

# Statement of Case

**Staffordshire Moorlands District Council**

**Relating to an appeal made by Laver Leisure (Oakamoor) Ltd**

**Description of development:** 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.

**Site Address:** Moneystone Quarry, Eaves Lane, Oakamoor, Staffordshire, ST10 2DZ

**LPA Ref:** SMD/2019/0646

**PINs Ref:** APP/B3438/W/24/3344014

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# 1. Introduction and background

## Introduction

- 1.1. This statement of case has been prepared on behalf of Staffordshire Moorlands District Council (the Council), in response to an appeal submitted by Laver Leisure (Oakamoor) Limited (the appellant), against the refusal of planning permission of an application for reserved matters, by notice dated 14<sup>th</sup> November 2023, following the resolution of the Council's Planning Application Committee on 26<sup>th</sup> October 2023.
- 1.2. In summary, the refusal was due to the poor-quality design of the lodge buildings. Further details are provided within chapter 2 of the statement.
- 1.3. The scheme to which this appeal relates is known as 'Phase 1' of the development of a wider former sand and aggregate quarry known as Moneystone Quarry – the appellant now referring to the site as 'Moneystone Park'. The description of development is:  
  
*“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.”*
- 1.4. Outline planning permission for this development (with all matters reserved excepting access) was granted on 26<sup>th</sup> October 2016 (ref: SMD/2016/0378).

## Site and situation

- 1.5. The appeal site is part of a former sand extraction quarry, known as Moneystone Quarry. Eaves Lane/Whiston Eaves Lane bounds the site to the north. In all other directions the site interfaces with pastoral agriculture fields and woodland. All mineral extraction in the quarry has now ceased and the majority of plant, equipment and buildings have been removed. Three buildings remain on site, one of which was included in the approved Parameters Plan for retention (former Quarry admin building).
- 1.6. Levels within the site are consistent with that of a former quarry. The site sits below the level of Eaves Lane by at least 20 metres and consists of two excavated quarry hollows (known as Quarry 1 and Quarry 3). A third, Quarry 2, is not part of this

application. The proposed hub building sits within the former production area which is on the lower part of the site and from here land then falls steeply southwards to the River Churnet and the eastern spur of the Churnet Valley Railway through established woodland.

- 1.7. The nearest properties to the application site are Crow Trees Farm and Cottage Farm on Eaves Lane, both of which sit adjacent to the site, and Little Eaves Farm, a Grade II Listed building which lies to the south west and shares access with the site. There is a small hamlet at Moneystone, on Blakely Lane to the north west.
- 1.8. There is a Restoration Scheme in place for the site which was approved by Staffordshire County Council in 2014.
- 1.9. There is a network of public footpaths (PROW's) surrounding the site, one of which runs through the site following the main access road and then heading in a south westerly direction towards Little Eaves Farm.

### **Planning history**

- 1.10. Relevant site history for this site has already been set out within the officer report to committee (CD.6.2) and in significant detail within Chapter 3 of the appellant's statement of case. There is no need to repeat this here. However, for clarity and in the avoidance of doubt, there are two directly relevant applications that are listed below.
  - i. Application SMD/2014/0432 which was the originally refused outline application for the redevelopment of the Moneystone Quarry into a leisure park.
  - ii. Application SMD/2016/0378 which is the outline planning permission granted in 2016 on which the reserved matters application is based.

### **The outline permission**

- 1.11. It should be noted that the original outline planning permission (ref: SMD/2014/0432) was refused for several reasons, the first of which related to the design and layout of the development and its impact on the surroundings through being visually intrusive, in a landscape that was particularly sensitive to change. As a result, the revised outline permission (SMD/2016/0378 - on which the appeal scheme is based) went to great lengths to propose and demonstrate how the design and layout of the scheme could be deemed acceptable in this location.

1.12. A review of the materials that were submitted alongside the resubmitted outline application demonstrates how a much more comprehensive and landscape-led design approach was required. This approach needs to be maintained as part of the reserved matters application.

