which seeks to promote sustainable transport.”

Additional Environmental Concerns

- The development will be artificially lit to ensure residents safety, resulting in consequential substantial light pollution within a Countryside area almost completely free of artificial light.
- The location of the development adjacent to Whiston Eaves SSSI creates potential for degradation of the protected area. Additionally, dramatically increased visitor numbers in the Southern End of the Churnet Valley will pose a potential risk to other Sites of Special Scientific Interest, eg Bath Pastures SSSI, Churnet Valley SSSI, Sites of Biological Importance - of which there are 25 within 2km. of the site boundary, and Ancient Woodlands; Key Wood, Frame Wood, and Carr Wood all within or adjacent to the boundary of the development site.
- The applicant has failed to include any plans to mitigate the negative environmental impact of the massive increase in traffic.
- Noise emanating from the quarry will travel through the valley, shattering the peaceful nature of this area and beyond.
- Oakamoor was given Conservation Area status in 2016, in recognition of its built heritage, and unique landscape qualities. The proposed development on the edge of the village will undoubtedly erode this status.

Social Impact

- Interpreting the CV Masterplan as it is intended, the proposed development is clearly not 'local enterprise'.

- The Unemployment rate in 2018 in the Staffordshire Moorlands was 1.1% (620 individuals), compared with a national average of 2.2% (Staffordshire Observatory) The number of persons out of work in the Churnet Ward in 2011 (latest available figures) was 24. The type of jobs created will broadly mirror those at Alton Towers, (who have to bus workers in from Stoke on Trent). The 2012/13 Annual Monitoring Report identifies the need for higher skilled jobs in the Staffordshire Moorlands. Consequently, the real employment benefits for “local” people are negligible.
- This development does nothing to address the real current and future needs of the local population which has high numbers of elderly people in poor health. It will in fact put further pressure on the healthcare resources available Visitor estimates are 55,400 lodge guests and 32,000 day visitors per annum. (Outline Planning Application Supporting Document Chapter 7 Socio-Economic, 7.106) To put this into perspective, Oakamoor Parish has c.600 residents. The development will effectively create a new dormitory village which is of a size that will swamp both Oakamoor and Whiston, effectively changing the social character of the Southern end of the Churnet Valley forever.

Economic Impact

Oakamoor Parish Council believe that this development will not benefit the local economy. This is supported - albeit inadvertently - by the applicants themselves;

In an effort to demonstrate that the development will be able to limit site vehicular movements the Supporting Planning Statement states;

7.21. Given its extensive on-site facilities, the need for residents to leave the site, i.e. move their car during their stay is limited . The primary benefit of using car parking spaces adjacent to the lodges for the duration of stay is the reduction of internal car trips, as residents will not be required to travel between their lodge and the car park. Reduced internal car trips provide safer routes for pedestrians and cyclists and is a benefit of the natural environment.

This is conclusively contradicted by a statement in a Supporting Document for the Outline Planning Application (Chapter 7 Socio-Economic, 7.106 Visitor Economy – Significance), which reports that;

“The district currently has a very low level of overnight visitor stays currently (c. 200,000 per annum) and few high-quality accommodation providers of this scale or offer. The annual 55,400 gross additional visitors, their on-site expenditure, and the £1m of off-site expenditure is considered to be of high magnitude.”

Health & Safety concerns

Quarry 3 lagoon is a deep area of water, the plans show caravans located alongside the waters edge. This constitutes an unacceptably serious risk to the occupants of those lodges (In 2017, 132 people died from drowning in inland waters in the UK. source: ROSPA).

Infringements of The Planning Framework

- The Churnet Valley Masterplan classifies Quarry 3 as “An area for limited sensitive development.”
- The plans now show a tight circle of caravans around the water’s edge of quarry 3. The overall appearance will be one dominated by lines of caravans. This does not fulfill the requirement of, ‘Limited Sensitive Development’.

- The Stafford District Transport Strategy 2011 – 2026 states:

Economic Growth Introduction 5.6 Staffordshire Moorlands is home to a number of nationally significant businesses, including Alton Towers Resort and JCB. A major strength is the District's tourism economy that is supported by Alton Towers Resort, Peak District National Park and heritage rail lines. Large scale major development areas at Froghall and Blackshaw Moor may also provide future opportunities to improve the rural economy. Any future development proposals at Blackshaw Moor on the A53 will need to take account of the air quality impact on the South Pennine Moors Special Area of Conservation.

There is no mention of a major development at Moneystone but the inference is that as it is described as a 'large scale major development' the impact on air quality will need to be taken into account.

- The emerging LOCAL PLAN 2016-2031, states (Page 304):
Since development location is a factor in car/vehicle use (and vehicle emissions contribute to climate change) sometimes remote locations can be considered 'unsustainable', especially when there are no public transport options available
- The Moneystone location is remote and not served by public transport, as previously outlined, Oakamoor Parish Council therefore concludes that the development is unsustainable.
- The emerging LOCAL PLAN 2016-2031 states (Page 45) :
'To achieve sustainable development, new development should be located in sustainable locations and contribute positively to the social, economic and environmental improvement of the area, in accordance with policy SS1'
- Policy SS 1 Development Principles:

OPC 28.01.20

- *The Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering..... cultural and tourist facilities in response to anticipated population change and visitor numbers; easy access to jobs, shops and transport services by all sections of the community; increased economic prosperity and opportunities for employment and greater local capacity with an educated, skilled and flexible workforce; a healthy, safe, attractive, active, well-designed and well-maintained environment; development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings; development that is undertaken in a way that protects and enhances the natural and historic environment of the District and its surrounding areas, including the Peak District National Park, both now and for future generations. support development which secures high quality, sustainable environments, efficient and effective use of resources and contributes effectively to tackling climate change and reduced carbon emissions.*
- Oakamoor Parish Council consider the Reserved Matters application to be at odds with both the general and detailed premises of SS1
- *SS2 Rural Area Smaller Villages – Development on a large scale would be unsustainable in these villages, as it is will generate a disproportionate number of additional journeys outside the village and may undermine the spatial strategy. However, it is recognised that these settlements have a limited role in meeting the development requirements for the District which may assist in maintaining the vitality*

of the smaller villages. These settlements are not defined by a Development Boundary and only limited development of an appropriate nature will be allowed.

- The Reserved Matters application is for development on a large scale in between two 'Smaller Villages', Oakamoor Parish Council assert that the proposals seriously undermine Policy SS2.

Local changes since Outline Planning Approval

The Southern end of the Churnet Valley has previously been described as at saturation point. This has been further exacerbated by expansion of the existing tourist offer

- 12/07/2018: Alton Towers; 102 accommodation pods, shower and toilet facility building entrance feature, hard and soft landscaping and parking and drainage works
- 27/04/2016: Alton Towers; Development of 35 double lodges with associated reception building, tipis, service buildings, hard and soft landscaping, parking and drainage work
- Substantially increased popularity of both The Star Caravan site at Cotton, and Hales Hall Campsite, Oakamoor Road, Cheadle.

Divergence of Reserved Matters Application from Outline Planning Permission

- The Outline Planning Application was approved prior to the refusal of SMD/2016/0388 which was designed to prevent traffic turning right out of the site. As previously stated Carr Bank is not designed nor capable of taking substantially increased traffic without endangering vehicle occupants and other road users.
- The Outline Plan states that 20% of the caravans will be offered for sale yet in the Reserved Matters Plan this has crept up to 40% for sale, Consequently there is now the potential for an additional 152 new residents (at 4 persons per caravan) to occupy an additional 38 of the caravans all year round.
- The Outline plan states that the Western side of Quarry 1 will be set out as a public park space that is focused around the lagoon. However the Reserved Matters application shows no distinction between the areas of water - they are all surrounded by caravans.
- The Reserved Matters detailed plans for Quarry 3 show caravans in close proximity to Eaves Lane. This will result in direct views of the caravans from the road.
- The Reserved Matters plans show Site Roads as a plethora of harsh tarmacked access roads transforming a rural area into one which is incongruously urbanised.
- The caravan density in the Outline Application illustrative masterplan described 'lodges' in wooded settings yet the Reserved Matters application now shows 'lodges' sited in a crammed linear arrangement, parked cars and tarmac roadways.
- Precedent studies provided in the Outline Plan show natural grassed settings, the Reserved Matters plans show urbanised hardcore settings more akin to a housing estate.
- In conclusion, it is the view of OPC that what appear to the casual observer to be subtle differences between the Outline Application and the Reserved Matters application, are in fact substantial and amount to a major character change of the development.

Resort Quality

At the community involvement meeting, Mr Swallow, the applicant's representative, went to great lengths to explain that his high quality vision for Moneystone would be based on The Bluestone luxury resort in the Pembrokeshire National Park. Whilst the Outline Planning application had copied a few elements of the Bluestone resort, the Reserved Matters application has further downgraded the resort into a cheap 'low rent' development - A development that is dominated by ranks of tin roofed caravans disguised as lodges. Dramatically unlike the 16 styles of Scandinavian cottages and lodges at Bluestone.

Oakamoor Parish Councils expectations for a high quality park are not those associated with masses of caravans.

Laver Leisure have over 1,800 holiday homes in 13 Parks.

The applicant states that in these parks there is a “commitment to high levels of quality” however customer internet reviews tell another story;

“Horrible park, vans sandwiched in, with the minimum space you can get away with between them.”

“ Some of the caravans were lovely, however most were very closely spaced together right at the back.” “In my opinion it is just another average site”

On the evidence of the quality and style of the applicants other parks, and the underlying theme of the Reserved Matters application, which is so far removed from the ‘High Quality Development’ referenced so often in the Core Strategy / Churnet Valley Masterplan, Oakamoor Parish Council have no confidence that this development is suitable or appropriate in such a vulnerable and special part of the Churnet Valley.

Kingsley Parish Council

Object for the follow reasons:-

1. Sustainability

- a) The site is a rural location in the mid Churnet Valley. The size of the proposed development is larger than the two nearby villages of Whiston and Oakamoor and would overwhelm those communities.
- b) The number of lodges being offered for sale has significantly increased from 20% in the original application to *‘up to 40%, albeit the final mix will be dictated by market requirements.* This number of permanent residents effectively living on site would have a negative impact on the nearby communities. Assertions by the applicant that the lodges would only be for holiday use are of no value as once sold no enforceable control will exist.
- c) There is no current Highways Report supporting the application. The 2014 Highways Report supporting SMD/2016/0378 is now out of date due to ever increasing levels of traffic generally and the change of vehicle use generated by increased lodge ownership.
- d) The likelihood of employment opportunities created locally may well be exaggerated. Alton Towers, who operate a large leisure facility further down the valley, have to bus in large numbers of staff from outside the local area.

2. Transport – Road Safety

- a) It is widely accepted that the bulk of traffic accessing or leaving the site will do so through Whiston along Whiston Eaves Lane. Data from the 2014 Transport Report indicates that an 85% occupancy rate will generate 1136 vehicle journeys per day, a 97% occupancy rate will generate 1253 vehicle journeys per day. Whiston Eaves Lane is a relatively narrow unclassified road, totally unsuitable for this potential volume of traffic.
- b) The number of permanent residents potentially living on the site may well exasperate this situation further.
- c) The volume of traffic may well permeate out and have a negative effect on other nearby rural villages.

d) The road between the site access drive and Oakamoor is a narrow lane leading to Carr Bank, a steep incline down into Oakamoor. This road is totally unsuitable for any increased level of traffic. The refusal of a 'No Right Turn' option for traffic leaving the site (SMD/2016/0388) seems completely illogical.

e) The junction of the A52 with Whiston Eaves Lane is a cause for concern. Despite suggested improvements to the junction lay out there are serious concerns for road safety, particularly at times of peak traffic flow.

f) SMDC planners have recently refused planning applications for developments near this location because of road safety risks.

g) An independent traffic report indicates that sight lines from the proposed junction are wholly inadequate, (*Jonathan Ross – Paul Mew Associates – December 2019*).

h) Given the likely volume of traffic accessing or leaving the site, there is will be no safe pedestrian or cycle route to/from the site. There is no evidence that the condition imposed by the outline permission SMD/2016/0378 which requires that all the connectivity by road, footpath, cycle track etc to the site has been discharged.

i) Emergency services may well have difficulty accessing the site, (recently emergency services were delayed accessing an emergency at Alton Towers due to traffic congestion).

3. Recycled Materials

a) Reference is made in the Planning Report supporting the application to, 'Within the proposals, consideration will be given to the use of recycled building materials, in addition to the full reuse of all site won materials for the main civil ground works, such as crushed concrete, rubble, timber and topsoil'. There are concerns about the nature and quantity of the recycled building materials which will be brought to the site.

b) There is no Construction Management Plan accompanying the application.

c) There are concerns within local communities that this may become a waste disposal operation in disguise which would be financially lucrative to the site owners but wholly detrimental to the environment.

4. Environment – Climate Change

a) SMDC have recently acknowledged a climate change emergency and have formed a sub-committee to consider the issue. It proposed that the Staffordshire Moorlands should become carbon neutral by 2030. There is no public transport to this site. All access to the site will be by private vehicles. The large volume of traffic potentially accessing the site will have a significant negative effect on pollution levels, likely to be dramatically higher than at present.

b) There are no plans to mitigate this negative impact.

c) The proposals will hinder progress towards the SMDC climate change targets.

d) The A52 junction with Whiston Eaves Lane is likely to generate high levels of vehicle emissions, creating a health hazard for villagers. The junction may well become a 'pollution hot spot'.

e) Noise pollution is likely to be a significant issue, particularly during the construction phase.

f) Light pollution is also likely to be a factor, mindful that there is no lighting/street lighting in this area at present.

g) Litter is a detrimental factor in rural areas, particularly noticeable in otherwise entirely natural surroundings. Vehicle occupants are a significant cause of litter in the area. The

dramatic increase in vehicle numbers is likely to lead to a significant increase in the amount of litter thrown from passing vehicles.

5. AONB

a) In 2013 Churnet Valley Conservation Society (CVCS) made an application to Natural England for the Churnet Valley to be considered for Area of Outstanding Natural Beauty (AONB) status. The application was supported by SMDC and by Karen Bradley (MP) who has recently reaffirmed her support. The application was considered by DEFRA during their 2018 Landscape Review. At present the Churnet Valley has been short listed and is one of three sites being considered for AONB status. It is believed that the Moneystone Quarry development will have a negative impact on the application.

b) In 2016 Oakamoor was designated a 'Conservation Area'. Parts of Oakamoor, in particular Riverside and Carr Bank are very near to the Moneystone Quarry site. The proposed development may well have a negative impact on the Oakamoor conservation area.

6. Community Impact

a) The sheer size and scale of the development would have a negative impact on the local villages of Whiston and Oakamoor, effectively creating another large village where nothing exists at present.

b) The identity of both villages may be lost as both become part of a larger conurbation connected by the proposed development.

c) 40% and possibly more of the proposed lodges may be sold to purchasers who live there on a permanent basis. This is in effect a planning application for a new community which

7. Health & Safety

a) The proposed Moneystone Park activities centre is targeted towards family holidays. The Quarry 3 lagoon is effectively a deep-water lake. It is proposed that a significant number of residential lodges will be sited immediately alongside the lagoon. The close proximity of a deep-water lake is a serious health and safety risk to children and non-swimmers.

b) In 2016 the SMDC Planning Applications Committee were concerned about the Health and Safety issues concerning the deep-water lagoon in Quarry 3. These legitimate concerns are not addressed within the present planning application.

8. Whiston Eaves Stable Block (Dismantled)

The former Whiston Eaves Stable Block, a significant historic building, originally stood off Whiston Eaves Lane within the curtilage of the existing Quarry 3. The dismantling and removal of the building was the subject of planning conditions that it should be re-erected nearby within the immediate area. The dismantled building is presently stored at the Moneystone Quarry site near to the proposed Hub building. There are no provisions within the application to preserve this dismantled, but none the less important, building.

Cotton Parish Council

Object on the following grounds:-

Sustainability

The site is a rural location in the mid Churnet Valley. The size of the proposed development is considerably larger than Cotton Parish. The 2014 Highways Report supporting SMD/2016/0378 is now out of date due to ever increasing levels of traffic generally and the change of vehicle use generated by

increased lodge ownership.

Transport – Road Safety

It is widely accepted that the bulk of traffic accessing or leaving the site will do so through narrowing lanes of the neighbouring parishes. The number of permanent residents potentially living on the site may well exasperate this situation further.

- a) The immediate road system in the area is a cause for concern.
- b) SMDC planners have recently refused planning applications for developments near this location because of road safety risks.

Recycled Materials

- a) There are concerns about the nature and quantity of the recycled building materials which will be brought to the site.

Environment – Climate Change

- a) SMDC have declared a climate change emergency. It proposed that the Staffordshire Moorlands should become carbon neutral by 2030. There is no public transport to this site. All access to the site will be by private vehicles. The large volume of traffic potentially accessing the site will have a significant negative effect on pollution levels, likely to be dramatically higher than at present.

AONB

- a) In 2013 Churnet Valley Conservation Society (CVCS) made an application to Natural England for the Churnet Valley to be considered for Area of Outstanding Natural Beauty (AONB) status. The application was supported by SMDC and by Karen Bradley (MP) who has recently reaffirmed her support to stop this development. The application was considered by DEFRA during their 2018 Landscape Review. At present the Churnet Valley has been short listed and is one of three sites being considered for AONB status. It is believed that the Moneystone Quarry development will have a negative impact on the application.

Community Impact

- a) The sheer size and scale of the development would have a negative impact on the local villages.
- b) Many of the proposed lodges may be sold to purchasers who live there on a permanent basis. This is in effect a planning application for a new community which at present does not exist. Such planning proposals would be refused in any other part of Staffordshire Moorlands.

Conservation Officer

First response October 2022

Heritage is dealt with in Chapter 10 of the Statement of Conformity Report. This states that the effects on the setting of Little Eaves Farmhouse (Grade II Listed Building) has been re-assessed and as the proposals are within the parameters previously assessed it is not considered that there are any new effects arising from the Reserved Matters Application. It comments 'Overall, it is considered that the June 2016 ES remains valid and is adequate to assess the archaeological and heritage effects of the development'

Comments

- a) Chapter 10 of the Statement of Conformity Report comments very briefly that the RMA application does not introduce any new impacts on the setting of Little Eaves Farmhouse but this needs to be expanded to explain how the form and massing of buildings, choice of materials and landscaping and other matters have been designed to achieve this.

- b) The photomontages need to be referred to in Chapter 10 to demonstrate that the impact of the hub building on Little Eaves Farm can be mitigated through landscaping and planting. The photomontages need to reflect the latest landscaping scheme (I note that they are out of date, especially with regard to the planted bund to the NW of the proposed archery centre). The colours of the buildings also need to be accurately represented.
- c) The overall form and massing of buildings, design, and choice of a muted palette of materials is acceptable. It is noted that the hub building is lower in height than that allowed for in the parameters plan and this is to be welcomed.
- d) The chalets must blend into their planted surroundings. Clarification is required on the materials for the roofs to ensure that the metal roofs do not have a shiny finish and I have some concerns that glass balconies will introduce unnecessary reflections, particularly high up on the valley sides.
- e) Lighting was reserved by condition under the Outline Application but note that this current application mentions 'Lighting Arrangements' but I have not found any details and this needs to be clarified. Lighting will have a major impact on the assimilation of the site in its surroundings.

Second Response December 2020

I have reviewed the responses and feel that they satisfactorily address the points raised. The updated photomontages are very helpful in visualising the impact of the hub building on the setting of Little Eaves Farmstead and demonstrate that the impact of the building can be adequately mitigated.

Staffordshire Wildlife Trust

First response 30th January 2020

Holding objection:

Further clarification should be provided to confirm:

- Protected and designated sites in and around the development are adequately buffered through the proposals as per comments from Natural England and Woodland Trust
- The mitigation hierarchy has been applied during design for retained habitats, i.e. avoidance is first priority and the density and layout demonstrate key ecological corridors and habitats have been safeguarded, particularly in Q1
- The reserved matters application provides a demonstrable net gain for biodiversity both in terms of existing and against the approved quarry restoration plan
- Disturbance from ongoing use, and not just construction impacts, is calculated when reviewing ecological value of retained and created habitats within the development site
- If compensatory off site habitat creation will be required, how it will be accommodated within the allocated comp areas and how this will relate to likely compensation required for other phases
- How specifically the design allows for ongoing protection of species (particularly amphibians in Q1) so populations will not become isolated and decline

Second response 23/9/2020

Holding objection – Further information or amendments are required regarding:

1. Whether measurable net gain for biodiversity will be delivered, in comparison with the approved quarry restoration plan, using a biodiversity metric and factoring in operational disturbance.
2. Great Crested Newt survey, licencing and monitoring requirements; Schedule 1 bird surveys and protection- confirm these will be included within the CEMP and Habitat Management Plan required by conditions 18 and 19 of the outline permission.

3. How the peregrine nesting site in Quarry 1 may be impacted, and whether changes to the lodges layout will be necessary. Outline of survey, avoidance/mitigation and monitoring proposed.
4. Off-site compensation areas – confirm that wetland habitat, priority species provision and monitoring, and work in advance of impacts will be included in the Habitat Management Plan required by condition 19.
5. Structural Landscape Strategy – inclusion of key fauna species objectives and monitoring, and amend aspects of management tables.
6. Provision of annual monitoring information for 2017 and 2018 as mentioned in the Ecological Baseline Review – Bowland Ecology 16 March 2020 (Appendix VIII of EIA Conformity Report)
7. Amendments to Plan, Planting Plan and Planting Schedule as advised.

Final response 26/9/23

No objection subject to conditions.

Secure via condition should approval be granted:

1. Further details of habitat creation, as required under condition 19 of SMD/2016/0378 (Habitat Management Plan)
2. A programme of biodiversity monitoring and reporting to be submitted as part of the required Habitat Management Plan, or separately. To include baseline and resulting biodiversity units via metric 4.0, assessment of existing and potential Local Wildlife Sites areas using county designation criteria, and key species surveys.

NATURE RECOVERY NETWORK

The site overlaps with several Habitat Connectivity Opportunity Areas; Woodland, Wetland, Heathland and Grassland. It is in a strategic area for habitat enhancement.

Local priority habitats and wildlife corridors include hedgerows, watercourses, ancient woodlands, heathland, unimproved grassland, hay meadows and waterbodies.

The site lies between two strategic corridors in the Staffordshire Moorlands Green Infrastructure Strategy May 2018; 1 Churnet Valley corridor and 9a Cecilly Brook Spur to the Churnet Valley. The site is within the Churnet Valley Masterplan area.

DESIGNATED WILDLIFE SITES

Statutory Designated Sites

Whiston Eaves SSSI lies directly adjacent to the west of the site. We support Natural England's comments with regards to this site.

Key Wood ancient woodlands lies adjacent to the western boundary, and Frame Wood lies within the site. The Woodland Trust's concerns have been addressed. Proposed landscaping adjacent to these woodlands is appropriate and new woodland paths avoid Frame Wood.

Local Wildlife Sites (LSW) existing and potential

Ashbourne Hey Site of Biological Importance (SBI) is located partly within the site boundary, although this portion has been changed by the creation of Quarry 3; the SBI was last assessed in 2006 so the boundary has not been updated. Part of the SBI (field C within the Integrated Wildlife Habitat Plan) is to be enhanced as part of habitat compensation measures.

Little Eaves Farm (south-west of) SBI lies to the west of the site and will not be impacted.

As part of the Habitat Management Plan monitoring programme, Ashbourne Hey SBI should be re-surveyed and assessed against the current version of the Staffordshire Local Wildlife Sites criteria, allowing the boundary and habitat data to be updated by the Staffordshire Local Wildlife Sites Partnership.

Assessment of enhanced, and newly created, habitats against current LWS criteria should be undertaken after 5 and 10 years respectively.

HABITATS

Biodiversity Net Gain

Policy NE1 paragraph 5 in the Staffordshire Moorlands Local Plan Adopted September 2020, expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development. In circumstances where adverse impacts are demonstrated to be unavoidable, developers will be required to ensure that impacts are appropriately mitigated, with suitable compensation measures towards loss of habitat used only as a last resort where there is no alternative'

Given the size and scale of the development/ its location within a strategic ecological corridor, we consider that at least 10% net gain should be provided. The habitat creation and enhancement within and off-site as part of the Integrated Wildlife Habitat Plan, appears to provide enough area and scope for a net gain, although it is difficult to quantify this without a metric. As metrics are now widely used and major sites will need to provide mandatory 10% net gain from November, we feel that to ensure this site is in line with current policy and comparable with other sites, this should be reflected in the final Habitat Management Plan required under condition 19 of the outline permission. This would also allow better accounting should the site be desired as a BNG provision area in the future.

Therefore, we recommend that BNG be measured and reported upon as part of the management and monitoring plan, using the nationally adopted Defra metric 4.0. As the original site surveys were conducted in 2016 and condition data is not available, the habitat baseline should be updated using the appropriate methodology, within suitable seasons, prior to commencement of works. The relevant areas of off-site enhancement pursuant to this Phase 1 of the development should be indicated.

Monitoring will need to be conducted at suitable intervals, ideally annually for the first 5 years and then at appropriate years depending on the time to target condition for each habitat. Remediation measures should be outlined, such as replanting or re-seeding grasslands with locally sourced seed to speed up increase in distinctiveness. Should 10% gain for not be met then additional areas may be needed for habitat enhancement within the landholding.

Detailed design of off-site grassland enhancement should aim to provide habitat for priority birds that are unlikely to remain on the site, such as lapwing, little ringed plover and linnet. Invertebrate habitat such as bare ground and log piles within enhanced grassland is also recommended.

SPECIES

Policy covering net biodiversity gain also includes species, and so this would be the rationale for species monitoring. As well as protected species, the target species should be the priority species present on site, i.e. those listed in the NERC act and SBAP, that have been surveyed as part of the baseline surveys for the site. The survey methods used to establish the baseline should be repeated. Invertebrates would need a pre-commencement baseline as there were no previous surveys. In order to determine whether any parts of the site meet LWS criteria in future, data relevant to the species criteria for LWS should also be gathered. We suggest monitoring species in years 2, 5, 10 and thereafter at 10 year periods, or as practical fit in with BNG monitoring.

Target species:

1. All amphibians

2. Reptiles
3. Badgers
4. Otter, watervole, crayfish
5. Breeding birds, particularly priority and Schedule 1 listed species
6. Key invertebrates for LWS designation– dragonflies, ground nesting bees and wasps, butterflies (as listed in criteria), other scarce species as listed in the criteria.

Management objectives should aim to maintain and where possible improve numbers, range and diversity of the above species, by providing the habitat structure and features required for their survival. Secondary objectives would also be to encourage new priority species relevant to the area/ habitats, as set out in the Nature Recovery Network report for the Staffordshire Moorlands.

Results should be reported to the LPA, Staffordshire Ecological Record, and the Staffordshire Local Wildlife Sites Partnership. Ideally progress should also be communicated to site users and the local community through on-site interpretation, a newsletter or website for example.

Further pre-commencement surveys for species such as badgers should be included in the Construction Ecological Management Plan required under condition 18 of the outline permission. This should also include all protective measures required for avoiding harm to amphibians, reptiles, nesting birds and other protected species during site works.

Great Crested Newts, Amphibians

As GCN are present, a licence will be required for works impacting terrestrial habitat near ponds supporting GCN. The proposed range of mitigation measures are suitable. Updated surveys are likely to be needed to obtain a traditional licence due to the time since original surveys. Alternatively the applicant may wish to pursue district level licencing.

A model condition is suggested:

The proposed development is to proceed in accordance with the recommendations made by section 9.228 of the submitted Moneystone Park Environmental Statement (HOW Planning LLP, Dated June 2016) unless varied by a European Protected Species licence subsequently issued by Natural England, or district level licencing report. Agreed features for great crested newts shall be permanently installed in accordance with the approved details.

