

# Proof of Evidence

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On behalf of 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

## Purpose of this document

1.1. This proof of evidence has been prepared in support of the case set out by Staffordshire Moorlands District Council (hereinafter known as the Council) in respect of the appeal made by Laver Leisure (Moneystone) Limited (hereinafter known as the appellant) against the refusal by the Council of the reserved matters application SMD/2019/0646 (hereinafter referred to as the appeal scheme). The Council have already granted outline planning permission for this scheme under permission SMD/2016/0378, granted on 26 October 2016. The PINs reference number for this appeal is APP/B3438/W/24/3344014.

1.2. The appeal scheme is described as:

*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.*

1.3. The proof sets out in detail the justification for the Council's statement of case where it is advanced that the poor design quality of the 190 'lodge' buildings on the site do not constitute high-quality design and are therefore non-compliant with the policies and approaches outlined in the development plan. It should be noted that the Council's case does not focus on any of the other elements of the scheme (including the design of the hub building, the approach to the retention and reuse of the other existing building on the site, the landscape strategy and proposals, the route design and hierarchy, and compliance with all other technical matters) on the basis that the Council consider the proposals to meet the required planning policy tests set by the development plan relative to those specific matters of consideration.

1.4. In preparing this proof of evidence regard has been had for the statement of case provided by the appellant, specifically the statement of case with regard to planning (prepared by Mr Suckley), design (Prepared by Mr Brunce) and design quality (prepared by Mr Bratherton). As noted in the statement of case, the hub building demonstrates a strong response to the site, its setting and the policy requirements. This throws the poor-quality design approach taken on the 'lodges' into stark relief.

## Professional qualifications and expertise

- 1.5. This proof of evidence has been prepared by Mr Robert (Bob) Phillips. I am a qualified town planning and urban designer, having a master's degree in Town and Country Planning (MTCP) from the University of Manchester (dated 2006), and a MA in Urban Design (MA: UD) from the Birmingham School of Art (dated 2010). I have also been a chartered member of the Royal Town Planning Institute (RTPI) since 2008. I have been practicing as a planner since 2005 working with public, private and voluntary sectors, not only supporting with development management submissions, but also with the preparation of local plan evidence documents (in Wirral MBC and East Staffordshire BC) on design and identity, design guides and supporting the neighbourhood planning process.
- 1.6. I am also an honorary lecturer in urban design and town planning at the University of Manchester, where I teach the theory and practice of urban design at the post-graduate level. I am specialised in the mechanisms used to undertake a robust urban design analysis and use these to shape design principles and objectives for new development. I have also recently co-written and published a book which sets out the process by which a contextually response urban design can be achieved (*Applied Urban Design – A contextually response approach* – published Routledge release date 18 September 2024; ISBN 9780367897543). I regularly teach and train professional town planners in these matters both delivering sessions for the RTPI national training scheme (RTPI Learn) and locally through the north-west RTPI CPD events.
- 1.7. As a result, I have considerable experience in advising clients in how urban design quality should be considered within the provisions of the planning system and in decision making. I have worked as a 'contract' development management officer on several design led planning applications in Staffordshire Moorlands, the Peak District National Park and High Peak Borough Council. Most recently I have acted as the case officer on two major housing schemes in Staffordshire Moorlands, both focused on the settlement of Upper Tean. I am therefore very familiar with the local landscape and the local policy context.
- 1.8. The evidence which I have prepared and provided for this appeal (Ref: APP/B3438/W/24/3344014) within this Proof of Evidence is true and has been prepared, and is given, in accordance with the guidance of the Royal Town Planning Institute, and I confirm that the opinions expressed are my true and professional opinions.

## Outline of this proof

- 1.9. This proof of evidence is split into four parts, all of which focus on the design solution presented by the appellant for the ‘lodge’ buildings. The second chapter focuses on the Council’s reasons for refusal, with the remainder of the chapters focusing on the assessment of the design of the lodges. These subsequent three chapters (3 -5) been presented in the logical order in which the urban design process should be undertaken (based on the process outlined on page 37 of the “*The Urban Design Process*”, Black and Sonbli, Lund-Humpheries, 2019, and as taken forward in my forthcoming book), beginning with an assessment of the design approach taken to the lodges (the analysis that underpins the design and the exploration of different design options), then undertaking an assessment of the design quality of the lodges (assessing the characteristics of the preferred option), before finally considering these identified characteristics against the policy tests (testing against development plan policies).
- 1.10. In this respect this proof includes the following chapters:
- *Chapter 2: Understanding the reason for refusal* – setting out in detail why it is considered that the Council refused the application, the key matters of contention and a consideration of the original case officer’s views on the scheme, the understanding of the nature of the ‘lodges’ (i.e. are they actually caravans?).
  - *Chapter 3: Assessment of the design approach taken to the lodges* – this chapter seeks to examine the approach that has been taken to designing the lodges - the decisions made by the appellant in their design evolution (or lack thereof), how this relates to the local character and the relationship with the principles set out within the outline permission granted in line with ¶ 133 and 137 of the Framework.
  - *Chapter 4: Assessment of the design quality of the lodges* – using the Council’s own design guide and the national design guide to assess the qualities of the design of the scheme, with specific attention paid to the ‘lodge’ design in line with ¶ 134 of the Framework. A full assessment is contained within appendices 2 and 3.
  - *Chapter 5: Assessment against the policy tests* – provides a detailed assessment of the findings of the previous paragraphs against the policies within the development plan, with a focus on what high quality design is understood to mean within policy as set out within ¶3.12 to 3.14 of the Council’s Statement of

