



# Planning Statement of Case

Proposed Leisure Development (Phase 1)  
Moneystone Park

On behalf of Laver Leisure (Oakamoor) Ltd  
May 2024

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Version Final

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## 1 EXECUTIVE SUMMARY

1.1 This Statement of Case has been prepared on behalf of Laver Leisure (Oakamoor) Ltd (“the Appellant”) in respect of an appeal against Staffordshire Moorlands District Council’s (‘SMDC’) decision to refuse reserved matters planning application ref: SMD/2019/0646 (‘the Reserved Matters Planning Application’) for Phase 1 of the leisure development (‘the Appeal Scheme’) at the former Moneystone Quarry, now known as Moneystone Park, (‘the Appeal Site’).

1.1.1 This Planning Statement of Case has been prepared by Jon Suckley MTCP FRTPI, whose professional declaration is as follows:

1.1.2 I am the Managing Partner of Asteer Planning, a specialist independent planning practice founded in April 2021. I have practiced for 21 years in the planning and development field and in September 2019, was elected to Fellowship of the Royal Town Planning Institute.

1.1.3 I advise a wide range of clients on significant and complex projects and has been providing planning advice to Laver Leisure on its proposed leisure development at Moneystone Park since 2009. I am extremely familiar with this area, the project and relevant local planning policy.

1.1.4 The planning evidence which I have prepared and provide for this Appeal in this Statement of Case is true and has been prepared, and is given, in accordance with the guidance of my professional institution and I can confirm that the opinions expressed are my true and professional opinions, irrespective of by whom I am instructed.

### **Background to the Former Moneystone Quarry and the Outline Planning Permission**

1.2 The former Moneystone Quarry has a complex planning history. The quarry operation at the site was a significant local employment generator however the refusal of a proposed extension to the quarry in 2007 resulted in its closure in March 2011. The 1998 Quarry 3 planning permission required a restoration plan for the aftercare of the quarry. The baseline position for the assessment of the outline planning permission was the restoration of the quarry. The current restoration plan was approved on 6 March 2014 and in the event that the outline / this reserved matters permission are not implemented then there remains an underlying obligation for Laver Leisure to deliver the restoration consent.

- 1.2.1 Laver Leisure acquired the former Moneystone Quarry in 2010 with the vision of delivering a high-quality leisure and tourism development which would deliver significant economic, social and environmental benefits for the Churnet Valley. Laver Leisure and its advisors have worked closely with Officers at SMDC during the preparation of the CVM which identifies Moneystone Quarry as an Opportunity Site for Leisure and Tourism development.
- 1.2.2 In accordance with the CVM, Laver Leisure secured outline planning permission for a high-quality leisure development in 2016. A solar farm was consented on 21 December 2015. In both instances local resident action groups sought (unsuccessfully) to challenge both consents.
- 1.2.3 In summary, there is an extant outline planning permission on a site for development which is consistent with the Council's policy guidance in the Churnet Valley SPD.

### **Background to Laver Leisure and its Vision for Moneystone Park**

- 1.3 Laver Leisure has extensive experience in the leisure and tourism industry and is committed to delivering a high-quality leisure and tourism development at Moneystone Park which will secure significant economic, environmental and social benefits for the Churnet Valley.

### **Background to the Reserved Matters Application**

- 1.4 Following an extensive period of engagement, the application was recommended for approval subject to conditions by the SMDC Planning Officers.
  - 1.4.1 The Reserved Matters Application which is the subject of this appeal case has been submitted pursuant to the Revised Outline Planning Application which was approved on 26th October 2016. A High Court Appeal against the Revised Outline Planning Permission was refused by the Court of Appeal on 7<sup>th</sup> October 2017. The Reserved Matters Application was submitted to SMDC in October 2019 and validated on 5th November 2019.
  - 1.4.2 The reserved matters planning application was determined by SMDC's Planning Applications Committee at its meeting on 26<sup>th</sup> October 2023, and was refused by Members against Officers' recommendation. SMDC published the Decision Notice refusing planning permission on 14<sup>th</sup> November 2023 (C/D Ref: 6.8).

## **The Appeal Site**

- 1.5 The appeal site is 48.425 hectares in extent and comprises part of a former silica sand quarry located between the villages of Whiston and Oakamoor, Staffordshire. Laver Leisure's total land ownership at Moneystone Quarry is 158.32 hectares. The former quarry is located approximately 1.6km southeast of Whiston, 2km north west of Oakamoor, and 11km south of Leek and is accessible via the A52 which links the M6 to the M1.

## **Overview of The Appeal Scheme**

- 1.6 The Appeal Scheme proposes the erection of a leisure development comprising 190 lodges, a new central hub building, children's play areas, multi-use games area, quarry park, parking facilities, site infrastructure and associated landscaping. The Appeal Scheme Masterplan is shown at (C/D Ref: 2.7). The proposed 190 lodges fall within the maximum parameters of 250 lodges permitted under the Outline Planning Permission and is intended to be a highly sustainable development which works with its landscape setting.

## **Planning Policy Context**

- 1.7 For the purpose of this appeal, the adopted Development Plan comprises the following relevant documents:
- Staffordshire Moorlands Local Plan (Adopted September 2020) (C/D Ref: 7.3);
  - Minerals Local Plan for Staffordshire 2015-2030 (Adopted February 2017) (C/D Ref: 7.4); and,
  - Staffordshire and Stoke-on-Trent Waste Local Plan 2010 to 2026 (adopted March 2013) (C/D Ref: 7.5).
- 1.7.1 As defined by the Local Plan Proposals Map (C/D Ref 7.10), the Appeal Site is allocated under Local Plan Policies SS9 (Smaller Villages Area Strategy), SS10 (Rural Area Strategy), H1 (New Housing Development), and DC3 (Landscape and Visual Impact). The Churnet Valley Masterplan SPD (C/D Ref 7.6) is a material consideration in the determination of the appeal and identifies Moneystone Quarry as an Opportunity Site to create a high-quality new tourism and leisure destination.

## The Design and Quality of the Appeal Scheme

- 1.8 In Chapter 10, I have assessed the quality of the Appeal Scheme and concluded, informed by the suite of Design and Technical Statement of Case appended to this Statement, that the Appeal Scheme and the design of the proposed lodges is high quality.
- 1.8.1 Local Plan Policy SS11 and the CVM requires the delivery of a high quality leisure development at Moneystone Park. In accordance with the criteria set out in Section 8.7 of the CVM, I have assessed that the Appeal Scheme is high quality having regard to:
1. The principal and composition of the Appeal Scheme which will provide much needed overnight accommodation to boost the local economy;
  2. The Landscape Led Masterplan process which was followed addressing the relationship the Appeal Scheme has to the Appeal Site and its constraints;
  3. The quantum and scale of the Appeal Scheme considering density, massing and height in accordance with the Outline Planning Permission;
  4. The design of the proposed lodges, hub building and activity building in terms of materials, fitness for purpose of the proposed architecture and local distinctiveness;
  5. The landscape visual impact of the development having regard to the relationship of the Appeal Scheme to its wider setting and its very low impact on close views and wider vistas;
  6. The landscape design and the positive contribution the Appeal Scheme will make to public realm, landscape and planting;
  7. The significant ecological enhancements that the Appeal Scheme will deliver; and
  8. The energy benefits that the Appeal Scheme will secure.

## Appellants Response to the Reason for Refusal

- 1.9 In Chapter 11 of this Statement, I assessed the Appeal Scheme against the Reason for Refusal and concluded that:
1. The reason for refusal relates only to the design of the lodges and not any other aspects of the reserved matters application such as the density, layout, hub building, etc. which has been confirmed in the email exchange between myself and Mrs Jane Curley, SMDC Planning Case Officer, at **Appendix 8**;
  2. It was misguided of the Councils Planning Committee Members to say that the proposed lodges are no more than 'caravans with cladding' and are not of a high standard of design. The lodges have been designed to comply with the Caravans Sites Act 1968 however they are not static caravans nor touring caravans. The lodges have been designed to comply with The Caravans Sites Act for convenience of construction and irreversibility and through doing this, it does not impact on the high quality lodges that are proposed at Moneystone Park;
  3. The lodge designs are proposed to be of high quality having regard to their appearance, detailing, form, design and materials. The lodges are low density and have very low visual impact from anywhere beyond the site boundary. The LVIA does not require green roofs on the proposed lodges only on the Hub Building which is proposed. To the contrary high sustainability credentials do not require the roofs of the lodges to be 'green roofs'. Solar PV and Air Source Heat Pumps on the lodges have been identified as the most appropriate options to deliver sustainability benefits;
  4. The design of the lodges is in-keeping with the sensitivity of the site which includes Whiston Eaves SSSI. The reason for refusal is wholly wrong to refer to the SSSI because the SSSI is irrelevant in the context that it has been used. The SSSI designation does not relate to appearance or setting and solely relates to scientific interest. Raising this issue in the context of lodge design is entirely mis-guided to the point of being unreasonable; and
  5. The Appeal Proposals fully comply with Staffordshire Moorlands Local Plan Policies SS1, SS1, DC1 and E4, NPPF Chapter 12 and the CVM SPD.



## **Planning Conditions**

- 1.10 To provide certainty that a high-quality leisure development is secured and implemented, the Appellant is agreeable to the suite of planning conditions set out in Chapter 12 in addition to those proposed in the report to committee.

## **Third Party Comments**

- 1.11 Provided at **Appendix 11** is a schedule which provides the Appellant's response to each of the key comments made by third parties during the determination of the application. In summary, the development is acceptable when assessed against each of the third-party comments.

## **Scheme Benefits**

- 1.12 At Chapter 14, I conclude that the Appeal Scheme will deliver a net benefit in terms of economic, social and environmental objectives of sustainable development in accordance with the NPPF. As such, the appeal scheme will bring forward a suite of undeniable benefits that weigh very heavily in favour of granting planning permission and should be afforded significant weight in the determination of the appeal.

## **Summary**

- 1.13 In summary, I conclude that the Members of SMDC's Planning Committee were wrong to refuse reserved matters permission against the advice of their Planning Officers who recommended the application for approval. The Appellant has had extensive dialogue with SMDC Planning Officers who raised no objections to the application. The Appeal Scheme including the proposed lodges is of high quality and will deliver a suite of significant economic, social and environmental benefits.

- 1.13.1 It is therefore respectfully requested that the Planning Inspector allows this planning appeal.

## 2 INTRODUCTION

2.1 This Statement of Case has been prepared on behalf of Laver Leisure (Oakamoor) Ltd (“the Appellant”) in respect of an appeal against Staffordshire Moorlands District Council’s (‘SMDC’) decision to refuse reserved matters planning application ref: SMD/2019/0646 (‘the Reserved Matters Planning Application’) for Phase 1 of the leisure development (“the Appeal Scheme”) at the former Moneystone Quarry, now known as Moneystone Park, (‘the Appeal Site’).

2.1.1 Following an extensive period of positive engagement, the reserved matters planning application was recommended for approval subject to conditions by the SMDC Planning Officers.

2.1.2 The reserved matters planning application was determined by SMDC’s Planning Applications Committee at its meeting on 26<sup>th</sup> October 2023, but was refused by Members against Officer recommendation. SMDC published the Decision Notice refusing planning permission on 14<sup>th</sup> November 2023 (C/D Ref: 6.8).

2.1.3 This document constitutes the Appellant’s Statement of Case for the Appeal.

### **Overview of The Appeal Site**

2.2 The appeal site is 48.425 hectares in extent and comprises part of a former silica sand quarry located between the villages of Whiston and Oakamoor, Staffordshire. Laver Leisure’s total land ownership at Moneystone Quarry is 158.316 hectares. The former quarry is located approximately 1.6km southeast of Whiston, 2km north west of Oakamoor, and 11km south of Leek and is accessible via the A52 which links the M6 to the M1.

2.2.1 A more detailed description of the site and its surroundings is provided within Chapter 5 (‘The Appeal Site’) of this Statement of Case.

### **Overview of The Appeal Scheme**

2.3 The Reserved Matters Planning Application has the following description of development:

*“Reserved matters application proposing details for the appearance, layout, scale 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; cycle parking; refuse and lighting arrangements; and managed footpaths, cycleways and bridleways set in attractive hard and soft landscaping"*

2.3.1 A more detailed description of the Appeal Scheme is provided within Chapter 6 of this Statement of Case.

2.3.2 Submitted with the Reserved Matters Application were:

1. Elevation line drawings 1733-LV-020, 021, 022 and 023 (C/D 2.48 – 2.51); and
2. Further visual design information in drawings 1733-LV-010, 011, 012 and 013.

2.3.3 Further elevation drawings and visual design information have been prepared and submitted with this appeal which are intended to show a more realistic picture but are firmly grounded in the application plans:

1. Moneystone Quarry View 01 – Lake (C/D Ref: 3.1)
2. Moneystone Quarry View 02 – Lodge (C/D Ref: 3.2)
3. Moneystone Quarry View 03 – Brook (C/D Ref: 3.3)
4. Moneystone Quarry View 04 – Hub (C/D Ref: 3.4)
5. Twin Lodge End Deck GA Plans and Elevations (Coloured) (C/D Ref: 3.5)
6. Twin Lodge Side Deck GA Plans and Elevations (Coloured) (C/D Ref: 3.6)
7. Single Lodge Rear Decking – GA Plans and Elevations (Coloured) (C/D Ref: 3.7)
8. Single Lodge Side Decking – GA Plans and Elevations (Coloured) (C/D Ref: 3.8)

## **Professional Credentials**

2.4 This Planning Statement of Case has been prepared by Jon Suckley MTCP FRTPI. I am the Managing Partner of Asteer Planning, a specialist independent planning practice founded in April 2021. Asteer Planning provides independent commercial planning advice

to private and public sector clients in the North of England across all sectors including housing, commercial, urban regeneration, mixed use, leisure, and care. Asteer Planning offers a range of services including planning appraisal and strategy advice, preparation and negotiation of planning applications, development plan promotion, planning appeals and public and stakeholder consultation.

- 2.4.1 I studied at the University of Manchester between 1999 and 2003 and qualified with an Undergraduate Masters in Town and Country Planning. I have practiced for 21 years in the planning and development field and began his career in 2003 at the Former Macclesfield Borough Council (now CEC). In 2005, I joined HOW Planning and achieved his full membership of the Royal Town Planning Institute later that year.
- 2.4.2 In 2013, I became a Partner of HOW Planning and in 2017 an Equity Partner. In 2018, HOW was acquired by GVA who in turn were acquired by Avison Young in 2019. I was a Senior Director at both GVA and Avison Young and until April 2021 was the Head of Avison Young's Manchester Planning Team and a Member of its Regional Executive. In September 2019, I was elected to Fellowship of the Royal Town Planning Institute. I advise a wide range of clients on significant and complex projects and has been providing planning advice to Laver Leisure on its proposed leisure development at Moneystone Park since 2009.
- 2.4.3 The planning evidence which I have prepared and provide for this Appeal in this Statement of Case is true and has been prepared, and is given, in accordance with the guidance of my professional institution and I can confirm that the opinions expressed are my true and professional opinions irrespective of by whom I am instructed.

### **Supporting Technical Statements of Case**

- 2.5 This Planning Statement of Case addresses the planning issues which the appeal proposals give rise to, and directly responds to the Council's reasons for refusal. It provides a planning assessment and reaches a conclusion as to the acceptability of the appeal proposals.
- 2.5.1 Design and Technical Statements of Case have also been prepared and are appended to my Planning Statement of Case. These Design and Technical Statements of Case should be read in conjunction with my Planning Statement of Case. I rely upon the conclusions of these Design and Technical Statements of Case and adopt their

conclusions in forming my own planning judgement as set out in this Statement of Case. The Design and Technical Statements of Case are:

1. Design Statement of Case prepared by Mr Andrew Bunce of NBDA Architects **(Appendix 1)**.
2. Design Quality Statement of Case prepared by Mr John Bratherton of Bratherton Park Design Consultants **(Appendix 2)**.
3. Landscape Statement of Case prepared by Mr Rob Moore of Planit **(Appendix 3)**.
4. Ecology Statement of Case prepared by Mr Jeremy James of Bowland Ecology **(Appendix 4)**.
5. Energy Strategy Statement of Case prepared by Mr Paul Young of Futureserv **(Appendix 5)**.
6. Economic Benefits Statement prepared by Darren Wisher of Wisher Consulting **(Appendix 6)**.

### **The Case for Public Inquiry**

- 2.6 The Appellant has submitted the appeal with the expectation that it will be dealt with by way of Public Inquiry. The Appellants justification for a Public Inquiry is provided at **Appendix 7** of this Statement.

### **3 BACKGROUND TO THE FORMER MONEYSTONE QUARRY AND THE OUTLINE PLANNING PERMISSION**

- 3.1 This chapter provides an overview of the background to the former Moneystone Quarry and the Outline Planning Permission. The site's planning history is complex. The Site Location Plan (C/D Ref: 2.1) identifies the position of Quarries 1, 2 and 3 which are referred to.

#### **Background to the Former Moneystone Quarry**

- 3.2 This section summarises the planning permissions relating to the quarrying operation.

##### **Historic Planning Permissions (1948 – 1998)**

- 3.2.1 Planning permission for the extraction of silica sand at Moneystone Quarry was first granted in 1948 and permitted the extraction of mineral from land to the south of Eaves Lane (known as Quarry 1) which was then occupied by the site's processing plant.
- 3.2.2 In 1958 a subsequent permission was granted which expanded the workings and established the quarry to the north of Eaves Lane in part of the area that is now known as Quarry 2. A number of further permissions were subsequently granted relating to the erection of the processing plant and associated storage areas and buildings.
- 3.2.3 In 1964 permission was granted for the consolidation of the quarry north of Eaves Lane (LPA ref. NC.5368) including provision for the tunnel under the road linking the northern and southern parts of the quarry. In 1983, permission was granted for a further extension of quarrying westwards and northwards (LPA ref. SM.11799) and throughout the 1980's and 1990's the processing plant continued to develop with the introduction of the Mineral Development Centre which houses Sibelco UK's minerals national research and development facilities.
- 3.2.4 In 1998 a comprehensive planning permission was granted (LPA ref. SM.96/935) (C/D Ref: 6.11) which included an extension to the quarry south of Eaves Lane (known as Quarry 3). The planning permission included a S106 legal agreement which covered a number of matters including the relinquishment of old mineral working permissions, highway improvements to Eaves Lane and a 10 year aftercare and groundwater management plan. Condition 35 of the permission required the restoration of the

quarry to be completed within 2 years of the cessation of operations with a 5 year aftercare period.

### **Refused Permission for Quarry Extension (2007)**

3.3 This section addresses the refused consent for the continuation of quarrying:

3.3.1 In August 2007 proposals for a 30 hectare extension to the quarry to extract 6.5m tonnes of silica sand over a ten year period with progressive restoration to grassland, wetland, native woodland, dry heathland and a 10 hectare lake (LPA ref. SM.06/10/122M) were refused by Staffordshire County Council ('SCC'). Members considered that the proposed development would have an unacceptable adverse impact on the village of Whiston by virtue of increased traffic, noise, dust, visual and landscape harm, loss of natural assets including woodland and potential impact on a Site of Special Scientific Interest (SSSI), contrary to the adopted Development Plan.