Reason: To safeguard protected species in accordance with the NPPF.

Birds

The ES considered the site to be of significant value for breeding birds at the Borough/District Level. While many important bird species will still be able to remain within the site long-term, those that rely on open wetland/ brownfield habitats and undisturbed areas are likely to be lost from developed zones.

Lapwing, little ringed plover and linnet are particularly sensitive. Off-site compensation areas will need to incorporate some new shallow wetlands or ditches, bare ground areas and scrub such as gorse to accommodate these species elsewhere. This could be added into detailed design and management for grassland enhancement areas.

Environmental Health Officer

States that the applicant is reminded that prior to undertaking any works on site, notably all proposed activities involving earth movement, they will need to discharge/ address the requirements of the outline consent SMD/2016/0378, specifically Condition 20 Lighting; Conditions 31-35 Noise, Conditions 36-40 Contamination and Condition 46 Dust

Waste – Recycling promoter

There are no issues with the proposed planning application. We would need to complete a site visit once the works have been finished, to determine how many bins would be required.

Local Highway Authority

No objection

Local Lead Flood Authority

No comments, note that:

a) detailed proposals are already underway for the surface water outfall under application SMD/2022/0014;

b) previous response highlighted the need to discharge outline condition for SMD/2016/0378 regarding the submission of detailed drainage design proposals.

The proposed development will only be acceptable if the measures as detailed in the Surface Water Drainage Strategy submitted with this application are incorporated in an acceptable surface water drainage scheme

Environment Agency

First response 13/11/2019

No objection. Advise that they are aware that the applicant has applied for an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016 in relation to the foul drainage proposals for this development.

Second response 19/5/2020

We are happy with the comments from the EIA Conformity report particularly as we will be able to determine the details of Conditions 36, 37 and 38 when the applicant is ready to discharge these.

For surface water, I would refer to the LLFA as statutory consultee and in relation to foul drainage, we recommend the applicant starts pre-application discussions with our National Permitting Service regarding the need, and applying, for an Environmental Permit.

Third response 8/2/23

We understand that in order to address comments received from Natural England, the proposed water level in Quarry 3 will be raised from 154m AOD to 156m AOD.

This revision was requested to mitigate the fact that catchments and surface water flows within the adjacent Whiston Eaves SSSI have changed over time in response to the development of the quarry. Further to this, the flows into the SSSI were typically approximately 25% greater historically than they are presently due to a reduction in the catchment area and the diversion of surface run-off through the quarry.

The water level adjustment will allow a new surface water outfall higher up the site, as submitted under application ref. SMD/2022/0014. This is more beneficial for the receiving stream and linked wetland as it will allow flows to be restored near to the top of the SSSI. Therefore, it will likely enhance the ecohydrological conditions of the SSSI compared to the current situation. We note the existing water level is already at 155.5m AOD. We are not aware of any nearby activity that would be negatively impacted if water levels in Quarry 3 are raised to 156m AOD.

The foul drainage proposals will be directed to a package treatment plant. Under the Environmental Permitting (England and Wales) Regulations 2016, the discharge of polluting substances (including sewage effluent) into surface waters or the ground requires the authorisation of the Environment Agency.

This authorisation may be either an Environmental Permit to control the discharge or a registered exemption. The authorisation is irrespective of any Planning Permission granted and may be withheld. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted.

Severn Trent Water

As the proposal has minimal impact on the public sewerage system advise no objections to the proposals and do not require a drainage condition to be applied.

Trees and Woodland Officer

First response 23/12/20

Summary: no objection, subject to conditions

Pending receipt of further updated details for Quarry 3 proposals, these comments presently address only Quarry 1 in detail.

A satisfactory AIA has been submitted, in accordance with the requirements of Condition 41 of the outline permission. This, and the accompanying Arboricultural Statement – Condition 9, has been used to inform siting, specification and construction methods for elements of the scheme located within “Area of Retained Landscape” in accordance with Condition 9 of the outline consent, and most notably in relation to the proposed woodland paths in the southern woodland heading down into the Churnet Valley. In turn, the AIA proposals also form the basis for compliance with the temporary tree protection measures required under Condition 42.

In general terms, the reserved matters layout follows the broad strategy set out on the indicative masterplan submitted with the outline application, and the parameters plan approved as part of the outline planning permission.

Quarry 1: There has been a very substantial increase in the number of lodges shown for Quarry 1 (Q1), stated and shown as 122 for the current reserved matters layout, compared with an indication of 80 on the illustrative masterplan at outline stage. However, the proposed lodge layout for Q1 appears to remain within the scope of the parameters plan, and would retain:

- The existing mixed woodland belt between Eaves Lane and the exposed cliff face along the northern edge of Q1;
- Existing tree and shrub belt between the main site access road and the exposed cliff face along the western side of Q1;
- Existing tree and shrub belt along the eastern boundary of Q1 (with Cowtrees Farm and open fields beyond);
- Some swathes of existing developing scrub vegetation around the north and east sides of the lagoon in Q1 (west);
- Existing established trees and scrub against (below) the base of the exposed cliff face in Q1 (east).

Around the north-west corner of Q1, against the base of the exposed cliff/rockface, the Landscape Masterplan and the Planting Plan for Q1 north show a general continuous swathe of “scrub planting”, but neither plan indicates any retention of existing trees/scrub in this location (as is appropriately shown to be retained against the base of the cliff face at the north-east corner of Q1). We should seek clarification on this, as it would be an unnecessary and retrograde step to remove existing established structural vegetation here only to start again with new planting. We should request additional indication/annotation to these plans to confirm that wherever there is existing established tree and scrub vegetation adjacent to the base of the cliffs/rockfaces along the Eaves Lane boundary and along the main access road which is not physically in the way of approved development layout, this should also be retained and supplemented by new planting where necessary to achieve the full swathe of

structural vegetation, and anywhere here where there is no such existing vegetation the planting as already proposed would be provided.

During processing and assessment of the application, the initially proposed planting along this boundary (identified as a “thin spot” in the existing boundary screening) has been increased by the additional of further trees within a 10 – 20m wide swathe of native scrub planting (see further notes below on this planting type). Once established, this would provide effective new structural screening, in addition to that already present.

It is noted that Natural England and The Woodland Trust have previously raised concerns and objections in relation to potential impact on areas of Ancient Woodland adjacent to and within the application site boundary. Ancient Woodland is regarded as an irreplaceable habitat, and there are national and local policies and guidance in place which aim to ensure that there is no loss of or adverse impact on Ancient Woodland. Standing Advice from Natural England (a material consideration in determining planning applications), supported by The Woodland Trust, advises that a minimum 15m buffer should be maintained adjacent to Ancient Woodland, with all new development and inappropriate changes in land use/land management excluded from such buffers, and with the buffer itself ideally also being managed as semi-natural habitat. Previously, the LPG tanks/compound was shown close to Key Wood, an Ancient Woodland site (partly semi-natural, and partly re-planted) adjacent to the south-west boundary of Q1. However, the LPG tanks have now been re-sited to a location approximately 75m from the Ancient Woodland boundary. The remaining closest elements of the proposed new operational development also comfortably exceed the 15m minimum buffer width – adventure playground c.38m, new landscape mounding c.28m, position of future archery centre also c.28m.

Proposals are included for new paths meandering through the steep wooded hillside down into the Churnet Valley from the southern area of Q1. This woodland includes a section of Frame Wood which is re-planted Ancient Woodland. Whilst the precise routes of the paths will inevitably need to be fine-tuned and aligned to suit location-specific ground conditions and avoid notable trees as they are constructed, the “Southern Woodland Pathways” Drg. No. 1088.4-PLA-00-XX-DR-L-0006 Rev P02 shows, and its annotation confirms, that the paths would avoid encroachment into the Ancient Woodland. More generally, the construction details for these paths, and associated timber boardwalks over watercourses, would be of low key minimal impact construction typical of paths and footbridges provided in sensitive sites such as country parks, designated nature reserves, SSSIs etc and are considered appropriate and acceptable for this woodland location.

There would be no loss of and no direct harmful impact on Ancient Woodland arising from the application proposals.

Hub Area:

This is the main focus of access, parking, activity, servicing etc for the site which will inevitably have more concentrated and localised (i.e. within site) visual impact. This would be addressed through the landscaping proposals which would include a range of formal, semi-formal and informal planting to provide an attractive setting for the hub whilst allowing it to interact with its surroundings eg timber deck overlooking the adjacent lagoon but also include structural elements for screening including naturalistic mounding. Additional tree planting has been added during the application handling period to break up the main elevations of the hub building and to soften the visual impact of areas of parking and other concentrated activity. This is also designed to bolster screening effectiveness in external views towards the hub area from the south-west and west including from the vicinity of Little Eaves Farm.

Lodge Areas:

A large area of the northern part of Q1 would be laid out to provide on-site accommodation in the form of individual lodges. As noted above, the number and consequently the density of lodges within Q1 has increased substantially compared to the indication at outline application stage. Initially, at least, the site would be relatively open with new access roads, lodges and attendant parked vehicles visually dominating views within the site, although due to the excavated quarry location and retained peripheral woodland belts such visual impact would be well contained within the site. The effect would be of a relatively high density lodge park set against a wooded backdrop. The "Site-wide Hardworks" Drg. No. 1088.4-PLA-00-XX-DR-L-1001 Rev P03 indicates a hierarchy of hard surfacing to access roads, parking areas, paths etc, and it is noted that the roadways serving all the lodges are proposed as fully tarmacked, with stone surfaced individual parking bays. I would suggest that this might appear too hard and engineered, and a more informal approach such as compacted stone for the lodge access roads – at least the loops and culs-de-sac, even if the main distributor road from the Hub to Q2 remained as tarmac - would be much more in keeping with the former quarry use and with the naturalistic and secluded woodland character aimed for in the D & A Statements of both the outline and the current reserved matters applications.

Whether and how quickly the site subsequently comes to achieve the "high quality leisure development" character stated in the development description at outline stage may be highly dependent on the finishing materials for lodges and access roads, the rate of progress with new planting and its establishment success. "High quality" need not and indeed should not for this site be synonymous with "formal" or intensively maintained, and the images promoted and accepted at outline application stage conveyed a sense of the development intricately assimilated into and by nature. To this end the landscaping proposals for Q1 would provide a range of planting character ("typologies") to complement the retained peripheral woodland belts and existing areas of self-set scrub. These include:

- Heathland edge planting
- Aquatic/marginal planting
- Native hedgerow
- Wildflower grassland
- Native scrub vegetation

The swathes of native scrub planting would be particularly important to create significant structural form to break up the large area of lodges into smaller pockets or clusters of between 3 and 17 or so lodges, each cluster contained by the inter-connecting swathes of scrub. This structure would not be immediate, but should become increasingly effective within the first 5 – 10 years after planting, given successful establishment and suitable post-planting after-care. Once well established, this structure would start to create the more naturalistic and secluded woodland character conveyed in the application's D & A Statement – although it's probably fair to say that given the close spacing between lodges it is unlikely in most cases that each lodge would have its own individual secluded woodland setting, and this description would be more relevant to the clusters or groups of lodges.

The specification for scrub planting would provide a base mix of typically multi-stemmed shrubs (Hazel, Dogwood, Geulder Rose, Buckthorn) which should comfortably achieve heights of 4 – 8m at maturity, well above lodge ridge heights. These would be initially planted at 2 – 3 plants per square metre, to achieve a substantial dense structure, and would be planted in swathes typically 10 – 20m wide, and in places up to 25/30m wide – at planting densities of 2 – 3 per square metre this would provide considerable depth and substance to these swathes of shrubs. Future management could involve rotational/phased coppicing, to perpetuate a dense, multi-stemmed form from ground level and maintain structural enclosure of the various clusters of lodges. Furthermore, most areas of this planting type would be supplemented by a sprinkling of native trees in a range of planting sizes from bareroot feathered trees of c.1 – 2m height to extra-heavy standards and semi-mature trees 2 – 6m

high. These trees would provide a taller mature canopy height above the native scrub, and planting sizes would be sufficient to give some instant visual presence and begin to create a partly wooded character within the site, connecting with the retained mature woodlands around the site boundaries.

The planting schedule submitted with the application reflects the total across both Q1 and Q3, but to give an idea of these total numbers for the main structural planting elements there would be:

- 555 linear metres of new native hedgerows (double staggered rows giving 5 plants per metre run)
- 419 larger stock rootballed trees
- 400 bare root trees
- 25,220 square metres of native scrub planting, which at 2 – 3 per square metre would give c. 63,000 plants

Recent application discussions reveal that our ecological advisors Staffordshire Wildlife Trust have suggested that Common Beech be omitted from the planting schedule, as it is not strictly native to this part of Britain (although commonly naturalised and frequently encountered, and indeed quite characteristic as component of planted and naturalised woodlands in the Churnet Valley). However, I would have no objection to any minor tweaks to species schedules/mixes as long as the overall plant numbers are maintained, and suitable woodland/scrub structure was achieved, along with its dependence on native species (which of course SWT would also wish to see). Any particular individual species omitted could be readily replaced with others already on the list, or by substitution (eg Oak is notably absent from the planting schedule but would be an appropriate addition). I would also be comfortable with any further adjustments to planting character to reinforce the character of “nature taking over” rather than creation of a “park”.

Structural landscape strategy

A suitable Strategy has been submitted with the reserved matters application, in accordance with the requirements of Condition 44 of the outline planning permission. The Strategy describes existing site landscape conditions, and sets these and the proposed development against the context of the Quarry Restoration Plan originally approved by Staffordshire County Council in relation to mineral extraction. The landscape proposals for the site associated with the proposed leisure development are indicated, and the Strategy goes on to set out broad landscape management and development objectives over the first 20 years of the leisure site. These are considered across the whole site, and cross-referenced to ecological considerations and various regulatory controls where relevant. The Strategy sets out objectives for each of the main existing and/or proposed landscape/habitat character types, comprising: woodland; structural site planting; boundary features; semi-natural grassland; scrubland; aquatic vegetation; heathland; and mosaic landscape. More detailed maintenance and management operations are shown against a timetabled 20 year management period, whilst retaining flexibility to respond to site and habitat conditions. Monitoring and review is built in to the process.

The Structural Landscape Strategy is considered appropriate and acceptable to guide the future management of the site, in association with the initial Construction Ecological Management Plan and the Habitat Management Plan, themselves also required under conditions of the outline planning permission.

Environmental impact assessment – statement of conformity report

The applicant has submitted a Statement of Conformity Report concluding that there are no new significant environmental impacts identified in association with the current reserved matters application which have not already been considered by the 2016 Environmental

Statement which accompanied the outline planning application and which would therefore warrant additional assessment by way of a new supplementary Environmental Impact Statement; consequently the applicant considers the 2016 ES is valid for the purposes of decision making in respect of the reserved matters application.

The reserved matters proposals give detail to the scale, appearance, layout and landscaping which were indicated at outline stage and approved in principle through grant of outline planning permission. Although there are some changes in detail, such as the (current, at least) omission of a water sports centre in Q3, and the increase in lodge numbers in Q1 over that indicated at outline, overall the reserved matters details appear to conform to the approved parameters plan. Likely visual impact of the development was addressed via the Landscape and Visual Impact Chapter of the 2016 ES, and taken into account in determining the outline application. The reserved matters details now under consideration do not significantly alter the proposals such that new significant visual effects or impact would be likely, and it is agreed that supplementary ES would not be required in respect of the landscape and visual issues arising from the reserved matters application.

It is also necessary to consider the potential for cumulative impact of this “subsequent application” to the initial outline permission in conjunction with any other relevant applications or development commitments. Two additional decision pending applications have been submitted for Moneystone: SMD/2019/0725 for a proposed surface water outfall at the south-west corner of Q3, and SMD/2019/0716 for a change of use of the retained former quarry laboratory building. I will defer any detailed comment in respect of the outfall application and any cumulative impact implications it may have, pending any further revisions to the Q3 details which may in turn affect the outfall proposal.

However, in relation to the change of use application for the former laboratory (within Q1), this would re-use an existing building essentially for a range of uses which were already part of the 2016 outline proposals, and such uses (especially within or based from a pre-existing building) would not themselves raise any new significant landscape or visual effects. Minor physical alterations only are proposed to the former laboratory building, and it is situated well beyond (c.60m) the closest part of the Key Wood Ancient Woodland site, comfortably exceeding the minimum 15m buffer recommended in Natural England Standing Advice. Similarly, changes to parking/servicing would be local to the existing yard area immediately around the building and again would not have adverse impact on the Ancient Woodland.

Certainly as far as the Q1 reserved matters application is concerned, it is also considered that there are no new significant landscape or visual effects arising in conjunction with other applications or development which would give rise to cumulative impact requiring supplementary ES, and in this context it is considered that the 2016 ES is valid for the purposes of deciding the reserved matters application in respect of the Q1 details.

Conclusion

I have no objection to the reserved matters application in respect of the Q1 details (further comment to be made in relation to Q3 details following receipt of any further amendments) but would request that conditions be imposed in the event that planning permission is granted:

Second response 20/6/22

Summary: no objection subject to conditions. Revised plans received since my previous comments of 23/12/2020 represent significant enhancements and improvements to the landscape setting and character of the site/development.

These comments are supplementary/additional to those set out in my e-mail of 23/12/2020, and deal in particular with amended plans received since those earlier comments – and especially in respect of the Quarry 3 proposals and landscape treatment on which I deferred commenting in detail pending receipt of anticipated amended plans.

There appear to be no major changes to the proposed layout. Development - including the adventure play area, the proposed woodland paths network into the Churnet Valley, and the potential future archery area – remain indicated suitably outside the target 15m buffer zones adjacent to Ancient Woodland sites, with proposed landscape treatment within these buffers still including substantial amounts of new scrub planting which would reinforce the woodland edges and encourage the buffers to be maintained as semi-natural habitat, in accordance with Natural England standing advice.

In Quarry 1 (“Q1”) a substantial additional amount of planting is now proposed – in particular larger and more extensive swathes of native scrub planting which when established would create a more substantial landscape structure within Q1 and better subdivide the expanse of lodges into groups/clusters. In addition, the swathes of scrub have been extended in many places to provide “fingers” of structural planting at least part-way forward between individual lodges, which would create a better sense of enclosure/privacy and go further towards establishing the desired character of lodges nestling within a woodland/scrub mosaic. In some places additional individual trees and/or small patches of scrub have also been introduced to lodge frontage areas, which will provide some landscape/greenery features within the “streetscenes”.

Additional individual trees have been included to the proposed mounds to the south-west side of the Hub building, and additional structural scrub planting swathes around the proposed gas tank compound.

Several of the secondary loop/cul-de-sac access tracks serving groups of lodges in Q1, and in Q3, are now shown proposed as compacted stone surfacing rather than tarmac as previously. This would reduce the engineered/formal character in these areas and give a more low-key/rural effect more in keeping with a former quarry in a rural area.

In Q3, the previously intermittent swathes of native scrub and tree planting along the northern edge of the quarry, adjacent to Eaves Lane, have now been amended to a continuous swathe along this northern side and round the western end of the quarry, as requested. Once established, this would enhance the existing screening provided by existing vegetation.

Also, an additional substantial swathe of native scrub is proposed along the lower quarry slopes of the western and northern side of Q3 – this would enhance the wooded character within the site itself.

Areas of scrub planting behind and extending between the waterside lodges have also been added and these, again following establishment, would assist in breaking up the visual effect of continuous lodge development around the Q3 pool.

The proposed bridge over the south-west corner of the Q3 pool has also been amended and is now proposed to be timber board clad (including timber boarding for the deck of the footway element) rather than the exposed steel lattice framework previously shown. Whilst still a substantial and obviously (of necessity) engineered structure, the timber cladding would help the bridge be more in keeping with the woodland surroundings, more so once the timber weathers. My only suggestion for further reducing the visual impact of the bridge (on views and hence visual character within the site – it is unlikely to be visible from publicly accessible viewpoints outside the overall site due to intervening landform/existing &

proposed new vegetation) would be to look into whether it is technically feasible to extend the pool shore at the bridge abutments further out into the pool immediately beneath/in front of the bridge, and/or attach coir planting mats to the lower edge of the bridge's north-east facing elevation; this could allow additional colonisation by aquatic/marginal vegetation and reduce the perceived open water span of the bridge.

Overall the amended plans address many of our landscape-related concerns and requests previously made to the developer/agents, and are considered to bring significant enhancements to the scheme compared with as previously proposed in terms of landscape setting and character within the site and screening of the development from external viewpoints.

Finally comments that as far as the Q3 reserved matters application is concerned, considers that there are no new significant landscape or visual effects arising in conjunction with other applications or development which would give rise to cumulative impact requiring supplementary ES, and in this context it is considered that the 2016 ES is also valid for the purposes of deciding the reserved matters application in respect of the Q3 details.

Conclusion - I have no objection to the reserved matters application in respect of the Q1 and Q3 details, but would request that the conditions be imposed in the event that planning permission is granted

Woodland Trust

First response 11/12/19

Holding objection

Advise that the site contains and adjoins several areas of ancient woodland, which are designated on Natural England's Ancient Woodland Inventory. The Trust's concerns focus on two particular elements of the proposals; the siting of LPG storage and the creation of woodland footpaths.

The applicant's Site Masterplan and Design & Access Statement show bulk LPG storage tanks located very close to the site boundary, where it meets the Ancient Semi Natural Woodland of Key Wood (grid ref SK0433745908). Natural England's Standing Advice on ancient woodland states that development should allow for a minimum 15 metre buffer in order to avoid root damage. The LPG storage tanks should therefore be relocated to an appropriate distance from the ancient woodland.

The applicant's Arboricultural Impact Assessment notes that footpaths are to be created in several areas of woodland, including two identified as W94 and G93. These areas include part of a Plantation on Ancient Woodland Site known as Frame Wood (grid ref SK0476945456). The Trust would request that the applicant be mindful of the ancient woodland, and ensure that no hardstanding is constructed within the root protection areas of trees forming the ancient woodland boundary.

Second response 16/8/23

Advise that they have reviewed the new layout plans for this proposal and have no further comments to make with respect to ancient woodland as concerns outlined in our December 2019 response have been addressed.

Forestry commission

As a non-statutory consultee, provide information that may be helpful when you consider the application:

- Details of Government Policy relating to ancient woodland
- Information on the importance and designation of ancient woodland

Further comments relating to this development

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless “*there are wholly exceptional reasons and a suitable compensation strategy exists*” (National Planning Policy Framework paragraph 180c).

We also particularly refer you to further technical information set out in Natural England and Forestry Commission’s [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide and Case Decisions](#).

As a Non Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.

Subsequent Enforcement Notices, may be materially relevant to planning applications in situations where the site looks to have been cleared prior to a planning application having been submitted or approved.

Access rights for Forest Operations are present across the development area, this does not appear to have been considered during design phase. Key Wood is an active commercial woodland and continued, suitable access is a necessity.

Due to the proposed size of the development Ancient Semi-Natural Woodland, Priority Habitats, Site of Special Scientific Interest, European Protected Species, Schedule 1 protected bird species would be impacted by the associated increase in pedestrian and cycle access into sensitive areas, including that away from existing Public Rights of Way. Specifically, Forestry Commission guidance for the Management of Ancient and Native Woodland states that:

- Where there are high visitor numbers and/or potentially disturbing recreational or sporting activities, ‘zoning’, path re-routing or appropriate restrictions should be used to protect sensitive areas or species.
- New paths and trails should be carefully routed, and it may even be desirable to re-route existing non-statutory routes, to avoid particularly sensitive parts of the woodland. These might include wetland habitats, vulnerable historic features and areas used by or containing very sensitive priority species (e.g. vulnerable rare plants). Wherever possible paths should be kept a safe distance from veteran trees. In some situations, it may be necessary to restrict or discourage access to certain areas during the breeding season or other particularly sensitive times of year.

If the planning authority takes the decision to approve this application, we may be able to give further support in developing appropriate conditions in relation to woodland management mitigation or compensation measures. Please note however that the Standing Advice states that

“Ancient woodland, ancient trees and veteran trees are irreplaceable. Consequently, you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.”

We suggest that you take regard of any points provided by Natural England about the biodiversity of the woodland.

We also assume that as part of the planning process, the local authority has given a screening opinion as to whether an Environmental Impact Assessment is needed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. If not, it is worth advising the applicant to approach the Forestry Commission to provide an opinion as to whether an Environmental Impact Assessment is needed under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended.

Natural England

First response 5/6/20

No objection

Second response 13/11/20

Withdraw 'no objection' in light of new information and now object due to proposal damaging or destroying the interest features for which the Whiston Eaves SSSI has been notified

Advise that through focused work by Natural England's hydrologist on the separate outfall application, the water level that is marked on the reserved matters plans (154m) is too low to restore and protect the Whiston Eaves ground water dependent SSSI features into the future. Also advise that the Sewage Pumping Station No.1 detailed in the Foul and Surface Water Drainage Strategy is situated in the vicinity of the top of Stream A. If there is an (emergency) overflow associated with it as there is the risk that raw sewage will flow into the SSSI.

Third response 31/3/23

No objection subject to conditions to mitigate adverse impacts on the Whiston Eaves SSSI.

- a) Maintenance of lake levels to ensure that the SSSI is not negatively impacted
- b) Construction and Environmental Management plan detailing how construction works will avoid damage to the SSSI and its notified species
- c) Foul drainage monitoring and management plan

Historic England

Do not wish to comment. Recommend that advice is sought internally from the Conservation Officer

The Churnet Valley Conservation Society

Objects on the following grounds:

The Churnet Valley Conservation Society's objections have been protracted and plentiful and indicative of the poor quality of plans that have had to be revised and altered so much. The layout and design are not what was originally promised and certainly not comparable to Centre Parcs. It is an ex quarry with all the dangers.

NPPF requires the LPA to ensure the land is fit for purpose.

Since the quarry ceased, the HSE have not inspected the site for stability and safety. Deep excavation pits are now flooded. There are quick sands and areas of industrial contamination.

Pollution of former old tailings containing toxic chemicals and traces of contaminants are still seeping into quarry 3 lake from quarry 2 which is unrestored, full of former waste products, tailings as yet unknown and illicitly dumped materials from 2016.

Waterborne pathogens remain on the site where water sports and lakeside lodges and small beaches are planned.

Unresolved instability issues were not investigated until 2022.

Wardle Armstrong who worked on behalf of SMDC, recommended further investigations that have not been carried out. Back in 2011/ 12 the reports from Laver's own agents identified many potential problems including road collapses, rockfalls, and tsunamis that would threaten lives of visitors especially those in lodges perched in the flooded quarry and up its sides.

There are insufficient details of the rock traps, their design and retainment potential suggested as protection from landslides or shearing, and safety barriers.

Nationally and internationally, all quarry safety measures stress that people should stay away from steep sided flooded quarries such as at Moneystone, to avoid death by drowning. To design family lodges there, especially with so many actually on piles at water level, is reckless.

The water is deep and dangerous. Cold water shock kills even the best of swimmers.

Saturated sand at the edges of the quarry will be quicksand like in behaviour and the benches of the former excavations will be hazardous with sudden drops into even deeper water.

Flooded sand quarries that are used for leisure purposes are **always** in flat riverine situations, not with steep sides that in themselves are unstable as here.

Quarry 3 lagoon is now classed a reservoir. However, in a bid to avoid paying for a ten year backlog of licence fees as it had not been inspected every two years as required by law, Laver's agents illegally destroyed the emergency overflow safety system in 2021 by excavating a trench through its dam against the advice of the Environment Agency and without planning permission from SMDC.

This brings into focus once more the question of stability in that south west corner of the quarry and trust overall.

The proposed bridge which is a crucial part of this application, is sited on unsuitable ground and wrongly designed according to the SMDC's advisers Wardle Armstrong, as are access roads which are too narrow. The design of the hub building and lodges are no longer spacious or luxurious.