## 2. The Council's reason for refusal

### The decision notice

- 2.1. The reserved matters application was refused by the Planning Applications Committee. The decision notice was issued on 14<sup>th</sup> November 2023 and included one reason for refusal which specifically related to the design qualities of the proposed lodges. The full reason for refusal is as follows:

*“This site lies within the Churnet Valley which is an area of significant landscape, wildlife and heritage value. Policy SS11 of the Staffordshire Moorlands Local Plan (adopted September 2020) sets out the strategy for the Churnet Valley. It says that all 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. The consideration of landscape character it says will be paramount in all 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.*

*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.”*

### Unpacking the reason for refusal

- 2.2. The Council's reason(s) for refusal are specifically related to the 190 lodge buildings, with other elements of the scheme submitted for approval considered to be acceptable in all other regards. We note that the Council's focus of this appeal on the design qualities of the lodges was confirmed by the original case officer in an email dated 23<sup>rd</sup> March 2024 and that is included with the appellant's statement of case.

- 2.3. It should be noted that the Committee were particularly complementary about the qualities of the 'Hub Building' and its design and architectural approach, as well as the wider landscape strategy, which highlights the poor-quality design solution for the proposed lodges. It should be noted that the Council consider that the 'Hub' building demonstrates a strong response to the site, its setting and the policy requirements.
- 2.4. In summary the Council's reason for refusal is therefore based around three key design aspects:
  - i. That the design of the lodges lacks architectural design quality and includes insufficient creativity and detailing to be considered high quality
  - ii. That the design of the lodges fails to adequately respond to the character and qualities of the local area or vernacular
  - iii. That as a result there is an unacceptable impact on the wider landscape and setting of this sensitive and highly valued landscape – a matter highlighted by the proximity to the Whiston Eaves SSSI.
- 2.5. Furthermore, it is clear from the discussions at the Committee, and by the third party representations made (see chapter 6), that there was a strong belief that the scheme presented as part of this reserved matters application (specifically where the lodges were concerned) was not what had been envisaged and proposed as part of the wider principles, vision and strategy associated with the outline permission.
- 2.6. It should be noted that whilst reference is made to the Whiston Eaves SSSI and impact upon it, it is not the Council's case that the ecological and scientific qualities of the SSSI are negatively impacted by the poor-quality design of the lodges.
- 2.7. The officer report to committee details the feedback from both the Staffordshire Wildlife Trust and Natural England. Both parties confirm that there is no impact on the biodiversity of habitats within the SSSI, subject to the imposition of conditions – please see chapter 8. The Council do not advance this as a reason for refusal.



### **3. Relevant plans and policies**

- 3.1. Both the officer's report to committee (within section 7) and the appellant's statement of case (within chapter 8) set out a comprehensive list of relevant policies that affect the appeal proposal and as such there is no need to provide a full list again as part of this statement. However, the paragraphs below set out what are considered to be the principal policies related to the Council's reasons for refusal, and as referenced in this statement of case.
- 3.2. For clarity and in the avoidance of doubt, extracts from the policies have been provided that relate specifically to the reason for refusal. Full copies of the local policies have been provided as part of the Council's questionnaire.

#### **Development plan – Staffordshire Moorlands Local Plan (September 2020)**

- 3.3. The Staffordshire Moorlands Local Plan (SMLP) (CD.7.3) was adopted in September 2020 and forms the development plan for this area. For the purposes of this appeal all the policies are considered by the Council to be up-to-date. As set out in the decision notice the following are the principal local plan policies engaged:

- i. SS1: Development Principles

For the purposes of this appeal, policy SS1 emphasises the importance of delivering healthy, safe, active, well-designed and well-maintained environments that maintain the local distinctive character of the Staffordshire Moorlands and its settlements.

- ii. SS11: Churnet Valley Strategy

For the purposes of this appeal, this policy places further emphasis on the requirement for all development to be of an appropriate scale and nature, and high quality of design, as well as preserving the area's landscape, heritage and biodiversity.

This policy also directly references the requirement for development to be in accordance with the Churnet Valley Masterplan (CVM).

- iii. E4: Tourism and Cultural Development

This policy sets out a framework for considering proposed tourism and leisure developments. Of relevance to this appeal is that it further emphasises the importance of development being of an appropriate quality, scale and character which is compatible with the local area, as well as enhancing heritage, landscape and biodiversity.

iv. DC1: Design Considerations

This policy places particular emphasis on all new development reinforcing local distinctiveness, setting out criteria for new development that includes, inter alia, being of a high standard of design, adding value to the area through creativity, detailing and materials, being designed to promote a positive sense of place and incorporate sustainable building techniques.