3.3.2 Extraction at the site ceased on 31 March 2011.

### **Restoration Scheme**

3.4 This section summarises the restoration scheme which was a requirement of the 1998 Quarry 3 planning permission (LPA ref. SM.96/935).

#### **Restoration Condition Requirements (2001-2009)**

3.4.1 Condition 35 on planning permission LPA ref. SM.96/935 (See Decision Notice at C/D Ref: 6.11 for full wording) required a detailed restoration and aftercare scheme for the whole site to bring the site into agriculture and nature conservation use to be submitted to the Mineral Planning Authority for its written approval.

3.4.2 A restoration scheme to discharge condition 35 of planning permission SM.96/935 was submitted to SCC in November 1999 and was subsequently approved by SCC in January 2001 (Ref: SM.96/00935 D1)/ (C/D Ref: 6.12). Amendments to the approved restoration scheme were submitted by Sibelco UK to SCC in 2009. The amended restoration scheme for the site was approved with conditions by delegated decision on the 16 October 2009 (Ref: SM.96/935/122 M D3)/ (C/D Ref: 6.13). This approval required the submission of an updated restoration plan to satisfy points raised in the approval letter.

### **Approved Restoration Plan (March 2014)**

- 3.4.3 To address the conditions of the delegated 2009 approval, a revised Restoration Masterplan (C/D Ref: 6.14) was submitted to SCC by Laver Leisure and was approved at SCC's Planning Committee on 6 March 2014 (LPA ref. SM.96/935/122 M D4) (Committee Report at C/D Ref: 6.15).

### **Restoration Plan Enforcement Notices**

- 3.4.4 SCC issued Laver Leisure with 2no. enforcement notices in September 2022 relating to breach of planning conditions associated with the restoration consent for the quarry and the removal of the laboratory building which are summarised below:

#### ***Enforcement Notice EN1 – Laboratory Building***

- 3.4.5 Condition 39 of planning permission reference SM.96/935 for the restoration of the quarry 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."*

- 3.4.6 All mineral extraction in the quarry ceased in March 2011. The former quarry machinery, plant and structures have been largely removed and the land cleared and levelled with the exception of the laboratory building which remains in situ. The building was used until June 2017 by Sibelco Ltd as research and development laboratories. The Enforcement Notice (C/D Ref: 8.1) requires:

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

- 3.4.7 The EN1 Enforcement Notice was subsequently varied in September 2022 (C/D Ref: 8.6) to amend the date to which the notices take effect to December 2023. It was



further varied again on 21 December 2023 (C/D Ref: 8.8) to amend the date on which the notice take effect to 31 May 2024.

- 3.4.8 The granting of planning permission ref: SMD/2019/0716 for the change of use of the laboratory building for facilities associated with the wider Moneystone Park in January 2024 has in effect 'overridden' Enforcement Notice EN1 so it is no longer applicable.

***Enforcement Notice EN2 (September 2022) – Restoration***

- 3.4.9 Condition 39 of planning permission reference SM.96/935 for the restoration of the quarry requires a detailed restoration and aftercare scheme for the whole site to bring the site into agricultural and nature conservation use within 12 months of the date of that permission. The restoration and aftercare scheme pursuant to the above condition was approved on 13th March 2014 (Ref: SM.96/935/122 M D4) (C/D Ref: 6.15).
- 3.4.10 To date, the approved restoration scheme for the quarry has not been completed in accordance with the approved plans and the programme of implementation. The intention of Laver Leisure has been for the leisure development to be delivered, and therefore to avoid unwarranted works taking place which would then be undone as part of that consent – such works have been paused pending the completion of this appeal. It is agreed that the restoration plan forms the baseline against which effects of the leisure scheme should be judged, however.
- 3.4.11 The Enforcement Notice (C/D Ref: 8.2) requires:
- a) Remove the buildings including their foundations (time for compliance: 3 months after this notice takes effect).
  - b) Remove all hardstandings, structures, machinery and equipment (time for compliance: 3 months after this notice takes effect).
  - c) Remove all debris, rubble and materials from the site (time for compliance: 4 months after this notice takes effect).
  - d) Complete the restoration of the whole site in accordance with the restoration plan approved under planning permission SM.96/935/122 M D4 on 13 March 2014 (Time for compliance: 6 months after this notice takes effect),

- e) Carry out all planting in accordance with the restoration plan under planning reference SM.96/935/122 M D4 approved on 13 March 2014 (Time for compliance: 9 months after this notice takes effect).

3.4.12 The EN2 Enforcement Notice was subsequently varied in September 2022 (C/D Ref: 8.7) to amend the date to which the notices take effect to December 2023. It was further varied again on 21 December 2023 (C/D Ref: 8.9) to amend the date on which the notice take effect to 31 May 2024.

### **Churnet Valley Masterplan (March 2014)**

3.5 The Churnet Valley Masterplan SPD (CVM) (C/D Ref: 7.6) was adopted by the Council in March 2014 and represents a material consideration in planning decisions.

3.5.1 The CVM, which was subject to extensive community consultation over a period of 3 years, identifies key opportunity sites, including Moneystone Quarry. Laver Leisure prepared and submitted representations to every stage of consultation during the preparation of the CVM and helped shape the vision for Moneystone Park.

3.5.2 The CVM provides an overview of the site, the constraints and opportunities associated with creating a high-quality leisure development and a development strategy which includes:

- New leisure development based around restoration of the quarry
- Potential for a complementary renewable energy scheme
- Other appropriate uses including:
  - Holiday accommodation: low impact holiday lodges in Zones 1 and 2. Limited development in Zones 4 and 5. Maximum of 250 lodges in total
  - Outdoor recreation facilities: including walking, cycling, horse riding and climbing
  - Hub within Zone 1: Recreational Lake to include non-motorised water based activities in Zone 3

3.5.3 The Concept Plan identifies a number of zones for potential development, these include:

- **Zone 1 (Quarry 1)** – Low impact holiday lodge development, incorporating landscaping and biodiversity areas.
- **Zone 2 (Quarry 2)** – Low impact holiday lodge development, incorporating landscaping and biodiversity areas.
- **Zone 3 (Part of Quarry 3)** – Recreational Lake
- **Zone 4 (Part of Quarry 3)** – Limited sensitive development of holiday lodges to be informed by a Landscape and Visual Impact Assessment. Consideration should be given to the impact on the SSSI of development. Any development should conserve and enhance the SSSI.
- **Zone 5 (Part of Quarry 2)** – Limited sensitive development of holiday lodges to be informed by a Landscape and Visual Impact Assessment.

### **Outline Planning Application (October 2014)**

3.6 An outline planning application (Ref: SMD/2014/0682) which sought approval for a leisure scheme was submitted to SMDC on 20<sup>th</sup> October 2014. The description of the outline application was:

*“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, climbing wall and shop); café; visitor centre; administration building; maintenance building; archery centre; water sports centre; equipped play and adventure play areas; multi-sports area; car parking, and managed footpaths and cycleways set in attractive landscaping and ecological enhancements.”*

3.6.1 Despite the Council’s Planning Officers recommending the application for approval, the Planning Committee resolved to refuse the planning application at its meeting on 26<sup>th</sup> November 2015. The application was formally refused by the Council on 2<sup>nd</sup> December 2015. The Decision Notice (C/D Ref: 6.4) outlines four reasons for refusal which related to:

1. Landscape – relating to the height of the hub building and the principle of the proposed lodges at Black Plantation;
2. Highways – relating to an increase in the amount of traffic using Carr Bank and also the reliance of visitors staying at Black Plantation to use private cars to access all facilities within the hub area;
3. Heritage – relating to the adverse impact the multi-activity hub area would have on the setting of Little Eaves Farm, a Grade II listed building; and,
4. Planning Balance – stating that the benefits of the leisure scheme when considered together would not be sufficient to significantly and demonstrably outweigh the harm identified above.

### **Adjacent Solar Farm Applications (June 2014 – December 2015)**

3.7 Development of the adjacent solar farm was also somewhat complex.

3.7.1 A full planning application (Ref: SMD/2014/0432) for the development of a Solar Farm to produce 5MWp of solar-generated electricity on land directly adjacent to the appeal site was submitted to SMDC on 28<sup>th</sup> June 2014. A copy of the site location plan is at C/D Ref: 9.1. The application was refused at SMDC's planning committee on 28<sup>th</sup> February 2015 contrary to Officer recommendation for approval. The Committee Report is enclosed at C/D Ref: 9.3 and the Decision Notice for SMD/2014/0432 is contained at C/D Ref: 9.4.

3.7.2 A revised full planning application (Ref: SMD/2015/0220) was submitted to SMDC on 15<sup>th</sup> April 2014. This application sought to address the reasons for refusal of SMD/2014/0432 including additional information in respect of the site selection process, additional photomontages to demonstrate the site's lack of visibility from public areas and the provision of a community benefit scheme. The description of the full application was:

*"Re-submission of application (SMD/2014/0432) for construction and operation of solar photovoltaic farm including provision of internal service roads, fencing, CCTV, below ground cabling and electrical ancillary equipment."*

- 3.7.3 This application was approved by decision of the Planning Applications Committee of 9th July 2015. Following the issuing of the decision on 22nd July 2015 a claim was lodged with the High Court by a third party seeking Judicial Review of the council's decision to issue planning permission and to have the permission quashed.
- 3.7.4 The matter of the third party's claim to the court was reported to committee on the 22nd October 2015. Members resolved that the scheme retained their support and granted delegated power for it to be re-determined by the Head of Regulatory Services in the event of the permission being quashed.
- 3.7.5 The planning application was granted formal permission by SMDC on 22<sup>nd</sup> October 2015. Following this decision, the scheme was subject to third party requests to call in the application for determination by the Secretary of State for Communities and Local Government.
- 3.7.6 In a letter dated 21<sup>st</sup> December 2015 (C/D Ref: 9.6), The Secretary of State decided to not call in the application and that he was contained for the application to be determined by the local authority. Subsequently, the planning application was granted formal permission by SMDC on 21<sup>st</sup> December 2015 (C/D Ref: 9.5) and the Solar Farm has now been delivered and is operational.

### **Appeal Against Refusal of October 2014 Outline Planning Application (February 2016)**

- 3.8 The Appellant submitted a planning appeal (PIN's: APP/B3438/W/16/3144848) to the Planning Inspectorate against the Council's decision to refuse planning permission SMD/2014/0682. The planning appeal was given a start date of 18<sup>th</sup> March 2016.
- 3.9 Following submission of the appeal, the Appellant entered into positive discussions with Officers at SMDC regarding the proposed leisure development at Moneystone Park. A series of changes to the refused scheme were agreed and a revised planning application was submitted to SMDC on 17<sup>th</sup> June 2016 (Ref: SMD/2016/0378).

### **Revised Outline Planning Permission (October 2016)**

- 3.9.1 An outline planning application (Ref: SMD/2016/0378) which sought approval for a leisure scheme was submitted to SMDC on 17<sup>th</sup> June 2016. This revised application sought to address concerns raised with the previously refused outline planning application ref: SMD/2014/0682. The reserved matters to which the appeal relates

was submitted pursuant to this revised outline planning permission. The description of the revised outline application was:

*“Outline application with some matters reserved 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; visitor centre with farm shop; administration building; maintenance building; archery centre; watersports centre; equipped play areas; mutli-sports area; ropewalks; car parking; and managed footpaths, cycleways and bridleways set in attractive landscaping and ecological enhancements (re-submission of Planning Application SMD/2014/0682).”*

3.9.2 The outline application was considered at SMDC’s Planning Committee on 15<sup>th</sup> September 2016 and a resolution to grant planning permission subject to conditions and Section 106 legal agreement was made. The Committee Report for the revised outline planning permission is contained at C/D Ref: 6.1. Formal planning permission was granted by SMDC on 26<sup>th</sup> October 2016.

3.9.3 Condition 4 of the revised outline Decision Notice (C/D Ref: 6.5) states that development be carried out in accordance with the following approved plans:

1. Red Line Location Plan (C/D Ref: 1.1)
2. Parameters Plan (C/D Ref: 1.2)
3. Character Areas Plan (C/D Ref: 1.3)
4. Eaves Lane Access Plan (C/D Ref: 1.4)
5. Proposed Layout of A52/Whiston Eaves Lane Junction (C/D Ref: 1.5)
6. Existing and Restored Landscape Plan (C/D Ref: 1.6)

3.9.4 A number of conditions attached to the Outline Decision Notice (C/D Ref: 6.5) require discharging through the submission of the subsequent reserved matters application at the site. These conditions are as follows:

1. Condition 1: Approval of Reserved Matters;
2. Condition 4: Conformity with Consented Outline Plans;
3. Condition 9: Ecological and Arboricultural Assessment in respect of Footpaths, Cycleways Bridleways and Outdoor Activities in "Areas of Retained Landscape";
4. Condition 11: Details of Existing and Proposed Levels and Engineering Works;
5. Condition 14: Conformity with Design and Access Statement and Mitigation Measures;
6. Condition 27: Statement of General Principles for the Disposal of Foul and Surface Water;
7. Condition 41: Arboricultural Impact Assessment; and
8. Condition 44: Structural Landscape Strategy.

3.9.5 The Supporting Planning Statement (C/D Ref: 2.92) submitted alongside the reserved matters application addressed how the reserved matters scheme will fully comply with the outline conditions set out above.

### **Legal Challenge of Revised Outline Planning Permission and High Court Decision (September 2017)**

3.10 SMDC's decision to grant outline permission ref: SMD/2016/0378 was challenged by a local resident, Mr Paul Housiaux, on various grounds which include increased traffic and the lack of provision for sustainable transport.

3.10.1 Permission to continue the legal proceedings was granted on 17<sup>th</sup> February 2017 and the case (Case No. CO/6126/16) was released to His Honour ('HH') Judge Pelling QC for determination. A hearing for the case was held on 20<sup>th</sup> July 2017.

3.10.2 On 4<sup>th</sup> September 2017 the Approved Judgement was released. (C/D Ref: 6.6). In considering all matters presented, HH Judge Pelling QC dismissed the case. He also awarded the Council capped costs of £5,000 and refused permission for Mr Housiaux to appeal against his decision. Permission to appeal to the Court of Appeal was refused by the Court of Appeal on 7<sup>th</sup> October 2017, during the course of the inquiry into the refused scheme.

- 3.10.3 A letter from the Appellant (C/D Ref: 6.7) was sent to the Planning Inspectorate on 8<sup>th</sup> November 2017 to formally withdraw planning appeal APP/B3438/W/16/3144848 against the Council's refusal of the October 2014 Outline Planning Application, on the basis that it had secured a satisfactory consent for the proposals which was beyond challenge, following the Court of Appeal's decision.
- 3.10.4 The Reserved Matters Application which is the subject of this appeal case has been submitted pursuant to the Revised Outline Planning Application which was approved on 26<sup>th</sup> October 2016. A further Reserved Matters application for Phase 2 under this outline planning permission remains as yet undetermined by the Council.

### **Summary**

- 3.11 The former Moneystone Quarry has a very complex planning history. The quarry operation at the site was a significant employment generator however the refusal of the extension to the quarry in 2007 resulted in its closure in March 2011. The 1998 Quarry 3 planning permission required a restoration plan for the aftercare of the quarry.
- 3.11.1 The baseline position for the assessment of the outline planning permission was the restoration of the quarry and in the event that the outline / this reserved matters is not implemented then there remains an underlying obligation for Laver Leisure to deliver the restoration consent. Laver Leisure acquired the former Moneystone Quarry in 2010 with the vision of delivering a high-quality leisure and tourism development which would deliver significant economic, social and environmental benefits for the Churnet Valley. Laver Leisure worked closely with Officers at SMDC during the preparation of the CVM which identifies Moneystone Quarry as an Opportunity Site for Leisure and Tourism development. In accordance with the CVM, Laver Leisure secured outline planning permission for a high-quality leisure development in 2016.
- 3.11.2 In summary, there is an extant outline planning permission on a site for development which is consistent with the Council's policy guidance in the Churnet Valley SPD.



## **4 BACKGROUND TO LAVER LEISURE AND ITS VISION FOR MONEYSTONE PARK**

4.1 The section sets out the background and experience to Laver Leisure and Laver Leisure's vision for Moneystone Park.

### **Background and Experience**

4.2 Laver Leisure is an experienced holiday park developer and operator and has been established since 1962. Laver Leisure owns 13 holiday parks across England which provides over 1,800 holiday homes. Within their portfolio of holiday parks, Laver Leisure provides a range of holiday accommodation.

4.2.1 The vision for Moneystone Park is set out below. In summary, Laver Leisure is proposing to make a significant addition to its portfolio, through the delivery of what is intended to be a high quality leisure development at Moneystone Park which will be of premium quality and will be marketed at the very top end of the leisure market for lodge accommodation.

### **Vision for Moneystone Park**

4.3 Laver Leisure's vision for the former Moneystone Quarry is to deliver a high-quality, sustainable leisure and tourism development, now known as Moneystone Park, which would provide a sensitive after use and restoration of the site following the closure of the Quarry in 2012. The intention is to deliver a leisure and tourism development which sits within the site's landscape setting and compliments the existing tourism accommodation, facilities and attractions in the local area.

4.3.1 The aim is to deliver a development which acts as a catalyst for further investment in the local area increasing economic prosperity and opportunities for employment. Their vision to replace the employment and investment lost in the area following the closure of the quarry in 2012 in a sensitive and sustainable way.

4.3.2 Laver Leisure's vision is to provide a mix of much needed quality lodge accommodation to increase the number of overnight stays in the area which in turn will boost the local economy. Laver Leisure also proposes to deliver a range of high quality indoor and outdoor tourist facilities as well as extensive walking, cycling and

bridleway provision to connect Moneystone Park with existing leisure and tourism facilities in the local area.

- 4.3.3 Laver Leisure's vision is to deliver significant landscape and ecological enhancements as well as a sustainable development combining a leisure and tourism development with a renewable energy scheme in the form of a solar development which has been implemented and is operational generating a peak electrical output of approximately 5 MWp.

### **Summary**

- 4.4 In summary, Laver Leisure has extensive experience in the leisure and tourism industry and is committed to delivering a high-quality leisure and tourism development at Moneystone Park which will secure significant economic, environmental and social benefits for the Churnet Valley.

## 5 BACKGROUND TO THE RESERVED MATTERS APPLICATION

- 5.1 This section provides an overview of the reserved matters application which is the subject of this appeal. In addition, it explains other separate full applications and reserved matters that have been submitted to SMDC and provides an overview of the Tourism Strategy for Staffordshire Moorlands 2022-2027.

### **Phase 1 Reserved Matters Application (Submitted October 2019)**

- 5.2 Laver Leisure submitted the reserved matters planning application at the appeal site on 21<sup>st</sup> October 2019. The planning application was given application reference SMD/2019/0646 and had the following description of development:

*“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.”*

### **Pre-Application Consultation**

- 5.3 Prior to the submission of the reserved matters planning application, the Appellant carried out extensive pre-application consultation with SMDC. Several pre-application meetings were held between November 2018 and July 2019 between Laver Leisure, SMDC and the project team.