The layout of lodges is far more cramped and intensely spaced. The percentage of lodges for sale has increased over what was promised initially leading to a permanency of residential occupation that dwarfs the two local villages nearby.

We believe the very many conditions that would have to be attached to make this application viable in terms of stability and public safety will be unenforceable given the company's track record over the years since they bought the site.

When they took over the quarry in 2010, Laver were required to remove all the old quarry buildings within 6 months. They haven't.

They agreed to restore the quarry in 2014. They haven't.

The annual reports on the ecology and a five year review of progress agreed with SCC in 2014 were never produced.

However, they have allowed an illegal scrap metal business to flourish on site without permission for the past 10 years or more.

In 2016 SCC had to stop toxic waste being illegally dumped in quarry 2 by Laver's associates.

Lake levels that secure the water table for the adjacent SSSIs have not been maintained. There are no flood or emergency evacuation plans for quarry 3 prepared or approved in case of flooding from climatic rain events or stability failures of the dam.

There are no site plans to provide for alternative green energy sources such as solar or photovoltaic and no charging points.

There is no alternative transport to the site, so access by car remains the only option, thus increasing congestion and pollution contrary to SMDC policies.

The proposed cycle track threatens to damage ancient woodland in Frame Wood.

The onsite archaeological heritage assets from the former listed building have not been properly dealt within the plans.

Condition 23 of the outline permission requires the details of the access plans to be approved by SMDC in writing. However, these same plans have already been refused by SMDC in a full application (ref SMD/2016/0388) at the same meeting on the following grounds

"The proposal in isolation would be likely to lead to unsafe manoeuvres on the public highway and be likely to worsen highway safety in the locality contrary to policies DC1 - Design Considerations and T1 - Development and Sustainable Transport of the Staffordshire Moorlands Core Strategy."

So there is no approved access to the site. On this crucial matter all reserved applications that depend upon it, must fail and be refused.

Staffordshire Moorland Bridleways Group.

Support the application. Advise that there are very few off road facilities available for horse riders in the Staffordshire Moorlands district and this development, by way of the bridleway routes incorporated in the plans, provides an excellent opportunity for a safe riding environment. However caveat the response by saying that if the application is passed, the bridleways as shown must be open for public use and not be designated "permissive" routes. Permissive bridleways may be withdrawn, by the landowner, at any time without notice. Any "permissive" designation would therefore negate our support.

Police Architectural Liaison Officer

First response 26/11/19

Security and crime prevention receive little mention within the application documentation, although clearly the applicant will need to give due consideration to them both as part of formulating their proposals and the ongoing operation of the site once up and running.

The site is advantageous in that it is located in a very rural setting, away from centres of population and should be very discrete, being well screened from the lane. As such, it should not attract much in the way of unwanted passing attention. The topography is such that vehicle and pedestrian access from Eaves Lane into the site should only be possible via the access road. The planning statement states that vehicles will be parked in the space next to the each lodge, which should be beneficial in terms of vehicle security. Whilst access from Eaves Lane is effectively limited to the access road only, unfortunately this is not overlooked nor is there any form of security lodge or barrier at any point on the access road to restrict vehicle access or monitor comings and goings. Certainly, the legitimate access required by the two farms who use this existing access road and the fact that it appears to serve as a public footpath too complicates the matter, but one would have thought that some form of lodge/restricted vehicle access might have been incorporated. The absence of such a facility introduces some inherent risk and vulnerability to the site. The ability of staff to monitor comings and goings and the site in general (or at least key parts of it) via the use of appropriately positioned CCTV cameras would be one way the applicant could seek to partially compensate for this and potentially detect suspicious activity, assuming of course that staff will be made available.

Popular targets for offenders in rural locations are power tools, and maintenance equipment etc. It is likely that the site will have a large number of items that might prove attractive and that will be stored in the (existing) storage and maintenance building. This building will be located away from most site activity (certainly during quieter times) and likely to be subject to minimal natural surveillance. It would be approachable by driving through the site. It is worth the applicant bearing in mind that it could also be approachable via the access track that runs down to meet the old railway track in the valley. Could offenders either on foot or with a vehicle access or egress via this route? Are measures in place to restrict vehicle access this way?

Again CCTV cameras could play there part in helping to protect the storage and maintenance building and certainly it would be advisable for the building to be alarmed 'out of hours'. Furthermore, robust physical security will need to be in place to provide a deterrent and barrier to intrusion.

The lodges will be factory constructed before being brought to the site. It would be highly desirable for them to offer a tested and proven level of burglary resistance, particularly in relation to the external doors and windows. This would offer protection of the applicant's property (for example, flat screen TVs) and potentially visitors' valuables. The installation of third party certified doorsets and windows to a recognised attack-resistant security standard is recommended. Information on these is contained within the Secured by Design Homes 2019 design guide available on line. The alternative is for the applicant to rely upon products which have no third party security certification and hence an unknown and unquantifiable attack-resistance capability. The applicant would be advised to check the attack resistant credentials of the lodges that are earmarked for the site. The inclusion of hotel-style safes secured to the fabric of the lodge should also be considered, in which visitors could store valuables such as car keys etc.

Lockers in communal changing facilities can sometimes be particular targets. The hub building lower level plan suggests that lockers may be present. Choosing lockers that perform extremely well in terms of security would be advisable.

Providing a secure environment will be important both for the applicant and the site visitors. This will clearly need to be relatively low-key, but nevertheless should not be left to chance.

Second response 3/2/22

Whilst acknowledging that certain attributes of the site and its location will naturally contribute towards reducing opportunity for unwanted criminal attention to be directed to the site, the applicant/site operator will still need to be able to oversee the management of the site in a manner which proactively fosters a secure/safe environment for visitors and deters criminal opportunity generally within the site. What security measures, operational and staffing arrangements, and management practices will be in place to accomplish this unfortunately remains something of a moot point. Alongside myriad other considerations, the Local Planning Authority should satisfy itself that appropriate consideration has been given to addressing such matters.

Staffordshire Fire and Rescue Services

The site should provide access and facilities for the fire service in accordance with Approved Document B5 of the Building Regulations Section 15 (Fire Mains and Hydrants) and Section 16 (Vehicle Access) .

9. OFFICER COMMENT AND PLANNING BALANCE

9.1 As with all applications, the LPA is required to determine this application in accordance with the Development Plan, unless there are material circumstances which indicate otherwise.

9.2 The principle of a leisure development on this site has been accepted through the grant of outline planning permission in 2016. Access was also approved at that stage. A Parameters plan was also agreed. This established broad areas for potential development and land uses, areas of woodland/landscape to be retained and building heights. It informed the Environmental Impact Assessment. The current application has been assessed against the Parameters plan and is found to be in accordance with it.

9.3 This application seeks approval of the reserved matters of Layout, Appearance, Scale and Landscaping for Phase 1 and these issues are discussed in detail below.

LAYOUT AND APPEARANCE AND LANDSCAPING

Hub Building area

9.4 The Hub building sits at the heart of the development and marks the 'arrival' at the site. It contains the reception area and leisure activities/ facilities to support the development as described above. The existing access road is re-routed such that it arcs round to the south west of the hub area effectively containing within it the hub building, the multi use games area (MUGA), children's play area, the car park arrivals area and tiered seating overlooking the MUGA. This layout is acceptable.

9.5 The hub building is a sizeable building being approx. 50 m in length with an overall depth approx. 40 m. It varies in height but at no point does the building exceed 6 m above finished floor level (FFL) in accordance with the Parameters plan. There are a number of factors which are considered to assist in reducing the visual impact of this large building as follows:-

- a) the building is positioned on the lower part of the quarry site.
- b) the building is arranged over two levels working with the slope of the land as far as possible although areas of cut and fill are proposed (see sections AA, BB, CC, DD and EE)
- c) the building itself is split into three distinct visual elements to break up the massing. These are the Upper ground floor, the Lower ground floor and the central Link. The Upper and Lower floors are staggered in plan. Curved roof forms have been used which give the appearance of single storey buildings at both levels with the link section having a flat roof with the lower level forming a concealed plant well.

d) the building uses a mix of traditional materials and muted tones for the elevations; local gritstone and timber cladding with dark grey powder coated windows, fascia's and rain water goods and a natural green sedum for the extensive curved roofs.

9.6 Overall the form, scale and appearance of the hub building is considered to be acceptable. Conditions are recommended to secure samples of the proposed materials and also a condition to control any extraction/ventilation/air con units or ducts to ensure that as far as possible they do not break the outline of the hub building.

9.7 The delivery yard is immediately to the south of the building. There is a length of gabion wall which retains an area of filled ground in the area of the delivery yard. The Section DD (1733-MP-136 Rev 1) indicates it to be made up of sloping gabion baskets, approx. 2m in height. No detail of the wall is provided including the fill material etc. It will be publicly visible and as such it is recommended that it should be planted to soften its impact and give it a more natural appearance. A condition is recommended to secure this detail and planting.

9.8 In respect of landscaping for this area this comprises a mix of formal, semi-formal and informal planting. The Trees and Woodland Officer refers to structural elements for screening including three mounds which the sections indicate to be up to 2m in height and planted with trees and grassland/wildflower underplanting

9.9 During the processing of the application and in response to Officer comment additional tree planting has been added to break up the main elevation of the hub building and individual trees have been included in the mounds to soften the visual impact of the development. This latter mound planting is also designed to bolster screening effectiveness in external views towards the hub area from the south-west and west including from the vicinity of Little Eaves Farm (see further discussion below). Additional structural scrub planting swathes have also been added around the proposed gas tank compound which is in this area.

9.10 No particular issue is raised by the other elements of the Multi Hub Activity Zone including the MUGA, the children's play area or the outdoor tiered seating which looks on to these areas. The re use of the former admin building as a housekeeping/maintenance building is in accordance with the Parameters Plan. This building is located to the south of the short stay car park. It is a single storey brick building with steel window frames and of no visual merit. The building is to have new dark grey aluminium powder coated windows, fascia's and rainwater goods and is to be over-clad with board and batten vertical timber cladding. This material palette matches that of the Hub building and helps to provide some visual link. No objection is raised.

9.11 For all these reasons the layout, scale, appearance and landscaping of the hub building area is considered to be acceptable and in accordance with Policies DC1, DC3 and SS11 subject to conditions as noted above.

Quarry 1 West

9.12 There are 73 single lodges within this area which lies to the north of the hub and lagoon/lake. Vehicular access to this area is from a spur off the main access road which leads from the hub area and heads northwards to towards Quarry 2. Internal roads were initially proposed to be tarmac. Following a request from Officers these are now more appropriately compacted stone. A network of footpaths is shown linking to the hub area and Quarry park.

9.14 The revised Sections and Table 3 Earthworks indicate the extent of cut and fill that will be required to achieve the proposed development in this part of the site.

9.13 The lodges are arranged alongside internal access roads in a rather regimental manner. Generally speaking they are spaced between 7-10m apart. Each lodge has at least one space either adjacent to it or in a parking bay nearby. Whilst the central area of Quarry 1 West is relatively flat, levels rise onto a rock shelf to the north, west and east where the sections show that cut and fill is proposed to provide level platforms on which the lodges will sit (see sections DD, EE, FF for example). Officers were concerned about the visual prominence of the most northerly row of lodges here as some sat at a much higher level than the access road and lodges in front albeit this impact would from views within the site. The Trees and Woodland Officer advises that this upper tier of lodges will still sit well below the lip of Q1 so should not be visible in external views even before new landscaping is planted. In any event this variance has been reduced in amended plans which have 'dug' some of the lodges in, albeit it has been achieved by more significant excavation – see for example Section FF. On balance however this amended Layout with the lodges dug in is considered to be an improvement and is considered to be acceptable.

9.14 Quarry 1 (Q1) west also includes an area of open space referred to as Quarry Park which incorporates natural play areas

Quarry 1 East

9.15 There are 49 lodges within this area which is also served via a spur off the main access road. The lodges are all sited to the north of a lake. The Moneystone Earthworks document/plan confirms that the largest volume of material is required to develop Q1 East and that a 1.5-2m thick capping will be placed across the whole of this part of the site. This was not correctly shown on initial Sections GG, HH, II but is now reflected in the amended plans. The amended sections show the raised levels creating a relatively flat development platform in this part of the site. In terms of the general layout, spacing and parking spaces this part of the site mirrors Quarry 1 west as described above.

A footpath is shown routed around the southern edge of the lake linking into Q1 W and the hub area to the west and to paths leading into the woodland to the south.

Overall assessment of layout, appearance, scale and landscaping for Q1 West and East

9.16 The number of lodges now proposed in Quarry 1 West and East, 122 in total, materially differs from the 80 shown within this area on the illustrative masterplan with the outline application and presents a much denser development in this part of the site. However, this was not an approved plan. The current scheme needs to be assessed against the submitted plans and documents, the approved plans and documents including the Design and Access Statement (DAS) and Condition 14 of the outline permission which also requires this application to incorporate the Mitigation Measures set out in Table 8.9 of Chapter 8, Landscape and Visual Impact of the Environmental Statement.

9.17 The DAS submitted with the current application explains the vision/thinking behind the layout and the landscape setting to lodge development in Quarry 1. It says;

'The Woodland lodges will be in a naturally secluded setting surrounded by a variety of naturalistic planting. New trees and shrub planting will establish denser areas of vegetation while grassland and wildflower mixes will offer more open areas. The planting of some smaller bare-root stock will allow for them to establish over time and adjust and grow into their environment.'

It compares the layout to that of a commercial holiday park/caravan site and says that the density achieved in Quarry 1 is approx. 8 per acre which is almost half that of a caravan site. Whilst that may be factually correct it is not considered to be a relevant comparison in this case where the applicant applied for a *'high quality leisure scheme'* and planning permission was granted on this basis.

9.18 In terms of landscape setting the scheme would retain:

- The existing mixed woodland belt between Eaves Lane and the exposed cliff face along the northern edge of Q1;
- Existing tree and shrub belt between the main site access road and the exposed cliff face along the western side of Q1;
- Existing tree and shrub belt along the eastern boundary of Q1 (with Cowtrees Farm and open fields beyond);
- Some swathes of existing developing scrub vegetation around the north and east sides of the lagoon in Q1 (west);
- Existing established trees and scrub against (below) the base of the exposed cliff face in Q1 (east).

9.19 There was concern initially that the lodges in Quarry 1 were sited in open grassed areas with little structural planting to provide any visual relief to the rather regimented layout. This appeared to be at odds with the intended landscape setting of the lodges described in the DAS (page 32) and in this respect the visual/photograph provided therein was considered somewhat misleading. During the processing of the application amended landscaping plans were provided in response to these concerns. These were considered by the Trees and Woodland Officers who advises that a substantial amount of additional planting is now proposed, in particular larger and more extensive swathes of native scrub planting which, he advises, would create a more substantial landscape structure within Q1 and better subdivide the expanse of lodges into groups/clusters. In addition, the swathes of scrub have been extended in many places to provide “fingers” of structural planting at least part-way forward between individual lodges, which would create a better sense of enclosure/privacy and go further towards establishing the desired character of lodges nestling within a woodland/scrub mosaic. In some places additional individual trees and/or small patches of scrub have also been introduced to lodge frontage areas, which will provide some landscape/greenery features within the “street scenes”.

9.20 The proposed planting along the eastern boundary adjacent to Crowtree Farm fields has also been increased by the addition of further trees within a 10 – 20m wide swathe of native scrub planting. Once established, the Trees and Woodland Officer advises that this would provide effective new structural screening, in addition to that already present.

9.21 The Trees and Woodland Officer advises that the specification for scrub planting would provide a base mix of typically multi-stemmed shrubs (Hazel, Dogwood, Geulder Rose, Buckthorn) which should comfortably achieve heights of 4 – 8m at maturity, well above lodge ridge heights and would achieve a substantial dense structure. The scrub would be planted in swathes typically 10 – 20m wide, and in places up to 25/30m wide – at planting densities of 2 – 3 per square metre which he says would provide considerable depth and substance to these swathes of shrubs. Most areas of scrub would be supplemented by a sprinkling of native trees to provide a taller mature canopy height above the native scrub. He says the range of planting sizes would be sufficient to give some instant visual presence and begin to create a partly wooded character within the site, connecting with the retained mature woodlands around the site boundaries.

9.22 It is of course inevitable that during and post development initially at least, the site will appear rather stark, ‘raw’ and be relatively open with new access roads, lodges and parked vehicles visually dominating views within the site, although due to the excavated quarry location and retained peripheral woodland belts the Trees and Woodland Officer advises that such visual impact would be relatively contained within the site. He goes on to comment that whether and how quickly the site subsequently comes to achieve the “*high quality leisure development*” character stated in the development description may be highly dependent on the finishing materials for lodges and access roads, the rate of progress with new planting and its establishment success. He says “high quality” need not and indeed

should not for this site be synonymous with “formal” or intensively maintained, and the images promoted and accepted at outline application stage conveyed a sense of the development intricately assimilated into and by nature. To this end the landscaping proposals for Q1 would provide a range of planting character (“typologies”) to complement the retained peripheral woodland belts and existing areas of self-set scrub. These include:

- Heathland edge planting
- Aquatic/marginal planting
- Native hedgerow
- Wildflower grassland
- Native scrub vegetation

9.23 It is considered that the layout and landscaping is improved in the amended plans. The swathes of landscaping will help to break up the large area of lodges into groups. The Trees and Woodland Officer says this structure would not be immediate, but should become increasingly effective within the first 5 – 10 years after planting, given successful establishment and suitable post-planting after-care. He advises that once well established, this structure would start to create the more naturalistic and secluded woodland character conveyed in the application’s D & A Statement but as he says given the close spacing between lodges it is unlikely in most cases that each lodge would have its own individual secluded woodland setting, and this description would be more relevant to the clusters or groups of lodges.

9.24 Elsewhere in the report the design of the lodges is considered and found to be acceptable, being single storey of simple form and finished in timber cladding with matt tiles effect dark roof and muted tones for windows and doors (see plans and visuals in the DAS)

9.25 For all of these reasons the layout, scale, appearance and landscaping of Q1 west and east is now considered to be acceptable and in accordance with Policies DC1, DC3 and SS11 subject to conditions as noted above.

Quarry 3

9.26 There are 68 lodges in Quarry 3 including two groups of lodges within the woodland area to the south. The approved Parameters plan allows for some development here. The water sport building does not form part of this reserved matters application but will come forward in a subsequent reserved matters application. Space has been left for it on the submitted plans.

9.27 Amended plans received in January 2022 show the water level in Quarry 3 at 156m (previously shown at 154m) as agreed with Natural England and a consequential re positioning of the lodges approx. 2m further up the slope as described below.

9.28 The submitted Sections for Quarry 3 (there are 12 in total) and Table 3 Earthworks show that significant excavation, cut and fill will be required to achieve the proposed development in this part of the site. It is here that shelves will be cut into the steep quarry sides to provide the necessary development platforms

9.29 The majority of the lodges are arranged around the lake edge in a single row but there are two areas to the west and north east where there would be a double row of lodges. A single circular road runs around Q3 with connecting bridge in the south east corner to serve the lodges. The upper row of the lodges in the north west and lodges in the east are served by separate spur roads. The main ‘loop’ road is intended to be one way. No details are shown on the plans as to how that will be managed (signage for example). A condition to secure this is recommended.

9.30 The waters edge lodges would sit just above the new water level with finished floor levels (FFL) of 157.15 m. The sections and plans show the main circular road 3750mm in width with 1m rock trap alongside and 3m parking space. The same principle applies to the upper row of lodges in the north east. These have a FFL of 168.15. (see for example 118 Rev A Section DD) At the western end of Q3 the upper lodges have steps/paths leading up from the road to access them. The FFL of these lodges is 159.60m. No detail of the steps has been included. This was put to the applicant who responded that the details are yet to be confirmed but it is intended that they will be timber edged stone paths with natural stone finished steps and the surround topography built up to suit with timber handrails as required. This detail can reasonably be conditioned

9.31 Some of the lodges are shown to sit on stilted supports cantilevered to varying degrees over the water or rock face in the case of the upper rows as the sections show, see Section DD for example, drawing 1733 MP 118A. The sections show for the water's edge lodges gabion retaining baskets at or just below the water line when at 156m where it is proposed to extend out to form development platforms. Of course if the water level drops then the baskets and other structures would become more exposed. This was put to the applicant who responded that *'...landscaping will be installed to maintain the natural appearance'*. This detail is not shown on the submitted landscaping plans and as the final detail for the foundations for these lodges is yet to be agreed it is recommended that a condition is imposed to agree the materials and finish (to include additional landscaping where necessary) for those exposed or potentially exposed parts of the foundations such as silted supports and gabion baskets.

9.32 Within the woodland area to the south two groups of lodges are proposed, one of six and one of 11. The group of 11 have finished floor levels of 168 – 169m. To give some context to this, the upper lodges on the opposite site of the lake in the north east have FFL of 168.15m. The most westerly lodge is on higher ground with a FFL of 172.90m. Significant excavation is proposed to achieve these groups and the access to them - see for example Section AA, drawing 115 Rev B Section CC drawing 117 Rev B and Section MM 141 Rev 2

9.33 The DAS explains the rationale for the siting of the lodges in Quarry 3. It says that this part of the site has a low density with a maximum of 6 lodges per acre but more generally 3 - 4 per acre. It refers to significant pockets of landscaping being introduced between lodges providing tree and shrub planting which it says will soften the lake shore and make it more naturalistic. It refers to the provision of seeded coir rolls on the banks of the lake to help to establish aquatic planting on the water's edge.

9.34 At the outline stage the vision for development in this part of the site was described in the DAS as *'pockets of lodge accommodation nestled into the quarry banks'*. For the woodland lodges it referred to *'....gaps between the units that will retain significant areas of planting'*.

9.35 The Churnet Valley Masterplan identified Quarry 3 as an area for limited sensitive development. The Parameters plan approved at the outline stage indicated broad areas for lodges within Quarry 3, including within the woodland to the south. Detailed siting of lodges and roads however was not provided or assessed at the outline stage; it is however a consideration for this application.

9.36 Whether or not the proposal can be regarded as limited sensitive development is a matter of planning judgement. There was concern initially that the layout of the lodges in Q3 was too dense for this more sensitive part of the quarry, with the lodges forming almost continuous development around the entire Q3 with little room for meaningful landscaping to create the DAS vision of pockets of lodges nestled into the landscape.

9.37 As part of the Supplementary submission January 2022 it was suggested by the applicant that three lodges had been removed from the north edge of Q3 to create larger spaces for vegetation to address Officer concerns. It was later clarified that no units had in fact been removed.

9.38 The Trees and Woodland Officer has considered the application and amended plans carefully. He says that the previously intermittent swathes of native scrub and tree planting along the northern edge of the quarry, adjacent to Eaves Lane, have now been amended to form a continuous swathe along this north and west of Q3. He says once established, this would enhance the screening provided by existing vegetation. In addition to this an additional substantial swathe of native scrub is proposed along the lower quarry slopes of the western and northern side of Q3 which he says would enhance the wooded character within the site itself. Areas of scrub planting behind and extending between the waterside lodges have also been added and again he says following establishment, these would assist in breaking up the visual effect of continuous lodge development around Q3. He further says that the coir rolls shown on the planting plans around the lake side will be anchored to the side/bank of the quarry at the waterline, and once installed and fully saturated they will hold position. The Planting Schedule specifies that the coir rolls are to be supplied pre-established with mature wetland plants. These will be specifically suited to the water's edge location. The Trees and Woodland Officer raises no objection to Quarry 3 proposals in terms of landscape and visual impact.

9.39 Finally on Q3 the application proposes a vehicular and pedestrian bridge in the south west corner of the site. This did not form part of the proposal at the outline stage. The DAS provides the justification for the bridge as follows:-

'A ring road has been incorporated around the perimeter of Quarry 3 (Q3) to simplify guest access, provide emergency access and create a circular pedestrian route. Due to the ground profiles, this has necessitated the inclusion of a bridge across the corner of the lake within Q3'.

In later correspondence it is stated that there are no areas where a turning head can be positioned and that without the loop there is potential for traffic issues to occur which will present issues for the emergency services should they be required.

9.40 Drawing 1733 MS 815 shows the bridge span to be approx. 49m with a carriageway width of 3.14m and separate pedestrian path running immediately adjacent. The frame is shown clad in horizontal clad timber (which has the effect of elongating its span) and it is said that it will be sit just above the water level.

9.41 The bridge is considered to be an unfortunate addition to the layout. Although efforts have been made by the applicant to ensure that as far as possible it has a natural appearance, owing to its very size, span and purpose (to carry traffic) in itself it will be a substantial engineered structure as the plans show. Clarification as to how it would be anchored into position has been sought but no detailed information is available. Members will note that details of 'infrastructure' which would include the bridge form part of the conditions relating to land stability as recommended by the Council's consultants (see discussion elsewhere)

9.42 On balance and whilst having some reservation about the visual impact of the bridge in this more sensitive part of the quarry, given that it is sited in the far south eastern corner of Q3 it is not considered that it would dominate views or be so imposing as to be unacceptable. A condition is suggested however to secure full details of it including materials.

9.43 For all of the above reasons and on balance the layout, scale, appearance and landscaping of Q3 is now considered to be acceptable and in accordance with Policies DC1, DC3 and SS11 subject to conditions as noted above

Lodge design

9.44 The applicant states that all of the proposed lodges will fall under the Caravan Sites Act 1968 and will be factory built and transported to site by road on a low loader.

9.45 To fall within the definition of a 'caravan' under the Act there are a number of criteria to be satisfied and this includes not only the size of the structure but a number of construction and mobility tests.

9.46 Notwithstanding however that the lodges may or may not fall within the definition of a caravan, this does not prevent the Council from seeking and securing good quality materials and designs for the proposed lodges in order to secure the 'high quality' development which the applicant applied for and in line with the requirements of Condition 14. Table 8.9 of the ES referred to in Condition 14 sets out the mitigation measures to be adopted to reduce and/or avoid landscape and visual harm. It confirms that in respect of the lodges, these will be built to a high standard in order to achieve a quality development overall. It also refers to the use of timber, timber cladding, glazing and green roofs on the lodges where appropriate. The protection of the character and appearance of the Churnet Valley is in line with Local plan policies. In this respect all reference to 'Indicative' and 'composite' timber on the plans has been removed at Officers request and conditions are recommended to secure the elevational detail and samples of the timber cladding and other facing materials. This would also apply to any subsequent replacement unit erected. It is worth pointing out that it was never suggested that the 250 lodges on this site would be of individual bespoke designs. The Design and Access statement at the outline stage indicated simple timber clad lodge type structures, similar to that now proposed.

9.47 The plans show four lodge types described as follows:-

Single lodge (12.8m X 4.3m) with rear/end decking
Single lodge (12.8m X 4.3m) with side decking
Double lodge (12.8m X 6 m) with rear/end decking;
Double lodge (12.8m X 6 m) with side decking.

The type of lodge proposed for each plot is shown on the Site and area Masterplans

9.48 The Elevation plans show what each of these lodge types will look like. They are typical 'lodge' structures with either pitch or mono pitch roofs of just under 4m in height (excluding concrete base). The materials are given to be timber cladding for the walls, double glazed windows, composite roof tiles and composite decking. Reference on the plans to a composite timber has been removed at Officer's request; this would not be acceptable.