This policy also directly references the requirement to use the Staffordshire Moorlands Design Guide (SMDG) as part of this assessment.

**SMDC material considerations**

- 3.4. As noted within the development plan there are two supplementary planning documents that are specifically mentioned and should be considered as part of this appeal. These include the Churnet Valley Masterplan adopted 2014 (CVM) (CD.7.6) and the Staffordshire Moorlands Design Guide SPD (SMDG) (CD7.9).
- 3.5. The concept statement for the Moneystone Quarry Opportunity Site is identified in section 7.6.5 of the CVM, in particular, the fourth bullet point sets out that *“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 of a scale which does not undermine the tranquillity and character of this sensitive part of the Churnet Valley and other businesses.”* It goes on to describe how this can be achieved through sustainable development, through the *“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.”*
- 3.6. Figure 7.4 of the CVM sets out a concept plan for the wider Moneystone Quarry opportunity site, and an artist’s impression is provided as part of figure 7.5 which sets out the aspiration for the lodges that would be provided.
- 3.7. Turning to the SMDG adopted 2018, it is considered that sections 2, 3 and 7 are of particular relevance to this appeal proposal.

**The National Planning Policy Framework (Dec 2023)**

- 3.8. The reason for refusal makes specific reference to the National Planning Policy Framework (NPPF), with specific reference made to chapter 12 (Achieving well-designed and beautiful places) and chapter 15 (Conserving and enhancing the

natural environment). The following specific paragraphs are considered particularly relevant to the Council's reason for refusal: 131, 134, 135, 139, 140, 180a and 180b.

- 3.9. Paragraph 140 is specifically mentioned as it compels local planning authorities to ensure that high standards of design are maintained throughout stages of granting planning permission and discharging conditions.

### **The National Design Guide (2021)**

- 3.10. The National Design Guide (NDG) (CD.7.8) is also an important material consideration. Much of the document sets out that good design is a product of a thorough and robust assessment of the site, its surroundings and the wider context. Good design is described in paragraph 4, "*The long standing, fundamental principles for good design are that it is: fit for purpose; durable; and brings delight. It is relatively straightforward to define and assess the qualities for a building. We can identify the activities of the users, the quality of the detail, materials, construction and potential flexibility. We can also make judgements about its beauty.*"
- 3.11. It goes on to set out seven components of good design – of which there is considerable overlap - which are summarised below from pages 6 and 7 of the document, although it is acknowledged that items ii – vii are most relevant to this appeal:
- i. *Layout* – How routes and blocks of development are arranged to create streets, including broad distribution of heights, densities and grain.
  - ii. *Form* – The three-dimensional appearance of the building, its bulk and mass, and its relationship with the use that it accommodates.
  - iii. *Scale* – The height, width and length of a building, its overall size and its proportions.
  - iv. *Appearance* – The visual impression a building makes within a location or space including architecture and external built form.
  - v. *Landscape* – About space and land around buildings, how it protects amenity and links to the natural environment.
  - vi. *Materials* – Choice affects how it functions and lasts over time, and how it relates to its surroundings.
  - vii. *Detailing* – How individual components are put together and how a building's appearance is experienced.

### **Using policy to define high-quality design**

- 3.12. Given the reason for refusal it is sensible to set out what is considered, using the policy context set out above and in the context of this site and its surroundings, to be the high quality design that this development should demonstrate.
- 3.13. The following five criteria are developed directly from the policies and form the cornerstone of the planning arguments and assessment within this case.
- i. Clearly responding to the site's context with the buildings' design, taking account of the surrounding landscape / townscape, and reflecting the local built vernacular.
  - ii. Delivering a building that has an appropriate scale, mass and form, that reflects local forms and does not undermine the landscape / townscape qualities.
  - iii. Providing creativity in the architecture of the building, including appropriate materials, roofscape and detailing, delivered as part of an effective composition.
  - iv. Creating buildings that are fit for purpose, durable and long lasting, and that maximise opportunities for sustainable design and construction.
  - v. Delivering buildings that preserve and enhance their setting, and do not impact on the wider landscape, heritage or biodiversity.
- 3.14. The policies make it clear that there is not a requirement for all development, on all occasions to deliver vernacular architecture, and there will be occasions when a different form of development would be acceptable, however, all development should have a clear architectural design, which seeks to reinterpret the local vernacular and detailing.