- 5.3.1 Section 5 of the Supporting Planning Statement (October 2019) (C/D Ref: 2.92) prepared by Asteer Planning and submitted with the application summarise Laver Leisure's pre-application consultation approach, the feedback received and Laver Leisure's response.

### **Phasing Plan**

- 5.4 To discharge Condition 5 of the outline planning permission, the reserved matters planning application was supported by a Phasing Plan (Drawing ref: 1733-MS-021 Rev 5)/

(C/D Ref: 2.68) which split the site into two main phases – Phase 1 to the south of Eaves Lane and Phase 2 to the north of Eaves Lane.

5.4.1 The plan also separated the site into sub-phases which included, Phase 1(a), Phase 1(b), Phase 1(c), Phase 1(d) and Phase 2 as follows:

- Phase 1(a): extending from the centre of the Phase 1 site southwards. This sub-phase will consist of a collection of 75 lodges in the northern extent of the sub-phase located around the larger existing lagoon. Phase 1(a) will also include a Quarry Park, Hub building, play areas. The existing administration building will be refurbished for maintenance and housekeeping and the existing storage building will also be retained.
- Phase 1(b): Extends along the northern portion of quarry 3 and will consist of 38 lodges. The layout retains an undeveloped area to the northeastern corner of the lagoon which will enable a Watersports Centre to come forward as part of a future reserved matters application (now the subject of Phase 2).
- Phase 1 (c): Extends along the southern portion of Quarry 3 and will consists of 20 lodges
- Phase 1(d): Lies within the northeastern corner of Phase 1. This area will consist of 47 lodges around the smaller existing lagoon.

### **Non-Statutory and Statutory Consultee Responses**

5.5 The Officer's Report (C/D Ref: 6.2) recorded the consultation responses from consultee organisations. The consultation responses on the reserved matters planning application are summarised below:

1. Conservation Officer – No objection subject to conditions
2. Staffordshire Wildlife Trust – No objection subject to conditions
3. Environmental Health Officer – No objection, subject to discharge of environmental protection conditions of outline consent.
4. Waste – no objection
5. Local Highway Authority – no objection

6. Local Lead Flood Authority ('LLFA') – no objection
7. Environment Agency – no objection
8. Severn Trent Water – no objection
9. Trees and Woodland Officer – no objection, subject to conditions
10. Woodland Trust – no objection
11. Forestry Commission – no objection, subject to conditions
12. Natural England – no objection, subject to conditions
13. Historic England – no objection
14. Churnet Valley Conservation Society – objection
15. Staffordshire Moorland Bridleways Group – no objection
16. Police Architectural Liaison Officer – no objection, subject to conditions
17. Staffordshire Fire and Rescue Services – no objection.

#### **Determination of the Reserved Matters Application (October 2023)**

- 5.6 The Committee Report (C/D Ref: 6.2) provided the following concluding assessment in respect of the reserved matters planning application:

*"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.*

*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."*

5.6.1 In accordance with the above, SMDC recommended the application for approval at SMDC's Planning Application Committee on 26<sup>th</sup> October 2023.

5.6.2 Within the Committee Report (C/D Ref: 6.2) the officer also proposed condition to control the design and siting of the lodges. Specifically, Conditions 4 and 5 which stated:

Condition 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"*

Condition 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"*

5.6.3 The reserved matters planning application was however, refused contrary to officer's advice at SMDC's planning committee on 26<sup>th</sup> October 2023. A total of 7 members voted against the application which outweighed 5 member votes for approval. The final Decision Notice was issued on 14<sup>th</sup> November 2023 (C/D Ref: 6.8).

5.6.4 The reasons for refusal were specified in the Decision Notice as follows:

*“It is considered that the proposed lodges, which are little more than caravans with cladding, fail to deliver the required high standard of design. Owing to the proposed materials and lack of any green roofs, lack of creativity and detailing the lodges could not be said to be of an appropriate high quality nor do they add value to the local area. They have not been designed to respect this sensitive site or its surroundings, noting that it is in part adjacent to the Whiston Eaves SSSI.*

*For these reasons the proposal fails to comply with Policies SS1, SS11, DC1 and E4 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework including but not limited to Chapters 12 which says that good design is a key aspect of sustainable development and Chapter 15 which says that planning decisions should contribute to and enhance the natural and local environment by amongst other matters recognising the intrinsic character and beauty of the countryside and minimising impacts on biodiversity”*

5.6.5 Breaking the reason for refusal down it alleges:

1. That the concern relates **only** to design of the lodges – not other aspects of the reserved matters application such as the hub building, nor layout.
2. That the lodge designs are said to be no more than ‘caravans with cladding’ and are not of a high standard of design.
3. That the lack of quality arises from:
  - Choice of materials;
  - Lack of green roofs;
  - Lack of creativity and detailing.
4. The design is out of keeping with the sensitivity of the site – which includes Whiston Eaves SSSI.
5. Accordingly there is conflict with SS1, SS11, DC1 and E4 of the adopted local plan, as well as NPPF.

5.6.6 To seek clarification and agree what the reason for refusal relates to, I wrote an email to Mrs Jane Curley, Senior Planning Officer (Majors and Commercial) and Case Officer for the application on 27 March 2024. My email stated:

*"...In order for Asteer to draft the SoCG, with a view to this then being shared and agreed with the LPA, I would be very grateful if you could confirm that the reason for refusal solely relates to the design quality of the lodges?..."*

5.6.7 Mrs Curley responded to the email on 28 March 2023, and stated:

*"Thank you for your e-mail Jon. That is certainly my understanding, that the concern related to the lodges only".*

5.6.8 A copy of the email trail is provided at **Appendix 8** of this Statement of Case. Despite this clarification ecological evidence was sought to ascertain whether or not the Council was correct that lodge design might somehow have an impact upon the Whiston Eaves SSSI.

### **Full Planning Applications for Surface Water Outfall (November 2019 & January 2022)**

5.7 Along with the reserved matters application, a full planning application was submitted to SMDC on 29<sup>th</sup> November 2019 for the following development at the site:

*"Proposed construction of surface water outfall associated with Moneystone Park leisure development."*

5.7.1 Following the submission of the planning application, there was extensive dialogue involving Natural England, the Environment Agency, Laver Leisure and their advisors JBA, Abbeydale BEC and Bowland Ecology to discuss the technical requirements, design, and location of the surface water outfall. This resulted in the location of the outfall being moved further east when compared to the principle for the outfall location proposed as part of the original application.

5.7.2 The original outfall application ref: SMD/2019/0725 was withdrawn and a full planning application (C/D Ref: 4.1) was then submitted to SMDC on 11<sup>th</sup> January 2022 for the following development at the site:



*“Proposed construction of a revised surface water outfall associated with Moneystone Park leisure development and engineering operations to infill the existing outfall structure.”*

- 5.7.3 The revised outfall proposals had the prospect of affecting the SSSI, but it was accepted by the Council, that the outfall proposals would in fact secure a betterment to the SSSI as a result of the revised full application being brought forwards. The revised outfall application (Ref: SMD/2022/0014) was recommended for approval by SMDC Officers within the accompanying Officers Report (C/D Ref: 6.2). This application was approved at SMDC’s Planning Committee on 26<sup>th</sup> October 2023 and the final Decision Notice (C/D Ref: 6.9) was issued on 28<sup>th</sup> November 2023.

### **Full Planning Application – Change of Use of Existing Laboratory Building (November 2019)**

- 5.8 A full planning application was submitted to SMDC on 27<sup>th</sup> November 2019 for the following development at the site:

*“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.”*

- 5.8.1 The purpose of this application was to provide additional facilities within the existing former laboratory building to form part of the wider leisure park scheme.
- 5.8.2 Paragraph 8.6. of the Committee Report (C/D Ref: 6.2) outlines SMDC’s support of the high-quality design of the former lab building, specifically:

*“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."*

5.8.3 This application was considered at SMDC's planning committee on 26<sup>th</sup> October 2023 and was recommended for approval by SMDC Officers within the accompanying Officers Report (C/D Ref: 6.2). This application was approved at SMDC's planning committee on 26<sup>th</sup> October 2023 and the final Decision Notice (C/D Ref: 6.10) was issued on 10<sup>th</sup> January 2024.

5.8.4 The planning permission is linked to the refused Appeal Scheme by condition 3, which states:

*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 and the integrity of the Approved Restoration Plan for the site.*

### **Tourism Strategy for Staffordshire Moorlands 2022-2027 (February 2023)**

5.9 The Tourism Strategy (C/D Ref: 7.2) identifies the Council's vision, key priorities for growth and action plan for tourism delivery in the Staffordshire Moorlands over the next five years. The four key priorities identified for growth in the strategy are:

- **Alton Towers** - unlocking investment to create a year-round driver of visits;
- **Towns & Villages** - animated hubs with distinct food & drink to increase dwell times;
- **Active Experiences** - developing cycling and walking routes, trails and events; and,

- **Accommodation** - expand, improve and encourage investment.

- 5.9.1 A key aim of the strategy is to leverage further investment in attractions and accommodation which will help Staffordshire Moorlands to become a year-round destination attracting higher value visitors that create quality jobs.
- 5.9.2 It seeks to expand, improve and encourage the development of accommodation to attract visitors to stay overnight and keep their spending in the local area rather than losing it to neighbouring regions. This will be achieved by unlocking private sector investment with a clear policy environment that encourages suitable accommodation development and improvement in Staffordshire Moorlands.
- 5.9.3 The draft version of the Tourism Strategy was recommended for approval at SMDC's Cabinet Meeting on 25<sup>th</sup> January 2023 (Report at C/D Ref: 7.1). The Strategy was formally adopted in February 2023.

### **Phase 2 Reserved Matters Application (October 2023)**

- 5.10 A reserved matters application for Phase 2 of leisure development at the site for the remaining balance of 60 lodges to the north of Eaves Lane was submitted to SMDC on 20<sup>th</sup> October 2023 for the following development:

*"Reserved matters application proposing details for the appearance, layout, scale and landscaping for Phase 2 of the leisure development comprising 60 lodges, archery centre and watersports centre, internal roads and car parking and hard and soft landscaping"*

- 5.10.1 This application was validated by SMDC on 16<sup>th</sup> November 2023 and is currently pending determination. The time for the submission of any further reserved matters approvals has now elapsed.

## 6 THE APPEAL SITE

6.1 This section describes the Appeal Site and the surrounding area.

### The Site

6.2 An overview of the Appeal Site is provided at paragraph 2.2.

6.2.1 Eaves Lane bisects the former quarry forming a northern and southern area. The southern area comprises Quarry 1 'The Hub' and Quarry 3 'The Lake' and the northern area comprises Quarry 2 'The Upper Lakes'.

6.2.3 The Appeal Site encompasses Quarry 1 and Quarry 3 and is shown on the Site Location Plan (C/D Ref: 2.1). Quarry 2 is located to the north of Eaves Lane and is subject to a separate reserved matters application (Ref: SMD/2023/0532) for 60 lodges which represents Phase 2 of the development. The Phase 2 reserved matters application was submitted in October 2023 and is pending determination. The resultant scheme would result in a total of 250 lodges and a range of ancillary and incidental elements – all of which would come together as a high quality leisure development with accommodation in a location which is considered to be appropriate for such a use.

6.2.4 Quarry 1 'The Hub' is located to the south of Eaves Lane. It comprises the former processing and production area of the quarry, two lagoons and woodland. The plant within the former 'production area' has now been dismantled and removed from the site. The remaining buildings on site include Sibelco UK's vacant former laboratories; vacant former offices and an electricity substation. Further south from this area, the existing road leads down as the ground drops away to the old Churnet Valley Railway line at the bottom of the valley. This area of the site contains areas of woodland and existing water pools. An Extract from the Site Masterplan – Hub Building Area (C/D Ref: 2.8) is shown below at **Figure 1**.



Figure 1: Hub Building

6.2.5 Directly to the south of Eaves Lane the ground drops away more steeply to the base of Quarry 1. There are some areas of woodland planting around the rear of the quarry and an existing lake to the south. The second basin in Quarry 1 is slightly higher in elevation with a small embankment leading up to another pool of water. There is woodland planting to the rear of the quarry, before the quarry walls steeply climb up to Eaves Lane. Extract’s from both the Quarry 1 West Masterplan (C/D Ref: 2.10) and Quarry 1 East Masterplan (C/D Ref: 2.11) is shown below at **Figure 2** and **Figure 3**:



Figure 2: Quarry 1 (West)



Figure 3: Quarry 1 (East)

6.2.6 Quarry 3 ‘The Lake’ is located to the south of Eaves Lane. It comprises a former mineral extraction area. It is characterised by a lake with surrounding areas of scrub and mature tree plantings. A track leads down into the historic quarry from the existing access road. The quarry walls drop at a steep gradient to the lake. There is a small ridge cut into the quarry wall halfway down its length. This runs around the quarry at approximately the same height all the way around. Vegetation around the quarry walls has now begun to establish. There is an existing landscape bund which runs the majority of the length of the top of the quarry adjacent to Eaves Lane. An Extract from the Quarry 3 Masterplan (C/D Ref: 2.9) is shown below at **Figure 4**.



Figure 4: Quarry 3

### Surrounding Area

6.3 The locality of the Appeal Site is predominantly rural in nature with a scattered settlement pattern. The predominant land use around the quarry is pasture however quarrying has been a major feature within the immediate locality since at least 1948.

6.3.1 The Appeal Site is located in close proximity to a number of national and local tourist attractions, all of which are well connected by principal transport routes, such as the A52 or via bridleways, public footpaths and cycle routes. These include, but are not limited to the following:

- **Whiston Hall Hotel:** a Victorian Hall, built in 1850 with an 18 hole golf course is situated to the immediate north west of the site; and,
- **Churnet Valley Railway:** located approximately 4km north west of the site. The railway is located at Cheddleton Station and links Leek Brook to Froghall. There are numerous linkages to the station via either the A52 or the A520 or via public footpaths such as the Staffordshire Way which runs through the Churnet Valley;
- **Alton Towers Theme Park and Resort:** located approximately 3km south east of the site.
- **Foxfield Steam Railway:** located approximately 11km south west of the site. This is a heritage steam railway linking Blythe Bridge to Godleybook. Road linkages are from the A52 and the A521; and
- **Sudbury Hall:** located approximately 16km south east of the site towards Ashbourne. This is a National Trust site and houses a Museum of Childhood and numerous landscape gardens. Linkages via the A52.

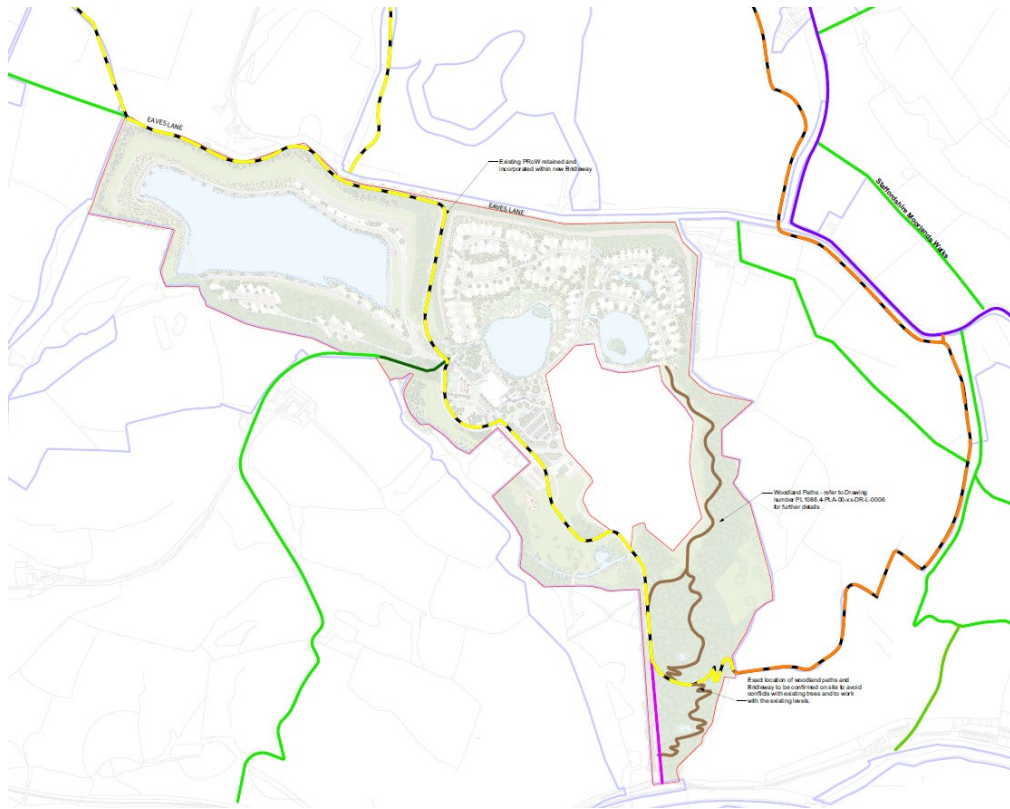
6.3.2 In addition to these major attractions, there are also a range of Public Right of Ways and bridleways in the vicinity of the site which are used for recreational use and a range of other smaller attractions and leisure activities. The Appeal Scheme proposes a series of connections to the existing PROW's in the surrounding area.

## Access

6.4 The Appeal Site is accessed via Eaves Lane, which connects the villages of Whiston to the north and Oakamoor to the south east of the site. At Whiston, Eaves Lane joins the A52 which is a strategic route connecting Stoke-on-Trent to the west and Ashbourne to the east. Blakeley Lane is located adjacent to the north eastern boundary of the Appeal Site which joins Eaves Lane to the east of the existing Crowtrees Farm access. There are a number of cycle and footpath links running through the Appeal Site and in the



immediate vicinity as shown on the Footpath, Cycleway and Bridleway Plan (C/D Ref: 2.56) at **Figure 5** below.



*Figure 5: Footpath, Cycle Path & Bridleway Plan*

- 6.4.1 Direct access into the Appeal Site was approved under the revised outline planning permission in October 2016. The Eaves Lane Access Plan (C/D Ref: 1.5) is listed as an approved plan under Condition 4 of the Decision Notice (C/D Ref: 6.5).
- 6.4.2 The permitted site access is taken from the existing access from Eaves Lane. A “no right turn” junction has been designed to prevent visitors from exiting the scheme onto Carr Bank. Traffic would be directed to and from the site via the A52 to the north.

## 7 THE APPEAL SCHEME

7.1 The Appeal Scheme proposes the erection of a leisure development comprising 190 lodges, a new central hub building, children's play areas, multi-use games area, quarry park, parking facilities, site infrastructure and associated landscaping. The Appeal Scheme Masterplan is shown at (C/D Ref: 2.7).

### Quarry 1

7.2 Quarry 1 encompasses the eastern and western lagoon and seeks to provide a total of 122 lodges. New roads, car parking with each lodge, footpaths and cycleways will also be constructed.