9.49 The Design and Access statement describes the proposed materials in more detail at Section 9.2 External walls it says are to be timber clad with dark grey aluminium powder coated windows. It says roofs will be a matt granular -finished pressed metal material which has the appearance of roof tiles. Decking areas and the lodge skirts it says would be dark grey panelling. Some of the decked areas it says would be enclosed with glass balustrades although the submitted plans do not reference any glazing. There is no objection to these materials. Use of timber for the main elevations, dark matt tile effect roofs and muted tones for the windows and skirting is in line with the EIA and will help to assimilate the lodges into their wooded and natural landscaped setting. Any glass would need to be carefully chosen to be non-reflective. A condition requiring samples to be approved for all proposed materials to

be used is recommended as noted above and with this in place the lodge designs are acceptable and there is no conflict with relevant parts of Policy DC1 and SS11

9.50 At the time of the outline permission the applicant entered into a legal agreement with the Council which amongst other matters restricts occupation of the lodges for a period of not more than 6 consecutive weeks at any one time and only in association with the main use of the site as a leisure venue and not as a person's sole or main place of residence. The legal agreement further precludes the occupation of any lodge as a main place of residence in any letting arrangement including a tenancy, lease or sale. The applicant is also required to maintain an up to date register of the name and address of the main place of residence of all owners and occupiers of the lodges and to make this available upon reasonable request to the Council. These checks and balances were secured in order to ensure that the lodge accommodation is used for holiday accommodation only and not for permanent residential use which would not be acceptable in this location.

9.51 The application states that approximately 60% of the lodges will be Hire Fleet and 40% Sales, albeit that it says the final mix will be dictated by market requirements (DAS Section 8). All lodges however, whether sold or rented are subject to the occupancy restrictions outlined above.

Play/activity areas

9.52 Various categories of play areas throughout the site – typical layouts/equipment are provided with the application which appear to be appropriate using natural timber equipment on a sand or bark mulch surface which is appropriate for this environment.

Protection of trees including consideration of Ancient Woodland

9.53 An Arboricultural Impact Assessment (Urban Green October 2019) has been submitted, in accordance with the requirements of Condition 41 of the outline permission. The Trees and Woodland Officer has considered this and confirms that it is acceptable. He says that this and the accompanying Arboricultural Statement, Condition 9 also by Urban Green October 2019, has been used to inform siting, specification and construction methods for elements of the scheme located within "Area of Retained Landscape" in accordance with Condition 9 of the outline consent, and most notably in relation to the proposed woodland paths in the southern woodland heading down into the Churnet Valley. In turn, the AIA proposals also form the basis for compliance with the temporary tree protection measures required under Condition 42. There is no objection to these documents or the recommendations

9.54 Natural England, The Woodland Trust and the Forestry Commission have previously raised concerns and/or objections in relation to potential impact on areas of Ancient Woodland adjacent to and within the application site boundary. Ancient Woodland is regarded as an irreplaceable habitat, and there are national and local policies and guidance in place which aim to ensure that there is no loss of or adverse impact on Ancient Woodland. Standing Advice from Natural England (a material consideration in determining planning applications), supported by The Woodland Trust, advises that a minimum 15m buffer should be maintained adjacent to Ancient Woodland, with all new development and inappropriate changes in land use/land management excluded from such buffers, and with the buffer itself ideally also being managed as semi-natural habitat. Previously, the LPG tanks/compound was shown close to Key Wood, an Ancient Woodland site (partly semi-natural, and partly re-planted) adjacent to the south-west boundary of Q1. However, the LPG tanks have now been re-sited to a location approximately 75m from the Ancient Woodland boundary. The remaining closest elements of the proposed new operational development also comfortably exceed the 15m minimum buffer width – adventure playground c.38m, new landscape mounding c.28m, position of future archery centre also c.28m. In response to the revised plans The Woodland Trust and Natural England raise no objection to the application.

9.55 Proposals are included for new paths meandering through the steep wooded hillside down into the Churnet Valley from the southern area of Q1. This woodland includes a section of Frame Wood which is re-planted Ancient Woodland. The Trees and Woodland Officers says that whilst the precise routes of the paths will inevitably need to be fine-tuned and aligned to suit location-specific ground conditions and avoid notable trees as they are constructed, the “Southern Woodland Pathways” Drg. No. 1088.4-PLA-00-XX-DR-L-0006 Rev P02 shows, and its annotation confirms, that the paths would avoid encroachment into the Ancient Woodland. More generally, the construction details for these paths, and associated timber boardwalks over watercourses, would be of low key minimal impact construction typical of paths and footbridges provided in sensitive sites such as country parks, designated nature reserves, SSSIs etc and are considered appropriate and acceptable for this woodland location. A condition is recommended to ensure the these paths are only constructed in accordance with the submitted drawing of the Southern Woodland Pathways” Drg. No. 1088.4-PLA-00-XX-DR-L-0006 Rev P02 and the Arboricultural Statement, Condition 9 by Urban Green October 2019.

9.56 Both The Woodland Trust and Natural England confirm that their initial concerns in respect of Ancient Woodland have been taken into account/ addressed in the revised plans. The Trees and Woodland Officer also confirms that there would be no loss of and no direct harmful impact on Ancient Woodland arising from the application proposals. Subject therefore to a condition as recommended above, compliance with relevant parts of Policy NE2 and the NPPF is achieved.

Overall Structural Landscape Strategy

9.57 A Structural Landscape Strategy by Planit-IE dated October 2019 is submitted with the application, in accordance with the requirements of Condition 44 of the outline planning permission. The Strategy describes existing site landscape conditions, and sets these and the proposed development against the context of the Quarry Restoration Plan originally approved by Staffordshire County Council in relation to mineral extraction. The landscape proposals for the site associated with the proposed leisure development are indicated, and the Strategy goes on to set out broad landscape management and development objectives over the first 20 years of the leisure site. These are considered across the whole site, and cross-referenced to ecological considerations and various regulatory controls where relevant. The Strategy sets out objectives for each of the main existing and/or proposed landscape/habitat character types, comprising: woodland; structural site planting; boundary features; semi-natural grassland; scrubland; aquatic vegetation; heathland; and mosaic landscape. More detailed maintenance and management operations are shown against a timetabled 20 year management period, whilst retaining flexibility to respond to site and habitat conditions. Monitoring and review is built in to the process.

9.58 The Trees and Woodland Officer has considered this document. He advises that it is appropriate and acceptable to guide the future management of the site, in association with the Construction Ecological Management Plan and the Habitat Management Plan, which are both conditioned under the outline planning permission. The submitted Structural Landscape Strategy (Planit-IE dated October 2019) can be approved via condition on this application. Implementation is already secured via Condition 44 of the outline.

Footpaths, bridleways and cycleways

9.59 The proposed routes/connections across the site are shown on the Footpath, Cycleway and Bridleway Plan (Drawing ref: 1088.4-PLA-00-XX-DR-L-0005 P01) and the surface treatment shown on the Site Wide Hardworks plan (1088.4-PLA-00-XX-DR-L-1001 Rev P05)

9.60 A new Bridleway is shown. It enters the site from the north and skirts around the northern boundary of Quarry 3 following the route of the existing public footpath but widened

to 3m. When it reaches the Hub area it runs alongside the main access road through the site and then leads into the woodland area to the south following in part an existing track. It is shown to be surfaced in compacted stone. There is reference to a footpath and cycle route being incorporated within the Bridleway.

9.61 Whilst the proposed route of the bridleway is acceptable, more detail is needed particularly where the sections indicate some excavation is required and where the bridleway runs directly alongside the access road and will need some careful definition/edging treatment. This can be picked up as part of the formal discharge of Condition 12 of the outline. This condition requires the bridleway to be available and open for the public prior to occupation of Phase 1. The plan shows an intention to link it to a proposed bridleway to the south east of the site at some time in the future. This section is outside the application site but within the applicant's ownership.

9.62 Within the southern woodland a number of footpaths are proposed which link through to Q1 East and the hub to the north and the disused railway to the south. (see Drawing L1088.4-PLA-00-xx-DR-L-0006 for detail). These paths are shown finished in compacted stone. The impact of these on the woodland is considered elsewhere. Footpaths are also proposed within the Q1 West and East area, again finished in compacted stone with one path shown to be in porous recycled rubber. Whilst the general layout of the footpaths is acceptable, full details will be picked up as part of the formal discharge of Condition 16 of the outline permission which requires full details of the pedestrian and cycle routes through the site to be approved and available prior to first use.

Air Quality

9.63 Air quality was considered in the 2016 ES. The development was assessed as having negligible impact on air quality. However in July 2019 an Air Quality Management Area (AQMA) was designated at the Cellarhead Junction which is located approximately 8km west of the site

9.64 This represents a material change in circumstance since the outline approval SMD/2016/0378 was granted in October 2016. As a result, the applicant commissioned BWB to undertake an Air Quality Assessment at the Cellarhead Junction to determine the likely impact from traffic from the proposed development on local air quality at identified receptor locations within the AQMA at this junction. The full technical assessment is provided as part of the Conformity Report at Appendix IX. The conclusion of the Assessment is that the development is not predicted to result in any new exceedances of the relevant air quality objectives and the impact of the development on local air quality is predicted to be negligible.

9.65 The Environmental Health Officer has considered the submitted Air Quality Assessment (AQA). He confirms that the submitted report involved consultation/liaison with the Environmental Health department. He further confirms that the conclusion of the AQA is accepted i.e. that the development is not predicted to result in any new exceedances of the relevant air quality objectives and that the impact of the development on local air quality is predicted to be negligible (in accordance with Institute of Air Quality Management and Environmental criteria). In this respect the 2016 ES remains valid.

Stability

9.66 The applicant's Supplementary submission of January 2022 was accompanied by a Slope Stability Statement (April 2021), Overview Site Investigation Report (October 2018) and Slope Stability Analysis Section drawing (reference Section 2H-2.sli) prepared by Abbeydale BEC.

9.67 Wardell Armstrong acting on behalf of the Council independently reviewed the application and documents in a Peer Review (Stability) report dated June 2022. Their

conclusion was that although currently the quarry is in good condition, the application documents had not demonstrated that stability had been sufficiently assessed for the proposed development.

9.68 The applicant responded in April 2023 by way of a letter from Abbeydale BEC dated 25th April, a Schedule of Mitigation, a Schedule of Mitigation flowchart, slope stability analysis dated March 2011 and October 2017 and Slide2 Assessment; July 2022 Analyses notes which reference the water level at 156m

9.69 Wardell Armstrong Peer reviewed this additional information in a letter to the Council dated 2nd June 2023. The conclusion they reach is that provided the development is designed and maintained in accordance with the submitted Schedule of Mitigation (4992-1/Schedule) and the associated Flow Chart (4492-2/Flow chart), the development can be designed to be safe and stable. They recommend a series of conditions to secure the approach detailed in these documents during the design, construction and in service stages of the development. The stages include:

- A) Post contouring of the site in accordance with the Table 3a Earthworks Sequence to submit an Earthworks Validation report
- B) On completion of the design stage of the slope stability mitigation in accordance with the Schedule of Mitigation (4992-1/Schedule) and the associated Flow Chart (4492-2/Flow chart) to submit a Slope Stabilisation Design Report
- C) Following implementation in full of the slope stabilisation mitigation in accordance with the Slope Stabilisation Design Report to submit a As Built Validation Report
- D) Prior to the development coming into use, a development wide Monitoring and Maintenance Plan to be submitted

9.70 Put simply these stages represent a series of checks and balances to ensure that the ground conditions and land stability risks have been appropriately considered at all stages of the project (i.e. after re contouring of the site, after design of the slope mitigation, after completion of the slope mitigation) and in line with the submitted Schedule of Mitigation and Flow Chart (referenced 4492-1/Schedule and 4492-2/Flow Chart respectively).

9.71 Wardell Armstrong recommend that these conditions are applied to the whole site and not just quarry 3. With these in place their advice is that the development can be designed to be safe and stable.

9.72 Para 183 of the NPPF says that planning decisions should ensure that a site is suitable for its proposed use taking account of any risk arising from land instability and contamination. It further says at para 184 that where a site is affected by contamination or land stability issues, responsibility for securing a safe environment rests with the developer and/or landowner.

9.73 Matters relating to contamination were considered at the outline stage. Both the Councils Environmental Health Officer and the Environment Agency provided advice at that time and recommended conditions which were attached to the outline permission.

9.74 In conclusion and for the reasons above and subject to the imposition of conditions as discussed above, the site is considered to be suitable for its proposed use. The advice of the Council's consultants is that the development can be designed to be safe and stable in accordance with the NPPF.

9.75 Many of the letters of representation relate to the matter of whether or not Quarry 3 is a Reservoir. At the time of writing this report it is not registered as a Reservoir. Regardless however of whether or not it is a reservoir, this is not a material consideration in the assessment of this reserved matters application. If Quarry 3 were to be registered as a

Reservoir under the Reservoir Act 1975, then the enforcing authority for ensuring public safety would be the Environment Agency. In correspondence in August this year the EA stated in relation to Quarry 3 that they were satisfied that the water is held in a quarry excavation and an uncontrolled release of this water in such a way as to cause dangerous flooding is hard to envisage.

Drainage/Flood risk

9.76 Drainage and flood risk is a matter of principle that was considered at the outline stage. No issues were raised by the statutory consultees subject to conditions

9.77 Condition 27 requires that the first reserved matters application is accompanied by a statement of the general principles for the disposal of foul and surface water from the whole development site. This has been provided in the Foul and Surface Water Drainage Strategy by JPG Group dated 24th September 2019. It confirms that all foul water will be drained by private gravity fed system around the site into onsite packaged treatment plants, one for each of the two phases, which it says will be designed by a specialist to meet current EA requirements. Where gravity connections are not possible pumping stations will be installed. For surface water it says this will be a mixture of infiltration to ground and/or attenuation to greenfield run off and discharge into the water bodies. It says that where possible SuDs drainage systems and infiltration will be used to deal with the surface water run off to try and achieve a less engineered more natural drainage system. It refers to run-off from proposed access roads will discharge onto adjacent landscaping via a filter trench running along the side of the road.

9.79 The plans do not show any of the actual drainage infrastructure – pumping stations, package treatment plants or the filter trenches. This would be provided as part of the formal discharge of Condition 27.

9.80 The Local Lead Flood Authority raise no objection to the application. They acknowledge the submitted Strategy and refer to the Conditions 27 and 28 imposed on the outline application which will need to be discharged prior to commencement of development.

9.81 In their consultation responses Natural England refer to the Sewage Pumping Station No.1 detailed in the Foul and Surface Water Drainage Strategy which they say is situated close to the top of Stream A. They express concern that if there is an (emergency) overflow associated with it, there is a risk that raw sewage will flow into the SSSI. To mitigate this they request a condition to secure a foul drainage monitoring and management plan. It is not appropriate as part of this reserved matters application to impose such a condition. This matter can be picked up as part of the formal discharge of Condition 27 which requires drainage plans for the disposal of surface water and foul sewage to be submitted and agreed before commencement of any phase of development agreed under Condition 5.

9.82 In addition to the above, the Environment Agency note that foul drainage proposals will be directed to a package treatment plant. They advise that under the Environmental Permitting (England and Wales) Regulations 2016, the discharge of polluting substances (including sewage effluent) into surface waters or the ground requires the authorisation of the Environment Agency. This authorisation may be either an Environmental Permit to control the discharge or a registered exemption. Members should note that the authorisation is irrespective of any planning permission granted and may be withheld. In other words it is a separate process that the applicant will also need to undertake. An Informative is recommended to remind the applicant of his responsibility in this respect

Heritage

9.83 Little Eaves Farm, a Grade II Listed farm house and barn lie to the south west of the site on higher land. The impact of the development on this designated heritage asset is a material planning consideration.

9.84 The Committee report at the outline stage assessed the potential impact of the development on Little Eaves Farm and considered mitigation. The Conservation officer was heavily involved in the assessment. The conclusion reached and accepted by Members was that the limited harm identified amounted to '*less than substantial harm*' in terms of para 202 of the NPPF (previously para 133). As required by para 202 this harm was then weighed against the public benefits of the proposal, which in this particular case were found to be outweighing.

9.85 In the current application Heritage is dealt with in Chapter 10 of the Statement of Conformity Report. It states that the effect on the setting of Little Eaves Farmhouse has been re-assessed and that as the proposals are within the parameters previously assessed it is not considered that there are any new effects arising from the Reserved matters application. It comments '*Overall, it is considered that the June 2016 ES remains valid and is adequate to assess the archaeological and heritage effects of the development*'

9.86 The Conservation Officer was particularly concerned about the gap in existing planting on the southern boundary of the application site where some power lines cross the site and through which views would be available from Little Eaves farm to the hub building.

9.87 The submitted Site Wide Landscape Masterplan and Hub Area landscape plan provides the detailed landscaping scheme for the site including the hub area and shows how it is proposed to mitigate any impact on views towards the site from Little Eaves farm. It has been amended during the course of the application in response to Officer comments. It shows three areas of planted mounds between the hub building and the southern boundary together with the swathe of scrub planting and trees introduced along the southern boundary. Drawing 1733 HB 016 Rev 1 provides sections through each of the mounds which range from approx 1.3m to just over 2m in height (without planting). In addition the Conservation Officer requested that the two photomontages at Appendix V11 of the ES Conformity report be updated to reflect these latest landscaping proposals. The two viewpoints look into the application site from the direction of Little Eaves farm.

9.88 The Conservation Officer provided an initial response to the application in which she requested further information to explain how the form and massing of buildings, choice of materials and landscaping and other matters have been designed to enable the applicant to draw the conclusion in the Statement of conformity report that this reserved matters application does not introduce any new impacts on the setting of Little Eaves farm. She also requested clarification on the roofing material for the lodges and glazing.

9.89 The applicant responded by e-mail dated 19th November 2020 which the Conservation Officer reviewed. She confirmed that the response satisfactorily addressed the points she had raised. She confirmed that the overall form and massing of buildings, design, and choice of a muted palette of materials, including the proposed roofing material was acceptable. She commented that the updated photomontages were very helpful in visualising the impact of the hub building on the setting of Little Eaves Farmstead and that they demonstrate that the impact of the building can be adequately mitigated.

9.90 It is for these reasons and with conditions to secure implementation of the landscaping detail and samples of the materials for the hub building and lodges that it is concluded that the impact on Little Eaves Farm can be made acceptable and there is compliance with Policy DC2 and the NPPF

Biodiversity

9.91 The impact of the proposed development on biodiversity was considered at the time of the outline application. It formed part of the 2016 ES. The conclusion of the ES, which was accepted by the Council, was that with mitigation the residual impact on biodiversity ranged from negligible to moderate beneficial. The baseline conditions, impacts and mitigation took into account the Approved Restoration proposals for the site. A net gain in biodiversity was achieved and conditions were imposed to secure a Construction and Ecological Management Plan and a Habitat Management Plan. The relevant conditions are Conditions 18 and 19.

9.92 The EIA Conformity Report submitted with this application considers ecology at Chapter 9. It refers to the surveys carried out over the last 10 years on the site (see Table 9.1 of the Conformity Report) and concludes that there are no significant changes in terms of potential impacts to ecological receptors that have not already been fully considered at the outline planning stage and that the June 2016 ES remains valid.

9.93 It was recognised and accepted at the outline stage that the proposed development would impact upon habitats that have formed within the former quarry areas which predominantly comprise developing grassland, ephemeral habitats, scrub and areas of planting (trees, hydra seeding). In addition, it was also accepted that the development would fragment the Approved Restoration Plan and introduce disturbance to the site which would also negatively affect the function of the proposed Approved Restoration Habitats.

9.94 Mitigation and compensation agreed for these impacts was proposed largely off site on land owned by the applicant to the west and included enhancement/restoration of lowland grassland, woodland management, 1080m new hedgerow planting and 1.35 ha habitat mosaic and pond enhancement. It is shown on Figure 9.2 of the ES and secured in Condition 19. In addition to the off site mitigation/compensation, there will of course be some habitat creation within the development areas themselves as discussed elsewhere.

9.95 Staffordshire Wildlife Trust has advised the Council on this application. They submitted 2 holding objections during the course of the application. The applicant has addressed issues raised by SWT and:-

- a) amended the Landscaping plans to accommodate their requests (for example omitted beech trees, introduced buffer planting to protected woodland edges, confirmed re use of existing substrates from within the quarry)
- b) clarified the BNG and how it will be delivered (which will be secured in the Habitat Management Plan, Condition 19)
- c) clarified phasing of the enhancements (which will be secured in the Habitat Management Plan)
- d) clarified the content of the Construction and Ecological Management Plan and Habitat Management Plan – both requirements of Conditions 18 and 19

9.96 The final response from Staffordshire Wildlife Trust is repeated in full in the consultation section above. They are now satisfied with the proposals and raise no objection. No further conditions are required as Conditions 18 and 19 on the outline consent already require the submission and agreement of the LPA to a Construction and Ecological Management Plan and a Habitat Management Plan, both prior to commencement of development which will achieve the required BNG. For all of these reasons no conflict with relevant parts of Policy NE1 or the NPPF is found.

Other issues

Security and safety – designing out crime

9.97 Staffordshire Police are critical of the fact that there is little mention of security and crime prevention within the application documentation. They acknowledge that certain attributes of the site (topography) and its location (rural and remote) will naturally contribute towards reducing opportunity for unwanted criminal attention and that provision for vehicles to park next to the each lodge should also be beneficial in terms of vehicle security.

9.98 However they raise concern about potential unwarranted access from Eaves Lane and from the south through the woodland, neither of which are overlooked. They also refer to popular targets for offenders in rural locations being power tools, and maintenance equipment etc. They say that as it is likely that the site will have a large number of such items and that buildings housing them should be monitored/overlooked where possible. The Police suggest that a mix of barriers and CCTV maybe one way of mitigating criminal activity

9.99 The applicant has responded as follows:-

Security of guests and their property is an absolute priority to Laver Leisure and a comprehensive set of measures will be in place to ensure this priority is achieved. We also accept that this has to be balanced with the desire to make the park accessible to local residents enjoying the facilities as well as encouraging our guests to explore further afield on foot and bike. We will liaise and work closely with local police and follow their advice at the point in time that the park is brought into operation. We propose to install a comprehensive CCTV system located at all key risk points. This will be monitored during the day via the main office on the park and outside office hours by park security who will be available 24/7. The main access drive will be barrier controlled with fob access to residents, the issue of fobs being tightly controlled. Staff will also be highly visible on the park and a system established where all visitors are encouraged to report anything that looks suspicious on a dedicated support line so that such instances can be immediately investigated

9.100 The Sitewide Masterplan does refer to provision of an access barrier close on the main route on from Eaves Lane. It is recommended that full details of this should be secured by condition as part of a requirement to provide a Scheme of measures to prevent crime and provide a safe environment in line with Policy DC1 and the NPPF

Boundaries:

9.100 A Boundaries plan is submitted. It shows the existing stone wall on the site frontage and alongside the access road retained. Post and wire fencing is shown at the bottom of the rock face in Quarry 1 (west and east) and in Quarry 3 between the upper and lower lodges in the north west. New native hedging as per the planting plans is shown along the southern boundary of Quarry 3. The proposed detail is acceptable.

Parking:

9.101 The level of car parking being provided is set out above. Condition 6 of the outline set the parameters for parking levels and the provision is within these upper limits. All lodges are provided with a parking space alongside or close by. The Local Highway Authority has considered the application and raises no objection.

Refuse

9.102 The indicative Refuse plan shows a series of general litter bins across the site and a series of bin stores which it is said would each house 3 x 1280L trade bins in a close boarded timber panelled enclosure. The main waste collection point is shown in the delivery area to the south of the hub although no details are provided.

9.103 The Council's Recycling Promoter confirms that there are no issues with the planning application and that once completed a site visit would be undertaken to determine the number of bins required.

9.104 Subject to a condition to secure the detail of the litter bins, bin store and the collection area in general accordance with the indicative plan and installation prior to first occupation, no issues are raised.

Signage and street furniture

9.105 An indicative drawing of the proposed location and detail of signage and street furniture (benches etc) is provided. No issues are raised. A condition is needed to secure the detail of the signage and furniture in general accordance with this indicative plan and for its installation prior to first use

Importation of fill

9.106 A significant amount of cut and fill will be involved during recontouring of the site in accordance with the Moneystone Earthworks Proposed Phase 1 (Table 3a Earthworks Sequence). The applicant confirms that this has been balanced and so neutral, requiring no import or export of materials. During the construction phase of course materials, including all building material, will be required to be imported to site.

Planning Balance and conclusion

9.107 The principle of a leisure development on this site was established by the grant of outline planning permission in October 2016 under SMD/2016/0378. Access was also approved at that time. This application comprises the reserved matters of layout, scale, appearance and landscaping for Phase 1 of the development.

9.108 For the reasons set out above and following various revisions to the plans the details are now considered to be acceptable and in accordance with relevant parts of Policies SS11, DC1, DC2, DC3, NE1 and NE2. There is compliance with the Development Plan. There are no material considerations which indicate that the decision should be made other than in accordance with the Development Plan.