Case. This chapter concludes by justifying in accordance with the development plan why the appeal should be dismissed.

1.11. In support of this document several assessments and studies have been undertaken that are referenced throughout the evidence provided. In summary these can be described as the following:

- i. A Vernacular Study (Appendix 1) – which looks specifically at local built form within the nearby character areas as defined by the Churnet Valley masterplan (CVM), focusing on buildings of a similar scale and size to the ‘lodges’ in order to provide a baseline for understanding the local built character and identity.
- ii. An assessment against the national design guide (NDG) (Appendix 2) and an assessment against the Staffordshire Moorlands Design Guide (SMDG) (Appendix 3)– these detailed assessments look in turn at the two key design guidance documents that cover this site, consideration of which is a policy requirement as a result of Local Plan policy DC1 and ¶133 of the Framework.
- iii. A detailed assessment against the relevant policies – this focuses on those that are related to (urban) design, including those from the National Planning Policy Framework (the Framework) (appendix 4), the Staffordshire Moorlands Local Plan (the Local Plan) (appendix 5) and the Churnet Valley Masterplan SPD (CVM) (appendix 6).
- iv. Brochures from static caravan manufacturers – which have been downloaded and show off-the-shelf products that are to all intents and purposes the ‘lodges’ that are proposed on this site, demonstrating clearly the nature of the design approach taken to the appeal scheme. (Appendix 7).

### **Statement of Common Ground**

1.12. A Statement of Common Ground has been prepared and agreed between the appellant and the Council. It confirms that the only reason for refusal relates to the design of the ‘lodges’ on the site, and that in all other respects the scheme is considered acceptable to the Council.

1.13. In summary, the Statement of Common Ground confirms the following aspects that are therefore not considered in any way as part of this Proof of Evidence, nor any other evidence that would be provided to the inquiry:

- i. That the principle of development on this site is already agreed, by virtue of the granting of the outline planning permission in 2016 (Ref: SMD/2016/0378) with all matters, excepting access reserved.

- ii. That the outline planning permission established and agreed the access arrangements to the site, and it was confirmed that there were no issues of highways safety or capacity arising from the scheme.
- iii. That there are no technical concerns arising from this application and that a suitable scope and assessment has been provided with regard to ecology, flood risk and drainage, land contamination, landscape and visual impact, subject to the conditions imposed at the outline stage and some additional conditions recommended to be imposed should the appeal be allowed.
- iv. The Statement of Common Ground again reiterates the points raised in the Council's statement of case that the design of the hub building, the reuse of the buildings and the layout and landscape for the wider site are considered acceptable.

1.14. The Statement of Common Ground includes a schedule of conditions that have been agreed between the parties as being appropriate for this scheme, but this is without prejudice. The Council still consider that the appeal should be dismissed. However, it should be stressed that a number of these conditions relate specifically to the design of the lodges.

**Additional materials submitted to this inquiry**

1.15. The appellant has submitted additional plans, drawings and statements with the appeal that have been considered as part of the overarching assessment. Whilst they form part of the Core Documents for this application, the weight that can be afforded to these based on the appellant's SoC is likely to be contested.

1.16. **CGI images of the lodge areas** (CD3.1 – 3.3) have been submitted as a series of CGI images of appeal proposal. Whilst in some cases these have already formed part of the submission appearing in some elements of the Design and Access Statement (CD5.3) the Council raises some concern. It is unclear exactly where these views are taken from and as a result the viewer must interpret these through the use of other drawings.

1.17. The image of the Lake view (CD3.1) shows a design of a lodge within Quarry 3 that is not part of any of the plans or elevations put forward by the appellant, either as part of the original submission or alongside the application including a stepped principal elevation. The image also shows a series of lodges cantilever over the edge of the quarry or on stilts which is not how the 'lodges' are proposed to be integrated and the quarry sides remodelled – compare this to the section within CD2.14 and it is clear that there are significant flat 'pads' made that are not at all



evident in the visual. In this respect the visual is not reflective of the appeal proposal.