7.2.1 This area will also provide a Quarry Park and 4no. natural areas of play. High quality landscaping is proposed including extensive enhanced planting to the site's eastern boundary.

7.2.2 The Masterplan for Quarry 1 is shown at C/D Ref: 2.10 and C/D Ref 2.11.

### Quarry 3

7.3 Quarry 3 will consist of 68 lodges embedded in high quality landscaping. New roads, car parking with each lodge, footpaths and cycleways will also be provided.

7.3.1 A bridge to the south-western corner of the lagoon is also proposed.

7.3.2 The Masterplan for Quarry 3 is shown at C/D Ref: 2.9.

### Hub Area

7.4 The proposed hub area will consist of a central hub building including a swimming pool, restaurant/bar, gym, spa and treatment rooms, cafes, external terrace and seating areas, a farm shop, visitor centre and games area. The hub building will also accommodate a reception area with associated hub management area, toilets, plant rooms and service area. The hub area would also accommodate a 110-space car park and 24-space check in car park.

7.4.1 The hub area would also to seek to retain and make external alterations to the existing administration building and storage building on site. The administration building will include offices, staff meeting rooms, laundry and housekeeping rooms and storage

facilities. The storage building to the south of the administration building would accommodate storage and maintenance facilities.

7.4.2 The hub area also seeks to provide a Multi-Use Games Area ("MUGA"), children's play area and adventure play area, roads, footpaths, and cycleways and high-quality landscaping features.

7.4.3 The Hub Area Masterplan is shown at C/D Ref: 2.8.

7.4.4 It is understood that there is no objection to the layout and disposition of the lodges, nor any objection in respect of the hub building – rather the objection is focused solely upon the detailed design of the individual lodges.

## 8 PLANNING POLICY CONTEXT

8.1 This Chapter sets out the relevant planning policy framework at local and national levels as well as other material considerations.

### The Development Plan

8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with a statutory Development Plan unless material planning considerations indicate otherwise.

8.2.1 For the purpose of this appeal, the adopted Development Plan comprises the following relevant documents:

- Staffordshire Moorlands Local Plan (Adopted September 2020) (C/D Ref: 7.3);
- Minerals Local Plan for Staffordshire 2015-2030 (Adopted February 2017) (C/D Ref: 7.4); and,
- Staffordshire and Stoke-on-Trent Waste Local Plan 2010 to 2026 (adopted March 2013) (C/D Ref: 7.5).

8.2.2 The Minerals Local Plan for Staffordshire (2015 to 2030) states that there is no longer any production of silica sand for industrial manufacturing following the cessation of quarrying at Moneystone Quarry. Whilst these documents form part of the Development Plan, the policies of the Minerals and Waste Local Plans are not relevant to the determination of this appeal and have therefore not been considered further.

### Staffordshire Moorlands Local Plan

8.3 The Local Plan was adopted on 9<sup>th</sup> September 2020 and sets out SMDC's vision and strategy for the District until 2033.

8.3.1 It also looks at the proposed locations for development, and policies which will be used in determining planning applications. The Local Plan covers the Staffordshire Moorlands area except for the part that lies within the Peak District National Park Authority.

8.3.2 The Decision Notice (C/D Ref: 6.8) states that the proposed development fails to comply with **Policies SS1, SS11, DC1 and E4** of the Staffordshire Moorlands Local

Plan. The Staffordshire Moorlands Local Plan policies which are relevant to this appeal, as referred to in the refusal notice are set out below. By way of overview, it is agreed that those policies are up to date and amongst the most relevant for the determination of the appeal. However, The Appellant's position is that those policies are not breached by the Appeal Scheme.

### **Other Material Considerations**

- 8.4 There are a series of other planning policy guidance documents at local and national levels that are relevant to the determination of this appeal. These are summarised below.

#### **Local Planning Policy Guidance**

##### ***Churnet Valley Masterplan SPD (2014)***

- 8.5 Core Strategy Policy SS7 (which has now superseded by the new Local Plan) identified the Churnet Valley as a sustainable tourism area and stated that a Masterplan, will be prepared to guide the detailed planning and management of the area. The CVM SPD (C/D Ref: 7.6) was adopted by the Council in March 2014 and states that it will have a major influence on future planning decisions and on other initiatives and strategies affecting the area.

- 8.5.1 The CVM, which was subject to extensive and prolonged community consultation over a period of 3 years, identifies Moneystone Quarry as a key opportunity site. It provides an overview of the site, the constraints and opportunities associated with creating a high-quality leisure development and a development strategy. The CVM states that the site represents an opportunity to create a high-quality leisure venue to complement other recreational and leisure attractions and enhance the area.

- 8.5.2 The CVM sets out the Development Strategy for Moneystone Quarry which is as follows:

1. New leisure development based around restoration of the quarry.
2. May be the potential for a complementary renewable energy scheme on the site.
3. Appropriate uses:
  - Holiday accommodation – low impact holiday lodges in Zones 1 and 2.

- Limited development in Zones 4 and 5. Maximum of 250 holiday lodges in total.
- Outdoor recreation facilities – including walking, cycling, horse riding and climbing.
- Hub within Zone 1.
- Recreational lake to include non-motorised water based activities in Zone 3.

8.5.3 The CVM sets out the following General Development Principles:

1. Ensure that any future development accords with the overall strategic approach to development within the Churnet Valley.
2. Ensure appropriate restoration of the quarry.
3. Take a comprehensive approach to development.
4. Must deliver economic, social and environmental benefits for area.
5. Restoration of the quarry unless a more beneficial alternative can be justified.

8.5.4 The CVM provides guidance for the site in relation to economic considerations, sustainable development, community, landscape and visual impact, ecology and tourism and leisure activities.

8.5.5 The CVM includes key principles and guidance for the development and management of the whole of the Churnet Valley Masterplan area. This includes consideration of the natural environment, heritage, sustainable tourism, sustainable transport, economic development, green initiatives and design principles. The CVM at section 8.7 sets out criteria which will be used to assess the design quality of proposals. This criteria is set out in detail in Section 10 of this Statement.

### ***Staffordshire Moorlands Design Guide SPD***

8.6 The Staffordshire Moorlands Design Guide SPD (C/D Ref: 7.9) was adopted by the Council in February 2018 and identifies the overarching principles in securing good design in Staffordshire Moorland's high quality natural environment, historic towns and villages.

This SPD supports the emphasis of high-quality development in Adopted Policy DC1 – Design Considerations.

- 8.6.1 In the context of new development, the Design Guide SPD states that the setting of any development should be carefully considered in relation to its impact on views, into, over and out of the site. Specifically in relation to sites on the edge of settlements, development should sit comfortably in the landscape by emulating the horizontal, ground-hugging form of traditional buildings with strong eaves and ridge lines, and simple low silhouettes parallel with contours.
- 8.6.2 New development should ultimately be guided by the existing character and context. Site proposals should consider both contemporary and traditional architectural style capable of accommodating high quality and functional development. The scale of new development should be respectful of the surrounding built environment.

### **National Planning Policy & Guidance**

#### ***National Planning Policy Framework (“NPPF”) (2023)***

- 8.7 The revised NPPF was published in December 2023. (C/D Ref: 7.7) The NPPF sets out the Government’s planning policies and guidance and how this is to be applied.
- 8.7.1 **Paragraph 11 (‘The presumption in favour of sustainable development’)** states that plans and decisions should apply a presumption in favour of sustainable development.
- 8.7.2 **Chapter 12 (‘Achieving well-designed and beautiful places’)** states that good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities.
- 8.7.3 **Chapter 15 (‘Conserving and enhancing the natural environment’)** states that planning decisions should contribute to and enhance the natural and local environment by amongst other matters recognising the intrinsic character and beauty of the countryside and minimising impacts on biodiversity.

#### ***Planning Practice Guidance (2014)***

- 8.8 The PPG is intended to assist practitioners and provide further guidance on the interpretation of national planning policy within the NPPF. It is therefore a significant material consideration in the determination of the application.

***National Design Guide (2021)***

- 8.9 The Government's National Design Guide (C/D Ref: 7.8) was published in October 2019 and last updated in January 2021. It illustrates how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It sets out the ten characteristics of good design: Context; Identity; Built Form; Movement; Nature; Public Spaces; Uses; Homes and Buildings and Lifespan.



## 9 THE STATUTORY TEST AND KEY CONSIDERATIONS

9.1 This Chapter sets out the statutory test and the key considerations for the appeal.

### **Section 38(6) of the Planning and Compulsory Purchase Act 2004**

9.2 Within the Local Plan Proposals Map (C/D Ref 7.10), the Appeal Site is allocated under Local Plan Policies SS9 (Smaller Villages Area Strategy), SS10 (Rural Area Strategy), H1 (New Housing Development), and DC3 (Landscape and Visual Impact). The Churnet Valley Masterplan SPD (C/D Ref 7.6) is a material consideration in the determination of the appeal and identifies Moneystone Quarry as an Opportunity Site to create a high-quality new tourism and leisure destination.

9.3 The principle of a high-quality leisure development at Moneystone Park is established through SMDC's decision to approve the Revised Outline Planning Permission (Ref: SMD/2016/0378) on 26<sup>th</sup> October 2016.

9.4 In light of this, this Statement of case considers:

1. The design and quality of the Appeal Scheme and the proposed lodges.
2. The compliance of the Appeal Scheme with Policies SS1, SS11, DC1 and E4 of the Staffordshire Moorlands Local Plan, the CVM and Chapter 12 of the NPPF.

## 10 THE DESIGN AND QUALITY OF THE APPEAL SCHEME

10.1 This Chapter assesses the design and quality of the Appeal Scheme against policy including the design of the lodges which is the sole issue that the reason for refusal relates to. It relies upon the professional views of the following:

1. Design Statement of Case prepared by Mr Andrew Bunce of NBDA Architects **(Appendix 1)**.
2. Design Quality Statement of Case prepared by Mr John Bratherton of Bratherton Park Design Consultants **(Appendix 2)**.
3. Landscape Statement of Case prepared by Mr Rob Moore of Planit **(Appendix 3)**.
4. Ecology Statement of Case prepared by Mr Jeremy James of Bowland Ecology **(Appendix 4)**.
5. Energy Strategy Statement of Case prepared by Mr Paul Young of Futureserv **(Appendix 5)**.
6. Economic Benefits Statement prepared by Darren Wisher of Wisher Consulting **(Appendix 6)**.

### **The Requirement for a High Quality Leisure Development**

10.2 Local Plan Policy SS 11 relates to the Churnet Valley Strategy. Policy SS 11 states (with my emphasis in **bold**):

*"The Churnet Valley is identified as an area for sustainable tourism and rural regeneration. **The Churnet Valley Masterplan provides a comprehensive framework for development in the Churnet Valley and development should be in accordance with the Masterplan...***

***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. Strong sustainable development and environmental management principles should also be demonstrated. The consideration of landscape character will be paramount in all development proposals in order to protect and conserve locally distinctive qualities and sense of place and to maximise opportunities for restoring, strengthening and enhancing distinctive features...***

10.2.1 The CVM sets out a series of Key Actions at paragraph 7.6.3 and the first Key Action states (with my emphasis in **bold**):

***“Creation of high quality new tourism and leisure destination at Moneystone Quarry in line with Concept Statement. Minimal development elsewhere, conversion of existing buildings, development within settlements in line with the Core Strategy, sensitive development to support / maintain existing facilities...”***

10.2.2 The CVM at paragraph 7.6.5 fourth bullet point goes onto state (with my emphasis in **bold**):

***“The site represents an opportunity to create a high quality leisure venue to complement other recreational and leisure attractions and enhance the area but needs to be a scale which does not undermine the tranquillity and character of this sensitive part of the Churnet Valley and other businesses”.***

10.2.3 The CVM includes key principles and guidance for the development and management of the whole of the CVM area. This includes consideration of the natural environment, heritage, sustainable tourism, sustainable transport, economic development, green initiatives and design principles. Section 8.7 of the CVM states:

*“High quality design of all new development in the Churnet Valley will be promoted having been assessed by reference to how it respects the valued characteristics of the Churnet Valley in terms of its site context, including the wider setting, density, massing and scale, impact on close and distant views, impact on streetscape and materials.*

*Assessments will start initially with looking at the value of retaining and re-using what is there. Depending on the outcome of the initial assessment, the design quality of proposals will then be assessed using the following criteria:*

10.2.4 *Relationship to the site;*

10.2.5 *Relationship to its wider setting;*

10.2.6 *Density of the proposed development;*

10.2.7 *Impact on close view and wider vistas;*

10.2.8 *Materials;*

10.2.9 *Fitness of purpose of the proposed architecture*

10.2.10 *Composition;*

10.2.11 *Contribution to the public realm;*

10.2.12 *Landscape and planting;*

10.2.13 *Massing;*

10.2.14 *Height;*

10.2.15 *Local distinctiveness; and,*

10.2.16 *Site constraints.*

*Any major proposal will be assessed for design quality using accepted best practice issued by national agencies including the Design Council and English Heritage. Where appropriate and subject to resources, design briefs and other design guidance will be prepared and adopted on key sites including the Bolton Copper Works.*

*Opportunities should be taken to enhance the Churnet Valley by the treatment or removal of features or buildings which detract from the high quality of the area. This could also include remediation of contaminated and / or potentially unstable land resulting from past mining activities with the area. Positive improvements will be supported.*

*Opportunities should be sought to incorporate high quality locally distinctive design features and layouts that will reduce crime and fear of crime”.*

### **Assessment of the Design and Quality of the Appeal Scheme**

10.3 Laver Leisure’s vision is to deliver a high-quality leisure and tourism development at Moneystone Park which is reflected in the Concept Statement at paragraph 7.6.5 of the CVM which states:

*“Laver Leisure have also put forward draft proposals for an “eco-resort” with outdoor recreational activities and quality lodge accommodation. They have undertaken masterplanning work for the site. Staffordshire Council have confirmed that any afteruse(s) at the former quarry are matters for Staffordshire Moorlands District Council to determine”.*

To assess the design and quality of the Appeal Scheme, it has been assessed against the criteria listed at Section 8.7 of the CVM.

### **Composition of the Development**

- 10.4 The principal of a leisure and tourism development at the Appeal Site is established through the adoption of the CVM and the approval of the Revised Outline Planning Permission (Ref: SMD/2016/0378). The composition of the Appeal Scheme is set out below:

#### **Overnight Accommodation**

- 10.4.1 The Appeal Proposals will deliver 190 lodges which will complement the existing accommodation stock in the Churnet Valley and will provide short-stay and long-stay visitor accommodation which will have significant benefits for the area's tourism and leisure economy. The delivery of 190 lodges is supported by the following guidance:

*Staffordshire Moorlands Local Plan (C/D Ref: 7.3)*

- 10.4.2 Paragraph 6.69 of the Local Plan states (with my emphasis in **bold**):

***"To reflect the aims of the strategy for the Churnet Valley and the Churnet Valley Masterplan the policy [Policy SS 11] seeks to manage opportunities for further appropriate visitor accommodation and tourist facilities with an emphasis on increasing overnight stays with visitors staying for longer and throughout the year and on further developing the visitor experience of the Churnet Valley through the development of its heritage, nature based and outdoor recreation products, improving and developing links between existing facilities and activities so that they are benefiting from each other, and maintaining and establishing links with regional tourism facilities. This will be supported by measures to improve access by public transport, walking and cycling into the countryside"***

- 10.4.3 Additionally, Paragraph 7.43 of the Local Plan states (with my emphasis in **bold**):

***"Existing tourist accommodation in the Staffordshire Moorlands is generally small scale family-run businesses, usually rurally located, often in converted buildings. The area has a relatively high proportion of self-catering types of accommodation and very few hotels and serviced accommodation. At present a very low proportion of visitors to the Moorlands stay overnight in serviced accommodation and supply is particularly low"***

***in the three towns. Within the Churnet Valley the provision of further short and long stay visitor accommodation is particularly supported, the Churnet Valley Masterplan provides further guidance on suitable sites and scale. Particular attention should be paid to the quality of new tourist accommodation.*** A Staffordshire Moorlands Tourism Study undertaken in 2011 has identified a number of projects that would enhance the tourism offer of the District. These include developing and improving attractions and attractors, and enhancing the accommodation stock, notably further small serviced and self catering accommodation, particularly in the Churnet Valley, and providing budget hotel accommodation in the market towns. Tourism also plays an important role in diversifying the rural economy. The Tourism Study identifies where there is scope for further provision and the nature of that provision which will help inform decisions on applications for tourism uses in order to ensure supply matches demand. Policy E 4 sets out the considerations for tourism proposals.”

*Tourism Strategy 2022-2027 (C/D Ref: 7.2)*

- 10.4.4 The Tourism Strategy was approved by SMDC in February 2027 and identifies the Council’s vision, key priorities for growth and action plan for tourism delivery in the Staffordshire Moorlands over the next five years. It is an evidence base document which is a material consideration.
- 10.4.5 The Tourism Strategy identifies the need to attract more staying visitors who spend more and to provide additional high-quality visitor accommodation. The report recognises that there is a current lack of accommodation investment and there is a dominance of day visitors with a low average spend in the economy.
- 10.4.6 The report identifies several market trends which have economic implications for Staffordshire Moorlands as a tourism destination. Firstly Trend 1 “The Pursuit of Real” states investing in experiences over material possessions has been reignited post pandemic. This places an emphasis on unique assets (i.e. natural landscapes) along with quality holiday accommodation for people to provide destinations which offer a distinctive contrast to home. Additionally, Trend 2 ‘Fresh Adventures’ suggests there is an increased appeal of the outdoors post pandemic including walking, off-road cycling and nature photography. This requires Staffordshire Moorlands to capitalise on its natural landscapes to ‘doing’ activities as opposed to simply ‘being’.

10.4.7 A general principle outlined within the Tourism Strategy is to use interventions to connect up the offer across towns and villages in order to facilitate longer stays and ensure visitors experience more of their destination. 'Accommodation' is highlighted as one of four areas of opportunity which needs expansion and improvement to encourage further investment. Opportunities exist to use accommodation for walkers and cyclists to improve support services and infrastructure in key gateways and hub locations and to provide an increased range, diversity and type of accommodation on offer.

10.4.8 The Tourism Strategy identifies the percentage of overnight stays and length of spend as a key indicator of success. Currently, the proportion of visits that are 'staying' visits only account for 10% of visits and 40% of spend. The report states that growing staying visits will have a larger overall benefit to local communities and longer stays will contribute economic impact, business profitability and sustaining jobs.

***The Construction of the Proposed Lodges***

10.4.9 The CVM (Concept Statement) at page 97 sets out specific principles for development at Moneystone Quarry including:

*"Creation of a high quality, sustainable environment which will promote environmental awareness – use of sustainable building techniques, low carbon, low impact development with on-site energy generation, green technology, eco-lodges"*

10.4.10 The Design Statement (**Appendix 1**) of Case primarily focuses upon the design and layout of the individual lodges. A separate Design Quality Statement of Case (**Appendix 2**) has been prepared by Bratherton Park Design which also demonstrates that the Appeal Scheme is high-quality in design terms but focuses instead upon elements of the wider site design and marketing, with reference to comparable examples within the market.