9.109 A recommendation of approval is accordingly made

10. RECOMMENDATION

That the application be approved subject to the following conditions:-

1. The development hereby permitted shall be carried out in strictly accordance with the following approved plans, documents, method statements :

Structural Landscape Strategy, Planet-IE dated October 2019

Foul and Surface Water Drainage Strategy, JPG, 24th September 2019

Site Location Plan 1733/MS-020 Rev 1

Existing plans

Existing Site Plan	1733/MS-002
Existing Q3 Area Plan	1733/MS-003
Existing Q1W Area Plan	1733/MS-004
Existing Q1E Area Plan	1733/MS-005
Existing Hub Area Plan	1733/MS-006

Masterplan for whole site and each character area

Site Masterplan	1733/MS-019 Rev T
Site Masterplan – Hub Building Area	1733/MS-010 Rev K
Quarry 3 Masterplan	1733/MS-022 Rev U

Quarry 1 West Masterplan	1733/MS-023 Rev J
Quarry 1 East Masterplan	1733/MS-024 Rev F

Site sections Quarry 3

GA Site Sections-Q3-AA	1733/MP-115 Rev B
GA Site Sections-Q3-BB	1733/MP-116 Rev B
GA Site Sections-Q3-CC	1733/MP-117 Rev C
GA Site Sections-Q3-DD	1733/MP-118 Rev C
GA Site Sections-Q3-EE	1733/MP-119 Rev C
GA Site Sections-Q3-FF	1733/MP-120 Rev B
GA Site Sections-Q3-GG	1733-MP-121 Rev C
GA Site Sections-Q3-HH	1733/MP-122 Rev B
GA Site Sections-Q3-II	1733/MP-123 Rev C
GA Site Sections-Q3-JJ	1733/MP-124 Rev B
GA Site Sections-Q3-KK	1733/MP-125 Rev B

Site sections Quarry 1 West

GA Site Sections-Q1W-AA	1733/MP-126 Rev C
GA Site Sections-Q1W-BB	1733/MP-127 Rev E
GA Site Sections-Q1W-CC	1733/MP-128 Rev C
GA Site Sections-Q1W-DD	1733/MP-129 Rev B
GA Site Sections Q1W-EE	1733/MP-130 Rev C
GA Site Sections Q1W-FF	1733/MP-131 Rev C
GA Site Sections Q1W KK	1733/MP-139 Rev A

Site sections Quarry 1 East

GA Site Sections -Q1E-GG	1733/MP-132 Rev A
GA Site Sections -Q1E-HH	1733/MP-133 Rev B
GA Site Sections -Q1E-II	1733/MP-134 Rev C
GA Site Sections -Q1E-JJ	1733/MP-135 Rev A
GA Site Section Q3-MM	1733/MP-141 Rev 2

Site sections Hub

Hub Area Section DD	1733/MP-136 Rev 1
Hub Area Section EE	1733/MP-137 Rev 2
Hub Building-GA Cross Sections AA BB and CC	1733-HB-015 Rev A
Hub Building-GA Long Sections AA BB and CC	1733-HB-016 Rev 1
Hub building GA Section DD	1733-HB-017

Hub floor plans and elevations

Hub Building Lower Level GA Plan	1733-HB-010 Rev A
Hub Building-Upper Level GA Plan	1733-HB-011 Rev B
Hub Building Roof Plan	1733-HB-012 Rev A
Hub Building-GA Elevation	1733-HB-014 Rev A

Housekeeping building , existing and proposed

Housekeeping Building -Existing Floor Plan	1733-HK-004
Housekeeping Building -Existing Elevations	1733-HK-005
Housekeeping Building -Proposed Floor Plan	1733-HK-010
Housekeeping Building -Proposed Elevations	1733-HK-014

Lodge design

Double Lodge Rear Decking – GA Plans and Elevations	1733 LV-020	Rev C
Single Lodge Rear Decking – GA Plans and Elevations	1733 LV-021	Rec C
Double Lodge Side Decking – GA Plans and Elevations	1733 LV-022	Rev C

Landscape plans hard and soft

Sitewide Landscape Masterplan	1088.4-PLA-00-XX-DR-L-0001 Rev P09
Landscape Masterplan Q3	1088.4-PLA-00-XX-DR-L-0002 Rev P07
Landscape Masterplan Q1 North	1088.4-PLA-00-XX-DR-L-0003 Rev P06
Landscape masterplan Q1 South	1088.4-PLA-00-XX-DR-L-0004 Rev P06
Footpath, Cycle path and bridleway plan	1088.4-PLA-00-XX-DR-L-0005 Rev P02
Landscape Masterplan - (Southern Woodland Pathways)	1088.4-PLA-00-XX-DR-L-0006 Rev P02
Site Wide Hard works	1088.4-PLA-00-XX-DR-L-1001 Rev P08
Planting Plan Quarry 3	1088.4-PLA-00-XX-DR-L-2002 Rev P05
Planting Plan Quarry 1 East and West	1088.4-PLA-00-XX-DR-L-2003 Rev P05
Planting Plan Quarry 1 South	1088.4-PLA-00-XX-DR-L-2004 Rev P04
Planting Schedule	1088.4-PLA-00-XX-DR-L-2005 Rev P04
Soiling Plan	1088.4-PLA-00-XX-DR-L-2006Rev P06
Typical Softworks Details	1088.4-PLA-00-XX-DR-L-6000 Rev P02

Miscellaneous

Furniture and Signage Strategy	1088.4-PLA-00-XX-DR-L-4000 Rev P02
Boundaries Plan	1088.4-PLA-00-XX-DR-L-4001 Rev P03
Refuse Strategy	1088.4-PLA-00-XX-DR-L-4003 Rev P02
Phasing Plan	1733/MS-021 Rev 5

Gas compound

Gas Compound Site Section AA	1733/MP-140
Gas compound Plan	1733 MP 965
Gas compound Elevation	1733 MP 967

Bridge

Proposed Q3 Bridge	1733/MS-815
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Detailed area plans

Detail Area 1 The Hub	1088.4-PLA-00-XX-DR-L-8001 Rev P05
Detail Area 3 Q3 Lodges- (Water's Edge)	1088.4-PLA-00-XX-DR-L-8003 Rev P04
Detail Area 4 - Q3 Lodges (Within Woodland)	1088.4-PLA-00-XX-DR-L-8004 Rev P05
Detail Area 5 – Q1 West	1088.4-PLA-00-XX-DR-L-8005 Rev P04
Detail Area 6 - MUGA	1088.4-PLA-00-XX-DR-L-8006 Rev P01
Detail Area 7 – Natural Play	1088.4-PLA-00-XX-DR-L-8007 Rev P01
Detail Area 8 – Junior Play	1088.4-PLA-00-XX-DR-L-8008 Rev P01
Detail Area 9 – Adventure Play	1088.4-PLA-00-XX-DR-L-8009 Rev P01

Reason:- For the avoidance of doubt and in the interests of proper planning.

2. There shall be no more than 190 lodges on the site in Phase 1

Reason:- To define the permission and in the interests of the character and appearance of the area and highway safety

3. There shall be no touring caravans on the site at any time

Reason:- To define the permission and in the interests of the character and appearance of the area and highway safety.

4.The lodges hereby permitted shall only be erected in the positions shown on the approved Site wide Masterplan 1733/MS-019 Rev T (also shown on the larger scale Masterplans for the Hub area, Quarry 1 West, Quarry 1 East and Quarry 3)

Reason:- In the interests of the character and appearance of the area, land stability and the setting of nearby Listed buildings

5. Any lodge including its decked area (and all subsequent replacement lodges and their associated replacement decked area) shall only be erected in accordance with the design and elevational treatment and using the external facing and roofing material as specified and described in drawing numbers 1733 LV-020 Rev C, 1733 LV-021 Rev C, 1733 LV-022 Rev C and 1733 LV-023 Rev C submitted with the application, with samples of such facing and roofing materials having first been approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the agreed details. There shall be no variation to any of these details without the prior consent in writing of the Local Planning Authority. For the avoidance of doubt any glazing proposed to decked areas should be non reflective/anti glare.

Reason:- In the interests of the external finish of the development and to protect the character and appearance of the area and the setting of nearby Listed buildings

6. Notwithstanding the submitted plans, no construction of the Hub building or external facing works to the Housekeeping building shall commence until samples of the following have been submitted to and approved in writing by the Local Planning Authority.

Walling material (timber cladding, stone, brick, metal cladding, etc)

Roof material

Windows and doors – style, materials, recess depth in aperture, finish and colour

Eaves and fascias

Sedum roof (Hub building) which should also include measures to secure its future maintenance and management

The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason:- In the interests of the external finish of the development, the character and appearance of the area and the setting of nearby Listed buildings

7. No development of the Hub building shall commence until such time that full details of any proposed extraction/ventilation/air con units or ducts have been submitted to and approved in writing by the Local Planning Authority. The intent must be to ensure as far as possible that any such equipment does not break the outline of the hub building. The development should proceed thereafter in accordance with the approved details

Reason:- To ensure an acceptable external appearance and in the interests of the setting of nearby Listed buildings

Play/activity areas

8.The natural play, junior play, adventure play areas and the MUGA shown on approved drawings 1088.4-PLA-00-XX-DR-L-8006 Rev P01, 1088.4-PLA-00-XX-DR-L-8007 Rev P01, 1088.4-PLA-00-XX-DR-L-8008 Rev P01 and 1088.4-PLA-00-XX-DR-L-8009 Rev P01 shall be made available for use prior to first occupation of any of the lodges within that phase of the development agreed under Condition 5 in which the play area and/or MUGA is situated

Reason:- To ensure an acceptable external appearance in the interests of the character and appearance of the area

Woodland paths, tree protection

9. Whilst retaining flexibility over the precise siting and alignment in order to minimise removal of or impact on existing trees and to respond to specific ground conditions and

localised ground levels changes encountered as construction progresses, the new woodland paths and cycle tracks in the southern part of the site leading into and through the woodlands down into the Churnet Valley shall avoid any encroachment within the extent of Frame Wood included in the Inventory of Ancient Woodland for Staffordshire, and shall be constructed only and strictly in accordance with the specification and methods set out on the Planit I E “Southern Woodland Pathways” Drg. No. 1088.4-PLA-00-XX-DR-L-0006 Rev P02 and the Urban Green “Arboricultural Statement – Condition 9” reference 11874 Rev A submitted with the application hereby approved.

Reason:- To protect Ancient Woodland and trees/woodland which contributes positively to the character and appearance of the area and in the interests of biodiversity

Landscape implementation

10. The planting and landscaping scheme shown on the following drawings:-

Landscape masterplan	1088.4-PLA-00-XX-DR-L- 0002 Rev P06
Planting Plan Quarry 3	1088.4-PLA-00-XX-DR-L-2002 Rev P05
Planting Plan Quarry 1 North	1088.4-PLA-00-XX-DR-L-2003 Rev P04
Planting Plan Quarry 1 South	1088.4-PLA-00-XX-DR-L-2004 Rev P03
Planting schedule	1088.4-PLA-00-XX-DR-L-2005 Rev P04
Soiling Plan	1088.4-PLA-00-XX-DR-L-2006 Rev P05
Typical Softworks Details	1088.4-PLA-00-XX-DR-L-6000 Rev P02
Landscape Masterplan Q3	1088.4-PLA-00-XX-DR-L-0002 Rev P06
Landscape Masterplan Q1 North	1088.4-PLA-00-XX-DR-L-0003 Rev P04
Landscape masterplan Q1 South	1088.4-PLA-00-XX-DR-L-0004 Rev P03

shall be fully implemented before the end of the first available suitable planting or seeding season following completion of each phase of the development agreed under Condition 5. The trees, shrubs, herbaceous and aquatic plants and grass planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting to ensure successful establishment. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season. At all times, during the initial 5 year establishment period and thereafter, the landscaping shall be managed and maintained in accordance with the Habitat Management Plan to be approved under Conditions 19 of the outline planning permission SMD/2016/0378 and the approved Structural Landscape Strategy, Planet-IE dated October 2019

Reason:- To ensure an acceptable external appearance in the interests of the character and appearance of the area, biodiversity enhancement and the setting of nearby Listed buildings

Gabion wall – Hub area

11. No construction of the proposed gabion wall within the delivery area of the Hub building shown on the Site wide hardworks plan, drawing 1088.4-PLA-00-XX-DR-L-1001 Rev P08 shall commence until details have been submitted to and approved in writing by the LPA. Such detail shall include full design, construction, details of filling material, planting plans and timescale for planting. The development shall subsequently be carried out fully in accordance with the approved details.

Reason:- To ensure an acceptable finish in the interests of the character and appearance of the area

Tree protection

12. The development hereby permitted shall be carried out strictly in accordance with the Arboricultural Impact Assessment (Urban Green October 2019) and the Arboricultural Statement, Condition 9 (Urban Green October 2019)

Reason:- To ensure the protection of trees in the interests of the character and appearance of the area, protected woodland and biodiversity

Stability

13. Prior to the erection of any lodges, the construction of their foundation bases, the internal site roads, buildings and infrastructure hereby approved the recontouring of the site in accordance with the Moneystone Earthworks Proposed Phase 1 (Table 3a Earthworks Sequence) shall be completed and documented in an Earthworks Validation Report prepared by a Chartered Geologist, Registered Ground Engineering Professional or other appropriately experienced Chartered Engineer and submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the lodges, buildings, roads and other infrastructure are constructed on stable land prepared in accordance with the earthworks proposals.

14. Prior to the erection of any lodges, the construction of their foundation bases, the internal site roads, buildings and infrastructure hereby approved, the Design stage of the slope stability mitigation identified in the submitted Schedule of Mitigation reference 4492-1/Schedule and Schedule of Mitigation Flowchart reference 4492-2/Flow Chart shall be completed and documented in a Slope Stabilisation Design Report prepared under the direction of a Chartered Geologist, Registered Ground Engineering Professional or other appropriately experienced and Chartered Engineer and submitted to and approved in writing by the Local Planning Authority. The detailed design of lodge foundations should be prepared under the direction of an appropriately experienced and Chartered Engineer.

Reason: To ensure that the final recontoured slopes at the site are adequately investigated; that the slope stability hazards and risks are geotechnically assessed; and that mitigation design, proportionate to the level of geotechnical risk is documented in a geotechnical report.

15. Prior to the erection of any lodges, the construction of their foundation bases, the internal site roads, buildings and infrastructure hereby approved the slope stabilisation mitigation shall be implemented in full and in accordance with the requirements of the Slope Stabilisation Design Report and documented within an As-Built Validation Report on completion of the Construction stage of the agreed Schedule of Mitigation reference 4492-1/Schedule. The As-Built Validation Report should be prepared under the direction of a Chartered Geologist, Registered Ground Engineering Professional or other appropriately experienced and Chartered Engineer and shall be submitted to and approved in writing by the Local Planning Authority prior to the erection of any lodges, the construction of their foundation bases, the internal site roads, buildings and infrastructure hereby approved

Reason: To ensure that the slope stabilisation mitigation is fully implemented in accordance with the slope stabilisation design.

16. Prior to first occupation of any of the development hereby approved and following the implementation of the slope stabilisation mitigation, a development-wide Monitoring and Maintenance Plan, in accordance with In Service stage of the agreed Schedule of Mitigation reference 4492-1/Schedule shall be prepared under the direction of a Chartered Geologist, Registered Ground Engineering Professional or other appropriately experienced and Chartered Engineer, and shall be submitted to the Local Planning Authority for its written approval. The development shall thereafter be carried out strictly in accordance with the approval Monitoring and Maintenance Plan.

Reason: To ensure a long-term plan for monitoring and maintaining all the slopes at the development is in place.

17. No development shall take place within Quarry 3 beyond written approval of the Earthworks Report under Condition 13 until details of the steps and paths to the upper lodges in the west of Quarry 3 as shown on the Quarry 3 Masterplan drawing 1733/MS-022 Rev U

have been submitted to and approved in writing by the Local Planning Authority. Such detail to include nature of construction, levels and materials. The development shall subsequently be carried out in accordance with the approved details and made available before occupation of any lodges to which the steps and paths provide access

Reason:- To ensure an acceptable external appearance in the interests of the character and appearance of the area

Refuse

18. No development shall commence until such time that full details of the proposed litter bins, bin stores and the main refuse collection point have been submitted to and approved in writing by the Local Planning Authority. The detail shall be in general accordance with that shown indicatively on drawing no 1088.4-PLA-00-XX-DR-L-4003 Rev P02. The agreed litter bins, bin stores and collection area shall subsequently be installed as agreed and made available for use prior to first occupation of any of the development hereby approved

Reason:- As full details are not provided and in the interests of the external appearance of the development

Signage and Street Furniture

19. No permission is hereby given or implied for the large totem signage referred to on indicative drawing Furniture and Signage Strategy 1088.4-PLA-00-XX-DR-L-4000 Rev P02

Reason:- This sign would need to be submitted for authorisation under the separate Advertisement Regulations

20. No development shall commence until such time that full details of all proposed signage and street furniture have been submitted to and approved in writing by the Local Planning Authority. The detail shall be in general accordance with that shown indicatively on drawing no 1088.4-PLA-00-XX-DR-L-4000 Rev P02. The agreed signage and street furniture shall be installed as agreed and made available for use prior to first occupation of any of the development hereby approved

Reason:- As full details are not provided and in the interests of the external appearance of the development

Foundations - Gabion baskets and stilts, Quarry 3

21. No development within Quarry 3 shall be commenced until such time that full details of any exposed or potentially exposed foundation structures for the lodges in this part of the site including (but not restricted to) gabion baskets, stilted supports have been submitted to and approved in writing by the Local Planning Authority. Such detail to include materials, finish and where deemed necessary by the LPA additional planting and an implementation timescale for such planting. The development shall thereafter proceed in accordance with the approved details and timescale

Reason:- To ensure an acceptable external appearance in the interests of the character and appearance of the area

Quarry 3 – one way system

22. No development shall take place in Quarry 3 until measures to ensure the operation of a one way system in this part of the site together with an implementation timetable have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details and timescale and retained for the life of the development

Reason:- In the interests of providing safe and suitable access for all users

Designing out crime

23. Prior to any part of the development hereby approved coming into first use, a Scheme of measures to prevent crime and provide a safe environment (as generally described in letters dated 26th November 2019 and 3rd February 2022 from Staffordshire Police) has

been submitted to and approved in writing by the Local Planning Authority. Such Scheme shall include implementation timescale. The development shall subsequently be carried out strictly in accordance with the approved Scheme and timescale

Reason:- In the interests of providing a safe and secure environment for visitors and deter criminal opportunity

Provision of surface water outfall before first use

24. No part of the development hereby approved shall be brought into use until such time that the new surface water outfall approved under SMD/2022/0014 has been constructed and brought into use

Reason:- Layout of the roads, foundations, lodges and other infrastructure in Quarry 3 is dependent upon the water level in Quarry 3 being maintained at 156m

Provision of uses consented under Condition 6 of SMD/2016/0378 but not provided for in this application

24. No part of the development hereby approved shall be brought into use until such time that the change of use of the former laboratory building approved under SMD/2019/0716 has been completed as approved and made available for first use

Reason:- To ensure that all of the uses consented under Condition 6 of SMD/2016/0378 are delivered in the interests of delivering a sustainable development

Bridge

25. Notwithstanding the submitted plans, no development shall take place in Quarry 3 until such time that full details of the bridge shown on drawing 1733/MS-815 have been submitted to and approved in writing by the Local Planning Authority. Such detail to include means of construction and samples of the finishing materials which shall be timber and vertically clad.

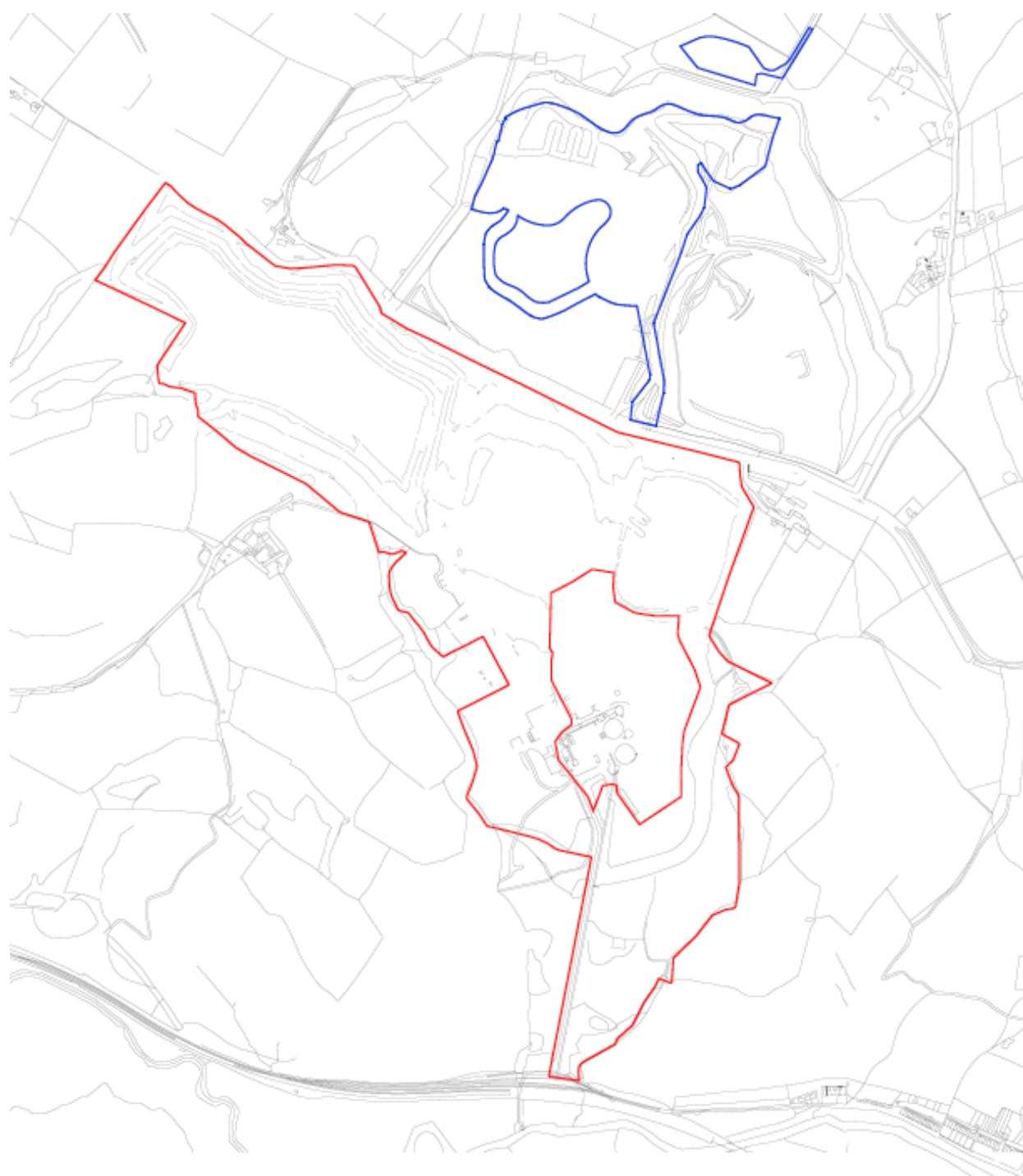
Reason:- To ensure an acceptable external appearance in the interests of the character and appearance of the area

INFORMATIVE

1.A Sustainable development has been negotiated in line with the provisions of the National Planning Policy Framework

2.You attention is drawn to the letter dated 8th February 2022 from the Environment Agency regarding the need for an Environmental Permit. You are advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee.



STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL PLANNING APPLICATIONS COMMITTEE

26th October 2023

Application No:	SMD/2019/0716	
Location	Moneystone Quarry	
Proposal	Retention of former laboratory building and change of use to a sports hall with climbing wall, soft play area, two-lane mini bowl, cinema room; craft room and craft store, bike store and maintenance and bike hire office, cafe, viewing area, WCs, management office and plant rooms associated with Moneystone Park external alterations and reconfiguration of existing car park to provide 24no. car parking spaces.	
Applicant	Laver Leisure (Oakamoor) Ltd	
Agent	Avison Young	
Parish/ward	Oakamoor	Date registered 29-11-19
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffs Moorlands.gov.uk		

REFERRAL

This proposal is linked to the approved leisure development at Moneystone quarry. The application for reserved matters of Phase 1 of the leisure development, SMD/2019/0646 is also on this Agenda. The scheme is locally contentious.

1. SUMMARY OF RECOMMENDATION

APPROVE subject to conditions

2. BACKGROUND

2.1 This building was permitted with others on the 12th December 1994 by Staffordshire County Council under reference SM 94/852 as part of quarrying operations at the site. The description of development refers to, ‘..the erection of new buildings and demolition of redundant ones at Moneystone Quarry’.

2.2 Condition 5 of the permission states “*Within 6 months of the cessation of the winning and working of minerals at Moneystone Quarry the buildings and their foundations hereby permitted shall be removed and the site restored to agriculture/forestry in accordance with a scheme previously agreed in writing with the Mineral Planning Authority.*”

2.3 The winning and working of minerals ceased on 31 March 2011.

2.4 Planning permission reference SM.96/935 was granted on 22 May 1998 for extension and progressive restoration of Moneystone Quarry and associated matters. Condition 39 of that permission states “*Within 3 years of the cessation of quarrying or as otherwise agreed in writing with the Mineral Planning Authority all plant and buildings shall be removed from the site.*”

2.5 Quarrying ceased on 31 March 2011.

2.6 Two Enforcement Notices were issued by Staffordshire County Council on the 30th September 2021, one relating specifically to the application building. The Enforcement notice requires as follows:-

- a) For the building to be removed from the site including its foundations and all resulting debris, rubble and waste materials
Time for compliance: 3 months after the Notice takes effect
- b) All hardstanding, structures, machinery and equipment removed from the land surrounding the building
Time for compliance: 3 months after the Notice takes effect
- c) Restore the land to open grassland
Time for compliance: 6 months after the Notice takes effect

2.7 The initial Enforcement Notice took effect on the 30th September 2022. However, Staffordshire CC advise that following a request from Laver Leisure, the site owner, the Enforcement Notice was amended to take effect on the 31st December 2023. Everything else, they advise, is unchanged on the Notices.

2.8 If planning permission is granted, this would in effect “over-ride” the enforcement notice, albeit that the Enforcement Notice would remain in place unless Staffordshire County Council were to withdraw it at some future point.

2 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 This application relates to the existing laboratory building and adjacent car park and land which was, up until June 2018 used in connection with the quarry. It has since remained empty. At the time of the outline application for the leisure scheme (SMD/2016/0378) the building was still in use by Sibelco and was excluded from the application site. No part of the application site forms part of the Approved Restoration Plan for the quarry site.

3.2 The existing Laboratory consists of two elements, a lower and upper building. The buildings are at different levels, the floor level of the upper building being 1.0m above that of the lower. There is a staircase between the two levels within the link corridor.

3.3 The lower building is single storey and of predominantly brick construction under a very shallow pitched roof. It has a flat roof brick addition running along the front elevation.

3.4 The upper building is of portal frame construction, approx. 6.25m in height. It appears to have been extended in the past with a lean-to addition to the rear which follows the slope of the main roof. The walls and roof of the central portal framed element are clad in green profiled metal sheeting. There is also a flat roof brick extension at the front on this part of the building.

Overall the buildings form a ‘rectangular’ shape (approximately 56.0 x 20.0m) on plan oriented along a northwest/southeast axis.

3 DESCRIPTION OF THE PROPOSAL

4.1 The proposal is to change the use of the building to provide leisure uses to complement and be used in conjunction with the approved leisure scheme at Moneystone quarry. Three extensions to the building are also included in the proposal equating to 22 sq m of the overall 1115 sq m of floor space (gross external). The extensions are: -

- Feature entrance and lobby set within the opening formed by the existing roller shutter door on the northwest elevation.
- Small flat roof extension to the rear to create sufficient length for the Bowling Alley.
- Additional space to the side of the stair within the link corridor to enable the inclusion of a wheelchair platform lift to allow wheelchair users access between the two levels.

4.2 24 car parking spaces are provided. The plans show the following uses

- Sport's Hall (Including Indoor Climbing Wall) - 320 sq m
- Children's Indoor Soft Play Area - 85 sq m
- Informal Screen Room - 80 sq m
- Two Lane Bowling Alley - 50 sq m
- Café Servery to Viewing Areas
- Craft Room
- Bike Hire
- Associated Viewing Areas, Stores, Toilets, Offices and Plant Rooms

4.3 The applicant provides a table within the Design and Access statement (DAS) which shows that the main uses to be provided i.e sports hall, soft play, screen room and bowling alley were all uses that were envisaged to be provided within the Hub building (see Condition 6 of SMD/2016/0378 which sets out parameters)

4.4 The conversion will involve the removal of the internal walls currently subdividing the upper building to create the Sports Hall. The Bowling Lanes and Children's Soft Play are positioned within the rear lean-to where the ceiling height remains over 3.0m. The Informal Screen Room is located within the lower building. The original toilet facilities, which serve the whole facility, have been removed and new toilets reinstated in the same location. A Bike Hire offer is also accommodated in the lower building. Minimal alterations to the single storey flat roofed brick elements around the building are envisaged with a craft room, offices, stores housed here. A new entrance feature to the building is positioned on the Northwest elevation facing towards the new Hub building.

4.5 The DAS states that the individual elements have been tested to ensure that all areas are suitably sized for their intended use.

4.6 The proposal also includes for re facing the building with a mix of timber and metal cladding with new dark grey aluminium window and door frames. The DAS refers to changing the external appearance of the building from industrial to 'agricultural'.

4.7 The application is accompanied by a Design and Access Statement, Bat survey, Heritage Technical Note and Transport Note.