- 1.18. Whilst the remaining two CGI images appear to show quarry 1 and include a more accurate representation of the 'lodges', again there appears to be more of a discrepancy with the sections provided. Relative to a section through quarry 1 within CD2.27, which again shows how the area will be terraced and include a series of flat pads for the lodges, again the CGI does not reflect the appeal proposal. In many cases within the CGI's the 'lodges' are shown better integrated into the topography, with the skirted areas fading away into the slope of the site – this is not something that the sections propose.
- 1.19. Collectively the CGIs are not considered to be an accurate representation of the design and setting of the lodges and therefore it is requested that these should be disregarded in the consideration of this scheme. In preparing this statement I have made no further reference to these documents.
- 1.20. **Coloured plans and elevations** (CD3.5 – 3.8) are provided and it is the appellant's intention that these replace the originally submitted black and white drawings on which the application was determined by the committee. The overall design and layout approach to the elevations and plans is of course more attractively presented through these drawings due to the colouring but they do not change the design characteristics (scale, mass, proportion, fenestration) of the 'lodges'.
- 1.21. The appellant has suggested that these should be used as the basis for any approval on the site as opposed to the original drawings, however, they are considered to include a great deal of superfluous annotations that include several value judgements that are not matters of planning fact. In addition, they seek to agree a series of materials that would otherwise be the subject of a condition. In that respect there is an inherent conflict between the approved plans and the conditions if they were approved drawings.
- 1.22. Whilst they are useful in helping to further visualise the appellant's design for the 'lodges', the Council would prefer any decision be based on the original drawings. On that basis, in preparing this statement I have had regard for these drawings as 'illustrative' only. I would not recommend that these should be used as part of the list of approved plans if the inspector was minded to allow the appeal.
- 1.23. The appellant's statement of case included an appendix containing an **energy statement** which explored the energy efficiency measures in both the construction and operation of the 'lodges'. Whilst I do not object to the appellant seeking to demonstrate how sustainable construction and energy generation will be delivered -

this is a clearly a policy requirement (see chapter 5) – it does require a condition to ensure that this could be implemented. This condition will be required to ensure that amenity (such as noise from the air source heat pumps) and design matters (how the solar panels might integrate with the materials and the elevations) can be effectively considered.

- 1.24. However, the approach does appear a little ‘bolt-on’ to the design solution rather than as part of a unified design solution. This seems to further reiterate the matter that the ‘lodges’ have been insufficiently considered from a design perspective. Notwithstanding any of the comments above, whilst improvements to the energy efficiency of the ‘lodges’ is a planning matter, it does not contribute significantly in favour of the scheme when measured against the reasons for refusal.

## 2. Understanding the reason for refusal

### Revisiting the Council's case on design

- 2.1. As noted, the Council's Statement of Case relates specifically to the single reason for refusal; that the design of the 'lodges' is not considered high quality design. The second paragraph of the reason for refusal states:

*"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."*

- 2.2. ¶2.4 of the Council's Statement of Case summarises the reason for refusal (RfR) under three design aspects which were:
- i. Aspect 1: That the design of the lodges lacks architectural design quality and includes insufficient creativity and detailing to be considered high quality;
  - ii. Aspect 2: That the design of the lodges fail to adequately respond to the character and qualities of the local area or vernacular;
  - iii. Aspect 3: That as a result of the detrimental impact of aspects 1 and 2, there is an unacceptable impact on the wider landscape which is sensitive and highly valued.
- 2.3. Throughout this document reference will be made back to these three design aspects found within the RfR.
- 2.4. Within ¶ 8.2 and ¶ 8.4 of the Council's Statement of Case these matters are further elaborated upon (including considering the appellant's Statement of Case), specifically with reference to the design process which appears to have been progressed:
- i. That the lodges are poor quality design as a result of the restrictive design approach (or design driver) taken using the Caravan Act standards (under section 13 of the Caravan Sites and Control of Development Act 1960 as amended), which is not a requirement of policy, and which does not allow the scheme to respond to the local character of context and has limited the creativity and flexibility of the approach.
  - ii. That there has been insufficient design development or design consideration given to the lodges, when measured against either the local or national

design guidance, or an assessment against the character and vernacular in the local area, which are requirements set out in both the development plan (DC1, SS11) and the Framework (¶ 133). When such assessments are robustly undertaken it is clear that there has been no consideration of the local built vernacular surrounding the site.

iii. 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, which coupled with the poor quality design will have a significant landscape impact, albeit localised within the site, all of which is exacerbated given the scale of the appeal scheme (over 48 hectares) and the overall number of 'lodges' (190 in this phase and a further 60 in the following phase).

2.5. For clarity, and in the avoidance of doubt, the specifications for development that would be considered a caravan for the purposes of the Caravan Act is helpfully included within the appendices to the appellant's Design Statement of Case (Appendix 1 of that document).