10.4.11 As set out in Section 4.0 of the Design Statement of Case, the lodges have been designed to comply with: a) British Standard BS3632:2015 and b) The Caravans Site Act 1968.

*BS3632:2015*

10.4.12 The Design Statement of Case addresses BS3632:2015 and states:

4.32 *"The lodges proposed are to be constructed within specialised manufacturing facilities to BS3632:2015. This British Standard lists the design criteria ensuring that all models of holiday lodges and residential park homes are fit for their specific purpose.*

4.3.3 *BS3632:2015 ensures focus upon high levels of thermal insulation, ventilation, stability of the home once it has been sited and the room size. Once manufactured the lodges are delivered to the park as completed units on low loaders with minor finishing works on site".*

#### *Caravan Sites Act 1968*

10.4.13 Importantly, whilst the proposed holiday lodges have been designed to comply with the criteria established under The Caravans Sites Act 1968, they are not static caravans nor are they touring caravans. The reason that the lodges are designed to comply with The Caravans Sites Act 1968 is because:

1. **Procurement** – the method of procurement is more efficient to construct the lodges through The Caravans Sites Act because the process reduces a) waste, b) on site construction time, c) noise, and d) number of deliveries to site. It represents a low impact form of development and the proposed method of modular construction is faster and more efficient than traditional construction methods, thereby reducing the extent of embedded carbon.
2. **Environment** – All of the proposed lodges will be factory built and transported to site by road on a low loader. This is the typical approach taken to lodge parks of this nature. The lodges will have a chassis which will enable them to be moved from a low loader to a predefined position on a concrete base. Once positioned, the lodges will then be dressed with a skirt so that the chassis cannot be viewed, and will create the clear impression that the lodge is constructed as a building in the conventional manner. There are significant sustainability benefits to prefabricating the construction of the lodges. Furthermore, as the lodges are placed onto a concrete pad, they are not permanent. Lodges typically have a finite lifespan and therefore the proposed approach allows the lodges to be easily replaced, without the need for demolition and rebuilding.



10.4.14 Section 5.0 of the Design Statement of Case compares Lodges to Conventional Caravans assessing Lodge Exteriors and Forms and Lodge Interior. The Statement of Case states:

*5.1.1 "What is proposed through the Appeal Scheme at Moneystone Park is Holiday Lodges, and whilst they will have a chassis and technically fall under the requirements of the Caravans Sites Act 1968, they will bear no relationship with a Static Caravan and once the skirt is fitted around the base will appear visually to be no different to permanent structures.*

*5.1.2 The lodges, as proposed under the Appeal Scheme, are considerably heavier than Static Caravans due to the quality of finishes internally, including fully fitted kitchens, extensive ceramic tiling increased wall thickness and double glazing etc. This means that Lodges do not need to be chained down (to prevent them moving during high winds), whereas Static Caravans usually need to be chained in place. The information submitted with the Reserved Matters Application clearly indicated the type of high quality, lodge accommodation proposed which was considered to be acceptable by SMDC Officers in their assessment of the Reserved Matters Application and their recommendation for approval, but the Members at the Planning Committee ultimately seem to have misinterpreted the proposals as being static caravans on basic caravan pitches, which is simply not the case".*

10.4.15 In summary, the proposed lodges falling under the Caravan Sites Act does not mean they are low value static caravans or touring caravans rather they will be high quality lodges which are constructed in this way for the convenience and benefits of off site construction and reversibility at the time the lodges need to be replaced.

10.4.16 In addition, whilst the lodges fall under the Caravans Sites Act, there are important and tangible differences between a traditional static caravan and a lodge. These are set out in full detail in the Design Statement of Case, however in summary, Caravans externally are rectangular metal or plastic clad modules typically in pastel colours, with a simple shallow pitched roof. External walls are approximately 60mm thick and contain minimal insulation. Often the wheels and chassis are exposed, which makes them look temporary. In contrast, lodges (as proposed under the Appeal Scheme) are either single modules or twin modules bolted together leading to a variety of forms.

The proposed lodges will be clad in timber and terraces are included enclosing at least two faces of each lodge. These will consist of a raised deck constructed from composite timber decking boards and timber post and glass balustrades. As the lodge floors are elevated above ground level, due to the chassis and wheels, the gap between the floor and external ground level will be infilled with solid skirting so that they read architecturally as permanent buildings. In addition, lodge interiors are of a much higher quality than caravans with walls clad in timber or plasterboard and kitchens and bathrooms will be completed to an excellent domestic standard.

10.4.17 This is supported by the Officer's Report at Paragraph 9.46 which states:

*"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."*

10.4.18 In addition, the lodges, once constructed, will be solely used for overnight tourist accommodation, not as permanent residences. The extant Section 106 Agreement for the outline planning permission (C/D Ref: 6.16) secures the following at Schedule 1 (Part 2):

*"The Owner covenants with the Council as follows:*

*The Holiday Lodges will only be occupied for holiday purposes for a period of not more than six consecutive weeks at any 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.*

*To preclude at any time the occupation as a Main Place of Residence in any letting arrangement including tenancy, lease or sale of any Holiday Lodge on the Site.*

*To maintain an up-to-date register of the names and address of Main Place of Residence of all owners and or occupiers of individual Holiday Lodges on the Site and to make the register available at all reasonable times to the Council.”*

### **Range of Indoor and Outdoor Tourism and Leisure Facilities**

10.4.19 In addition to delivering 190 lodges, the Appeal Scheme will also deliver a range of indoor and outdoor tourism and leisure facilities. There were no issues raised with these associated facilities as part of the reason for refusal. A significant provision of indoor and outdoor tourism and leisure facilities is critical to creating a sustainable, high-quality tourism and leisure destination.

#### *Indoor Facilities*

10.4.20 The ‘Hub Area’ will be the main activity focus on-site. The Appeal Proposals will deliver a central Hub Building which will provide a wide variety of leisure and tourism facilities including a swimming pool, toddler pool and associated changing and viewing areas; restaurant; lounge bar; games area including pool table and bowling alley; spa and treatment rooms, gym, café, reception area, farm shop, visitor centre, terraced seating area and toilet facilities.

10.4.21 In addition, a full planning application (Ref: SMD/2019/0716) to retain and convert the former laboratory to provide additional leisure and tourism facilities was approved by SMDC on 10<sup>th</sup> January 2024. The former laboratory building will accommodate a range of indoor facilities including 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 and toilets.

10.4.22 In approving this planning application, SMDC imposed Condition 3 which links the proposals to convert to laboratory to the Appeal Proposals. Condition 3 states:

*“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.”*

### *Outdoor Facilities*

10.4.23 In addition to the wide range of indoor leisure and tourism facilities proposed, the Appeal Scheme will deliver opportunities for outdoor activities on the site including:

1. Extensive walking, cycling, and bridleway provision as shown on the Footpath, Cycleway and Bridleway Plan (C/D Ref: 2.56). This is a significant benefit of the development because the extensive network of walking, cycling and bridleway provision connects the Appeal Proposals to the wider area.
2. 4no. natural areas of play around Quarry 1 (approximately 0.17ha)
3. A play area, Multi Use Games Area (MUGA) and terraced seating area adjacent to the Hub Building.
4. A large area of open space (approximately 1.1ha) within Quarry 1 (known as "Quarry Park") which incorporates natural play and picnic areas into the landscape between the proposed lodges.

10.4.24 A watersports centre offering non-motorised water-based activities on the lake at Quarry 3 and an Archery Centre in the Hub Area are also proposed in the Phase 2 reserved matters application (Ref: SMD/2023/0532). This application was submitted to SMDC in October 2023 and is pending determination.

10.4.25 A Travel Plan Framework (C/D Ref: 1.24) was also approved within the Revised Outline Planning Permission which secured the following:

1. Highway Infrastructure Improvements to the Junction of Whiston Eaves Lane / A52;
2. Pedestrian routes;
3. Links to the Staffordshire Way and the Oakamoor to Whiston Circular Walk;
4. Cycle routes including links to the Churnet Valley Trail and National Cycle Route 54;
5. Equestrian Routes; and

6. Connection to Alton Towers via sustainable transport modes (e.g. shuttle buses)

### **Community Access**

10.4.26 The Appeal Scheme would also be open to the local community and will offer tourism and recreational facilities for the local community including:

- Enhanced footpaths, cycleways and bridleway linkages;
- Publicly accessible Quarry Park and play areas;
- Access to local countryside;
- Educational opportunities to learn about the history of Moneystone Quarry and the wider area at the visitor centre; and
- Facilities within the Hub Building including a local shop.

### **Landscape Led Masterplan Process**

10.5 The Landscape Statement of Case (**Appendix 3**) demonstrates that a high quality Landscape Led Masterplan for the Appeal Scheme has been prepared, and that the context within which the lodges will sit will be of an appropriately high quality.

10.5.1 Section 3 of the Landscape Statement of Case relates to the 'Overarching Approach to Landscape Design'. Section 3 explains the approach that Planit followed to prepare the Landscape Masterplan having regard to the site constraints and opportunities to ensure that the Appeal Scheme had a sensitive relationship to the site. This is reflected in paragraphs 3.1 – 3.2 of the Landscape Statement of Case which states:

3.1 *"The landscape masterplan has been developed in accordance with the approved Parameters Plan. Proposals look to retain and enhance the existing landscape character and features of the site where possible. Any new areas of landscape have been sympathetically designed incorporating native species and taking inspiration from the surrounding landscape and Restoration Plan.*

3.2 *Within the scope of the consented outline planning consent, six key ordering elements were considered that ensure the masterplan is sensitive to its landscape setting, these were carried forward into the detailed landscape design:*

- **Visual Impact** - *Sensitively locating development within areas of least visual impact. The site is well screened by existing trees and woodland in the majority. Continuous review of the masterplan against the key views in the LVIA process have informed the development of the masterplan so that lodges and facilities are located in areas of least visual impact within the site. This includes retaining & substantially enhancing existing landscape features, such as the existing bund along Whiston Eaves Lane and areas of existing woodland. Refer to LVIA chapter 8 of the ES and appendices 8.2 for the photomontages submitted with the outline application.*
- **Hydrology** - *existing watercourses and waterbodies respected - and used for placement of lodges to give water edge views.*
- **Ecology & Habitats** - *development is located on areas of least ecological impact. Existing habitats are to be retained and enhanced. The creation of new habitats is a key priority while including objectives of the original Restoration Plan where possible.*
- **Landform** - *working with the land, avoiding areas of unstable and steep ground to minimise disturbance.*
- **Operation** - *The Hub Building is conveniently located centrally within the site to serve all lodge areas, promote walking / cycling on site and provide a wider off the surrounding community.*
- **Movement** - *existing site access and road infrastructure retained - visitor/ long term parking provided to reduce traffic through the park. Sustainable transport methods are promoted within and to the site through the inclusion of a new network or routes and upgrading of existing paths on site. “*

10.5.2 Section 4 of the Landscape Statement of Case describes the process that Planit followed with Bowland Ecology to ensure the landscape design was carefully considered and existing habitats respected.

10.5.3 SMDC Planning Officers, in recommending the Reserved Matters Planning Application for approval, concluded that all aspect of the Appeal Scheme were acceptable and concluded at paragraph 9.25 of the Committee Report (C/D Ref: 6.2) which states:

*...” 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”.*

10.5.4 The Committee Report goes on to state at paragraph 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”.*

### **Quantum and Scale of Development**

10.6 The Appeal Scheme is for 190 lodges which falls within the maximum parameters of 250 lodges permitted under the Outline Planning Permission. The Phase 2 reserved matters application (Ref: SMD/2023/0532) which was submitted to SMDC in October 2023 and is pending determination seeks approval for the remaining balance of 60 lodges permitted.

10.6.1 The Appeal Scheme layout has been designed to ensure that it comprises high quality design and that it accords with the approved Parameter Plan (C/D Ref: 1.2) which sets the parameters for the main land uses and maximum building heights within the whole development site.

10.6.2 The Design Statement of Case (**Appendix 1**) also demonstrates that the proposed density, massing and height of the Appeal Scheme is acceptable.

10.6.3 The proposed lodges will be low density and low impact. Mr Bunce explains the context of the Appeal Scheme and states at paragraph 6.1.1.1 of the Design Statement of Case:

*6.1.1.1 “Moneystone Park develops what was a series of inaccessible quarries to create a facility for both holiday guests and local people to enjoy. The proposal uses the quarry walls and features to create a low density, low impact, high quality holiday lodge park and leisure facilities that enhances the local rural environment with large areas of open space and extensive indigenous planting, whilst also being of very low visual impact from anywhere beyond the site boundary. All of the proposed lodges and other buildings are low lying and laid out to follow the contours of the quarry remediation...”.*

10.6.4 At paragraph 6.52 of the Design Statement of Case, Mr Bunce refers to low quality, high density and rigid caravan parks of the old type of layout for which Moneystone Park is not.

10.6.5 Mr Bratherton, in the Design Quality Statement of Case (**Appendix 2**) also addresses density and demonstrates that the proposed development will be of a far lower density than the caravan sites that SMDC Members may have had in mind. Moreover, the layout is intended to be organic, reflecting the landform and proposed landscaping – thereby working with, rather than against the site’s opportunities and constraints.

10.6.6 The Planning Officers formed the conclusion that the massing and height of the Appeal Scheme was acceptable which is confirmed at paragraph 9.2 of the Committee Report (C/D Ref: 6.2) which states:

*“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.”*

## **Design**

10.7 Below I consider the design of the lodges, the hub building and the activity building.

### **Lodges**

10.7.1 The proposed lodges have been designed so that their materials will respect the local environment. Mr Bunce addresses identity of the lodges at paragraph 6.1.2.1, in his Statement of Case which states:

*6.1.2.1 “To enhance the rural, woodland context the lodges will be clad in timber with ‘slate’ effect roofs, the hub and facilities buildings are proposed to be clad in a mixture of timber and local stone. All proposed buildings and lodges are low key in design terms to minimise visual impact. Main link roads will be tarmac with a rolled edge, avoiding formality created by kerbs”.*

10.7.2 The proposed lodges will also have variation in form and materials. This is also addressed in the Design Statement of Case at paragraph 6.2.1.1, which states:



6.2.1.1 *“As noted above the form, shape, style and materials of high-end luxury lodges can be significantly varied, with differently angled pitched roofs mono pitch and flat roofs. External cladding may be fitted horizontally or vertically and stained in different colours to create variety, whilst working within a limited palette to ensure a degree of commonality. The images below relate purely to the forms of the lodges and not the surrounding decks. The size and shape of decks at Moneystone Park will be predetermined and agreed with the LPA”.*

10.7.3 At Section 4 of the Design Quality Statement of Case, Mr Bratherton addresses the lodge design and concludes in Section 6 that:

6.1 *“I conclude that the Council is wholly wrong to characterise the proposed lodges as little more than caravans and do not fail to deliver the required standard of design. They offer a high standard of design and detailing typical of other acclaimed high quality lodge parks across the UK.”.*

10.7.4 SMDC’s Planning Officer also agreed that the design of the lodges was acceptable and formed the following conclusion at paragraph 9.49 in the Committee Report (C/D Ref: 6.2) which states:

*...“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.”*

### **Hub Buildings**

10.7.5 The reason for refusal does not relate to the design of the hub building which is agreed in the email exchange between myself and Mrs Curley at **Appendix 8**. The hub building is design as an organic form with curved roofs following the contours of the remediated ground around the lip of the capped Quarry 1. Mr Bunces Statement of Case addresses the design, appearance and materials of the hub building at paragraph 6.6.2.2, which states:

6.6.2.2 *“The new build Hub Building has been split into three elements. The Upper Ground Floor, the front section of the Lower Ground Floor and a Link Element. The Upper and Lower Floors are staggered in plan and the Link Element is slightly recessed and also treated differently elevationally to create a visual separation. Both Upper and Lower Floors have a local Gritstone Plinth, but at*

*Lower Level the stone is taken to the 'top' of the windows, whereas at the Upper Level it is only taken partially up the height of the windows. Above the stone, vertical board and batten cladding is used up to eaves level. The Link Element is clad with vertical and horizontal timber cladding, the upper part of which will be stained black to emphasise the separation between the elements. The eaves and fascia's and rainwater goods are to be dark grey powder coated aluminium. The exposed curved roofs have a Sedum roof finish. The recessed flat plant room roof will be finished with a single ply membrane."*

10.7.6 The Hub Building is described at Paragraph 9.5 of the Committee Report (C/D Ref: 6.2) which states:

*"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."*

10.7.7 SMDC's Planning Officer also formed the conclusion that the design of the hub building is acceptable at paragraph 9.11 of the Committee Report (C/D Ref 6.2) which states:

*"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"*

### **Laboratory Conversion**

10.7.8 The reason for refusal also does not relate to the design of the hub building which is also agreed in the email exchange between myself and Mrs Curley at **Appendix 8**.

10.7.9 The Activity Building reuses a pre-existing former Laboratory Building to create a range of indoor leisure facilities which has been approved separately under full planning permission LPA Ref SMD/2019/0716 on 10 January 2024. Mr Bunces Statement of Case addresses the design, appearance and materials of the Activity Building at paragraph 6.6.3.1, which states:

6.6.3.1 *"The building reuses existing former 'Laboratory' buildings constructed by Sibelco, the quarry operator. The change of use of this building has been approved by SMDC under a separate change of use application (Ref: SMD/2019/0716) granted on 10th January 2024 and does not form part of the Appeal Scheme but will form part of the leisure development if and when it is delivered. Whilst the built form remains approximately as existing, external cladding will be replaced using materials that complement/match the rest of the development including timber cladding."*

10.7.10 The proposed laboratory design is described at Paragraph 4.1 of the Committee Report (C/D Ref 6.2) which states:

*"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 sqm 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.”*

10.7.11 SMDC’s Officer also formed the view that the design of the laboratory was acceptable and SMDC’s Planning Committee agreed which led to the approval of the separate laboratory building planning permission (Ref: SMD/2019/0716) on 10<sup>th</sup> January 2024. Paragraph 8.6 of the Committee Report (C/D Ref: 6.2) states:

*...” 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”*

### **Landscape Visual Impact**

10.8 The Landscape Statement of Case (**Appendix 3**) demonstrates that the Appeal Scheme is high quality in landscape visual impact terms and is in-keeping with the scale and nature of the landscape character of the area.

10.8.1 Section 8 of the Landscape Statement of Case relates to Landscape and Visual Impact Assessment (LVIA). Paragraphs 8.1 and 8.2 of the Landscape Statement of Case describe the LVIA work undertaken and approved as part of the Outline Planning Application and state:

*8.1 The LVIA chapter assessed the impact of the proposed development on the landscape and views. It considered the potential effects on landscape character of both the site and surrounding area.*

*8.2 The chapter was supported by a range of photoviews and montages to demonstrate potential visual impacts and embedded mitigation features. The assessment assumed a baseline, where the approved site restoration strategy had been implemented – to represent a ‘best case’ scenario of the baseline sensitivity”.*

10.8.2 Paragraph 8.3 of Section 8 sets out that a critical element of the assessment in relation to high quality design and layout within the proposed development was the embedded mitigation features and provides a summary table of the mitigation

measures which have been 'designed in' to the Appeal Scheme to reduce or where possible, avoid landscape and visual impacts was provided.