4.8 The Council issued a Screening Opinion on the 15th October 2020. This confirmed that the proposed development was not EIA development (SMD/2020/ 0243)

4.9 The full application together with all consultee responses and letters of representation can be found at the following link

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet>

4 RELEVANT PLANNING HISTORY

SMD/2016/0388 Formation of a no right turn vehicular access onto Eaves Lane. Refused

SMD/2016/0378 Outline planning permission with all matters reserved except access for

the erection of a high quality leisure development comprising holiday lodges; a new central hub building; (providing swimming pool, restaurant, bowling alley, spa, gym, informal screen/cinema room, children's soft play area, café, shop and sports hall); café; visitor centre with farm shop; administration building; maintenance building; archery centre; water sports centre; equipped play areas; multi-sports area; rope walks, car parking; and managed footpaths and cycleways and bridleways set in attractive landscaping and ecological enhancements. Approved

SMD/2014/0682 - Outline with all matters reserved except access for the erection of a leisure development of up to 250 lodges. Refused

5 PLANNING POLICIES RELEVANT TO THE DECISION

The Development Plan comprises of

Staffordshire Moorlands Local Plan (September 2020)

The following policies are relevant to the application: -

- SS1 Development Principles
- SD1 Sustainable Use of Resources
- SD3 Sustainable measure in development
- SD4 Pollution and Water quality
- SS10 Rural area strategy
- SS11 Churnet Valley Strategy
- DC1 Design Considerations
- E3 Existing employment areas, premises and allocations
- C1 Creating Sustainable Communities
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and hedgerows
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

National Planning Policy NPPF

National Planning Policy Guidance

6 CONSULTATIONS CARRIED OUT

Press Notice expiry date: 8th January 2020

Site Notice expiry date: 8th January 2020

Objections (76)

- Both the 0716 and 0725 applications are admitted to fall outside of the red line boundary of the approved SMD/ 2016/0378 outline planning permission. They therefore fall to be screened under the EIA Regulations.
- Outline permission has never covered use of the hub building in the new development, or cutting through bedrock.
- The hub building was supposed to be demolished following the Restoration and After Care Plan
- Reports not made available to planning authorities

- Screening report makes false claims – e.g. the majority of proposed uses are already approved
- The ecology situation has evolved – data is too old
- The EIA screening assessment applies the test of ‘significant environmental harm’ – a more sensitive test should be applied
- Twice in the last approximate six months Severn Trent have been called out to repair pipes connecting Q2 & Q3
- Q3 is much fuller than at the time outline permission was granted – increases instability
- The area is prone to local landslips due to the Westphalian Coal Fault
- Moneystone Quarry has been sinking slowly into the River Churnet over recent years, threatening local settlements
- 31 lodges are planned to sit below the current water line and rest on piers in the water – this is dangerous and will be unstable on thixotropic sand – higher lodges also on thixotropic sand may slide down to the reservoir
- Risk of saturation to soft rock such as sandstone – will disintegrate
- Tsunami risk to lakeside lodges following landslide into lake
- The Committee were not informed of quarry instability when passing outline permission
- Time must be allowed for investigation of newly available information
- Planning hi Arboricultural and Woodland Trust opinions do not concur
- Land once part of Frame Wood - Plantations on Ancient Woodland Sites – has residual soil value and needs protecting. Buffer zone must be extended
- Potential archaeological remains in ancient woodland
- story omitted from screening report
- WT Planners Manual for Ancient Woodland plainly not consulted
- Need an up to date and full tree survey
- No evidence has been advanced in the AIA that any assessment of the impact of ammonia on the ancient woodlands of Frame Wood and Key Wood – at risk from vehicle emissions
- No attempt to identify veteran trees, or mention of below ground ecosystems
- Prior to quarrying Stream A rose high on the adjoining hillside, some distance from the quarry. Since quarrying blocked the direct route of the stream its catchment must now ‘discharge’ in part into other adjacent streams with the remainder diffusing into Quarry 3. Although there is some probable, additional diffusion coming into Q3 from Quarry 1 (Q1) that is located at a nearby significantly higher level, there is no confirmation in the application’s documentation that once Q1 is developed that the water flows into Q3 will be maintained and that the raising of Q3 to AOD 156 will be enough to supply sufficient water for the future needs of the Whiston Eaves SSSI
- Q3 has been recommended without the EA having any knowledge of a Phase 2 development and as such the EA advice may well be insufficient to adjudicate the effects on Q3 of any permanent change in water levels. Q3 may well need a further rise in water levels in order to maintain the required water flows through Whiston Eaves SSSI
- Former workers at the quarry were worried about the dangers of using the quarry for this sort of development because of the instability of the of the ground and weakness of the rock. I am mindful of the recent landslip and sink hole nearby in Oakamoor.
- Concerns regarding stability and long term safety risk
- Failed to meet the adopted (2014) SMDC Core Strategy and specifically its Spatial Objectives as set out in paragraph 8.1.7 . (SS1)
- Concerns regarding protection of great crested newts, bats, reptiles, peregrine falcons, and Red Kites creating a cumulative impact.
- Legal duty to restore the site not fulfilled. The applications The Restoration and After Care Plan.
- The applications fail to meet the Conditions and Reasons that attach to the overarching planning permission SMD/2016/0378

- The applications fail to meet the concerns of Natural England and the SWLT
- The applications put at risk the evidence of a resurgent palette of endangered wildlife at and surrounding MQ
- The applications lay outside of the Red Line Plan and put at risk the integrity of the whole of the restoration and after care plan
- The applications go against the SMDC Core Strategy Plan 2014 and its policies
- They put at risk the National, regional and District obligations to reduce carbon emissions and meet the obligations of the Paris Climate Accord recently endorsed by the Supreme Court
- New plans filed on 13/08/2020 do not relate to those from the outline permission.
- The SMDC is bound by the legal provisions established by Paris ClimateChange Accord which has been the law in the UK since it was ratified into law in November 2016. Ignorance to the law has never been excused. the case before the Court of Appeal made public on Thursday 27th. February 2020 under the reference number C1/2019/1154 [2020] EWCA Civ 213 and referred in the media as the case of Heathrow -v- Friends of the Earth did not change the law which has remained the same since November 2016. On any applications determined since 2016 they are therefore obliged to factor in climate change. All applications are no susceptible to the same challenge.
- Moneystone and Whiston are surrounded by countryside. Both have few local services. Evidence establishes that neither have a regular or indeed any bus service. There are no footpaths along the route to the Hamlet and beyond to the A 52. It is self-evident that the narrow, twisting and undulating nature of these roads coupled to the damaged and badly deteriorating road surfaces makes travelling at or near 60 mph highly dangerous. The massive increase in traffic that is needed to make the proposed development sustainable the serious accident statistics seem certain to vastly increase.
- The SMDC are bound by the Paris Climate change Accord (PCCA) which came into law in 2016. Ignorance of the law is never an excuse. 2020 court appeal C1/2019/1154 [2020] did not change this law. The SMDC are under a duty to apply PCCA to all planning applications since November 2016. Applications SMD/2014/0682, SMD/2016/0378, SMD/2019/0725 and SMD/2019/0716 are therefore subject to this challenge. Therefore the applications previously granted permission should now be subject to determination of PCCP and should be void.
- Moneystone and Whiston are surrounded by countryside, with few local services and no regular bus service. Moneystone hamlet is linked to Eaves Lane via Blakeley Lane, with no footpaths along the route or beyond the A 52. Between the A 52 and Moneystone Quarry along Whiston Eaves Lane (WEL) there are virtually no footpaths. The 30MPH speed limit is often ignored. Beyond Whiston village hall the road is national speed, with a deteriorating road surface makes traveling at 60MPH dangerous. the massive increase in traffic that is needed to make the Moneystone Quarry development sustainable becomes a reality serious accident statistics seem certain to vastly increase. These road conditions on the only access route are unfavourable to permit walking and cycling alongside the road carriageways.
- Revised plans for SMD/2019/06464 revealed the extreme paucity of service facilities in the Hub area of the development. the Hub facilities seem very basic considering the potential numbers guests and day visitors. There are only 32 seats, the bar is extremely small. The changing rooms have only 2 showers with tiny changing rooms. The overall impression is that the development is intended as a retirement village. Visitors will be forced to leave the site for better facilities against the aims of SMDC CS Policy T1. As 40% of the lodges are intended to be sold for private ownership the retirement concept seems more likely.
- The Manual for Streets (MfS), referred to in expert traffic report by Paul Mew Associates does not include the suitability of the road conditions for walking or cycling, nor inclement weather.

- There are no streets lights along WEL beyond the Village Hall until Eaves Lane enters Oakamoor.
- The applicant have not submitted any traffic evidence that complies with the requirements of the Town and Country Planning Act (Development and Management Procedure) (England) Order No. 595 2015.
- Appeal against refusal of planning permission by SMDC. The planning inspector when speaking of the development at Moneystone quarry ruled that 'This is not a case whereby under the NPPF the proposed development at Moneystone Quarry would support services in Whistone [and by extension Moneystone Hamlet, Oakamoor etc]. it will not enhance or maintain the vitality or rural communities with limited local services. Rather it will deprive those communities'
- The applications under consideration do not assess the issues of instability. The SMDC should consider Mineral planning guidance 5 – stability in surface mineral workings and tips reissued by National Government 05/05/2006. This guidance advises local authorities
- Criticism of the scoping report provided by the applicant is considered to be defective and deficient. A full EIA report that is fully informed of all the relevant information should be provided.
- Attention drawn to survival guide from international panel on climate change in relation to SMDC Core strategy on climate change.
- Heavy downpours/rain in 2023, attention drawn to the links of this rain fall to rise sea temperatures and the impacts of climate change on the UK.
- Critique on the June 2022 supplement arboriculture report my SMDC arboricultural officer for lack of clarity.
- 'it is impossible to understand how any of the above cited MQ applications can be determined by the SMDC LPA PAC in view of the findings and requirements of the Wardle Armstrong Peer Reviewed Moneystone Quarry (Stability) report of June 2022 which, it must be understood, was (only lately-04/05/2022-) Commissioned by SMDC LPA itself.'

Support (3)

- Positive for the area and welcome the investment
- Positive for employment opportunities and will add interest for local young people
- Traffic will not be a major problem as residents will not arrive and leave daily
- Economic benefits

Neither (13)

- The quarry has geological similarities to Berry Hill Sand Quarry, Mansfield, which recently collapsed
- Groundwater pollution risk
- Mountain biking will damage ancient woodland
- Loss of habitats
- Is the mass of accumulated water being considered with regards to instability?
- Insufficient information regarding location of pollutants and spoils
- Harm to heritage assets
- Have reports on stability since closure been considered?
- Apparently inconsistent decision making
- Poor clarity regarding documents on website
- Details of reprofiling and construction operations required to assess impact on land stability
- Insufficient information of status of reservoir – affects legal safety requirements
- Why have parish councils not been invited to be party to a PPA?
- Concerns regarding sewage discharge into River Churnet

Kingsley Parish Council

Councillors object to this as a matter of principle as it is related to SMD/2016/0378 which the PC objected to. The current application should be considered by Staffordshire County Council (SCC), the Mineral Authority, who granted the original permission for quarrying at the site subject to various conditions including a detailed Restoration Plan. The application for a change of use for the former Sibelco Laboratory building falls outside the red line boundary for the outline planning consent granted in 2016, (SMD/2016/0378), and as such should be referred to SCC. An historic stone barn at Little Eaves Farm has Listed Building status. The barn is in fairly close proximity to the Laboratory building. There is no consideration of or protection for the Listed Building with the planning application.

Cotton Parish Council

For a number of well-founded reasons fully outlined above, Cotton Parish Council object to planning application SMD/2019/0646 considering the Phase 1 development as a whole. Councillors and local residents object to this related planning application for these reasons

Sustainability:

The site is a rural location in the mid Churnet Valley. The size of the proposed development is considerably larger than Cotton Parish. The 2014 Highways Report supporting SMD/2016/0378 is now out of date due to ever increasing levels of traffic generally and the change of vehicle use generated by increased lodge ownership.

Transport – Road Safety:

It is widely accepted that the bulk of traffic accessing or leaving the site will do so through narrowing lanes of the neighbouring parishes. The number of permanent residents potentially living on the site may well exasperate this situation further. a) The immediate road system in the area is a cause for concern. b) SMDC planners have recently refused planning applications for developments near this location because of road safety risks.

Recycled Materials:

There are concerns about the nature and quantity of the recycled building materials which will be brought to the site.

Environment – Climate Change:

SMDC have declared a climate change emergency. It proposed that the Staffordshire Moorlands should become carbon neutral by 2030. There is no public transport to this site. All access to the site will be by private vehicles. The large volume of traffic potentially accessing the site will have a significant negative effect on pollution levels, likely to be dramatically higher than at present.

AONB:

In 2013 Churnet Valley Conservation Society (CVCS) made an application to Natural England for the Churnet Valley to be considered for Area of Outstanding Natural Beauty (AONB) status. The application was supported by SMDC and by Karen Bradley (MP) who has recently reaffirmed her support to stop this development. The application was considered by DEFRA during their 2018 Landscape Review. At present the Churnet Valley has been short listed and is one of three sites being considered for AONB status. It is believed that the Moneystone Quarry development will have a negative impact on the application.

Community Impact:

The sheer size and scale of the development would have a negative impact on the local villages. Many of the proposed lodges may be sold to purchasers who live there on a permanent basis. This is in effect a planning application for a new community which at

present does not exist. Such planning proposals would be refused in any other part of Staffordshire Moorlands.

Oakamoor Parish Council

Object to the application for the following reasons:

1. The application for change of use for the laboratory building falls outside of the red line boundary for the Outline Planning Consent granted in 2016 (SMD/2016/0378), and therefore should be referred to The Minerals Planning Authority: Staffordshire County Council, who granted permission for quarrying at Moneystone. It should be noted that this was subject to many conditions including a Restoration Plan, revised March 2014 (much of which has not been met) **.

2. We note that the application was submitted on the 26th November 2019. It therefore cannot rely on any aspects of the outline permission (LPA ref: SMD/2016/0378) to be used in its support as the deadline for bringing forward any reserved matters, expired on 26th October 2019.

Other issues:

- There is no relevant Traffic Impact and Access statement (The laboratories have not been used for at least two years, and therefore generate no traffic). This is especially relevant to Oakamoor in view of the refusal of SMD/2016/0388. We are particularly concerned that the Supporting Transport note claims:

(4.2.1) In conclusion, the proposed redevelopment is considered to provide a net benefit with regards to reduction of potential vehicle trips to the site and promotion of sustainable transport."

By changing the use of the what is a redundant building to which attracts no traffic, to one which provides facilities that will attract more visitors to the site, cannot be seen as a reduction of potential trips and a promotion of sustainable transport!

There is no provision within the Design and Access statement that relates to the impact of the construction and building work upon the adjacent environment.

There are no references to the light, noise and air pollution that would be expected to arise from the change of use.

There is no impact assessment regarding ancient woodland which lies adjacent to the site.

**The plan required, within 2 months of the approval, a Landscape - Ecological - Management Report covering the whole quarry area, describing actions and progress during the previous 12 months and planned actions for the next 12 months. Reporting was then required to continue throughout the 5 year aftercare period.) It is our understanding that full restoration is still not complete, and neither have the applicants met the requirements for the annual landscape - ecological management reporting during the 5 year after-care period.

Policy Officer

The current site also falls within the Churnet Valley. The building is described as containing laboratories/offices/warehousing associated with the previous quarrying activity. A view needs to be reached whether the building's floor space is comprised of B uses, or possibly sui generis use if connected with the quarry (refer to 1987 UCO as amended which may exclude certain activities around quarries from industrial definition). If you are minded that the floorspace does fall within B use then a view needs to be reached whether the premises qualifies for protection under CS E2 (first 3 bullets). For example the building is situated over 470m from Eaves Lane (about 1.8km from A52, about 2.5km from B5417) and there do not

appear to be any bus routes along Eaves Lane. Note that emerging Policy E3 defines employment premises more widely – not just B uses. Would the existing and proposed uses qualify as ‘employment’ (ie is there an overall employment loss?). In the event of employment loss of sites worthy of protection, both existing Policy E2 emerging E3 expect commercial (marketing) demonstration or demonstration of substantial planning benefits (and then, retention of as much B use as possible on site). Illustrative plans show how the converted building would lie only a short distance from adjacent uses (hub etc) as proposed under adjacent REM application, functioning as a single development. Policy R1 and other policies support re-use of buildings over greenfield development. If you deem the principle of conversion acceptable it also needs to be considered whether the structure is appropriate for its new uses (Policy R1 etc). Also note the scheme involves slight extensions to the building– refer to design, landscape, sustainable development policies etc in both the adopted and emerging Local Plan. I note that the outline consent established maximum floorspace limits for all approved uses (including those considered in this application) – the particulars demonstrate that the proposals fall within the thresholds. (In the context of the adjacent REM application) would approval need to specify through conditions that these thresholds could not be breached in the event of both schemes being approved?

Operations Manager -Waste

Advises that there are no issues with this application

Environmental Health Officer

No objection subject to conditions

Local Highway Authority

There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval. As the existing laboratory building are now intended to accommodate part of the permitted outline uses, this proposal should represent a reduction in trips that the site could generate. The proposed development will be using the exiting access onto the highway network.

Recommended Condition:-

The development hereby permitted shall not be brought into use until the access, parking, servicing and

turning areas have been provided in accordance with drawing 1733-LB-019

Reasons:- To comply with the Policies contained within the Staffordshire Moorlands Core Strategy Develoelopment Plan 2014 In the interest of Highway Safety.

Conservation Officer

No objection subject to planting scheme to filter views from Little Eaves Farm.

Advises that the 2016 ES visual assessment (Viewpoint 17 photomontage & wireline) is particularly helpful to the assessment of this application.

A Heritage Technical Note has been produced (based on the 2016 visual assessment) to describe any potential heritage impacts. It concludes that there are no additional impacts.

Feels that it would be preferable to have several smaller buildings with the same design/materials treatment rather than one extremely large hub building to allow development to be more effectively assimilated into the landscape. Would agree that the works associated with the converted lab building would not worsen the visual impact to the setting of Little Eaves Farm than that which has already been identified as part of the wider development scheme. Notes that the lab buildings can be seen from the environs around Little Eaves Farm so would request planting to filter these views.

County Archaeologist

No objection. Having reviewed the proposals in light of the information held by the Staffordshire Historic Environment Record (and associated datasets) and the Heritage Technical Note submitted in support of the application, raises no archaeological concerns with the proposals

Trees and Woodland Officer

The existing buildings, their retention, change of use, minor extensions, and alterations to external appearance – together with retention of existing car park areas – would all be viewed in the context of the approved leisure park development. The current application site is surrounded on three sides by the wider leisure park site and existing solar panel arrays, and on the fourth by existing mature woodland, and is/would remain a relatively well-screened part of the overall scheme as viewed from external viewpoints due to a combination of topography and existing vegetation. Such screening would be increased further by implementation and establishment of the comprehensive new landscaping scheme already proposed as part of the main site development.

This application would re-use an existing building essentially for a range of uses which were already part of the 2016 outline proposals, and such uses (especially within or based from a pre-existing building) would not themselves raise any new significant landscape or visual effects. Minor physical alterations only are proposed to the former laboratory building, and it is situated well beyond (c.60m) the closest part of the Key Wood Ancient Woodland site, comfortably exceeding the minimum 15m buffer recommended in Natural England Standing Advice. Similarly, changes to parking/servicing would be local to the existing yard area immediately around the building and again would not have adverse impact on the Ancient Woodland.

Staffordshire Wildlife Trust

No objection subject to conditions

Local Lead Flood Authority

No objection. Advise that the proposals are small in scale with no increase in impermeable area and no significant change to the footprint of the building, the flood risk associated with the existing site is considered low and will not significantly increase as a result of the re-development. .

Mineral Authority (Staffordshire CC) .No objection

Severn Trent Water

No objection subject to drainage condition

Police Architectural Liaison Officer

Staffordshire Police have no objection to the proposals. Comment that it is worth noting that the building will be somewhat detached from the rest of the site and probably subject to little in the way of natural surveillance, certainly at quieter times. Unrestricted vehicle access to it would be possible via the main site entrance (unless there are some controls to be put in place) and it would be approachable via the access track from the valley. The cycle store and plant rooms are the elements of the building that one might imagine could attract unwanted attention. These are also more hidden, on the elevations of the building facing away from the main site. The applicant should take appropriate steps both in terms of physical and technological security to mitigate any perceived security risks.

Ramblers Association

Object. This application will create a huge increase in air pollution due to the large increase in motor cars coming into the Churnet Valley and in doing so be in direct conflict with the

resolution passed by the SMDC some months ago which recognised the urgent need to curb green house gasses.

If the PAC pass this development, it will give the green light to other developers who wish to exploit the beauty of the area for commercial gain and would be remembered by the local residents and tourists to the area for years to come. The Ramblers are most concerned that the existing Footpaths in the Moneystone area will be overrun by thrill seekers and not genuine tourists who would wish to spend their money within local area and towns. It has already been acknowledged that visitors to the Leisure Park which is akin to a Centre Parc will only spend money within the Park so there will be no financial benefit to the local community or the Moorlands in general. The area has a very low unemployment figure so the so-called jobs that will be created will be using low wage earners who will have to be bussed into the area creating even more pollution.

Churnet Valley Conservation Society

This is a full application that is outside the red line development boundary and has to be viewed as a standalone application on its merits.

As such it cannot use any reference to or seek support from the outline permission ie be piggy backed by the outline permission for the leisure development, on the same grounds or precedent, as in the judgement by HR Piling in the judicial review case involving SMD/2016/0378 and SMD/2016/0388 in 2017.

As it is beyond the redline it is a county matter and should be referred to SCC for a decision. To do otherwise would be ultra vires on the part of SMDC.

In 2017 SMDC passed a resolution that at the reserved matters stage, the detailed scheme(s) for the hub development

b) Shall not exceed the land use parameter for the location of the hub buildings in accordance with the revised parameter plan drawing ref PL1088.M.110 rev6)

The land /building cannot therefore be used for a hub.

NB That 2017 resolution by SMDC also included a provision for additional landscaping within the hub area which further screens the Hub development from the listed buildings at Little Eaves farm and the surrounding footpaths etc. which is not included on the Conservation officer's report so will be a further objection.

The forestry commission has not been consulted on this application or on SMD/2019/0646 but recent information obtained by CVCS from the definitive map indicates that this application is within 15 metres of a ribbon of ancient woodland, the impact upon which has not been accounted for in the application documents.

When Laver bought the site, it inherited the liabilities for the quarry permission ref SM.94/852 which requires all buildings thereby permitted to be demolished within 6 months of cessation of quarrying. This extant building is therefore in breach of Condition 5 of that permission and should be demolished.

It is currently subject to enforcement notices served by SCC and this action again indicates that it is a County matter and should be dealt with by them.

The 2014 agreed restoration plan did not indicate the retention of the building by Laver as falsely claimed by Laver's agents in their application. It is indicated as owned by Sibelco. Laver were requested by SCC in 2014 at the time of the restoration agreement to formalise

the use of any extant buildings that should have been demolished but never applied for permission.

All buildings including the maintenance building and offices in application SMD/2019/0646 are likewise to be demolished as a result of their non-compliance with the site permission.

They too are the subject of enforcement orders requiring removal.

The proposed design for the hub facilities is not luxurious or spacious as was promised when initially proposed. It is a utilitarian block seen in quarries all over the Peak District with small rooms being used for a secondary option as the hub building has failed to accommodate all the requirements needed.

Sustainability:

By changing the use of what is a redundant building which attracts no traffic, to one which provides facilities that will attract more visitors to the site, cannot be seen as a reduction of potential trips and a promotion of sustainable transport as claimed in the support documents as this is contrary to the Policy T1

The impact of external modern materials needed to change the building has not been properly assessed upon the setting of the nearby listed buildings at Eaves Farm or the impact of noise and light from the activities proposed in its reuse.

There are several errors and omissions on the documentary submissions which have been notified to SMDC but remain on their file website.

This is unacceptable as they are making false claims on a form that is, *stricto sensu*, a legal document and must be error free for validation. For example, on the application form Q8 it says there is no new or altered vehicular access proposed to or from the public highway, but the permitted access it claims is the one that requires the no right turn alterations and plans that have to be approved under the outline permission.

Likewise new public rights of way are to be provided adjacent to the site but this too is denied on the form.

Item 10 is incorrect as there are ancient woodland and hedges adjacent and within 15 metres of the site.

On item 11 there is a watercourse within 30 metres of the site (stream D) Item 19 Hours of opening are relevant to the application but there are no details.

Item 20 not completed yet there will be machinery involved for activities and processes carried out. The transport statement is also wrong where it says in 2.3.4 *There is no proposed change to the site access from existing conditions. Vehicular and pedestrian access is proposed to be provided from the north of the site, from the overall Moneystone Park leisure development site.*

It conveniently or erroneously ignores the alterations to the access that have to be carried out according to the outline permission.

No pond surveys have been undertaken for the two ponds behind the premises since 2016 and the likelihood of crested newts being present has to be checked.

It is also claimed that there have been no physical changes to the overall site ie the quarry site, but in 2021 unlawful excavations took place without LPA permission destroying the safety overflow system inter alia.

When you add up all these known false statements, it is unacceptable for the LPA to proceed further without correction of the document as it negates the whole purpose of the form and its accuracy. The information has to be correct otherwise you are not considering the planning balance properly.

As it stands, this application is invalid.

7 OFFICER COMMENT AND PLANNING BALANCE

8.1 Notwithstanding the fact that the building, focus of this application is subject to an Enforcement Notice that requires its demolition, there is nothing in planning law or policy which prevents the applicant from seeking planning permission to retain the building and put it to another use (i.e. non quarry related) This application must be determined, as with all applications, in accordance with the Development plan, unless there are material circumstances which indicate otherwise

8.2 The building in question is of substantial construction. It was previously in employment use and as such Policy E3 of the Local Plan is relevant and the starting point in the consideration of the application. Policy E3 refers to existing employment land/building and seeks to protect such sites where they are well related to the road and public transport network, where they will support the local economy and where they can provide good quality modern accommodation attractive to the market without harm to nearby residents. The Policy sets out several exceptions where loss of an employment site may be permitted. Of relevance to this application is bullet point A. It refers to situations where the site is identified in the Local Plan for development of non-employment uses.

8.3. Applying Policy E3, the application site is not well located to the main road or public transport network nor is it within a location where employment uses are actively promoted. Although the proposal could not be said to be an employment use in terms of the policy, the application form indicates that up to 15 FTE staff will be employed. Furthermore, the site lies within the Churnet Valley. Policy SS11 provides the strategy for the Churnet Valley and says that it is an area identified for sustainable tourism and rural regeneration. It goes on to say that development here should be in accordance with the adopted Churnet Valley Masterplan. The site lies within the Moneystone Character Area of the Masterplan key actions for which include the creation of a high quality new tourism and leisure destination at Moneystone quarry in line with the Concept Statement. In this respect the Local Plan (Policy SS11) does identify the site for other non-employment uses, namely sustainable tourism to benefit the local economy. Provided therefore that the proposal is not a standalone development but is linked to the approved leisure development at Moneystone quarry, then the principle is in accordance with Policy E3 and E11. There is another matter to also consider and that is that half of the proposed floorspace relates to uses already consented under the approved leisure scheme (SMD/2016/0378). By retaining and re-using this building, a smaller hub building is required. The Conservation Officer for one considers this to be a preferable option – see discussion below.

8.4 It is for these reasons that no conflict with Policy E3 is found and the principle of development is acceptable in terms of Policy SS11 provided its link to the adjacent leisure scheme is secured by condition. The other main issues to consider are access, design, ecology, landscaping and these are considered under the subheadings below.

Access

8.5 The application is supported by a Transport Note (Stantec October 2019). Access is to be via the re-routed access proposed under SMD/2019/0646 which links to the existing quarry access onto Whiston Eaves Lane. Parking is provided adjacent to the building using the existing car park. The Local Highway Authority has considered the application and raises no objection. There is no evidence/reason to take a different line and subject therefore to a condition requiring the parking, servicing and turning areas to be provided before the building is brought into first use and a condition to prevent no right turns out of the site, to align with Condition 23 of SMD/2016/0378 no highway issue is raised and there is compliance with the relevant part of Policies DC1 and T1 of the Local Plan and the NPPF.

Design

8.6 The proposal largely works with the existing building. Some existing windows and doors are removed where internal uses necessitate, and three small extensions are proposed as described above. No objection is raised to these. One relates to the provision of a feature entrance and lobby created from an existing roller shutter door opening on the northwest elevation. This becomes the main entrance and focal point to the building, and it is considered to link well with the main hub building of the adjacent leisure scheme. Existing ducts and flues are removed and the whole building re clad in a mix of timber cladding and black profile sheeting with dark grey aluminium window frames and doors. The DAS explains that the design rationale is to change the appearance from 'industrial' to 'agricultural'. Although an 'agricultural' appearance is not necessarily considered to be the outcome of the proposed changes, the proposed alterations and materials are considered to be acceptable and as the DAS says will visually tie in with the materials proposed for buildings in the reserved matters application for the adjacent leisure scheme. Subject therefore to a condition to secure an appropriate colour for the metal sheeting and samples of materials, the design is acceptable and there is compliance with Policy DC1 of the Local Plan and the NPPF.