#### **'Lodges' in name only**

2.6. Whilst the accommodation is known as 'lodges' this is essentially in name only. The four designs of the 'lodges' are almost carbon copies of standard 'off the shelf' buildings designed by static caravan manufacturers to meet the requirements of the Caravans Act – it seems clear from the Statement of Case submitted by the appellant that this would be the intention. Appendix 7 shows brochures of typologies downloaded from several of the well-known British caravan manufacturers. Clearly there is a degree of standardisation and mass production associated with most static caravan construction, but the internal fit out and layout can be modified to meet an owner or occupiers specifications (for a fee). Fundamentally this reinforces the fact that the scheme lacks any individual identity. This is essentially an off-the-shelf solution with some options for (mainly) internal individualisation but also very clearly sets out why it is appropriate to consider these 'lodges' as simply static caravans with a high internal specification.

2.7. However, what is evident from this information is that within the 6.8m by 20m standard size, there is a variety of internal arrangements that could be delivered for each 'lodge'. These could be up to 4 double bedrooms, which is not something that the four types included for this site include. At four bedrooms the internal space provision would be likely unacceptable even for a holiday home. The major difference immediately evident is that many of these do not have the natural timber

cladding to the externals, but rather a composite wood effect cladding known as CanExel (as per the original submission to the Council in 2019).

### **3. Assessment of the design approach taken to the lodges**

#### **There was no design evolution process**

- 3.1. Many commentators have set out the importance of 'contextually responsive design' and the fact that this is something which should evolve out of an understanding and exploration of character and context, with no two schemes following the same approach. ¶ 137 of the Framework acknowledges this important role for design and planning when it states that "*design quality should be considered throughout the evolution and assessment of individual proposals.*" In this case it is vitally important to consider how the design has evolved from the parameters and principles set out and conditioned as part of the outline planning permission.
- 3.2. The planning practice guidance sets out that design and access statements are an important tool since they "*provide a framework for applicants to explain how the proposed development is a suitable response to its site and setting...to better understand the analysis that has underpinned the design of a development proposals.*" (Ref: 14-029-20140306). A study of the design and access statement submitted with the reserved matters application includes very little in the way of design material to justify how the design of the 'lodge' accommodation has been arrived at.
- 3.3. In fact, its absence, coupled with the almost direct relationship with the examples of 'off-the-shelf' products shown in appendix 7, leads the reviewer to consider that no real design consideration or evolution has taken place in respect of the 'lodge' accommodation. There has been no attempt made by the appellant's design team to explore and balance the policy requirements for high quality design (see ¶ 3.13 of the Council's Statement of Case for a summary these). Notably, the design and access statement does go to great lengths to explain how the hub building responds to the site's topography, sun path, and uses of local materials, but no such detail as been provided for the holiday accommodation 'lodges'.
- 3.4. It is the absence of any such consideration or evolution, that is one of the key reasons why it the design of the 'lodges' is unsuccessful and inappropriate, which has led to the RfR design aspect 1.

#### **Lack of any contextual or character justification**

- 3.5. Considering criteria i and ii from ¶ 3.13 of the Council's Statement of Case, the 'lodges' lack any considered response to the surrounding context or character - it is not just limited or not prioritised - its completely missing from the design justification or story. Demonstrating a response to context and character is a policy requirement, specifically policy DC1. The use of the natural timber cladding (details

of which remain obscure and would be dealt with by condition) appears to be the only relevant reflection that the 'off-the-shelf' (appendix 7) product would respond to the context and character. This 'off-the-shelf' design approach also stifles criteria iii from ¶ 3.13 which seeks creativity in the design process – something which is completely absent from the design of the 'lodges'.

- 3.6. By way of comparison, a scheme that was to provide 190 residential units it would be expected to be supported by a character and / or vernacular study that would include details about the scale, mass, materials and landscape of similar buildings in the local area. In the case of 190 holiday homes this should have been no different. On that basis, as part of developing this proof a Vernacular Study has been undertaken and is included at appendix 1. This document studies the vernacular details and overarching design characteristics of similar built form surrounding the site and has been used to review the scheme thereafter (see the following chapter of this document). It is considered that the apparent lack of the design evolution process, coupled with the lack of a basic and baseline understanding of the character and context of this site has contributed significantly to inappropriate designs being brought forward for the 'lodges'.
- 3.7. Of course, local and national policy does not require slavish reproduction of vernacular architecture on this site, and the outline planning permission already sets out that some innovation and flexibility could be provided. ¶ 135c of the framework states that design solutions should be: *“sympathetic to the local character and history, including the surrounding built and environment and landscape setting, whilst not prevention or discouraging appropriate innovation or change.”* However even with this in mind, there is absolutely no indication as to how this important design principle has been met. In fact, it appears to have been totally ignored in the desire to deliver 'off-the-shelf' lodges based on the Caravan Act.
- 3.8. This clearly demonstrates the failure of the scheme to respond to the character and qualities of the local area, clearly continuing to RfR design aspect 2.