## 4. Planning argument

- 4.1. Paragraph 2.4 of this statement of case sets out the three aspects where it is considered that the design of the lodges does not result in design that is high quality. The Council's case is that the lodges appear very much as caravans with cladding, a phrase that is repeated within the decision notice, and that these do not reflect either the local character or an innovative or creative design solution as required by the policy.
- 4.2. The Council does not object to the landscape planting strategy, overall density or layout of this site - much of it following the parameters plan agreed at the outline stage and the concept diagram in the CVM: Figure 7.4 (C.D 7.6) – but the impact of the design and approach taken to the lodges is considered unacceptable. It is acknowledged that the interiors of these lodges will likely have a higher-than-normal specification over a typical static holiday caravan, however, the internal quality of the lodges is not something that features in the reason for refusal.

### **Three shortcomings in the design of the lodges**

- 4.3. The Council consider that there are three shortcomings where the design of the proposed lodges fails to meet the policy requirements, and therefore the lodges cannot be high quality design.
  - i. A focus on compliance with the Caravans Act has immediately restricted the design approach  

The appellant identifies that the lodges have been designed to meet the requirements of the Caravans Act (1961) which is a key design driver. This design requirement is neither policy driven, nor is it driven by the site, its surroundings or context. It is the appellant's choice. Following this approach means that width, length and height are strictly limited, as well as restricting the number of components that may form part of a building i.e. you can't have more than two components bolted together to make up each building. Other solutions for this site have not been considered or discounted, specifically given the range of examples and types that were showcased within the Design and Access Statement submitted with the outline application (see comments on diminishing design quality below).
  - ii. Poor form, scale and elevation appearance  

The form and scale of the buildings (including the double units) is formulaic and standardised. They appear temporary and transient, with little in the way of variation or articulation of the elevations, and certainly not reflective of

any form currently found within the local area. The design of the lodges lacks any appropriate detailing or articulation, has poorly defined eaves detail and the fenestration appears discordant and rather a result of the requirements for the internal space. The roof pitch is overly shallow and incongruous in the local area, and there is an insufficiently well-defined transition between the roof and the walls at the eaves. The external architecture appears to have taken a second place to internal arrangements and construction methods. The repetition of similar forms across the site would make the development illegible.

iii. Poor response to the character and vernacular

Policies require that the design of new built form responds to local vernacular or develops a clear design response based on local character and context with regard to local materials, details and forms. In this regard, the lodges fail to make any attempt to reflect local character. Whilst this is true, the Council does not disagree with the choice of a natural wood finish as it is reflective of the wider wooded landscape setting. However, the elevations appear somewhat 'flat' and slab sided with the material lacking interest or articulation. The non-natural materials for the roof and the decked area are considered unacceptable and do not reflect local vernacular.

**Poor relationship with landscape setting**

4.4. The lodge design solution creates a series of engineered flat 'pads' (see cross sections submitted with this application) on which concrete bases will be placed and parking and roads arranged around these (to facilitate delivery of the lodges onto the site on their wheels). The lodges will be placed on these, and then skirted with timber or other dark coloured cladding. The lodges will 'sit atop' a very modified landscape setting, which is highly engineered and lacks naturalistic landforms.

4.5. The SMDG states in paragraph 3.2: *"In the countryside or on the edge of settlements, buildings should sit comfortably in the landscape. This is best achieved by emulating the horizontal, ground-hugging form of traditional buildings with their strong eaves and ridge lines and simple, low silhouettes parallel with the contours."* There is a conflict in approach here with the lodges 'sitting up' rather than being set into the landscape.

**Diminishing design quality between outline and reserve matters**

4.6. Paragraph 140 of the Framework cautions local planning authorities that they should ensure that the quality of approved development is not diminished between permission and completion. In this case, care should be taken to ensure that design quality has not been diminished between the outline and reserved matters stage.

Matters of landscape, layout scale and appearance were all reserved matters, therefore the appeal scheme is the first time that these can be properly considered. The Council consider that the principles set out at outline have not been effectively delivered in the design of the lodges and that has resulted in a diminution of quality between the outline consent and appeal proposal.