Biodiversity

8.7 The application is supported by a Bay survey (Bowland Ecology; Ecological Advice Note : Sibelco Laboratory, Moneystone Quarry dated 30/3/2020) and response from Bowland Ecology dated 15th July 2020

8.8 The application has been reviewed by Staffordshire Wildlife Trust (SWT) on behalf of the Council. They are satisfied that the proposals will not impact habitats adjacent to the application site. They say that a detailed drainage scheme design will be required via condition. The expectation is that this should use sustainable drainage for surface water, such as porous materials where possible, and infiltration to landscaped areas such as tree pits, swales or rain gardens within new landscaping.

8.9 In terms of securing a biodiversity net gain SWT advise that this could simply be achieved by enhancing remaining grassland on the site via scrub control, additional seeding and creation of bare ground features and log piles for invertebrates and reptiles. Gains within the development area could include creating a 'rain garden' as part of landscaping/ surface drainage; planting of trees within the car park (also for shade) and including a green wall on the building using climbers, which would also provide visual benefits. Species enhancements should also be included, for birds and bats, such as nest and roost boxes on the building.

8.10 In terms of protected species, SWT advise that the additional information supplied has addressed information on species impacts. They say that due to the presence of reptiles, amphibians and badgers in the wider area adequate measures should be taken during construction to protect these species and this can be secured via a simple method statement. Similarly protection measures for bats and birds should be secured via condition.

8.11 With conditions in place therefore to secure the following, the application is acceptable in terms of biodiversity and there is compliance with Policy NE1 and the NPPF

- a landscaping scheme and BNG metric,
- method statements for the protection of amphibians, reptiles and badgers,
- species protection measures for bats and birds as set out in Ecological Advice Note Bat Survey by Bowland Ecology Ltd dated 30/03/2020
- drainage details using SUDS principles for surface water,
- long term management and monitoring plan

Heritage

8.12 The application is supported by a Heritage Technical Note and a Landscape and Visual Impact Assessment Technical Note (April 2020) This confirms that the site formed part of the archaeological desk-based assessment in the 2016 Environmental Statement which supported SMD/2016/0378 (see history) and that Little Eaves farmhouse and barn (Grade II Listed) formed part of the heritage assessment of the same ES.

8.13 The conclusion of the submitted documents is that there are no changes to the landscape or visual effects predicted in the 2016 ES as a result of this proposal. Furthermore there are not anticipated to be any additional effects on heritage or archaeology as a result of the proposal and that no heritage mitigation is required but that a watching brief/walk over survey would provide sufficient mitigation to deal with any as yet to be discovered remains.

8.14 The Conservation Officer has considered the application. She agrees that the works associated with the proposal would not worsen the visual impact to the setting of Little Eaves Farm than that which has already been identified as part of the wider development scheme. She does comment however that the application building can be seen from the environs around Little Eaves Farm and because of this requests that planting is secured to filter these views. This can be conditioned. Commenting generally, she considers that it would be preferable to have several smaller buildings with the same design/materials treatment as now proposed rather than one extremely large hub building to allow development to be more effectively assimilated into the landscape.

8.15 The County Archaeologist also accepts the conclusions of the Heritage Technical Note. He has no archaeological concerns with the application (see above).

8.16 Overall, subject to conditions, no material heritage harm is identified. A condition to secure some additional planting is recommended to filter views from Little Eaves farm. With this in place there is compliance with Policy DC2 of the Local Plan and the NPPF.

Trees and Landscape/Visual impact

8.17 No trees are affected by the proposal which relates to use of an existing building (albeit one which is currently required to be demolished). The submitted Landscape and Visual Impact Assessment Technical Note (April 2020) assesses likely landscape and visual impact and its conclusion that this will be minimal is accepted.

Although retaining this building and the small extensions proposed will have some landscape impact its overall scale and form is such that this will be limited and not considered to be problematic. In terms of appearance, the proposed façade treatment is appropriate and so too is the use of natural timber and generally muted tones. The building is situated well beyond (c60m) the closest part of the Key Wood Ancient Woodland site, comfortably exceeding the 15m buffer recommended in Natural England Standing Advice. Subject to securing a landscaping scheme by condition to soften the proposal and assimilate into the landscape, no issue is raised in respect of tree protection or landscape and visual impact and there is compliance with relevant parts of Policies NE2, DC3 and the NPPF

Other Issues

8.18 The Environmental Health Officer has considered the application and recommends a number of conditions to minimise noise during and post construction and to deal with any unexpected contamination. In respect of air quality and in order to discourage high emission vehicle use and encourage take up of low emission fuels and technologies in accordance with policy, he considers that some electric vehicle charging points should be secured by condition to give potential users and employees the opportunity to use low emission electric vehicles to offset the slight increase in emissions occasioned by the proposal. With relevant conditions in place there is compliance with Policy SD4 and the NPPF

8.19 There is reference on the application form to the provision of a package treatment plant on site but no details are provided. This can be conditioned. The Environment Agency were consulted on the application but had not responded at the time of preparing this report.

Planning Balance

8.20 At the time Staffordshire County Council granted Planning permission (reference SM.94/852) for the erection of new buildings, including the application building on 12 December 1994 and imposed Condition 5 (which requires the removal of such buildings within 6 months of the cessation of the winning and working of minerals at Moneystone Quarry), the after use of the site for a leisure scheme was not envisaged. Clearly the subsequent adoption by this Council in 2012 of the Churnet Valley Masterplan and the endorsement therein of a tourism and leisure destination at Moneystone Quarry and the subsequent grant of planning permission in 2016 for a leisure development at the site has materially changed the position at the site. Once the leisure development is implemented, the application building will not form part of a restored quarry but will sit within a leisure development. Its retention and re use as part of this is, for the reasons set out above considered to be acceptable.

The proposal is in accordance with the Development Plan. There are no material considerations which indicate that the application should be determined other than in accordance with the Development plan.

A recommendation of approval is therefore made.

8 RECOMMENDATION

That planning permission be granted subject to the following conditions: -

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2.The development hereby permitted shall be carried out in accordance with the following approved plans:

1733 MS	002	Location plan
1733 LB	004	Existing floor plan
1733 LB	005	Existing elevations
1733 LB	009	Existing Site plan
1733 LB	010	Proposed Floor plan
1733 LB	019 Rev B	Proposed site plan
1733 LB	014 Rev 1	Proposed elevations

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. The development hereby permitted shall only be used and operated as a facility of the adjacent leisure scheme permitted under SMD/2016/0378 and shall not at any time be sold, let or used as an independent standalone facility.

Reason:- In the interests of highway safety and the integrity of the Approved Restoration Plan for the site.

4. No external works to the building shall take place until such time that samples of all facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be carried out strictly in accordance with the approved details

Reason:- To ensure an acceptable external finish and in the interests of the character and appearance of the area

Electric vehicles charging points

5. The use hereby permitted shall not commence until such time that electric vehicle charging (EVC) points are installed and operational in accordance with a scheme which shall first have been submitted to and approved in writing by the LPA. The Scheme shall be based on 1 EVC point for every 6 spaces provided and it shall include appropriate cable provision to prepare for increased demand in future years

Reason: - To promote the use of low emission vehicles and mitigate the impact of any additional vehicles on local air pollution

Construction and Environmental Management plan

6. No development hereby permitted shall take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- i. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- ii. the arrangements for prior notification to the occupiers of potentially affected properties;
- iii. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- iv. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
- v. a scheme for recycling/disposal of waste resulting from the construction works;
- vi. the parking of vehicles of site operatives and visitors;
- vii. the loading and unloading of plant and materials;
- viii. the storage of plant and materials used in constructing the development;
- ix. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- x. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

All works shall be carried out in accordance with the approved details.

Reason: To protect the amenities of the area.

Unexpected Contamination

7. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. If after consultation with the Local Planning Authority the contamination is considered to pose a possible risk, to human health, buildings and other property and the natural and historical environment (receptors), development should not commence further until a site investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority. If the contamination investigation and risk assessment indicates that potential risks exist to receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to the receptors has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Waste Management

8. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason: To protect the amenities of the area.

Noise and Sound Insulation

9. A scheme for the containment of operational related noise for the development hereby approved which is designed for entertainment and leisure purposes shall be submitted to and approved by the Local Planning Authority prior to the occupation of the building. The approved scheme(s) shall be fully implemented prior to the occupation of the building.

Reason: To protect the nearby properties from noise.

10. There shall be no means for the amplification of sound (music, voice, soundtrack) installed to the exterior of any buildings hereby approved with the exception of fire and security alarms.

Reason: To protect occupiers from noise and safeguard their residential amenities.

11. No plant or machinery shall be installed within any part of the development hereby approved until a scheme specifying the make, model and position of the plant or machinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of the predicted sound levels that will result from the plant or machinery at noise sensitive locations. The methodology of such assessment including the noise sensitive locations shall be first agreed in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved scheme.

Reason:- To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution

Lighting

12. The development hereby permitted shall not be brought into use until full details of the proposed external lighting scheme has been first submitted to and approved in writing by the Local Planning Authority. Such details shall be broadly in accordance with guidance set out in the Institute of Lighting Engineers (Reduction of Light Pollution)(2011) or prevailing guidance and be accompanied by evidence that it is approved by a qualified ecologist in relation to its impact on bats. There shall be no external lighting other than in accordance with the approved details.

Reason:- In the interests of residential amenity, the character and appearance of the Area, nearby Listed buildings and protected species

Highways

13. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with drawing 1733-LB-019

Reason:- To comply with the Policies contained within the Staffordshire Moorlands Local Plan policies DC1 and T1 and in the interest of highway safety.

No right turn

14. The development hereby permitted shall not be brought into use until such time that details (including signage and road markings) of the works to realign the main site access on Eaves Lane, so as to prohibit vehicles from turning right out of the site into Carr Bank Lane have been submitted to and approved in writing by the Local Planning Authority. The highways works shall be completed in accordance with the approved details and shall thereafter be retained for the life of the development.

Reason:- In the interests of highway safety and to ensure the development aligns with the approved access arrangements under with SMD/2016/0378

Landscaping

15. Notwithstanding the submitted plans, no development shall commence until such time that a fully detailed landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be accompanied by a BNG metric (4.0) to demonstrate that a net gain in biodiversity of at least 10% is achieved.

The approved landscape and planting scheme shall thereafter be implemented within the first available planting season following the development being brought into use.

Any tree, hedge or shrub planted as part of the approved landscape and planting scheme (or replacement tree/hedge) on the site, which dies or is lost through any cause during a period of 5 years from the date of first planting shall be replaced in the next planting season with others of a similar size and species.

Reason:- In the interest of the character and appearance of the area, the setting of nearby Listed buildings and to secure a net gain in biodiversity

Biodiversity

16. The development hereby approved shall not be brought into use until such time that a long term Maintenance and Monitoring plan (MMP) for existing and newly created habitats on the site has been submitted to and approved in writing by the LPA. The development shall thereafter be implemented in accordance with the approved MMP

Reason:- To ensure a biodiversity net gain and biodiversity enhancement

17. The development hereby approved shall be carried in strict accordance with the species protection measures for bats and birds set out in Bowland Ecology; Ecological Advice Note : Sibelco Laboratory, Moneystone Quarry dated 30/3/2020

Reason:- In the interests of protected species

18. No development shall commence until such time that Method Statements for the protection of amphibians, reptiles and badgers has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details

Reason:- In the interests of protected species

Drainage

19. No development shall commence until full details for the disposal of foul and surface water have been submitted to and approved in writing by the Local Planning Authority. Surface water drainage should be based on SUDS principles. Details should include arrangements for future maintenance and management of both the foul and surface water

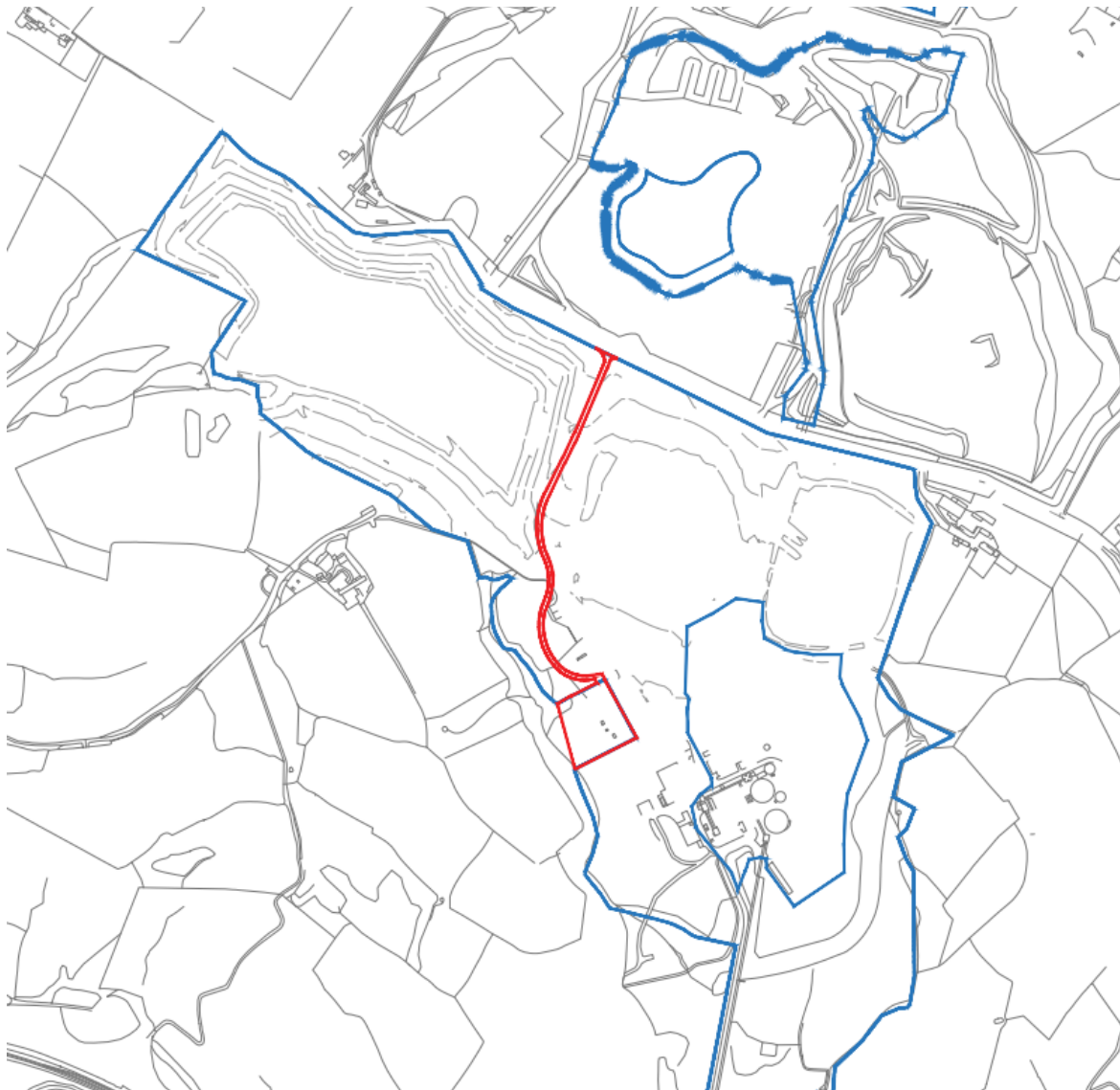
systems. The development shall thereafter be carried out strictly in accordance with the approved details

Reason:- In the interests of securing an acceptable drainage system and biodiversity enhancement

Informative

1.A sustainable development has been negotiated which accords with the provisions of the National Planning Policy Framework

- B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee,**



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STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL PLANNING APPLICATIONS COMMITTEE

26th October 2023

Application No:	SMD/2022/0014	
Location	Moneystone Quarry Cheadle Road Oakamoor Staffordshire ST10 2DZ	
Proposal	Proposed construction of a revised surface water outfall associated with Moneystone Park leisure development and engineering operations to infill the existing outfall structure.	
Applicant	Laver Leisure (Oakamoor) Limited	
Agent	Asteer Planning LLP	
Parish/ward	Kingsley and Oakamoor	Date registered 12/01/2022
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffs Moorlands.gov.uk		

REFERRAL

This application relates to an adjacent and approved leisure scheme which is a major application and for which the first reserved matters application is also on this Agenda, reference SMD/2019/0646. It involves a small amount of development in the Whiston Eaves SSSI. The application is locally contentious.

1. SUMMARY OF RECOMMENDATION

APPROVE subject to conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 This is an irregular shaped parcel of land extending to approximately 1235 sq m. The site is located in the south western corner of Quarry 3 at Moneystone Quarry. It provides a connection between the lake in Quarry 3 (Q3) and a tributary of the River Churnet known as Stream A. It comprises the lakeside edge, an access track, woodland and grassland. Part of the site lies within the Whiston Eaves SSSI

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full application for the construction of a new surface water outfall associated with the adjacent leisure scheme and engineering operations to infill the existing outfall structure.

3.2 The existing outfall consists of a concrete weir and outlet pipe. In June 2021 the applicant undertook some unauthorised engineering works next to the existing outfall in the

form of a trench/channel. A siphon consisting of two flexible hoses currently regulates the water level in Q3 which the application documents say is currently at around 156m AOD.

3.3 Whilst the majority of the proposal falls within the site boundary of the outline permission for the leisure scheme SMD/2016/0378, a small area extends beyond hence the reason why the applicant has submitted this separate full planning application.

3.4 The proposal is for a new channel / cutting to be made between Quarry 3 Lake and the established watercourse, known as Stream A. The new outfall entry level will be 156m AOD and the channel base cut at 155.9m in order to maintain the water level in Quarry 3 no higher than 156m, the level agreed with Natural England.

3.5 The plans show a cutting through the land bridge extending to an area approx. 26m by 27m with excavation up to approx. 4m (see Landscape General Arrangement Plan and Sections 1088.4-PLA-00-XX-DR-L-0007 Rev PO.3 and 009 Rev PO3). The outfall channel itself is shown to be 600mm wide and 500 mm deep. From the channel and within the 'quarry side', land will then be gently graded at 1:3. To minimise the excavation within the SSSI the land is shown graded at 1:1. The top of the embankment is shown to be fenced with 1.1m high post and rail fencing. Spoil gained from the cut is shown spread in an area generally following the existing track as shown on the plans albeit that no details are given.

3.6 The submitted Method Statement refers to a permanent new access track, at least 3m in width to be cut down to the lowered area on the lake side of the landbridge. The applicant has clarified this to be for maintenance purposes and it is now shown on the revised Site Plan Outfall Area revision 16.

3.7 An outline Method Statement is provided which details construction and ecological measures to be agreed prior to works commencing and subsequently implemented throughout the construction process to mitigate any adverse impact on the SSSI. In addition Table 9.4 Ecology Mitigation Measures in the ES Addendum.

3.8 Access to the outfall area will be taken from the east using an existing access track (para 5.10 of ES)

3.9 The application documents say that the total area of development within the SSSI which will be fenced off / utilised during the construction phase will amount to 0.005 hectares which is 0.04% of the total area of the SSSI of 10.4352 ha. They say that the proposed long term works represent a very small proportion of the overall SSSI designation.

Environmental Impact Assessment

3.10 The outline application for the leisure scheme SMD/2016/0378 was EIA development and was accompanied by a full Environmental Statement. The ES (Chapter 12 Drainage and Flood Risk) referred to a new outfall in the south west of the site albeit that no specific details were provided. This outfall application is intrinsically linked to the leisure development and is supported by an ES Addendum which considers the environmental effects of the proposal to ensure that the significance of residual effects previously reported in the June 2016 ES remain valid. Extensive discussions took place between the applicant and Natural England to agree the scope and approach to the hydrological assessment which forms the principal assessment of the ES Addendum.

3.11 For the reasons sets out in the analysis below, it is considered that the application does not raise any new significant effects and that the 2016 ES remains valid for the purpose of assessing this planning application.

3.12 The Application and all supporting documents, plans, comments and objections can be viewed in full at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=157386>

4. RELEVANT PLANNING HISTORY

SMD/2016/0388 Formation of a no right turn vehicular access on to Eaves Lane. Refused

SMD/2016/0378 Outline planning permission with all matters reserved except access for the erection of a high quality leisure development comprising holiday lodges; a new central hub building; (providing swimming pool, restaurant, bowling alley, spa, gym, informal screen/cinema room, children's soft play area, café, shop and sports hall); café; visitor centre with farm shop; administration building; maintenance building; archery centre; water sports centre; equipped play areas; multi-sports area; rope walks, car parking; and managed footpaths and cycleways and bridleways set in attractive landscaping and ecological enhancements. Approved

SMD/2014/0682 - Outline with all matters reserved except access for the erection of a leisure development of up to 250 lodges. Refused

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (adopted September 2020)

- SS1 Development Principles
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- SD4 Pollution
- SD 5 Flood Risk
- SS10 Rural area strategy
- SS11 Churnet Valley strategy
- SS12 Planning obligations
- DC1 Design Considerations
- DC2 Heritage
- NE1 Biodiversity and Geological Resources
- NE 2 Trees, Hedges and woodland

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Press Notice expiry date: Expired

Site Notice expiry date: Expired

Local residents have been notified by letter.

A number of letters of representations have been received raising the following issues:-

Neither support nor object (2)

190 lodges with an occupancy ranging from 2 to 12 gives a mean occupancy of 7. A ball park figure for total occupancy is therefore 1330 plus staff. Will the stated strategy for dealing with sewage and grey water cope adequately with absolute certainty with the demands of a site of this scale which will potentially increase in size to a considerable degree. As an extra threat heavy rainfall arising from climate change makes flooding a frequent event throughout the country. Plans for the disposal of surface water onto the ground making use of gravity on a hillside add to the risk and we are now informed that during periods of heavy rainfall water companies discharge untreated sewage to rivers. Will this abuse of the environment be a necessary measure for the sewage system at Moneystone Park?

Objections (29)

- Former workers at the quarry were worried about the dangers of using the quarry for this sort of development because of the instability of the ground and weakness of the rock. I am mindful of the recent landslip and sink hole nearby in Oakamoor. I must say I am relieved that the stability of the ground has finally been considered to prevent a potential tragedy
- Concerns that there is no evidence in the application's documentation for the 25% flow differences associated with the EA assertion that raising the planned lake level by 2 metres will satisfactorily restore flows to those necessary to sustain the future of the Whiston Eaves SSSI.
- Request that the required water flows are monitored on a permanent ongoing basis, and to an appropriate seasonal timetable and that the time table and that that the timetable and results are published for the public's inspection.
- Questioning the monitoring regime of the lake and what are the remedial actions and policy statements should there be any public health issues in the lake?
- The proposed development of Query 1 in Phase 2 is one of pertinence the specific outfall levels recommended by the EA have been recommended without their knowledge of phase 2. EA advice may be insufficient for phase 2.
- Clients may wish to clean their cars on site due to muddy rural road. This may lead to contamination of the lake.
- With climate change in mind, can you please inform me how long the SSSI might be expected to have limited flow and zero flow of water through it via Stream A, and what the implications of these scenarios will have on the flora and fauna of the SSSI?
- Questioning location of proposed reed beds and the impact they may have on fish in the stream.
- Concerns about the safety issues around the lake in Quarry 3 and how the works needed to complete application SMD2022/0014 will effect the stability of the bunds retaining the water in the quarry, particularly in the south-west corner. The current regime of raising of the water level will further exacerbate the dangers to staff and visitors, from the deep waters retained in the quarry.
- There will be ecological damage to the land below the new water outfall and an increased health and safety risk to human life from geological failures arising from the works
- SMDC LPA has Core Strategy Policy commitments to adopt planning policies aimed at preventing climate change and global warming. Attention should be brought to IPCC report pursuant upon the issue of the sixth report on climate change on the 28th. february 2022.
- Peer review by Wardell Armstrong and dated June 2022 has concluded that MQ is unstable and that the Applicant developers and their planning advisers have failed to carry out appropriate tests and engineering measurements to ensure that past and current planning applications meet standards necessary to ensure that the developers proposals met appropriate standards of safety.

- Attention drawn to Speech given by Sir James Bevan Chief Executive of the Environmental Agency on the 08/06/2022.
- There are outstanding a number of as yet unresolved complaints concerning the actions of regional EA Officers engaging in actions that resulted involvement in encouraging the Applicants at MQ. to breach planning law and thereafter approving actions which amount to the effective denial of a public right to know so that they could make informed judgements on that which has been covered by redactions in the Reservoir Engineers report.. Recent enquiry reveals that SMDC LPA is still actively considering the matter
- Concerns that the phased applications are now of a *significantly different nature* as to no longer meet the description set out by the Case Officer on the 05/11/2019. In the light of the recently obtained Wardell Armstrong Peer Reviewed (Stability) report of June 2022 it has become glaringly obvious that the vast majority of the plans, drawings, documents and reports *no longer have any validity* and cannot be corrected until the concerns expressed by Wardell Armstrong have been tested, measured and benefitted from engineering stabilisation mechanisms meeting current engineering standards.
- The threat of pollution to the River Churnet which is situated below the steep sloping site. Please note that the Churnet can now boast returning salmon as one element of its wildlife.
- The risk of placing buildings on sand
- The risk to residents of pools of water on site. Rescue from deep water is challenging.
- The risk of a public inquiry into a potentially tragic event and the consequent negative effects on well-intentioned public servants.
- There will be damage to many trees on site.
- The decision makers of the Planning Application Committee should focus with great care on safety for the person. Which cannot be 100% guaranteed.
- It is acknowledged that there are environmental effects and since the objective is to minimise them they cannot be positive effects

Kingsley Parish Council

Object on the basis that this is a retrospective planning application covering unauthorised work already done at the Quarry 3 outflow. The PC are also of the view that all current planning applications relating to Moneystone Park, should be heard by the SMDC Planning Application Committee together.

Environmental Health Officer

No objection

Advises that potential areas of environmental concern are construction impacts and contamination. The primary potential impacts from this development are on controlled waters (ground and surface) therefore we would support the EA's comments in this regard. Recommend conditions to secure a CEMP and control contamination

Trees and Woodland Officer

No objection subject to conditions. Comment that further detail in respect of excavated spoil spreading would be useful.

Local Highway Authority

No objection.

It is considered that the proposed construction of a revised surface water outfall associated with the Moneystone Park leisure development will have no adverse effect on the

surrounding highway network and any vehicular traffic associated with the construction have already been accounted for as part of the overall development.

Environment Agency

No objection. Advise that the applicant has an Environmental Permit (ref. EPR/KB3893VE) for the existing surface water outfall discharge. This however relates to trade effluent and is specific to the location of the existing outfall. We note the application seeks to relocate the existing outfall structure. Therefore, any changes to the location of the surface water outfall, and whether this is still required for trade effluent, will need to be considered as part of a permit variation. If the discharge is for uncontaminated surface water only, an Environmental Permit may not be required.

Officer comment: This would be a separate process that the applicant would need to follow

It is noteworthy that in their consultation response to SMD/2019/0646 dated 8th February 2022 the EA comment as follows:-

'We understand that in order to address comments received from Natural England, the proposed water level in Quarry 3 will be raised from 154m AOD to 156m AOD.

This revision was requested to mitigate the fact that catchments and surface water flows within the adjacent Whiston Eaves SSSI have changed over time in response to the development of the quarry. Further to this, the flows into the SSSI were typically approximately 25% greater historically than they are presently due to a reduction in the catchment area and the diversion of surface run-off through the quarry.