#### **Diminishment of the qualities and options provided within the outline 'promises'**

- 3.9. As noted within the Council's Statement of Case, the design quality of the scheme has diminished between the outline application and this reserved matters application. ¶ 140 of the Framework cautions local authorities against the risk that the quality of an approved development is *'diminished between permission and completion.'* As previously noted at the outline stage there was no mention of the Caravan Act as part of the design rationale or justification for the lodges – in fact, quite the contrary. The images, principles and precedents set out within the outline

application Design and Access Statement (CD1.22) are significantly different and higher quality than the 'off-the-shelf' 'lodges' that are now proposed.

- 3.10. Condition 14 of the original outline planning application ties the reserved matters application to the design principles that are set out within the outline Design and Access Statement. In this respect, it is important to consider what is presented as part of the appeal scheme against 'Lodge Principles' set out on page 57 of that document. Whilst it was very clear that the 'lodges' would be prefabricated and brought onto site by lorry and assembled on site, with a concrete service slab for each of the lodges, or in some location's piles and beams, there was no mention of buildings on wheels or chassis.
- 3.11. As an aside, the principles on page 57 go on to point out that sloping sites will require piles and beams – something that the applicant has avoided by reprofiling the land and creating large flat pads (another matter that means the lodges will likely appear incongruous). Materials to be used in the creation of the pads should be timber, steel, dry stone walling or gabion baskets. There is no inclusion of any of these features - just over-engineered flat concrete pads.
- 3.12. It is the third paragraph on page 57 where the design principles are mostly ignored by the reserved matters design solution. It stated that the materials palette should "*reflect the local architectural character*". It goes on to state that materials including "*timber, stone, slate or metal cladding and roofing in a muted colour range could be a suitable mix.*" This suggested mix is broadly in line with the vernacular study undertaken and included in appendix 1, and therefore is, at least in part, reflective of the character of the area. Clearly there is only the timber cladding and metal profile roofing within the design of the proposed lodges, with a good many of the other materials completely missing and very little in the way of mix. Heavier materials are something that the appellant acknowledges would be impossible to deliver within the provision of the Caravan Act design solution due to weight. The principles also include the selected use of grass or sedum roofs, none of which are present on any of the 'lodge' buildings.
- 3.13. Furthermore, the images on the page 57 of the outline Design and Access Statement demonstrate that the proposed 'lodges' are an even greater departure from the principles and examples outlined. Three images at the top of the page show three examples, only one of which bears a passing resemblance to what is proposed. Certainly, the others are something that could not be delivered using the Caravan Act strict criteria – both being much better proportioned given that they have increased height. One even appears to be a two-storey unit. The 3D sketch images show buildings with small-tiled roofs, stone and timber finishes and vertical



boarding. Asymmetrical roofs with steeper pitches, two storey units and shorter skirts or level access are all shown. None of these features appearing on the proposed designs for the ‘lodges’.

- 3.14. Collectively this diminishment of the design quality is a matter that is of concern, and has led to the Council’s RfR, and is especially relevant to design aspect 1.

**Detailed assessment against the precedent studies from the outline DAS**

- 3.15. When looking at the precedent studies that are included at appendix 2 of the outline Design and Access Statement (CD1.22) there is a whole page given to example studies of the approach to the lodges all of which are of a different, and higher quality finish and design, than that which is presented here. The following table summarises the characteristics of each of the precedent studies to demonstrate that they bear no resemblance to what is proposed by the appeal scheme.

<b>Precedent study</b>	<b>Assessment of quality</b>
<b>Quarry Walk Lodges, Staffordshire</b>	This scheme perhaps has the greatest resemblance to the proposed appeal scheme, but the materials used throughout are much higher quality, including timber log cabins, slate roofs, with notably pitched roofs. Some of these are clearly built on a chassis but many do not include this feature, having more level access. Even those built on a chassis appear to have steeply pitched roofs, verandas and eaves detailing.
<b>Bluestone National Park Resort, Pembrokeshire</b>	This scheme appears to be delivered as a small village, with rendered two storey homes and cottages, apartments coupled with lodge cabins with slate and small tiled roofs and two storey lodges built into the slope of the land. Some of these are designed as semi-detached units. There is a significant range of different building types.
<b>Center Parcs (Sherwood Forest), Nottinghamshire</b>	This scheme has a much wider mix of accommodation types including villas, tree houses and apartments. Most of the properties have level access, and are built using a mixture of materials – including masonry using rubble stone and vertical timber boarding. Buildings are a mixture of one and two storey dwellings.