- 4.7. In granting the outline planning application (ref: SMD/2016/0378) the Council placed condition 14 on the application, which stated:

*“All future reserved matters applications for any phase agreed under Condition 5 and particularly those relating to layout, scale and appearance shall be in accordance with the principles contained within the submitted Design and Access Statement and incorporate the Mitigation Measures set out in Table 8.9 of Chapter 8, Landscape and Visual of the Environmental Statement.”* [my emphasis]

- 4.8. Referring to the Design and Access Statement (CD.1.22), it is clear that there were a number of design principles that were contained within that document that have not followed through to the reserved matters application. These are set out below, and assessed against the appeal proposals:

- i. *The vision (pg. 43)* shows some clear images of the accommodation offer all of which are a very different design approach to the lodges that are proposed as part of the appeal scheme.
- ii. *The Illustrative masterplan (pg. 49)* shows three sketches of the proposed development. The lodges (bottom two images) show proposals on stilts, with more articulation within the elevations and shadow lines at the eaves. The inclusion of stilts lets landscape flow up to and around the development.
- iii. *Section 9 (pg. 57)* shows a number of precedent images with only one that has a passing resemblance to the proposed development. In fact, beyond this images, sketches and diagrams throughout section 9 do not show an image that reflects the proposed lodge design of this appeal.
- iv. The principles also show a series of one and two storey units with a variety of roof forms, whereas the appeal proposals only have single storey units with very simple and basic roof forms.
- v. Page 57 goes on to discuss a palette of materials including stone, slate, natural wood cladding, gabion walling, drystone walling. Only one material from this palette has been used – the wood cladding.
- vi. The lodge design principles text (pg. 57 – paragraph 3) also refers to *“selected use of grass/sedum roofing systems could also help in areas of particular visual*

*sensitivity, as well as promote biodiversity and habitat links within the lodge areas themselves.” Grass / sedum roofs do not form part of the proposal.*

- vii. Finally, the principles refer to lodges on sloping sites sited on retaining walls or stilts whilst the lodges as proposed now sit 'atop' the landscape. Concrete pads are mentioned for siting, but there is no mention creating the plateaus for lodges, parking and roads to facilitate delivery of wheeled units.
- 4.9. For clarity, the Council notes that in no way was the Caravan Act identified as part of the original outline application as a key design driver or design principle for the lodges. This does not mean that the Council is in objection to prefabricated, or delivery of completed units (such modern methods of construction would be highly suitable in this location). However, the focus on compliance with the Caravan Act is very restrictive and means that there is a lack of variety, interest and articulation in the designs.

#### **Design shortcomings exacerbated due to the scale of development**

- 4.10. Finally, the scale of this development is an important consideration. The appeal scheme is for 190 lodge units. The scale of the development and the fact that the poor design of the lodges is repeated 190 times means that the scale and degree of design harm is exacerbated. Whilst the appellant argues that the mitigation planting means that these elements will not be seen in the wider landscape, the poor quality of design should not be ignored just because it is not visible from outside of the site.



## **5. Response to the appellants statement of case**

- 5.1. In presenting the appellant's case there has been a focus on what the appeal scheme is not, or what it is better than, rather than what the scheme itself ought to achieve to be considered good design when measured against the policy. There is a strong undercurrent in the appellant's statement of case that if the proposal exceeds the statutory minima, or fails to have any impact on landscape, heritage or biodiversity, this means that it can be considered high-quality design.
- 5.2. In this regard the Council cite three areas where the appellant's design quality argument is flawed.

### **Fundamental policy misdirection**

- 5.3. The Planning Statement of Case seems to have taken the misdirected approach to whether high-quality design is delivered:
- i. Throughout the main Planning Statement of Case (prepared by Mr Suckley) it is advanced that the scheme's lack of impact on landscape, heritage or biodiversity means simply that it can be considered high-quality in design terms. This is particularly evident within the tables in chapter 11.
  - ii. Whilst policy SS11 effectively links design quality to these elements, DC1 sets out a much wider range of design considerations for new development. Nowhere within any policy does it set out that these are all achieved when there is simply no impact on landscape, heritage or biodiversity.