10.8.3 The Landscape Statement of Case demonstrates how the Landscape and Visual impact has been considered and concludes that the site has the capacity to accommodate the proposed development to an acceptable degree. Furthermore, the Landscape Statement of Case describes the relationship of the Appeal Scheme to its wider setting and the impact that the Appeal Scheme has on close views and wider vistas. The Landscape Statement of Case states at paragraphs 8.4-8.7:

8.4 *"A number of construction phase adverse impacts were recorded through site operations, on both landscape character and potential visual receptors. These ranged from minor to moderate adverse and were medium term in duration.*

8.5 *The summary of potential landscape operational effects concluded that the development would result in minor beneficial effects to the local landscape character. The scheme worked alongside the approved restoration plan to provide a landscape setting, screen potential views of development and to contribute positively to habitat potential through the introduction of new landscape features and additional areas of tree cover and planting. The proposals include additional restorative measures to the quarried areas that will enhance their landscape quality, visual appearance and potential habitat and ecological value, thus contributing more positively to defining and restoring landscape character. This has resulted in potential minor beneficial effects being recorded with regard to national and local landscape character, minor beneficial effects on tree cover and moderately beneficial effects on footpaths, cycleways and bridleways.*

8.6 *The LVIA assessment acknowledges the adjacent sensitive environments including the adjacent Whiston Eaves Site of Special Scientific Interest (SSSI) and Site of Biological Interest south west of Rake Edge. These represent some of the best semi natural habitat in the County and are sensitive to change. The assessment identifies that these areas are not subject to works as part of the approved Restoration Plan or proposed development, to protect their special qualities. There is potential for direct minor benefits on this receptor from enhanced management and stewardship proposals and indirectly from the additional proposed surrounding matrix of ecological planting. It was recorded*

*that the predicted impact on these designated landscapes would be however, negligible.*

8.7 *It was also concluded that views of the proposed scheme would be extremely limited due to the landform, existing trees/ new tree planting in conjunction with the approved restoration plan, as well as the careful positioning of the proposed development to avoid areas of visual sensitivity. The photomontages demonstrated the degree of screening available, and how lodges were unlikely to be visible from the majority of viewpoints. As a result, recorded effects were predominantly negligible in significance with only 4 of the 17 assessed views being adverse in nature where either long range, or partially screened views of development were available that could alter the view composition or character.”.*

10.8.4 The proposed development is in-keeping with the scale and nature of the landscape character of the sub areas:

- a) Zone 1 – Quarry 1
- b) Zone 3 – part of Quarry 3
- c) Zone 4 – part of Quarry 3

10.8.5 The Officer’s Report (C/D Ref: 6.2) states:

*“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”.*

### **Landscape Design**

10.9 The Landscape Statement of Case (**Appendix 3**) also demonstrates that landscape design of the Appeal Scheme is also high quality. Section 5 describes the Approach to Soft Landscape and Section 6 describes the Lodge Landscape Setting.

10.9.1 Paragraph 5.5 of the Landscape Statement of Case sets out how Planit worked closely with Bowland Ecology, Urban Green Arboriculturists, SMDC and Staffordshire Wildlife Trust, to ensure the landscape approach for the site and species selection for new

planting is appropriate for the site and is in accordance with the overarching proposals.

10.9.2 The Landscape Strategy is described at paragraph 5.14 which states:

*5.14 "The soft landscape proposals can be defined by nine landscape components together create a diverse vegetation structure and habitat. Each of these have specific aims in terms of design and management. These are listed below and shown on figure 8. The specific management objectives and tasks detailed within the Structural Landscaped Strategy (Appendix G).*

- *Existing woodland to be retained.*
- *Structural Landscape*
- *Aquatic vegetation*
- *Mosaic*
- *Scrub land.*
- *Boundary features*
- *Heathland*
- *Semi natural grassland*
- *Area to colonise naturally".*

10.9.3 The Landscape Statement of Case concludes at paragraphs 9.8 – 9.11 that:

*9.8 "The design and specification of the landscape proposals submitted as part of the Reserved Matters Application complies fully with the Outline Approval. The proposals represent an exemplary design response that will deliver extensive landscape and ecological benefits associated with the creation of the high-quality leisure destination. Best practice habitat management will ensure the establishment and long-term success of the landscape proposals (associated with the leisure development) are realised. Long term stewardship of the site will be controlled over a 30-year period through the Landscape & Habitat Management Plan; 25years longer than the period defined under approved Restoration Plan.*

- 9.9 *The masterplan, layout and landscape structure has been developed collectively with ecologists, hydrologists, architects and LVIA experts and landscape architects. The result is a high-quality, sensitively designed arrangement of wooded areas, diverse meadows and open waterbodies to which lodges, buildings, roads, and pathways are carefully placed. The organic lodge positioning will visually integrate the lodges into the landscape whilst the spacing between lodges preserves wildlife corridors across the development.*
- 9.10 *The proposals will improve the overall appearance of the site from its previous industrial setting, whilst enhancing the landscape and biodiversity above that set out in the Restoration Plan. Trees, shrubs, and species rich meadows have been selected to be of local provenance to preserve and enhance the biodiversity and nature conservation value of the proposals.*
- 9.11 *The proposal will provide access through the extensive green Infrastructure, providing an opportunity for park residents and the public to engage with a network of connected green corridors and spaces that are currently inaccessible.*
- 9.12 *Having considered the reason for refusal – I consider that the Moneystone Park Reserved Matters application does achieve a high-quality and sensitively designed landscape setting for the leisure development that enhances the sense of place within the Churnet Valley. The landscape design is exemplary in layout, materials specification, species selection and best practice ecological management. The LVIA study demonstrates the minimal visual impact the development will have from beyond the site boundary.”*

10.9.4 SMDC’s Trees and Woodland Officer also formed the conclusion that the landscape design is acceptable on page 30 of the Committee Report (C/D Ref 6.2) which states:

*“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”*

## **Ecology**

- 10.10 The Ecology Statement of Case (**Appendix 4**) demonstrates that the Appeal Scheme will deliver a high-quality development in ecology terms and will provide ecological



enhancement. The reason for refusal is wrong to refer to the SSSI because the SSSI is irrelevant in the context that it has been used. The SSSI designation does not relate to appearance or setting and solely relates to scientific interest.

10.10.1 The Ecology Statement of Case concludes:

9.8 *Overall the development will deliver substantial benefits for wildlife by:*

- *enhancing extensive areas of grassland within and beyond the proposed development site;*
- *bringing extensive areas of neglected broadleaved woodland, including ancient replanted woodland, into favourable management;*
- *protecting and enhancing SSSI and SBI designations as a consequence of grassland and woodland management;*
- *creating and enhancing other habitats within the former minerals extraction areas including wetland habitats;*
- *creating opportunities for a wide range of species associated with the site (e.g. bird and bat boxes, refuge habitat for amphibians/reptiles); and*
- *delivery of a long term monitoring strategy secured by planning condition, compared to the previous 5 year after care period associated with quarry restoration.*

9.9 *With regard to the Reasons for Refusal, SSSI designation does not relate to appearance or setting and is solely relate to scientific interest. Reference to the SSSI is therefore irrelevant in the context in which it has been used. Natural England did not object to the Reserved Matters Application”.*

10.10.2 SMDC’s Planning Officer also concluded that the ecology proposals were acceptable and states at paragraph 9.91 of the Committee Report (C/D Ref: 6.2):

*“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.”*

10.10.3 Furthermore, paragraph 9.96 goes on to state:

*“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.”*

### **Climate Change**

10.11 The Energy Statement of Case (**Appendix 5**) demonstrates that the Appeal Scheme is high quality in sustainability terms. Whilst the lodges are not fixed dwellings, they have been treated as such to ensure that the fixed building services proposals are aligned with Building Regulations to encourage energy efficiency and exceed SMDC’s policy requirements. The Energy Statement of Case concludes:

6.4 *“This statement has also demonstrated how the proposals have been brought forward in the context of a strong commitment to sustainability and will not only show achievement of policy compliance as per the Guide to Development in Staffordshire Moorlands Local Plan, but also that sustainability objectives form an integral part of the Appellant’s aspirations for this development.*

6.5 *a feasibility study was carried out to outline which low or zero technologies could be included in design to reduce carbon emissions and generate renewable energy to meet the onsite demand.*

6.6 *The following technologies are considered to be incorporated within the development.*

- *Photovoltaic Roof Panels*
- *Air Source Heat Pumps*

6.7 *In addition, the park as a whole has been carefully designed to create a high quality sustainable development, including the enhancement of walking, cycling and bridleway routes, a Travel Plan to promote sustainable modes of travel and high-quality materials for both buildings and landscaping from sustainable sources”.*

10.11.1 Importantly, due to the previous quarrying use at the Appeal Site there is significant infrastructure already in place including 33kva electricity, 200mm gas main and 150mm water main which the Appeal Scheme will utilise.

10.11.2 It is Laver Leisure’s intention to deliver a highly sustainable development and the 11.7 hectare Solar Panel development on 14.3 hectares of former quarry land has already been implemented and completed. The Solar panel development is capable of generating an estimated 6.98 megawatt hours of renewable energy per annum equating to the consumption of 1,680 households and the resultant reduction of circa 80,000 tonnes of CO2 emissions.

## **Summary**

10.12 In summary, I have assessed the quality of the Appeal Scheme and have concluded, informed by the suite of Design and Technical Statement of Case appended to this Statement, that the Appeal Scheme and the design of the proposed lodges is high quality.

10.12.1 Local Plan Policy SS11 and the CVM requires the delivery of a high quality leisure development at Moneystone Park. In accordance with the criteria set out in Section 8.7 of the CVM, I have assessed that the Appeal Scheme is high quality having regard to:

1. The composition of the Appeal Scheme which will provide much needed overnight accommodation to boost the local economy;
2. The Landscape Led Masterplan process which was followed addressing the relationship the Appeal Scheme has to the Appeal Site and its constraints;
3. The quantum and scale of the Appeal Scheme considering density, massing and height in accordance with the Outline Planning Permission;
4. The design of the proposed lodges, hub building and activity building in terms of materials, fitness for purpose of the proposed architecture and local distinctiveness;

5. The landscape visual impact of the development having regard to the relationship of the Appeal Scheme to its wider setting and its very low impact on close views and wider vistas;
6. The landscape design and the positive contribution the Appeal Scheme will make to public realm, landscape and planting;
7. The significant ecological enhancements that the Appeal Scheme will deliver; and
8. The energy benefits that the Appeal Scheme will secure.

## 11 APPELLANT'S RESPONSE TO THE REASON FOR REFUSAL

11.1 The following Chapter sets out the Appellant's assessment of the Appeal Scheme against the policies referred to in the Reason for Refusal within the Decision Notice (C/D Ref: 6.8).

11.1.1 SMDC Officers in the Committee Report (C/D Ref: 6.2) recommended the Reserved Matters Planning Application for approval and concluded that the Appeal Scheme complied with all the relevant policies of the Development Plan.

11.1.2 In the previous section of my Statement, I have concluded that:

1. The reason for refusal relates only to the design of the lodges and not any other aspects of the reserved matters application such as the density, layout, hub building, etc which has been confirmed in the email exchange between myself and Mrs Jane Curley, SMDC Planning Case Officer, at **Appendix 8**;
2. It was misguided of the Councils Planning Committee Members to say that the proposed lodges are no more than 'caravans with cladding' and are not of a high standard of design. The lodges have been designed to comply with the Caravans Sites Act 1968 however they are not static caravans nor touring caravans. The lodges have been designed to comply with The Caravans Sites Act for convenience of construction and irreversibility and through doing this, it does not impact on the high quality lodges that are proposed at Moneystone Park;
3. The lodge designs are proposed to be of high quality having regard to their appearance, detailing, form, design and materials. The lodges are low density, and have very low visual impact from anywhere beyond the site boundary. The LVIA does not require green roofs on the proposed lodges only on the Hub Building which is proposed. To the contrary high sustainability credentials do not require the roofs of the lodges to be 'green roofs'. Solar PV and Air Source Heat Pumps on the lodges have been identified as the most appropriate options to deliver sustainability benefits.
4. The design of the lodges are in-keeping with the sensitivity of the site which includes Whiston Eaves SSSI. The reason for refusal is wholly wrong to refer to the SSSI because the SSSI is irrelevant in the context that it has been used. The

SSSI designation does not relate to appearance or setting and solely relates to scientific interest. Raising this issue in the context of lodge design is entirely mis-guided to the point of being unreasonable.

11.1.3 The reason for refusal alleges conflict with SS1, SS11, DC1 and E4 of the adopted local plan, as well as the NPPF. I assess the Appeal Scheme against these policies below:

### **Staffordshire Moorlands Local Plan Policies**

#### **Policy SS1 – Development Principles**

11.2 Below is my assessment of the Appeal Scheme against Policy SS1:

<b>Policy SS1 (Development Principles)</b>		
<b>Policy Requirement</b>	<b>Compliance</b>	<b>Appellant's Assessment</b>
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, in partnership with other agencies and services:	<b>Yes</b>	Overall, the Appeal Scheme will deliver a net benefit in respect of the economic, social and environmental objectives of sustainable development. The comprehensive suite of benefits are detailed at Chapter 14 of this Statement.
A mix of types and tenures of quality, affordable homes, to meet the needs and aspirations of the existing and future communities.	<b>N/A</b>	The Appeal Scheme is for a leisure development providing holiday accommodation therefore the provision of affordable housing is not applicable.
Quality local services, including provision for education, healthcare, leisure, community, cultural and tourist facilities in response to anticipated population change and visitor numbers.	<b>Yes</b>	The Appeal Scheme will deliver high-quality, sustainable leisure, community, cultural and tourist facilities, as detailed in Chapter 10 of this Statement.
Easy access to jobs, shops and transport services by all sections of the community.	<b>Yes</b>	The Appeal Scheme includes a range of facilities which will be accessible to the local community. As part of the Outline Planning Permission, the principle of the development of the site has been agreed and measures were secured through the Section 106 associated with the Outline Planning Permission to promote accessibility, as detailed in Chapter 10 of this Statement.

<p>Increased economic prosperity and opportunities for employment and greater local capacity with an educated, skilled and flexible workforce.</p>	<p><b>Yes</b></p>	<p>The Appeal Scheme will deliver substantial economic benefits which are set out in the Economic Benefit Statement (<b>Appendix 6</b>) prepared by Mr Darren Wisher and Chapter 14 of this Statement.</p>
<p>A healthy, safe, attractive, active, well-designed and well-maintained environment.</p>	<p><b>Yes</b></p>	<p>As detailed in Chapter 10 of this Statement, the Appeal Scheme will deliver a high-quality development including a range of indoor and outdoor tourism and leisure facilities which will create a healthy, safe, attractive, active and well-designed environment which will be well-maintained throughout the lifetime of the development.</p>
<p>Development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings.</p>	<p><b>Yes</b></p>	<p>The Design Statement of Case (<b>Appendix 1</b>), The Design Quality Statement of Case (<b>Appendix 2</b>) and the Landscape Statement of Case (<b>Appendix 3</b>) demonstrates that the Appeal Scheme is high quality and will maintain the locally distinctive character of the surrounding area.</p>
<p>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.</p>	<p><b>Yes</b></p>	<p>The Landscape Statement of Case (<b>Appendix 3</b>) and the Ecology Statement of Case (<b>Appendix 4</b>) demonstrate that the Appeal Scheme will deliver a high-quality development in ecology and landscape terms which will enhance the natural environment of the site and provide for the creation and long-term management of a range of habitats.</p>



		<p>In terms of heritage impact, this was assessed in detail as part of the Outline Planning Permission and was considered acceptable.</p> <p>The reserved matters application was supported by a Heritage Technical Note (C/D Ref: 5.12) and a Landscape and Visual Impact Assessment Technical Note (C/D Ref: 5.13) which reassessed the effect of the development on the setting of Little Eaves Farmhouse.</p> <p>The conclusion of this work was that there are no changes to the landscape, or visual effects predicted in the 2016 ES as a result of the reserved matters proposals. The photomontages (C/D Ref: 5.13) demonstrated that the visual impact of the Hub Building from Little Eaves Farm would be minimised by the provision of a sedum roof on the Hub Building to visually integrate it into the landscape. The Hub Building has also been designed over two levels with the lower level set into the sloping ground and curved roof forms utilised to further reduce its visual impact. Condition 11 of the Officer's recommendation for approval also proposed for additional planting to filter these views.</p>
<p>Support development which secures high quality, sustainable environments, efficient</p>	<p><b>Yes</b></p>	<p>The Energy Statement of Case (<b>Appendix 5</b>) demonstrates that the Appeal Scheme is high quality in energy terms and exceeds SMDC's policy requirements. The use of Solar PV and</p>

<p>and effective use of resources and contributes effectively to tackling climate change and reduced carbon emissions.</p>		<p>Air Source Heat Pumps to power the proposed lodges have been identified as appropriate types of renewable energy.</p>
<p>All proposals for development will be considered in the context of the District-wide Spatial Strategy and with regard to both its direct and indirect cumulative impact over the longer term. New development will make effective use of land and the best use of previously developed land and buildings.</p>	<p><b>Yes</b></p>	<p>As detailed in Chapter 10 of this Statement, the Appeal Site is a former quarry requiring restoration and represents an efficient use of the land which has previously been worked. Furthermore, the Appeal Scheme aligns with the CVM which has long identified the Appeal Site as an opportunity site for tourism-related development.</p>

11.2.1 In summary, the Appeal Scheme fully complies with the requirements of Policy SS1.

**Policy SS11 – Churnet Valley Strategy**

11.3 Below is my assessment of the Appeal Scheme against Policy SS11:

<b>Policy SS11 (Churnet Valley Strategy)</b>		
<b>Policy Requirement</b>	<b>Compliance</b>	<b>Appellant's Assessment</b>
The Churnet Valley is identified as an area for sustainable tourism and rural regeneration. The Churnet Valley Masterplan provides a comprehensive framework for development in the Churnet Valley and development should be in accordance with the Masterplan. Within this area particular support will be given to the following forms of development and measures:	<b>Yes</b>	The Appeal Scheme will ensure the delivery of a high quality, sustainable offer in line with the Council's vision for the Churnet Valley and Moneystone Park and the principles of the CVM (please see <b>Appendix 9</b> for further detailed assessment of the Appeal Proposals against the CVM).
Short stay and long stay visitor accommodation.	<b>Yes</b>	As detailed at Chapter 10 of this Statement, the Appeal Scheme will deliver 190 high-quality lodges to cater to both short and longer stay visitors. A planning obligation was imposed on the Outline Planning Permission to prevent long-term occupancy of the lodges ad permanent residences.
The expansion of existing tourist attractions and facilities and the provision of compatible new tourist attractions and facilities.	<b>Yes</b>	As detailed at Chapter 10 of this Statement, the Appeal Scheme will develop the visitor offer aimed primarily at the countryside market and also increase overnight stays. The site is ideally located to complement the role of existing facilities and attractions in the area for example Alton Towers and the Peak District National Park. The range of on-site facilities