**Table 3.1 – Assessment of precedents studies from the outline stage**

- 3.16. As is evident from the table above, the three precedent examples are very different both in the overall design approach, but also the degree of permanence and substantial nature of the schemes. The variety of the built form, the use of masonry and tiled roofs and the level access and lack of chassis (despite some elements clearly being built off site) are very different to what is proposed by way of the appeal scheme. Two, if not all three of the schemes set out above could not be delivered in whole or in part by products that were designed around the Caravan Act – in fact the Bluestone and Center Parcs examples are diametrically opposite the approach taken in the appeal proposal.
- 3.17. Collectively, taking account of the principles on page 57 of the Design and Access Statement and the appendix 2 precedents, it is considered that the appeal scheme is a significant diminishment in what was set out within the principles and aspirations of the outline planning application. These were secured, by virtue of condition 14 of the outline. In this respect the Council were entirely appropriate in refusing the scheme given what was set out and required at the outline stage.
- 3.18. Again, it is clear that many of the design shortcomings which have led to RfR design aspect 1 could have been addressed by following the approaches within the precedent studies.

#### **Comparison to the Churnet Valley Masterplan aspiration**

- 3.19. Looking back to the drafting and adoption of the Churnet Valley Masterplan (CVM) (CD7.6) in 2014 where the first consideration of the leisure development was set out also reveals inconsistencies between the design approach and 'lodge' designs presented as part of the appeal scheme. Picture 7.6 of that document shows an example of what was expected to be delivered in terms of the 'lodges' on this site. It is clear from an examination of the image that the scale, mass, materials and detailing are far removed from the submitted proposal which has been designed with the provisions of the Caravan Act in mind. The appellant is keen to point out that Laver Leisure '*helped shape the vision for Moneystone Park*' (paragraph 3.5.1 of the appellants planning statement of case). It is unclear how this proposal is considered to reflect that vision.
- 3.20. In this respect the Council have been clear – including sharing this widely with the appellant - as to the design aspirations for the 'lodges' on this site for over a decade in accordance with ¶133 of the Framework. This has led to RfR design aspect 1.

### **Use of the Caravan Act as a design driver is a poor choice**

- 3.21. As noted, the original outline planning application upon which this reserved matters application is based made no mention at all to the Caravan Act. However, this is now the only design rationale that is put forward (in either the original reserved matters application or the appellant's statement of case) for the approach to lodge design. The choice to develop and design the holiday accommodation using the Caravan Act is purely a choice that has been made by the appellant and their design team – it is neither a planning policy requirement nor tied into the regulatory requirements for this site.
- 3.22. In adopting this very restrictive design driver, all designs put forward for any caravan cannot:
- exceed 20 metres in length,
  - exceed 6.8 metres wide,
  - cannot have a floor to ceiling height internally which exceeds 3.05m,
  - cannot be more than two parts assembled on site and;
  - cannot when constructed not be able to be transported by road
- 3.23. This imposes a series of scale, mass and construction requirements that are far from being reflective of the local character and context (see comments in the following chapter) - in short they result in an alien form. It should also be noted that the internal spaces are far from generous when compared to the size of rooms and accommodation that might be expected of a house, but of course they far exceed the size of a touring caravan or tent.
- 3.24. Furthermore, the desire to maximise the development potential of the restrictions imposed by the Caravan Act have contributed to the four types proposed, all looking remarkable similar to one another. In addition, all seek to maximise the limitations of the dimensions allowable for single and double units. This is a commonality that is evident from many of the standard providers of these sorts of units (Willerby, Swift and Atlas – see appendix 7). This means that it becomes impossible to provide a scheme that is effectively legible and includes character areas through changes in architecture, scale and creation of landmarks or features, or to provide variation.
- 3.25. The appellant has evidently not sought to explore any other options or design solutions for the lodges despite the evidence that many different ideas could have worked effectively on this site – as clearly evident from the original outline planning application. This is deleterious to the overall design presented for the

'lodges' and has resulted in a proposed series of 'lodge' designs that bear no resemblance to the local built form or character.

- 3.26. It clearly demonstrates that the design driver of the Caravan Act is a significant factor in delivering the design shortcomings of the 'lodges' and has contributed to both design aspect 1 and design aspect 2 of the RfR.

