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Mr James Steynor
The Solar Business Company
Wyastone Business Park
Monmouth
NP25 3SR

Application no: SMD/2014/0432

Determined on: 5th March 2015

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)(England) Order 2010**

REFUSAL OF PLANNING PERMISSION

Location of Development:

Moneystone Quarry, Cheadle Road, Oakamoor, Staffordshire Moorlands ST10 2DZ

Description of Development:

Construction and operation of solar photovoltaic farm including provision of internal service roads, fencing, CCTV, below ground cabling and electrical ancillary equipment

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref: Site Location Plan SBC1000/17/01; SBC1000/17/02/revision1; SBC1031/1//01v; SBC1000/17/03; SBC1000/17/04; SBC1000/17/05; and SBC1000/17/06; for the reason(s) specified below:-

1. The proposal within a 14.3ha site area including access track, fencing, security cameras and associated substation, transformer and control buildings is for a solar photovoltaic array occupying a developed deployment area of 8.9ha and capable of a peak annual power output of 5MWp. The provision of this significant level of renewable energy is a positive material consideration worthy of weight in the determination of this application under Core Strategy Policy SD2 of the Staffordshire Moorlands Development Plan and the NPPF in particular Chapter 10 and paragraph 98. A balance, however, must be struck against competing negating considerations: principally in this case the degree to which the scale and nature of the proposal impacts upon the landscape.

The Council's Landscape and Settlement Character Assessment (2008) places the location partly within the Dissected Sandstone Highland Fringe and partly within the Dissected Sandstone Cloughs and Valleys Landscape Character Types and the site falls within areas 1b and 3a of the Churnet Valley Landscape and Settlement Character Assessment (2011), both documents being supporting evidence to the Core Strategy. The assessment identifies

the former Moneystone Quarry as a 'Key Opportunity Site' noting "parts are identified as generally well screened from views" but that "redevelopment proposals should take into account the sensitive nature of the small scale landscape in terms of its protection". The Staffordshire County Council landscape assessment: Planning for Landscape Change (2001) considered the quality of the two identified character areas to be either high or very high and of highest landscape sensitivity. The area overall must therefore be considered to have low or limited capacity to absorb developments into the landscape successfully. Notwithstanding the current un-restored or part-restored quarry state of the application site the proposal is assessed against the approved 'green field' restoration plan environment. The proposal itself would be a significant and unusual development at odds with the landscape features which characterise the area and would dominate its setting. The geometric and continuous lines of uniformly finished high technology panels set at a height of between one and three metres above ground will be an alien feature in the landscape. The presence of substation cabins would further add to the incongruous nature of the proposal in the landscape. There would therefore be a clear and demonstrable harm to the landscape character. In turn the visible impacts of the development for users of nearby public footpaths numbers 49 (Kingsley) and 7 (Oakamoor); from Whiston Eaves Lane and certain more distant viewpoints compounds the harm through visual impact. Core Strategy Policy SS7 - the Churnet Valley Area Strategy - states, "Any development should be of a scale and nature and of a high standard of design which conserves and enhances the heritage, landscape and biodiversity of the area..." and that, "the consideration of landscape character will be paramount in all development proposals..." The proposal gains little of the particular support available from policy SS7 and fails to meet the required consideration of landscape at the core of this policy.

The provision of a facility to produce 5MWp of solar-generated electricity is supported by Core Strategy Policy SD2 but this is subject to other considerations including "the degree to which the scale and nature of a proposal impacts on the landscape, particularly having regard to the Landscape Character Assessment..." National Policy similarly supports renewable or low carbon energy developments but again, not if material considerations indicate otherwise, and only if impacts are or can be made acceptable. In this case the degree of harm to landscape character and the identified adverse visual impacts are judged not to be outweighed by the benefits of renewable energy generation put forward in this scheme. Accordingly, the proposal is considered to conflict with Policies SS1 (last three points); SS1a; SS6c(3); SS7; SD2; DC3 and R1 of the adopted SMDC Core Strategy Development Plan (2014); the SMDC Landscape and Settlement Character Assessment (2008); the Churnet Valley Landscape Character Assessment (2011); the Churnet Valley Masterplan (2014) and the National Planning Policy Framework.

Informative

1. Prior to the determination of the application the Council discussed the proposal extensively with the applicant over an extended time, although pre-application discussions were not sought. Whilst modifications were submitted and substantial progress was made in addressing biodiversity considerations it has been determined ultimately that the

development is of a form and scale which cannot be supported under the identified relevant policies and that the acknowledged and recognised benefits of renewable solar energy generation do not outweigh the harmful impacts upon the landscape of this location.

Signed on behalf of Staffordshire Moorlands District Council

NOTES

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
2. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
3. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.