		<p>and lodge accommodation proposed will compliment and will not compete with other key facilities and attractions in the area.</p>
<p>Measures to enhance, protect and interpret the landscape character and heritage assets of the Churnet Valley.</p>	<p><b>Yes</b></p>	<p>The Appeal Scheme has been sensitively designed to ensure that the development is compatible with the surrounding area, is appropriate in quality, scale and landscape character.</p> <p>The Landscape Statement of Case (<b>Appendix 3</b>) and the Ecology Statement of Case (<b>Appendix 4</b>) demonstrate that the Appeal Scheme will deliver a high-quality development in ecology and landscape terms which will enhance the natural environment of the site and provide for the creation and long-term management of a range of habitats.</p> <p>A summary of the heritage impact of the Appeal Scheme and its acceptability is detailed at Chapter 10 of this Statement.</p>
<p>Measures to remediate and restore derelict land, buildings and features including the appropriate redevelopment of sites.</p>	<p><b>Yes</b></p>	<p>As detailed in Chapter 10 of this Statement, the Appeal Site is a former quarry requiring restoration and represents an efficient use of the land which has previously been worked. Furthermore, the Appeal Scheme aligns with the CVM which has long identified the Appeal Site as an opportunity site for tourism-related development.</p>

<p>Actions to protect and enhance the biodiversity of the valley, including the maintenance, buffering and connection of designated sites and actions to mitigate climate change.</p>	<p><b>Yes</b></p>	<p>The Landscape Statement of Case (<b>Appendix 3</b>) and the Ecology Statement of Case (<b>Appendix 4</b>) demonstrate that the Appeal Scheme will deliver a high-quality development in ecology and landscape terms which will enhance the natural environment of the site and provide for the creation and long-term management of a range of habitats.</p> <p>The Energy Statement of Case (<b>Appendix 5</b>) prepared by Mr Paul Young demonstrates that the Appeal Scheme is high quality in energy terms. The use of Solar PV and Air Source Heat Pumps to power the proposed lodges have been identified as appropriate types of renewable energy.</p>
<p>Measures that support and integrate the heritage transport infrastructure of the valley, sympathetically with enhancing and developing links to strategic footpaths, cycle and horse riding routes.</p>	<p><b>Yes</b></p>	<p>As detailed in Chapter 10 of this Statement, the Appeal Scheme includes a range of existing and new footpaths and bridleways which will connect into the existing footpath network enhancing the accessibility of the site and creating opportunities for walking, cycling and horse riding.</p>
<p>Measures to improve connectivity and accessibility to and within the Churnet Valley by sustainable transport means having regard to the Green Infrastructure Strategy.</p>	<p><b>Yes</b></p>	<p>As detailed in Chapter 10 of this Statement, a Travel Plan was approved by the Outline Planning Permission which secured a range of measures to promote sustainable transport modes and improve connectivity within the Churnet Valley.</p>

<p>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. Strong sustainable development and environmental management principles should also be demonstrated. The consideration of landscape character will be paramount in all development proposals in order to protect and conserve locally distinctive qualities and sense of place and to maximise opportunities for restoring, strengthening and enhancing distinctive landscape features.</p>	<p><b>Yes</b></p>	<p>The Design Statement of Case (<b>Appendix 1</b>), the Design Quality Statement of Case (<b>Appendix 2</b>), Landscape Statement of Case (<b>Appendix 3</b>) and the Ecology Statement of Case (<b>Appendix 4</b>) demonstrate that the Appeal Scheme will deliver a high-quality development in design, landscape and ecology terms. The Appeal Scheme has been designed to respect the landscape character of the area, will enhance the natural environment of the site and provide for the creation and long-term management of a range of habitats.</p>
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11.3.1 In summary, the Appeal Scheme fully complies with the requirements of Policy SS11.

**Policy DC1 – Design Considerations**

11.4 Below is my assessment of the Appeal Scheme against Policy DC1:

<b>Policy DC1 (Design Considerations)</b>		
<b>Policy Requirement</b>	<b>Compliance</b>	<b>Appellant's Assessment</b>
<p>New development should:</p> <p>Be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area.</p>	<b>Yes</b>	<p>The Design Statement of Case (<b>Appendix 1</b>) and Design Quality Statement of Case (<b>Appendix 2</b>) demonstrate in detail how the development, including the detailing and materiality of both the lodges and facilities buildings are appropriate to the character of the area.</p>
<p>Be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.</p>	<b>Yes</b>	<p>The Design Statement of Case (<b>Appendix 1</b>), Design Quality Statement of Case (<b>Appendix 2</b>) and Landscape Statement of Case (<b>Appendix 3</b>) demonstrate in detail how the Appeal Scheme has been designed to respect the site's context and is appropriate in terms of its scale, height, density, layout, siting, landscaping, character and appearance.</p> <p>Chapter 10 of this Statement also addresses at how the Appeal Scheme accords with the parameters of the Outline Planning Permission.</p>
<p>Create, where appropriate, attractive, active, functional, accessible and safe public and private environments which incorporate public spaces, green infrastructure including making provision for networks of multi-functional new and existing green space (both public and private), landscaping, public art, 'designing out</p>	<b>Yes</b>	<p>As set out in Chapter 10 of this Statement and the Landscape Statement of Case (<b>Appendix 3</b>), the Appeal Scheme includes an extensive network of attractive and functional green spaces and linkages including play areas, extensive areas of managed woodland, a</p>

<p>crime' initiatives and the principles of Active Design.</p>		<p>Quarry Park and extensive walking, cycling and bridleway paths.</p>
<p>Incorporate sustainable construction techniques and design concepts for buildings and their layouts to reduce the impact of the development.</p>	<p><b>Yes</b></p>	<p>Chapter 10 of this Statement, the Design Statement of Case (<b>Appendix 1</b>) and the Design Quality Statement of Case (<b>Appendix 2</b>), describe how the lodges will be constructed to meet the requirements of British Standard BS3632:2015 and The Caravans Sites Act which will secure sustainable construction techniques and design concepts for the lodges which will reduce the impact of the development.</p> <p>Furthermore, the Landscape Statement of Case (<b>Appendix 3</b>) demonstrates in detail how the layout of the lodges and the other buildings on site have been designed to reduce their visual impact.</p> <p>The Energy Statement of Case (<b>Appendix 5</b>) also sets out the measures that will be implemented to reduce the impact of the development in terms of energy usage and carbon emissions.</p>
<p>Protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.</p>	<p><b>Yes</b></p>	<p>All technical considerations were addressed as part of the Outline Planning Permission. The Appeal Scheme has been designed in accordance with the parameters of the Outline Planning Permission and the amenity of the area will be protected in relation to daylight,</p>



		visual impact, sunlight, outlook, privacy, soft landscape, noise, odour and light pollution.
Promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate.	<b>Yes</b>	The Landscape Statement of Case ( <b>Appendix 3</b> ) and the Ecology Statement of Case ( <b>Appendix 4</b> ) demonstrate that the Appeal Scheme will deliver a high-quality development in ecology and landscape terms which has been designed to respect the landscape character of the area, will enhance the natural environment of the site and provide for the creation and long-term management of a range of habitats.
Provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use.	<b>Yes</b>	The main vehicular access to the Appeal Site from Eaves Lane was approved through the Outline Planning Permission (C/D Ref: 6.5). The parking provision for the Appeal Scheme is shown on the Site Masterplan (C/D Ref: 2.7) and set out in detail on the Parking note (C/D Ref: 2.89).
Require new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links.	<b>Yes</b>	As detailed in Chapter 10 of this Statement, the Appeal Scheme includes a range of existing and new footpaths and bridleways which will connect into the existing footpath network enhancing the accessibility of the site and creating opportunities for walking, cycling and horse riding.  In addition, a Travel Plan was approved by the Outline Planning Permission which secured a range of measures to promote sustainable

		transport modes and improve connectivity within the Churnet Valley.
Ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed.	<b>Yes</b>	As detailed in the drainage strategy which formed part of the reserved matters application (C/D Ref: 2.87), a comprehensive and sustainable management of surface and foul water is proposed and there is sufficient capacity within the existing drainage and sewerage systems to accommodate the Appeal Scheme.
Ensure, where appropriate, equality of access and use for all sections of the community.	<b>Yes</b>	As set out at Chapter 10 of this Statement, the Appeal Scheme will primarily serve residents from the leisure development but would also be open to the local community.
Be served by high-speed broadband (>30mbps) unless it can be demonstrated through consultation with Next Generation Access Network providers that this would not be possible, practical or economically viable. In all circumstances during construction of the site sufficient and suitable ducting should be provided within the site and to the property to facilitate ease of installation at a future date.	<b>Yes</b>	The proposed leisure development will be served by high-speed broadband once Moneystone Park is operational.

11.4.1 In summary, the Appeal Scheme fully complies with the requirements of Policy DC1.

**Policy E4 – Tourism and Cultural Development**

11.5 Below is my assessment of the Appeal Scheme against Policy E4:

<b>Policy E4 (Tourism and Cultural Development)</b>		
<b>Policy Requirement</b>	<b>Compliance</b>	<b>Appellant’s Assessment</b>
<p>New tourism and cultural development which complements the distinctive character and quality of the District will be supported having regard to the Area Strategies in Policies SS 5 to SS 10 and Churnet Valley Strategy Policy SS 11.</p>	<p><b>Yes</b></p>	<p>The Appeal Scheme will ensure the delivery of a high-quality new tourism and cultural development. Policies SS 5 to SS 9 are not relevant to the Appeal Scheme however Policy SS10 supports sustainable tourism development in the Churnet Valley in accordance with Policy SS 11 and the Churnet Valley Masterplan SPD.</p> <p>The Appeal Scheme respects the distinctive character of the Churnet Valley in line with Policy SS11 (see the table above for assessment against Policy SS11).</p>
<p>1. New tourist, visitor and cultural accommodation, attractions and facilities should be developed in locations that offer, or are capable of offering either:</p> <p style="padding-left: 20px;">A) good connectivity with other tourist destinations and amenities, particularly by public transport, walking and cycling; or</p>	<p><b>Yes</b></p>	<p>The Appeal Site is specifically identified as an opportunity site for tourism development in the CVM and therefore accords with Criterion C. The Appeal Scheme also accords with Criterion A as the Appeal Scheme includes a range of new footpaths and bridleways which will provide connectivity with other tourist destinations. In addition, the principle of leisure development on the site has been</p>

<p>B) in locations in or close to settlements where local services, facilities and public transport are available; or</p> <p>C) in areas specifically identified for tourism development in the Churnet Valley Masterplan or other relevant documents.</p>		<p>established through the Outline Planning Permission.</p>
<p>2. Developments in other locations may be supported where a rural location can be justified.</p> <p>New accommodation, attractions and facilities should:</p> <p>A) support the provision and expansion of tourist, visitor and cultural facilities in the rural areas where needs are not met by existing facilities; and</p> <p>B) all development shall be of an appropriate quality, scale and character compatible with the local area, protect the residential amenity of the area, enhance the heritage, landscape and biodiversity of the area and shall not harm interests of acknowledged importance.</p>	<p><b>Yes</b></p>	<p>This element of Policy E4 is not applicable as the Appeal Site is in a location specifically identified for tourism development.</p>

11.5.1 In summary, the Appeal Scheme fully complies with the requirements of Policy E4.

### **National Planning Policy Framework**

11.6 The reason for refusal does not state which policies of the NPPF the Appeal Scheme is contrary too. I have therefore assessed the Appeal Scheme against Chapter 12 ‘Achieving well-designed and beautiful places’ of the NPPF which is set out below.

Policy Requirement	Compliance	Appellant's Assessment
<p>131. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.</p>	<p><b>Yes</b></p>	<p>The Appeal Scheme will create a high quality, beautiful and sustainable place. Chapter 10 assesses the quality of the Appeal Scheme and I conclude that Appeal Scheme will be high quality because:</p> <ol style="list-style-type: none"> <li>1. A comprehensive Landscape Led Masterplan process has been followed to ensure the Appeal Scheme has a sensitive relationship with the Appeal Site and its constraints.</li> <li>2. The quantum and scale of the Appeal Scheme is appropriate and the density, massing and height is in accordance with the Outline Planning Permission.</li> <li>3. The design of the proposed lodges, hub building and activity building is high quality in terms of the materials, fitness for purpose of the proposed architecture and local distinctiveness.</li> <li>4. The landscape visual impact of the Appeal Scheme is also appropriate having regard to the relationship of the Appeal Scheme to its wider setting and its very</li> </ol>

Policy Requirement	Compliance	Appellant's Assessment
		<p>low impact on close views and wider vistas.</p> <p>5. The landscape design and the positive contribution the Appeal Scheme will make to public realm, landscape and planting. The Appeal Scheme will deliver extensive areas of open space and walking, cycling and bridleway connections.</p> <p>6. The significant ecological enhancements the Appeal Scheme will deliver.</p> <p>7. The energy benefits that the Appeal Scheme will secure.</p> <p>In addition, over a significant period of time, the Appellant has had very effective engagement with the SMDC Officers who recommended the application for approval.</p>
<p>132. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations and are grounded in an understanding and evaluation of each area's</p>		<p>SMDC has not produced a Borough Wide Design Code and there is not a Neighbourhood Plan covering the Appeal Site nor a Neighbourhood Plan Group.</p> <p>However, the CVM SPD has been prepared and approved by SMDC for the area which covers the Appeal Site. The CVM sets out, at section</p>

Policy Requirement	Compliance	Appellant's Assessment
<p>defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.</p>		<p>8.7, criteria that the design quality of proposals will be assessed against. Chapter 10 of this Statement assesses the design quality of the Appeal Scheme against the CVM criteria and a full assessment of the Appeal Scheme against the CVM is provided at <b>Appendix 9</b>.</p> <p>The CVM identifies the Appeal Site as an Opportunity Site for a high quality leisure development and in doing so sets out a clear design vision. Through extensive engagement with SMDC, Laver Leisure helped shape the design vision for the Appeal Site and I have concluded that the Appeal Scheme accords with the CVM.</p>
<p>133. To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the</p>		<p>SMDC has not prepared a Borough Wide Design Code however, as stated above, the Appeal Scheme has been assessed against the CVM design quality criteria.</p> <p>Furthermore, the Design Statement of Case (<b>Appendix 1</b>) at Section 6.1 assesses the Appeal Scheme against the National Design Guide. The Appeal Scheme accords with both the CVM and the National Design Code and will create a beautiful and distinctive place</p>



Policy Requirement	Compliance	Appellant's Assessment
<p>circumstances and scale of change in each place and should allow a suitable degree of variety.</p>		<p>with a consistent and high quality standard of design.</p>
<p>134. Design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.</p>		<p>As stated above, SMDC has not prepared a Borough Wide Design Code. However, the Council has prepared and adopted the CVM which is an SPD and does contain Design Principles at Section 8.7. The CVM was subject to community consultation and Laver Leisure inputted into every stage of preparation of the CVM and helped shape the design vision for the Appeal Site. The Appeal Scheme has been assessed against the CVM and accords with it.</p>
<p>135. Planning policies and decisions should ensure that developments:</p> <p>a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;</p>		<p>In this Statement I have assessed the quality of the Appeal Scheme and concluded that it is high quality. The Appeal Scheme:</p>

Policy Requirement	Compliance	Appellant's Assessment
<p>b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;</p> <p>c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);</p> <p>d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;</p> <p>e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and</p> <p>f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not</p>		<p>a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. The Appeal Site has been assessed to have a very low impact on the landscape and the proposed buildings and lodges will be set in high quality and attractive landscaping. Furthermore, extensive areas of ecological enhancement area proposed which will have long term management.</p> <p>b) Is visually attractive as a result of good architecture, layout and appropriate and effective landscaping.</p> <p>c) Is sympathetic to local character and history, including the surrounding built environment and landscape setting.</p> <p>d) Will establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create an attractive, welcoming and distinctive place to live, work and visit.</p> <p>e) Will optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support</p>

Policy Requirement	Compliance	Appellant's Assessment
<p>undermine the quality of life or community cohesion and resilience.</p>		<p>local facilities and transport networks. An extensive range of facilities are proposed which will be accessible to the local community. Furthermore, extensive footpath, cycleway and bridleway links are proposed. The Appeal Scheme will deliver significant economic, social and environmental benefits.</p> <p>f) Will create a place that is safe, inclusive and accessible and which promotes health and well-being, with a high standard of amenity for existing and future users.</p>
<p>136. Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are</p>		<p>Laver Leisure has had extensive dialogue with SMDC Officers including the Trees and Woodland Officer who raised no objections to the Appeal Scheme. Furthermore, no objections were raised to the application by the Woodland Trust and the Forestry Commission.</p>

Policy Requirement	Compliance	Appellant's Assessment
compatible with highways standards and the needs of different users.		
<p>137. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.</p>		<p>The Appellant has had very effective engagement with SMDC Officers over a significant period of time and the scheme was revised to address comments that were received from SMDC Officers and statutory and non-statutory consultee organisations during the determination of the application.</p> <p>Laver Leisure has also undertaken extensive community consultation prior to the submission of both the outline and reserved matters applications and where possible has amended the proposals at every stage. There is opposition to the development from local action groups because they do not agree with the principle of the development.</p>
<p>138. Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. The primary means of doing so should be through the preparation and use of local design codes, in line with the National Model Design Code. For assessing proposals</p>		<p>As stated above, SMDC has not prepared a Borough Wide Design Code. However, the Council has prepared and adopted the CVM which is an SPD and does contain Design Principles at Section 8.7. The CVM was subject to community consultation and Laver Leisure inputted into every stage of preparation of the CVM and helped shape the</p>

Policy Requirement	Compliance	Appellant's Assessment
<p>there is a range of tools including workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life. These are of most benefit if used as early as possible in the evolution of schemes and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.</p>		<p>design vision for the Appeal Site. The Appeal Scheme has been assessed against the CVM and accords with it.</p>
<p>139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:</p> <p>a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or</p>		<p>As clearly set out in Chapter 10 of this Statement, the Appeal Scheme is well designed and is high quality. Furthermore, I have concluded in this Chapter that the Appeal Scheme accords with Local Plan policies SS1, SS11, DC1 and E4, the CVM and government guidance on design. Therefore, significant positive weight should be given to this in the determination of the appeal.</p>

Policy Requirement	Compliance	Appellant's Assessment
<p>b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.</p>		
<p>140. Local planning authorities should ensure that relevant planning conditions refer to clear and accurate plans and drawings which provide visual clarity about the design of the development and are clear about the approved use of materials where appropriate. This will provide greater certainty for those implementing the planning permission on how to comply with the permission and a clearer basis for local planning authorities to identify breaches of planning control. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).</p>		<p>Chapter 12 of this Statement sets out suggested planning conditions which refer to clear and accurate plans. These plans provide visual clarity about the design of the Appeal Scheme and are clear about the use of materials.</p>
<p>141. The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display</p>		<p>The planning application is not seeking advertisement consent for the Appeal Scheme which will be addressed through a separate</p>

<b>Policy Requirement</b>	<b>Compliance</b>	<b>Appellant's Assessment</b>
of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.		application for Advertisement Consent at a later date.