### **Poor quality assessment against design policy drivers**

- 5.4. Whilst the appellant's statement of case takes a very granular assessment of the scheme against each of the policy elements in both the development plan and the associated SPDs, it does so in a very limited manner in design terms.
- i. The policy clearly requires an assessment of the local character, context and justification against these findings. There has not been a satisfactory assessment of how the lodges themselves meet those requirements.
  - ii. The assessment against the National Design Guidance (NDG) that forms part of the appellant's Design Statement of Case by Mr Bunce (paragraphs 6.1.1 to 6.1.7) is incomplete and fails to include a robust and comprehensive assessment against all the ten characteristics of that document – especially for a scheme of this size.

### **Focus on the 'Caravan Act' and typical caravan sites**

- 5.5. The Planning Statement of Case, the Design Statement of Case and the Design Quality Statement of Case, all focus on how the lodges that are proposed are more than static caravans.
- i. The Council strongly assert that the assessment of design quality should not be whether the proposed design of the lodges is better than static caravans or exceeds the statutory minima of the Caravan Act but whether the proposed design is high quality by reference to planning policy and guidance. The design driver of the Caravan Act is simply a criterion that has been arrived at by the appellant.
  - ii. The Council do not necessarily disagree that the proposed lodges may exceed those minimum standards for caravans. However, the policy asks for the design of the lodges to be tested as to whether they can be considered high quality - insofar as they are an appropriate, contextually responsive design. In this respect, it is patently clear that they fall short of that.

## 6. Responses from members of the public

- 6.1. As noted in the Section 8 of the officer report to committee (CD.6.2) there were 330 letters of objection to this application, with the late representations report issued on the date of the committee meeting identifying 41 further objections. These are set out in more detail within the officer report to Planning Applications Committee. Many of these points were matters related to the principle of development and were considered and agreed as part of the outline stage – as such they are irrelevant to the reserved matters appeal scheme.

### Comments about the diminishment of quality

- 6.2. It is noted that some of the respondents had, as is also set out within this Statement of Case, identified that the quality and nature of the accommodation being provided was very different to that which was the subject of the outline application. Given that these matters were again highlighted by the committee in making a resolution on this application, and form part of the reason for refusal it is considered appropriate to reference these again here. The relevant comments broadly fall into two categories:
- i. This is a very different application to that agreed at the outline stage, in terms of density, impact on wildlife and quality of accommodation.
  - ii. The proposed buildings are not traditional and are not local in style.

- 6.3. A comment from the Oakamoor Parish Council sets out the following:

*“At the community involvement meeting, Mr Swallow, the applicant’s representative, went to great lengths to explain that his high quality vision for Moneystone would be based on the Bluestone luxury resort in the Pembrokeshire National Park. Whilst the outline planning application had copied a few elements of the Bluestone resort, the reserved matters application has further downgraded the resort...”*

- 6.4. This point is particularly noted given that the Design and Access Statement submitted with the outline permission (CD.1.22) included the Bluestone luxury resort as a case study (see pages 103 and 105).

### Other concerns

- 6.5. Whilst the officer report recognised and recorded the range of responses from members of the public, it is noted that this was a reserved matters application and as such the principle of development of this site is already agreed by virtue of the outline permission. Matters of highways impact as well as the acceptability of the reuse of the site for tourism and leisure uses were considered at length as part of

the outline stage. As a result, the comments in this regard do not form part of the Council's case and ought not to be revisited at the appeal inquiry.

- 6.6. It should be also noted that there are no objections from the Council's technical consultees who have all commented in detail on the proposals.

## **7. Conditions and additional submitted material**

- 7.1. The applicant has submitted some additional coloured annotated elevations and plans of the lodges and some CGI images alongside appeal showing the site in the setting and wider landscape – these are contained within the section 3 of the core documents. The appellant has also introduced some broad parameters for an energy strategy for the lodges (and the wider development) including air source heat pumps and solar panels that were not part of the scheme presented to committee.

### **Additional CGI images**

- 7.2. The Council take issue with the CGI images for several reasons, primarily since some of these images show lodge units which do not match the architectural design that is proposed for the units and their locations not specifically identified within the layout so it is unclear where these are representative of, and what weight should be afforded to them.
- 7.3. As for the coloured and annotated elevations, whilst the design of the lodges appears unchanged, the railings / balustrade has been changed to glazed units. The applicant has also suggested removing all specified materials and dealing with this by way of a condition. This is a significant change in the approach to addressing materials, finishes and the design of the lodges from that which was before the Council when making their decision – the Council's response to the conditions on materials and finishes are set out below.
- 7.4. However, from what is presented, these are minor changes that do not necessarily change or address, in the Council's view, the fundamental design challenges previously highlighted through the principal design of the lodges that we presented to the committee and the conclusions that are raised by this approach.