## **4. Assessment of the design qualities of the lodges**

- 4.1. Notwithstanding the shortcomings of the design approach, it is necessary to assess the scheme that is before the appeal. In order to inform this assessment, I have subjected the scheme to a detailed assessment against both the National Design Guide (NDG) (Appendix 2) and the Staffordshire Moorlands Design Guide (SMDG) (Appendix 3). Both of these documents are material to the appeal scheme in line with ¶ 134 of the Framework. The Churnet Valley Masterplan SPD, whilst a design document, is more a policy driven document and is considered in the following chapter.
- 4.2. To follow these as a checklist would not necessarily result in the best design solution but is important that they are all considered and balanced in arriving at the appropriate design solution. Design is by its very nature a fluid process and not all of these criteria should be afforded the same weight. However, schemes should demonstrate a response to each criteria, and the design process should allow for an exploration of each aspect in full. Therefore, all of the design criteria within these design guides needs to be considered and engaged with by the design team to deliver high-quality design.
- 4.3. A full assessment of the scheme against both design guide documents can be found in appendices 2 and 3 to this proof. The NDG assessment considers the scheme as a whole given its much wider remit and the SMDG focuses specifically on the ‘lodges’ as that can be more easily focused on specific buildings or built form. Where reference is made to the local character or vernacular this is based on the Vernacular Study undertaken in support of this Proof of Evidence Appendix 1).
- 4.4. It is noted that the Design Statement of Case submitted by the appellant includes a limited assessment of the scheme and the lodges against the National Design Guide (Chapter 6 of that document), however it is insufficiently detailed or robust in terms of its response to local character / vernacular, is not specifically focused on the design of the lodges and fails to assess all of the ten characteristics of good design. It therefore cannot be considered an effective assessment. A more comprehensive assessment may be expected as part of the appellants full Proof of Evidence and the inspector is encouraged to consider my assessment against that.
- 4.5. It is also noted that the appellants Planning Statement of Case also includes a review of the scheme against policy DC1, but fails to address the first point at the beginning of the policy that requires all schemes to be in line with the SMDG. No assessment has been undertaken by the appellant to demonstrate how this scheme, or indeed the ‘lodges’ that are the matter of contention, meet this requirement.

- 4.6. A summary of the findings of the two detailed assessments is set out below under four design matters:
1. Scale and proportion,
  2. Elevational detailing,
  3. Materials and finishes, and
  4. Interface with the immediate surroundings.
- 4.7. These specifically relate to RfR design aspects 1, 2 and 3.

#### **Design matter 1 - Scale and proportion**

- 4.8. *Proportion* – The assessment undertaken clearly demonstrates that the proportion of the proposed ‘lodges’ is poor. Based on the vernacular study, the proportion of the elevations is incongruous. This is predominantly a result of the very shallow roof (foreshortening the proportion of the roof) and the requirement for the skirt (stretching the proportion of the walls). This means that the ratio of roof to wall is ill-proportioned. This is of course only as a result of the design principle to follow the Caravan Act requirements.
- 4.9. *Roofscape* – As noted, the shallow roof pitch undermines the overall proportion of the building, but the roof pitch is also significantly shallower than would typically be found in the vernacular. The roof pitches range from 11 – 18 degrees in an area that typically has roof pitches between 30 and 35 degrees (see Vernacular Study Appendix 1 for details). This means that the roof does not play the same visual role in the character of the building as would be expected to meet the local character. This is of course only because of the design principle to follow the Caravan Act requirements.
- 4.10. *Horizontal emphasis* – The scale and proportion of the building, coupled with the additional skirt and the foreshortened roof mean that the buildings have a strong horizontal emphasis in form, as opposed the vertical emphasis that is typically found in the local character. This is reinforced by the fenestration and the horizontal timber boarding (shown on the revised coloured elevations – CD3.5 to CD3.8). Collectively this means that the buildings do not reflect the local character.
- 4.11. *Sitting ‘up’ in the landscape* – As noted, the requirements of the Caravan Act means that the ‘lodges’ will sit on a concrete pad and then be surrounded by skirts to hide the wheels and chassis. This conflicts with the SMDG that suggests that buildings should work with and be built into the topography. As a result, the buildings, rather than feeling part of the landscape, will sit on top of it. This will be exacerbated by

the elevated floor level and the presence of the skirts and decked areas around the plots. Again, this is a result of the requirement to meet the Caravan Act.

- 4.12. Collectively, this demonstrates that in terms of character of the area (RfR design aspect 2) and the impact on the surroundings (RfR design aspect 3), the scheme fails to achieve a high standard of design.

### **Design matter 2 - Elevational detailing**

- 4.13. *Lack of local detailing* – No attempt has been made to reflect local building traditions or detailing into the design of the ‘lodges’. The local vernacular contains a mixture of different features and materials that help to animate the elevation – they include window and door surrounds, quoins, cills and other detailing that is not present on the design for the ‘lodges’. As a result, they appear ‘flat’. This is a key matter that was identified as part of the assessment against the SMDG - Appendix 3.
- 4.14. *Eaves detailing* – One of the other matters clearly identified as part of the Vernacular Study (Appendix 1) was the requirement for detailing at the eaves. The Vernacular Study identifies that strong shallow lines and a stepped-out eaves detail are common features, but there has been no effort made to provide this as part of the design of the ‘lodges’. Currently the design proposals show an almost flat transition between the roof and the walling, with a flat bargeboard type capping similar to that found on a garden shed. Detailing of the bargeboard, and use of rainwater goods and other details could assist with this, however, few if any details are provided. Most examples from the manufacturers show plastic capping and trim and a clumsy box gutter. This has the effect of reinforcing the flat nature of the side elevations.
- 4.15. *Fenestration* – The fenestration pattern for the ‘lodges’ has been driven by the internal arrangement of the rooms rather than by any response to the architectural harmony of the building’s exterior. This means that the windows lack any rhythm or pattern, have poor proportion often resulting in poor composition on the elevations. This is particularly the case of the ‘rear elevations’ of most of the ‘lodges’. The solid to void relationship is also far lower (too many windows) than would be typically found in a building of this size and nature within the local area.
- 4.16. *Identity and variety* – As a result of the requirements of the Caravan Act, together with the limited palette of materials used, and the lack of detailing, there is a significant similarity between the four types of units which are proposed. As already mentioned, this would result in a lack of visual interest, articulation, but importantly to legibility and wayfinding. If this were any other type of scheme – especially housing – then we would be expecting a much wider range of different house types,