The water level adjustment will allow a new surface water outfall higher up the site, as submitted under application ref. SMD/2022/0014. This is more beneficial for the receiving stream and linked wetland as it will allow flows to be restored near to the top of the SSSI. Therefore, it will likely enhance the ecohydrological conditions of the SSSI compared to the current situation. We note the existing water level is already at 155.5m AOD. We are not aware of any nearby activity that would be negatively impacted if water levels in Quarry 3 are raised to 156m AOD'.

Natural England

No objection subject to appropriate mitigation being secured. Advise that without mitigation the proposal would damage or destroy the interest features for which the Whiston eaves SSSI has been notified. To mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Outfall Method Statement / Construction Environmental Management Plan detailing how construction works will avoid damage to the SSSI and its notified species should be provided.
- A monitoring scheme for during and after construction.

Staffordshire Wildlife Trust

Support the comments of Natural England. Request a condition to secure a biodiversity metric (Defra metric 4.0) to show how the works will provide a net gain for biodiversity, in line with Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September 2020.

Local Lead Flood Authority

No objection subject to a condition to secure long-term maintenance of the outfall

Churnet Valley Conservation Society

Object

Wrong information on the application form has still not been corrected and the form is invalid. It claims that there is no contamination ignoring all the previous site history especially waterborne pollution from quarry 3 and quarry 2 and its own hydrological report by JBA.

There are no details of pre application advice specified and the name of officer involved just Mrs ?.

It is a stand-alone, full application and so reference to or evidence used from the outline permission SMD/2016/0378 is not relevant.

It is partially outside the redline for development and thus also a county matter. The County Council have not been consulted.

It wrongly claims that the 2014 restoration plan required this new outflow, but there is no such evidence in the 2014 agreement with the County Council as the restoration plan shows no change and the site area is to be left as it is.

The development proposed impacts up on the buffer zones protecting the SSSIs as designated by SCC planning permission SM96/935 for the development of quarry 3 extension and this will be in breach of its extant conditions.

In 2021 in a bid to avoid paying for a 10 year backlog of licence fees as the reservoir had not been inspected every two years by the HSE as required by law, Laver's agents illegally destroyed the emergency overflow safety system by excavating a trench through its dam against the advice of the Environment Agency and without planning permission from SMDC.

In doing so Laver destroyed the existing safety system or overflow that was already established and agreed in the 2014 plan.

It has also committed offences under the Reservoir Act.

There is also a false claim within the documentation submitted in the application that the ground has not changed but evidence of the 2021 activity above and alterations abound and disprove that as another falsehood.

Wardle Armstrong require more stability investigation as mentioned in their 2022 report:-

2.3.5 Abbeydale BEC correctly suggest that mitigation is required to improve stability, however slope stability analysis should be carried out on all the slopes including the proposed earthworks to inform the stability and therefore the risk to the proposed development.

2.3.6 The assessment is based on maintaining a stable lake water level below the existing 155m AOD bench to assist slope stability. It is understood that as part of the 2022 planning application (reference SMD/2022/0014) the required water level would be 156m AOD for the proposed development. Due to lake water level changes (a rise of 1m) the stability assessment should be reviewed and this letter report [3] should be revised if appropriate.

The stability of the dam has also to be confirmed in relation to the panel engineer's report for the reservoir classification. This is still pending further investigation following the recent Binnies independent report for the EA.

There is no recent assessment of the levels of pollution in quarry 3 lake that will be draining via the proposed new overflow by either Laver, or SMDC 's Dr McCrory despite references to the dangers of waterborne pathogens in the JBA reports.

Elsewhere there is a wrong reference or claim that stream A takes water from quarry 1, but it is quarry 2 that feeds the water into quarry 3.

This statement too below is incorrect

9.14 The proposed outfall is located on the south eastern corner of the lake within Quarry 3 at Moneystone Quarry (SK 04128 46243).

The outfall is located in the south west corner.

The JBA hydrology report is also incorrect in this statement

11.22 There has been only one significant change to the Site and the surrounding area since 2016. In the Summer of 2021, a temporary spillway channel was cut from the Q3 quarry towards the SSSI, stopping before the boundary of the SSSI. This spillway is slightly lower than the previous spillway. It was constructed following advice from the Environment Agency to reduce risks associated with potential reservoir failures. The spillway lies circa 1.40m above the typical height of the Q3 lagoon and is only envisaged as being active in an extreme flood event.

It acknowledges that the site has changed contrary to the application form mentioned above, but the temporary spillway was not constructed on the advice of the EA as evidence of correspondence between Abbeydale and the EA (which we have already presented to SMDC and Mr Heywood) proves that the EA did not advocate "trenching" the dam, but were expecting Abbeydale to obtain the usual planning permissions from the LPA beforehand which should have included arboreal, ecological and archaeology reports or EIA impacts.

It was not" constructed" as photo evidence available to SMDC will testify, but hastily and crudely excavated the day before the EA would impose fines upon Laver for not having licensed their raised reservoir since 2011 without any biennial safety checks by a qualified panel engineer in accordance with the Reservoir Act provisions.

It is thus a fabricated nonsense to suggest otherwise.

In fact now the old overflow system installed by Sibelco has been destroyed by Laver's agents acting unlawfully, the risk factor of potential reservoir failure has increased from the damage to the structure of the dam.

The JBA report also goes on to say

• The risk of failure of the embankment along the Q3 lagoon edge has been reduced through the construction of a new temporary spillway undertaken through consultation with the Environment Agency in Summer 2021. This reduces the capacity the lagoon could hold water beneath the Reservoir Act threshold of 25,000m3.

That too is incorrect as it is now classified as a reservoir again as a result of the Binnies report.

It later goes on to say that as part of this application that temporary spillway will be filled; yet elsewhere in the same report it says it will be maintained and preserved as an emergency overflow.

That does not make sense to anyone, let alone an expert hydrologist or engineer!
Finally, and thankfully, here is a caveat towards the conclusion of the report

7.7 Limitations and Caveats

The peak flow model has been developed solely to assess the flow changes and impacts on the SSSI and the results are based upon JBAs understanding of the outline drainage strategy for the site as currently proposed (and as described in the previous planning submission). If during the development of the detailed drainage strategy, there are significant changes to the routing of flow through the site, or the levels of the lakes, the modelling may need to be re-evaluated. It should also be noted that the model has not been designed to cover Reservoir Act considerations. It is JBA's understanding that the recent construction of a spill way channel means that the Q3 lagoon no longer comes under the Act.

Given that it is now to be reclassified as a reservoir, the models upon which this report is based cannot be regarded as applicable here and the report itself must be deemed either to be done again or dismissed as evidence.

However one thing that it does assist with is the mapping of instability under the dam and in the clough below it, as it has provided a very useful map showing seepages and matches the lidar images of the ground formation where the instability lies.

It also emphasises the danger that re-activating Stream A risks by eroding both the clough and the dam as of course the latter was built after the sub surface ground water flows were interrupted and dissipated by the deep sand pit. For the past 25 years stream A has been dry mostly and the ground to the north of it has been fed only on the water escaping from and under the base of the dam. To suddenly activate a large overflow from the spillway flowing down its channels could lead to further erosion of the clough, the SSSI and more weakening of the structure along those lines or areas shown on the map

There is no emergency flood plan in the eventuality of a major failure of the dam wall or if in a sudden inundation or increased rainfall event such as can be expected with climate change, the reservoir overtops and the water floods the lakeside lodges at the same time. The excavation works needed to reactivate the stream bed will also damage, destroy or threaten archaeological features to which the County Archaeologist drew your attention back in 29th September 2020 and contingency measures to deal with this have not been accounted for specifically in any EIA assessment associated with this application. The arboreal report is out of date.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 Planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 The application site is in the open countryside where new development is controlled through Policy SS10. It says that in the rural areas of the District, such as this, only certain forms of development will be supported, amongst which and of relevance to this application is development which has an essential need to be located in the countryside; development which promotes sustainable tourism in line with the Churnet Valley Masterplan and; development which enhances the countryside by giving priority to the need to protect the quality and character of the area, requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding area and encouraging measures which protect and enhance the biodiversity and heritage of the District.

7.3 The works involved in this case are directly associated with the Moneystone quarry site, an Opportunity Site in the Churnet Valley Masterplan. The proposal is for a permanent outfall to replace the existing outfall to support the approved leisure scheme

(SMD/2016/0378). It comprises of an earthwork channel with no structural elements. Although the proposal involves a physical invasive operation (excavation to depth of circa 4m) it is a relatively contained operation. At the time of the outline application it was envisaged that a new outfall would be provided in this location to serve the development although the actual details were not known/provided (EIA Chapter 12 Drainage and Flood Risk). The proposal is required to maintain the water level in Quarry 3 at 156m, as agreed with Natural England.

7.4 For these reasons the principle of the development is considered acceptable and in line with Policy SS10. The main issues to consider are Landscape and Visual Impact. Trees/tree protection, Ecology and Hydrology Archaeology and Heritage. These matters are discussed more fully under the various sub headings below

Landscape and Visual Impact

7.5 The proposal is relatively small scale. It will result in very localised changes to local landscape character and ground levels immediately around the new outfall as described above.

7.6 The applicant has considered landscape and visual impact as part of the ES Addendum at Section 8 and concludes that the findings of the 2016 ES remain valid. No new significant effects are identified.

7.7 The Trees and Woodland Officer has carefully considered the application. He advises that the proposal would not materially reduce screening to/beyond the site boundaries, and due to intervening landform and significant areas of retained vegetation, the required loss of the few trees detailed above and indeed the outfall development itself (channel and new embankments) would not be apparent from publicly accessible viewpoints external to the quarry. He also comments that the screening of the overall leisure park development would not be materially reduced and consequently there would be no increased wider visual impact on external viewpoints arising as a result of the outfall proposal. The plans show that the excavated banks of the cutting would be left to vegetate and colonise naturally and no objection is raised to this. Spoil won from the excavation is shown spread temporarily along the existing access track until such time that it is moved as part of the earthworks for SMD/2019/0646, the adjacent leisure scheme. As the Trees and Woodland Officer says if spread along a sufficient length of the track, it may have no visually significant nor harmful impact. However, spoil should not be spread into the adjacent woodland or scrub areas alongside the track, nor in such a manner as may have detrimental impact on the woodland trees. A condition to control spread of the spoil is recommended.

7.8 For all of these reasons the conclusion of the ES addendum is accepted. The proposed outfall is considered unlikely to lead to any significant additional or increased landscape and visual impacts that have not already been considered in the 2016 ES. With conditions in place, the application is considered to be acceptable in terms of landscape and visual impact and there is compliance with Policy DC3 and the NPPF

Trees/tree protection

7.9 An Arboricultural Impact Assessment (AIA) is submitted with the application (Appendix VIII of the EA Addendum). It shows that the development will result in the removal of part of Tree Group G22 (early-mature Hazels, c.6m tall) and part of Tree Group G23 (early-mature Alders, also c.6m tall) adjacent to and close to the water's edge at the south-west corner of Quarry 3. In addition there is likely to be some impact on roots of Tree 19 (mature Alder), Tree Group G20 (early-mature Alders) and Tree T21 (Ash – already showing signs of Ash Dieback disease) which are to be retained adjacent to the embankments. The Trees and Woodland Officer advises that the loss of some trees from G22 and G23 would, in the context of the overall Quarry, have no significant impact on the landscape structure and

character of the site as there would be many more existing trees/woodland retained in the immediate vicinity and wider area. He says the tree loss would not be apparent from outside the site and would not materially reduce screening nor affect/increase visual impact of the proposed leisure development on external viewpoints.

7.10 The AIA recommends use of temporary tree protection fencing and ground protection measures during construction, together with on-site arboricultural supervision of detailed embankment excavations/changes of slope, in order to minimise impact on adjacent retained trees, although some adverse impact must be considered inevitable. The Trees and Woodland Officer advises that some decline in condition or even additional loss of these few extra trees would still have no significant adverse effect on landscape structure, character or screening.

7.11 The outfall application site is, at closest, c.115m outside the nearest point of Ancient Woodland to the west (part of Ashbourne Hey) and the development would have no direct physical impact on this woodland. This would comply with standing advice from Natural England, supported by the Woodland Trust, which recommends that all harmful development is excluded from a buffer zone 15m wide around Ancient Woodlands.

7.12 For these reasons and subject to a condition to secure the tree protection measures during construction there is no objection on tree grounds and compliance with Policy NE2 and the NPPF

Ecology and Hydrology

7.13 The ES Addendum considers both ecology and hydrology. Taking ecology first, Chapter 9 of the ES Addendum assesses this. It is based on surveys carried out by Bowland Ecology in 2010, 2011, 2020 and 2021. It recognises that this application includes an area within the Whiston Eaves SSSI which is designated on the basis of habitats of value and the presence of bullhead within the associated streams (small tributaries of the River Churnet). The most significant receptor is the Whiston Eaves SSSI. The SSSI is sensitive to changes in the water supply mechanisms that support it. The latest condition assessment (11/05/2021) for Unit 1 of the SSSI immediately adjacent is classified as Unfavourable - Recovering and notes this status is due to *“As water levels are recovering to post-quarrying levels the springs have returned throughout this part of the SSSI. Discussions are underway with the quarry owner (via the planning process) about securing a sustainable and appropriate permanent outfall arrangement into this part of the SSSI, which will be compatible with the natural processes that the flush features and wetlands depend on as well as furthering the conservation and enhancement of this part of the SSSI.”*

7.14 The application site consists of four broad habitat zones which are described at 9.18 – 9.30 of the Addendum and summarised in Table 9.1. In terms of habitats there is a mix of young alder woodland, patchy vegetation, dense bramble and within zone 4 (the SSSI) mature broadleaved woodland habitat (SSSI), veteran trees, patchy woodland ground flora, standing deadwood and associated bryophyte community. In terms of fauna the site is a potential habitat for nesting birds, foraging and roosting bats, potential refuge habitat for common amphibians and invertebrate habitat. Several trees have bat roost potential trees (BT1-BT3).

7.15 Impacts during construction and operation are considered in the ES Addendum (see Tables 9.2 and 9.3). In summary the ES says that the works are small scale and impacts on terrestrial habitats will be minimal. However, there are several features within the proposed working area which are considered to be of ecological value including; patchy woodland ground flora, coppiced hazels, a single alder tree and standing deadwood. Without mitigation it says there could also be indirect impacts, particularly during construction, upon the

watercourse and associated aquatic fauna as a result of pollution (silt run off or spills). The key mitigation measures to address these potential impacts are set out in Table 9.4 of the ES Addendum. In addition an outline Method Statement prepared by Abbeydale is also provided which details construction and ecological measures which the applicant would adopt throughout the construction process to mitigate any adverse impact on the SSSI. In the event of an approval these mitigation measures would need to be secured in an Outfall Method Statement/CEMP (see further discussion at para 7.22).

7.16 The ES Addendum concludes that following implementation of the mitigation measures there will be negligible impacts upon habitats and species. It says that the proposed outfall works aim to re-establish the pre-quarrying hydrological conditions within the SSSI and surrounding area which it says is a positive impact of the proposal. It says that, at least locally, reinstatement of flows to the SSSI will benefit the ecohydrological condition associated with the SSSI and wider catchment

7.17 Turning now to hydrology which is considered at Chapter 11 of the ES Addendum. Appendix 9 includes a detailed hydrological assessment.

7.18 The assessment in the ES Addendum includes a review of existing baseline conditions, consideration of future baseline conditions, and an assessment of the potential significant effects which may result from the change in conditions. A range of additional hydrological assessments have also been undertaken to improve understanding of the baseline conditions. This was done in response to comments from Natural England regarding the impact of the outfall and the wider leisure development on the eco-hydrology of the SSSI. The assessments included looking at how the catchments have changed both pre and post quarrying.

7.19 The key conclusions of the Hydrological assessment are as follows:-

- a) Q3 currently discharges into Stream A which flows through the SSSI
- b) The catchment area of Stream A is currently smaller than it was historically due to the quarrying operations and hence flows which feed the SSSI are lower
- c) The proposed drainage strategy for the wider site will result in a larger catchment area for Stream A. This will improve flows to Stream A
- d) Peak flows into Stream A have been significantly reduced from pre quarrying levels due to changes to landform (from steep narrow valley to series of flat areas/lakes) together with the attenuation effect of Q3. The current proposed drainage proposals still result in attenuation of historic peak flows in Q3. The outfall could be made larger to increase the maximum flow rate through the outfall, but this would potentially lead to increased disturbance to the SSSI.
- e) Peak flow analysis shows a very low likelihood of more powerful and potentially damaging flows during storm events discharging into the SSSI.
- f) The proposed location of the outfall higher up Stream A than the existing outfall will allow flows to be restored near to the top of the SSSI

7.20 The conclusion is that the proposal has the potential to enhance the ecohydrological conditions of the SSSI compared to the current situation and bring conditions within the SSSI back more closely to how they were pre quarrying.

7.21 The assessment confirms that no additional mitigation measures are required; mitigation is 'embedded' in the proposal as described above. The ES Addendum concludes

that the proposal will not lead to any significant additional or increased hydrological impacts that have not already been considered in the 2016 ES. It suggests that water supply mechanisms will actually be enhanced by the design of the outfall.

7.22 There have been extensive discussions between the applicant and Natural England. Both NE and Staffordshire Wildlife Trust have carefully considered the application and raise no objection. NE advise that without appropriate mitigation the application would damage or destroy the interest features for which Whiston Eaves Site of Special Scientific Interest has been notified. They advise that in order to mitigate these adverse effects and make the development acceptable, a condition should be imposed to secure an Outfall Method Statement/Construction Environment Management plan detailing how construction works will avoid damage to the SSSI and its notified species. They also request a condition to secure a Monitoring scheme both during and post construction. Staffordshire Wildlife Trust endorse this advice and in addition have requested a condition to ensure a net gain in biodiversity is achieved.

7.23 Paragraph 180b) of the NPPF and Policy NE1 say that development on land within or outside a SSSI and which is likely to have an adverse effect on it (either individually or in combination with other development) should not normally be permitted. In this case the advice of Natural England and Staffordshire Wildlife Trust is that the adverse effects can be mitigated by the imposition of conditions and there is the potential to enhance the ecohydrological conditions of the SSSI. It is for these reasons that the conclusion of the ES addendum is accepted. The proposed outfall is considered unlikely to lead to any significant additional or increased ecological or hydrological impacts that have not already been considered in the 2016 ES. With conditions in place the Whiston Eaves SSSI is protected and there is compliance with Policy NE1 and the NPPF

Archaeology and Heritage

7.24 The ES Addendum considers heritage and concludes that the proposals are not anticipated to result in significant effects on the significance of identified heritage assets such that as to warrant assessment in an EIA

7.25 There are no heritage assets within or directly adjoining the application site. The nearest heritage asset is Little Eaves Farmhouse and associated Barn, both are Grade II Listed and c. 230m from the outfall site. There will no visual connection with these assets and no adverse impact is envisaged

7.26 Whilst a Conservation Area was designated in nearby Oakamoor village in 2016, the proposed outfall application site has no visual connection with the Conservation Area and is some distance from it. No impact is envisaged.

7.27. In commenting on the outline permission the County Archaeologist advised that in areas impacted by quarry operations it was unlikely for archaeological remains to survive. He went on to say though that there is the potential for archaeological remains to survive on the fringes of the works and in areas 'less impacted' by recent land use across the site. He advised an archaeological watching brief during groundworks and this formed Condition 47. As this application partly includes the outline application and is on the fringe of the quarry operations it is considered reasonable and necessary to impose the same condition if permission is forthcoming.

7.28 For these reasons and with a condition in place no heritage harm is identified and there is compliance with Policy DC2 and the NPPF

Other Issues

7.29 No issues are raised in terms of access with the Local Highway Authority commenting that the proposal will have no adverse effect on the surrounding highway network and any vehicular traffic associated with the construction have already been accounted for as part of the overall development. The conclusions of the ES Addendum are accepted in respect of Access.

7.30 No issues are raised in terms of air quality, noise and vibration The Environmental Health Officer has requested a Construction and Environment Management plan which can be secured by condition. The conclusions of the ES Addendum are accepted in respect of Air quality and Noise

7.31 No updated Flood Risk Assessment (FRA) has been completed for the proposed new outfall. Given the outfall is similar in dimension to the design assumed for the ES in 2016 and discharges 30m upstream to the same receiving watercourse, the ES Addendum has assumed that the conclusions of the original FRA are acceptable. The Environment Agency and Local Lead Flood Authority have raised no objection to the application, the latter have requested details of the future maintenance arrangements for the outfall. This can be secured by condition

Planning Balance

7.32 Planning law requires that this application be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the reasons set out above the proposal is in accordance with policies in the Staffordshire Moorlands Local Plan. There are no material considerations that indicate a decision should be made other than in accordance with the Development Plan. A recommendation of approval is therefore made

8 RECOMMENDATION

A. That planning permission be granted subject to the following conditions:-

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans

Location Plan 1733 OF 002 Rev 5

Existing Outfall Area Plan 1733-OF-008 Rev 2

Proposed Outfall Masterplan 1733-OF-009 Rev 7

Proposed Outfall Plan 1733-OF-010 Rev 16

- • Outfall Area GA Section AA (Ref: 1733-OF-225 Rev 11).
- • Outfall Area GA Section BB (Ref: 1733-OF-226 Rev 11).
- • Outfall Area GA Section CC (Ref: 1733-OF-227 Rev 11).
- • Landscape GA Outfall Area Plan (Ref: 1088.4-PLA-00-XX-DR-L-0007 Rev P03).
- • Outfall Area Landscape Sections (Ref: 1088.4-PLA-00-XX-DR-L-0009 Rev P03).

Reason:- For the avoidance of doubt and in the interests of proper planning.

Natural England/Protection of the SSSI

3. Notwithstanding the submitted documents/information no development including site stripping or clearance shall commence until an Outfall Method Statement / Construction Environmental Management Plan (the 'Plan') has been submitted to and approved in writing by the Local Planning Authority. The Plan should detail how damage to the SSSI will be avoided, including but not limited to, consideration of the following:

- a) No run-off into the SSSI during construction from the access road or the landscaping land, both of which are adjacent to and in hydrological continuity with the SSSI.
- b) Safeguards must be in place to prevent run-off including fines, fuel and chemicals in surface water and groundwater during construction across the wider site from entering the SSSI. This is paramount given the identification of a significant role for sinkhole recharge and implied rapid flow through the underlying groundwater.
- c) It should be clear that when considering any work in the SSSI, engagement with Natural England is key and required.
- d) Stockpiled materials must only be stored in such a way as to prevent material and contaminated run-off entering the SSSI.
- e) Works should be carried out in dry conditions and therefore the prevailing weather conditions must be considered when deciding when to carry out work. Working in dry conditions will limit the risk of overtopping/or runoff entering the SSSI.

Development shall proceed strictly in accordance with the approved Plan

Reason:- To protect the Whiston Eaves SSSI during construction

4. No development including site stripping or clearance shall commence until such time that a Monitoring Scheme (with implementation timetable) to cover the construction and operational stage of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and operated strictly in accordance with the agreed Scheme. The Scheme shall include (but not limited to) the following considerations :-

- a) that flow monitoring apparatus is fit for purpose to accurately monitor the full range critical range of flows. This should be completed prior to the development.
- b) the water level at the overspill for 5 years from the operation of the development. This should be completed post development. The agreed water level is 156 AOD.
- c) Monitoring of water quality before and during construction to check that no fines, fuel or chemicals are entering the SSSI. See Annex A attached to the letter from Natural England dated 31st March 2023 for further information.
- d) Monitoring of future stream flows and sediments for 5 years from the operation of the development.
- e) Annual reporting of the data and necessary interpretation. The reports should compare monitoring data against the results of predictive modelling carried out during the planning phase. Any discrepancies should be clearly identified and explained, and actions proposed as necessary.
- f) A mechanism for mitigation if monitoring reveals issues. This is required in case the monitored results start to significantly deviate from predictions, in which case Natural England would require mitigation.

Reason:- To safeguard the SSSI from harm, provide a quality control of the modelling that has been carried out to support the application and to address the remaining uncertainty in the modelling.

Biodiversity

5. No development shall commence until such time that a Biodiversity Net Gain metric (using Defra metric 4.0 or any subsequent successor document) together with measures to achieve a net gain and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved measures and timescale

Reason:- To secure a net gain in biodiversity

6. The development hereby permitted shall only be carried out in accordance with, and full observation of, the Mitigation measures set out in Chapter 9, Ecology, Table 9.4 of the Environmental Statement Addendum, Moneystone Quarry, Staffordshire dated December 2021

Reason:- In order to mitigate any potential impact upon protected habitats and species

Construction and Environmental Management Plan:

7. No development hereby permitted shall take place including site clearance and stripping until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- II. the arrangements for prior notification to the occupiers of potentially affected properties;
- III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- IV. a scheme to minimise dust emissions arising from construction activities on the site.
- V. a scheme for recycling/disposal of waste resulting from the construction works;
- VI. the loading and unloading of plant and materials;
- VII. the storage of plant and materials used in constructing the development;
- VIII. any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment,
- IX. details of any generator/s to be used on site. They should be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,

All works shall be carried out in accordance with the approved details.

Reason: To protect the amenities of the area, amenity of local residents and that of the surrounding area from noise disturbance.

Unexpected Contamination

8. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Infilling and restoration of existing outfall and unauthorised channel

9. No development shall commence until a scheme of works (to include planting where required) for the infilling and/or removal and restoration of land containing the existing outfall and the adjacent spillway channel, both described and referenced at 8.2, Appendix 9, Hydrological assessment of the Environmental Statement Addendum including a timetable for implementation of such works, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed detail and timescale.

Reason:- To ensure the land is returned to its previous condition in the interests of the character and appearance of the area and the protection of the Whiston Eaves SSSI

Tree protection

10. No development including (including any site clearance, site stripping, site establishment, delivery of plant or materials, or formation/improvement of temporary/permanent access) shall take place until temporary tree protection barriers and advisory notices and temporary ground protection measures for the protection of the existing trees to be retained have been erected in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and as set out in the Urban Green arboricultural impact assessment report reference UG1329 dated 25/10/2021 submitted in support of the application hereby approved. These shall be retained in position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.

Reason:- In the interests of tree protection and the character and appearance of the area

11. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development and there shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive)

Reason:- In the interests of tree protection, protected species and the character and appearance of the area

12. No development shall commence, including site clearance and stripping, until such time that details for the temporary spread and permanent removal of spoil arising from the excavation, with sections where requested, has been submitted to and approved in writing by the Local Planning Authority . No spoil should be spread/deposited within existing woodland and scrub areas nor in such location or manner that it would encroach within the Root Protection Areas of trees in these areas. The development shall be carried out strictly in accordance with the agreed details

Reason:- In the interests of tree protection and the character and appearance of the area

Long-term Maintenance of outfall

13. No development shall commence until details of the arrangements for the future maintenance and operation of the outfall hereby permitted have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The development shall be carried out and operated strictly in accordance with the agreed details for the lifetime of the development

Reason:- To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

Archaeology/Heritage

14. No development shall be commence, including site stripping and/or clearance until such time that an Archaeological Watching Brief, Walkover and Earthwork Survey specification has been submitted to and approved in writing by the Local Planning Authority. The specification shall define the area of archaeological interest to be subject to the investigation and provide details of the programme of archaeological works to be carried out within this area, including post-excavation reporting and appropriate publication and interpretation. The development shall thereafter be implemented in full in accordance with the approved details

Reason:- In the interests of protecting the historic environment

15. The development hereby permitted shall be constructed and in use prior to first occupation of any of the development approved under SMD/2019/0646

Reason:- To safeguard the SSSI from harm and ensure a stable water level in Quarry 3.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee.



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