11.6.1 In summary, the Appeal Scheme fully complies with the requirements of Chapter 12 of the NPPF.

## **Churnet Valley Masterplan SPD**

11.7 Whilst the Reason for Refusal does not refer to conflict of the Appeal Proposals with the Churnet Valley Masterplan, this represents a material consideration in the determination of the Appeal.

11.7.1 So, for completeness, in addition to the assessment of the quality of the Appeal Scheme against the design principles provided at 8.7 of the Churnet Valley Masterplan in Chapter 10 of this Statement, an assessment of the Appeal Scheme against the Churnet Valley Masterplan is contained at **Appendix 9**. In summary, Chapter 10 of this Statement and **Appendix 9**, demonstrate that the Appeal Scheme is strongly consistent with the Churnet Valley Masterplan.

## **Summary**

11.8 In summary, the Appeal Scheme fully comply with Staffordshire Moorlands Local Plan Policies SS1, SS1, DC1 and E4, NPPF Chapter 12 and the Churnet Valley Masterplan SPD.



## 12 PLANNING CONDITIONS

- 12.1 To provide certainty that a high-quality leisure development is secured and implemented, the Appellant is agreeable the planning conditions provided at **Appendix 10** of this Statement, in addition to those proposed in the report to committee.

## 13 THIRD PARTY COMMENTS

13.1 Provided at **Appendix 11** is a schedule which provides the Appellant's response to each of the key comments made by third parties during the determination of the application.

13.1.1 In summary, the development is acceptable when assessed against each of the third-party comments.

## 14 SCHEME BENEFITS

14.1 Paragraph 8 of the NPPF promotes the delivery of sustainable development through three overarching objectives: economic, social and environmental. Paragraph 9 of the NPPF requires that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

14.1.1 The appeal proposals will deliver a net benefit in respect of the economic, social and environmental objectives of sustainable development and as such the proposals align themselves with one of the most important objectives of national policy. The appeal scheme will deliver the following benefits which should be afforded significant weight in the determination of the appeal.

### **Economic Objective**

14.2 The Economic Benefits Statement (**Appendix 6**) sets out that the following economic benefits will be secured by the Appeal Scheme:

1. The generation of circa 210 on and off-site construction jobs over an assumed two-year construction programme. This total comprises a mixture of on-site works and off-site pre-fabrication works. The construction industry offers very accessible employment opportunities, with extensive use of apprenticeships and trainees.
2. Attraction of 42,000 new staying visitors to Staffordshire Moorlands per annum, based on a 190-lodge development, rising to 55,400 per annum when all 250 lodges are operational. It is estimated a further 32,500 day-visitors could potentially be attracted annually.
3. The creation of 190 FTE on-site jobs for the 190-lodge scheme across a range of different occupations, rising to 250 FTE on-site jobs with a 250-lodge development. The jobs will have localised travel to work patterns, low barriers to entry and a range of flexible working opportunities. Based on evidence from Center Parcs it is anticipated that around 85% of all staff will reside within circa 12 miles of Moneystone.
4. The creation of 50 FTE jobs off-site elsewhere in the Staffordshire Moorlands economy. These arise through (i) local corporate supply chain expenditure, (ii) the

additional expenditure of workers locally and (iii) jobs resulting from off-site visitor expenditure.

5. The generation of additional Business Rate revenues of circa £1.6 million per annum. An element of these revenues will flow to Staffordshire Moorlands District Council.

14.2.1 In addition to these quantified benefits, the Moneystone Park development has the potential to trigger wider catalytic effects for Staffordshire Moorlands. Major leisure investments, like that proposed at Moneystone, often serve as a catalyst for further rounds of tourism related investment. This is because leisure operators have clear criteria for investment in new locations based, in large part, on the presence of complementary operators.

14.2.3 In summary, the Appeal Scheme will deliver a series of economic benefits which should be afforded significant positive weight in accordance with Paragraph 85 of the NPPF.

### **Social Objective**

14.3 The Appeal Scheme will deliver the following social benefits:

1. Accessibility to an extensive range of indoor and outdoor activities at 'the Hub' by the local community. The central hub area will offer a range of leisure facilities including a farm shop, restaurant, café, swimming pool, gym, spa, games room, bowling alley, visitor centre, Multi Use Games Area (MUGA) and play area.
2. Accessibility to the proposed services within the hub by the local community which will enhance the ongoing vitality and viability of local villages.
3. Delivery of educational opportunities at the visitor centre covering:
  - a. Quarrying History – The quarrying history of the site and background to the geology in the area;
  - b. Silica Sand – The use and importance of silica sand in modern technology;
  - c. Sustainable Technologies – Focussing on the adjacent solar farm demonstrating how the energy is produced and where it goes; and

- d. Wildlife and Ecology – Remote recording/ ‘spy cams’ showing protected habitats and local fauna and flora.
  4. Short and long stay visitor accommodation in the form of new lodges which will make a positive contribution towards the local economy.
  5. Measures to improve connectivity and accessibility to and within the Churnet Valley by sustainable transport means such as a shuttle bus to Alton Towers.
  6. The proposal will open up the site for the public via several new footpaths and cycleway connections to provide greater access to the countryside for the local community and visitors.
- 14.3.1 In summary, there are a compelling suite of social benefits which should be afforded significant weight in the determination of this appeal.

### **Environmental Objective**

14.4 The Appeal Scheme will deliver the following environmental benefits:

1. 190 single storey lodges set within an extensive landscape led framework including the retention and enhancement of existing woodland, extensive new planting and the provision of a Quarry Park.
2. In habitat sensitive areas the lodges have been laid out to preserve as much of the developing habitats and areas of scrub/woodland planting as possible, whilst allowing clear and safe access.
3. The Quarry Park will add amenity value to the development and have beneficial ecological impacts for local wildlife.
4. The site will be porous in ecological terms as there is no major land take nor will significant barriers to the movement of wildlife be created.
5. The landscaping proposals will provide a range of new and enhanced planting including: new native hedgerows; tree planting and native scrub planting.
6. Overall, the development will deliver substantial benefits for wildlife by:

- a) enhancing extensive areas of grassland within and beyond the proposed development site;
  - b) bringing extensive areas of neglected broadleaved woodland, including ancient, replanted woodland, into favourable management;
  - c) protecting and enhancing SSSI and SBI designations as a consequence of grassland and woodland management;
  - d) creating and enhancing other habitats within the former minerals extraction areas including wetland habitats;
  - e) creating opportunities for a wide range of species associated with the site (e.g. bird and bat boxes, refuge habitat for amphibians/reptiles); and
  - f) delivery of a long term monitoring strategy secured by planning condition, compared to the previous 5 year after care period associated with quarry restoration.
7. The site is a former quarry requiring restoration and would represent an efficient use of the land which has previously been worked.
8. There are no designated or non-designated heritage assets within the site. The Appeal Scheme will not result in any adverse impacts on existing heritage features or archaeological assets.
9. Mitigation is proposed to remove contamination risk and as such there would be no harm to visitors at the application site.
10. In accordance with the Energy Strategy Statement of Case, the proposed lodges will be powered by either Solar PV or Air Source Heat Pumps.
- 14.4.1 In summary, there are a compelling suite of environmental benefits which should be afforded significant weight in the determination of this appeal.

## **Summary**

- 14.5 In summary, the appeal scheme will deliver a net benefit in terms of economic, social and environmental objectives of sustainable development in accordance with the NPPF. As

such, the appeal scheme will bring forward a suite of undeniable benefits that weigh very heavily in favour of granting planning permission and should be afforded significant weight in the determination of the appeal.

## 15 CONCLUSION

- 15.1 This Statement of Case has been prepared on behalf of Laver Leisure (Oakamoor) Ltd (hereafter referred to as “the Appellant”) in respect of an appeal against Staffordshire Moorlands District Council’s (‘SMDC’) decision to refuse reserved matters planning application ref: SMD/2019/0646 (‘the Reserved Matters Planning Application’) for Phase 1 of the leisure development (‘the Appeal Scheme’) at the former Moneystone Quarry, now known as Moneystone Park, (‘the Appeal Site’).
- 15.1.1 This Planning Statement of Case has been prepared by Jon Suckley MTCP FRTPI, whose professional declaration is as follows:
- 15.1.2 I am the Managing Partner of Asteer Planning, a specialist independent planning practice founded in April 2021. I have practiced for 21 years in the planning and development field and in September 2019, was elected to Fellowship of the Royal Town Planning Institute.
- 15.1.3 I advise a wide range of clients on significant and complex projects and has been providing planning advice to Laver Leisure on its proposed leisure development at Moneystone Park since 2009. I am extremely familiar with this area, the project and relevant local planning policy.
- 15.1.4 The planning evidence which I have prepared and provide for this Appeal in this Statement of Case is true and has been prepared, and is given, in accordance with the guidance of my professional institution and I can confirm that the opinions expressed are my true and professional opinions, irrespective of by whom I am instructed.

### **Background to the Former Moneystone Quarry and the Outline Planning Permission**

- 15.2 The former Moneystone Quarry has a complex planning history. The quarry operation at the site was a significant local employment generator however the refusal of a proposed extension to the quarry in 2007 resulted in its closure in March 2011. The 1998 Quarry 3 planning permission required a restoration plan for the aftercare of the quarry. The baseline position for the assessment of the outline planning permission was the restoration of the quarry. The current restoration plan was approved on 6 March 2014 and in the event that the outline / this reserved matters permission are not implemented then there remains an underlying obligation for Laver Leisure to deliver the restoration consent.



- 15.2.1 Laver Leisure acquired the former Moneystone Quarry in 2010 with the vision of delivering a high-quality leisure and tourism development which would deliver significant economic, social and environmental benefits for the Churnet Valley. Laver Leisure and its advisors have worked closely with Officers at SMDC during the preparation of the CVM which identifies Moneystone Quarry as an Opportunity Site for Leisure and Tourism development.
- 15.2.2 In accordance with the CVM, Laver Leisure secured outline planning permission for a high-quality leisure development in 2016. A solar farm was consented on 21 December 2015. In both instances local resident action groups sought (unsuccessfully) to challenge both consents.
- 15.2.3 In summary, there is an extant outline planning permission on a site for development which is consistent with the Council's policy guidance in the Churnet Valley SPD.

### **Background to Laver Leisure and its Vision for Moneystone Park**

- 15.3 Laver Leisure has extensive experience in the leisure and tourism industry and is committed to delivering a high-quality leisure and tourism development at Moneystone Park which will secure significant economic, environmental and social benefits for the Churnet Valley.

### **Background to the Reserved Matters Application**

- 15.4 Following an extensive period of engagement, the application was recommended for approval subject to conditions by the SMDC Planning Officers.
- 15.4.1 The Reserved Matters Application which is the subject of this appeal case has been submitted pursuant to the Revised Outline Planning Application which was approved on 26th October 2016. A High Court Appeal against the Revised Outline Planning Permission was refused by the Court of Appeal on 7<sup>th</sup> October 2017. The Reserved Matters Application was submitted to SMDC in October 2019 and validated on 5th November 2019.
- 15.4.2 The reserved matters planning application was determined by SMDC's Planning Applications Committee at its meeting on 26<sup>th</sup> October 2023, and was refused by Members against Officers' recommendation. SMDC published the Decision Notice refusing planning permission on 14<sup>th</sup> November 2023 (C/D Ref: 6.8).

## **The Appeal Site**

- 15.5 The appeal site is 48.425 hectares in extent and comprises part of a former silica sand quarry located between the villages of Whiston and Oakamoor, Staffordshire. Laver Leisure's total land ownership at Moneystone Quarry is 158.32 hectares. The former quarry is located approximately 1.6km southeast of Whiston, 2km north west of Oakamoor, and 11km south of Leek and is accessible via the A52 which links the M6 to the M1.

## **Overview of The Appeal Scheme**

- 15.6 The Appeal Scheme proposes the erection of a leisure development comprising 190 lodges, a new central hub building, children's play areas, multi-use games area, quarry park, parking facilities, site infrastructure and associated landscaping. The Appeal Scheme Masterplan is shown at (C/D Ref: 2.7). The proposed 190 lodges fall within the maximum parameters of 250 lodges permitted under the Outline Planning Permission and is intended to be a highly sustainable development which works with its landscape setting.

## **Planning Policy Context**

- 15.7 For the purpose of this appeal, the adopted Development Plan comprises the following relevant documents:
- Staffordshire Moorlands Local Plan (Adopted September 2020) (C/D Ref: 7.3);
  - Minerals Local Plan for Staffordshire 2015-2030 (Adopted February 2017) (C/D Ref: 7.4); and,
  - Staffordshire and Stoke-on-Trent Waste Local Plan 2010 to 2026 (adopted March 2013) (C/D Ref: 7.5).
- 15.7.1 As defined by the Local Plan Proposals Map (C/D Ref 7.10), the Appeal Site is allocated under Local Plan Policies SS9 (Smaller Villages Area Strategy), SS10 (Rural Area Strategy), H1 (New Housing Development), and DC3 (Landscape and Visual Impact). The Churnet Valley Masterplan SPD (C/D Ref 7.6) is a material consideration in the determination of the appeal and identifies Moneystone Quarry as an Opportunity Site to create a high-quality new tourism and leisure destination.

## The Design and Quality of the Appeal Scheme

15.8 In Chapter 10, I have assessed the quality of the Appeal Scheme and concluded, informed by the suite of Design and Technical Statement of Case appended to this Statement, that the Appeal Scheme and the design of the proposed lodges is high quality.

1.8.2 Local Plan Policy SS11 and the CVM requires the delivery of a high quality leisure development at Moneystone Park. In accordance with the criteria set out in Section 8.7 of the CVM, I have assessed that the Appeal Scheme is high quality having regard to:

1. The principal and composition of the Appeal Scheme which will provide much needed overnight accommodation to boost the local economy;
2. The Landscape Led Masterplan process which was followed addressing the relationship the Appeal Scheme has to the Appeal Site and its constraints;
3. The quantum and scale of the Appeal Scheme considering density, massing and height in accordance with the Outline Planning Permission;
4. The design of the proposed lodges, hub building and activity building in terms of materials, fitness for purpose of the proposed architecture and local distinctiveness;
5. The landscape visual impact of the development having regard to the relationship of the Appeal Scheme to its wider setting and its very low impact on close views and wider vistas;
6. The landscape design and the positive contribution the Appeal Scheme will make to public realm, landscape and planting;
7. The significant ecological enhancements that the Appeal Scheme will deliver; and
8. The energy benefits that the Appeal Scheme will secure.

## Appellants Response to the Reason for Refusal

15.9 In Chapter 11 of this Statement, I assessed the Appeal Scheme against the Reason for Refusal and concluded that:

1. The reason for refusal relates only to the design of the lodges and not any other aspects of the reserved matters application such as the density, layout, hub building, etc which has been confirmed in the email exchange between myself and Mrs Jane Curley, SMDC Planning Case Officer, at **Appendix 8**;
2. It was misguided of the Councils Planning Committee Members to say that the proposed lodges are no more than 'caravans with cladding' and are not of a high standard of design. The lodges have been designed to comply with the Caravans Sites Act 1968 however they are not static caravans nor touring caravans. The lodges have been designed to comply with The Caravans Sites Act for convenience of construction and irreversibility and through doing this, it does not impact on the high quality lodges that are proposed at Moneystone Park;
3. The lodge designs are proposed to be of high quality having regard to their appearance, detailing, form, design and materials. The lodges are low density, and have very low visual impact from anywhere beyond the site boundary. The LVIA does not require green roofs on the proposed lodges only on the Hub Building which is proposed. To the contrary high sustainability credentials do not require the roofs of the lodges to be 'green roofs'. Solar PV and Air Source Heat Pumps on the lodges have been identified as the most appropriate options to deliver sustainability benefits;
4. The design of the lodges are in-keeping with the sensitivity of the site which includes Whiston Eaves SSSI. The reason for refusal is wholly wrong to refer to the SSSI because the SSSI is irrelevant in the context that it has been used. The SSSI designation does not relate to appearance or setting and solely relates to scientific interest. Raising this issue in the context of lodge design is entirely mis-guided to the point of being unreasonable; and
5. The Appeal Proposals fully comply with Staffordshire Moorlands Local Plan Policies SS1, SS1, DC1 and E4, NPPF Chapter 12 and the CVM SPD.

### **Planning Conditions**

- 15.10 To provide certainty that a high-quality leisure development is secured and implemented, the Appellant is agreeable to the suite of planning conditions set out in Chapter 12 in addition to those proposed in the report to committee.

### **Third Party Comments**

- 15.11 Provided at **Appendix 11** is a schedule which provides the Appellant's response to each of the key comments made by third parties during the determination of the application. In summary, the development is acceptable when assessed against each of the third-party comments.

### **Scheme Benefits**

- 15.12 At Chapter 14, I conclude that the Appeal Scheme will deliver a net benefit in terms of economic, social and environmental objectives of sustainable development in accordance with the NPPF. As such, the appeal scheme will bring forward a suite of undeniable benefits that weigh very heavily in favour of granting planning permission and should be afforded significant weight in the determination of the appeal.

### **Summary**

- 15.13 In summary, I conclude that the Members of SMDC's Planning Committee were wrong to refuse reserved matters permission against the advice of their Planning Officers who recommended the application for approval. The Appellant has had extensive dialogue with SMDC Planning Officers who raised no objections to the application. The Appeal Scheme including the proposed lodges is of high quality and will deliver a suite of significant economic, social and environmental benefits.

- 15.13.1 It is therefore respectfully requested that the Planning Inspector allows this planning appeal.

**APPENDIX 1 – DESIGN STATEMENT OF CASE (PLEASE SEE SEPARATE DOCUMENT)**

**APPENDIX 2 – DESIGN QUALITY STATEMENT OF CASE (PLEASE SEE  
SEPARATE DOCUMENT)**

**APPENDIX 3 – LANDSCAPE STATEMENT OF CASE (PLEASE SEE SEPARATE DOCUMENT)**



**APPENDIX 4 – ECOLOGY STATEMENT OF CASE (PLEASE SEE SEPARATE DOCUMENT)**

**APPENDIX 5 – ENERGY STRATEGY STATEMENT OF CASE (PLEASE SEE SEPARATE DOCUMENT)**

**APPENDIX 6 – ECONOMIC BENEFITS STATEMENT (PLEASE SEE  
SEPARATE DOCUMENT)**

**APPENDIX 7 – THE APPELLANTS CASE FOR A PUBLIC INQUIRY**

**APPENDIX 8 - EMAIL EXCHANGE WITH SMDC DATED 27 AND 28 MARCH  
2024**

**APPENDIX 9 - ASSESSMENT OF THE APPEAL SCHEME AGAINST THE  
CHURNET VALLEY MASTERPLAN**

**APPENDIX 10 – PLANNING CONDITIONS**

**APPENDIX 11 – ASSESSMENT AGAINST THIRD PARTY COMMENTS**