### **Lack of clarity regarding the energy strategy**

- 7.5. Turning finally to the new energy strategy, and specifically considering the lodges which are the subject of this appeal which is outlined in the appellants Energy Statement of Case is a mixture of the use of air source heat pumps and solar panels. It is undisputed that introducing such measures will assist in achieving a better level of sustainable design and construction. However, there is no information present as to how this will be delivered and where, and whether this would be acceptable. The Design statement of case by Mr Bunce (para 6.3.2.2) provides a generalised approach to provision of these measures. It should also be noted that no air source heat pumps, other their enclosures, are shown on the plans.

7.6. The lodges are proposed to have a mixture of Air Source Heat Pumps and Solar panels, but there is no detail of which, if any could be used in each case. However, the Council is concerned with this being offered at this stage given – especially without a full set out strategy - that these were not part of the scheme that was presented to the Committee, and any amenity or landscape impacts full considered. At that time the inference would be that the lodges might be heated by gas. This has now turned to provision of all electric units. The level of certainty of delivery set out in the appellants Planning Statement of Case (see policy assessment tables in chapter 11) is misplaced and should be afforded very little weight. The Council's response to the suggest condition requiring and energy strategy is included below.

### **Conditions**

7.7. Notwithstanding that the Council still consider that this appeal should be dismissed, there is a requirement to set out possible conditions if the Inspector considers that the application should be allowed.

7.8. The officer report to committee (CD.6.2) did include a range of conditions all of which it is considered should be applied should the appeal be allowed. They are therefore not repeated here.

7.9. The appellant in their statement of case have suggested two additional conditions relating to the lodges themselves.

- i. A condition relating to the final materials, finishes and installation of the external materials, including agreeing specification of the glazed balustrade.

This seems sensible to include and would allow the Council additional control of the quality external appearance of the lodges. This would be in accordance with policies DC1 and the design aspects of the CVM. It is suggested that this could be timed to be before any of the lodges that are approved are brought to, or installed on, the site.

- ii. The second condition relates to the sustainable energy strategy for the lodges.

Again, in the interests of meeting wider policies objectives on supporting sustainable design and construction this condition would allow this matter to be effectively considered in line with the provisions of SS1 and DC1 of the local plan. Again, it is suggested that the submission and agreement of this could be timed to be before any of the lodges that are approved are brought to, or installed on, the site. Without such a condition there would be no mechanism to test and agree how wider suggested measures (photovoltaic

panels and air source heat pumps) were delivered as part of the lodges or the hub building.

## 8. Conclusions

- 8.1. This statement of case has been prepared by the Staffordshire Moorlands District Council (SMDC) in support of their refusal of the appeal scheme at Moneystone Quarry.
- 8.2. The Council's case can be summarised as follows:
  - i. That the lodges are poor quality design as a result of the restrictive design approach taken using the Caravan Act standards, which have resulted in poor scale, form and elevational treatment that in no way reflects the local character and vernacular or creates a sense of place
  - ii. That the lodges have a poor relationship with their immediate wider landscape setting, sitting 'up' and 'on' the landscape rather than within and working with the landscape and its contours
  - iii. That principles and qualities of the scheme as they were articulated and considered at outline have been diminished within these reserved matters application
  - iv. And finally, that these collective design shortcomings are exacerbated given that there are 190 poorly design lodges within the development.
- 8.3. These shortcomings have resulted in a failure of the proposed 190 lodges, as part of the leisure development proposed to constitute high-design quality, something that is required by policies at the local and the national level.
- 8.4. In response to the appellants statement of case the Council raise the following points:
  - i. That it is misdirected to simply imply that the absence of impacts on landscape, heritage and biodiversity means that the design is high quality – that is clearly not the intention of the policies when read collectively
  - ii. That the case presented fails to comprehensively assess the scheme against appropriate design drivers and does not clearly demonstrate how they meet the policy and national policy requirements
  - iii. That the adoption of the Caravan Act as both a design driver, and a measure of quality is misdirected and is not grounded in policy. There is no requirement for the Caravan Act to be used on this site.
- 8.5. As a result, it is respectfully requested that the Inspector dismiss this appeal.