sizes and finishes. This was a key matter for the NDG assessment (Appendix 2) and where the 'lodges' are unsuccessful.

- 4.17. This clearly demonstrates the shortcomings of the elevational treatments that has led to RfR design aspect 1.

### **Design matter 3 - Materials and finishes**

- 4.18. *Limited palette* – The vernacular study identifies that typically buildings of this scale and size would have several different materials – especially where the walls are concerned. The 'lodges' only are proposed to be using two materials, and that the walling is only timber – something clear from the drawings to be approved. The SMDG sets out that timber is not a typical material within the area (borne out by the Vernacular Study – Appendix 1) and therefore to use it as the dominant and singular walling material is not considered to reflect local character. Whilst there is a proposed planning condition on final materials, the approved elevations only allow for one timber finishing material for the walls – albeit the specific timber species and finish can be considered later.
- 4.19. *Lack of articulation in the elevations* – As noted it is considered that the elevations of the 'lodges' lack articulation and detail due to the singular timber finish. There is also a lack of depth and interest in the way that the timber is installed, for example further consideration of techniques such as Yorkshire boarding would have helped this matter. The natural timber proposed for the sides should not be treated and should be allowed to 'silver' to be most effective if it is to complement the vernacular. The drawings (CD.3.5-3.8) submitted in support of the appeal appear to show a horizontal boarded and stained finish which contrasts with the limited examples found locally where timber is instead used vertically and left to 'silver' in an untreated form.
- 4.20. *Roof weathering* – The SMDG highlights the importance of choosing materials that will weather well and assimilate into the landscape. In this respect natural materials are considered most effective. The proposed metal profile roofing (as specified on pg. 23 of the Design and Access Statement) is a concern as the colours, finish and texture may not weather well and may appear overly shiny and reflective after wet weather. Whilst this is a matter that to some extent could be addressed via the materials planning condition, the overall design approach and weight restrictions of the design solution (due to compliance with the Caravan Act) means that few, if any other options, are available.



- 4.21. Collectively this demonstrates that the use of materials, and the way that they are used, or could be used given the restrictions of the Caravan Act, contributes to RfR design aspects 1 and 2.

#### **Design matter 4 - Interface with immediate surroundings**

- 4.22. *Definition of private space* – With the exception of the decked areas that are proposed around the ‘lodges’ there is no indication of any boundaries or public and private space. Whilst open plan areas might be appropriate for rented holiday homes, there will be a desire for the owner occupiers to define a ‘curtilage’ and perhaps include additional residential paraphernalia. This also has implications for long term management and amenity of occupiers and renters alike. It is suggested that insufficient regard has been had to these matters in the detailed design of the immediate setting of the ‘lodges’.
- 4.23. *Orientation and frontage* – At present it is unclear how the orientation of the ‘lodges’ will function. The masterplan shows that many of the decked areas and the principal access elevation will face away from the key routes and access ways, offering poor quality elevations and a poor degree of overlooking to the public realm. This is a significant design shortcoming. This also has an impact on the way that solar gain (for PV tiles and passive solar gain for example) might be accommodated. This does not appear to have been considered in relation to the specific location of each ‘lodge’ or its relationship with the surroundings.
- 4.24. *Storage* - It is also noted that there is very little in the way of storage space provided within the ‘lodges’. Given that some of the lodges will be owner occupied it seems unreasonable to assume that they would not wish to store bicycles, canoes, outdoor games, barbecues, padding pool, hot tubs and other residential type paraphernalia for use time after time. This means that there would be pressure for outdoor sheds, bicycle stores or similar adjacent to the ‘lodges’. The design of the accommodation could, if sensibly developed (and it may mean it being bigger than the Caravan Act dimensions) include provision for this type of storage within the ‘lodge’ design however, the ‘off-the-shelf’ nature of the designs means that this is not something that has been considered.
- 4.25. *Large flat pads* – As noted previously the relationship of the parking and access routes to some of the ‘lodges’ is a matter for subsequent approval. Whilst this in of itself is not a concern as it is difficult to understand how the ‘lodges’ will visually appear in the immediate landscaped setting. The sections created show that there would be significantly large flat ‘pads’ created so that roads, parking and lodges are all on one level. In some cases, this will be in areas that already benefit from flatter topography or shelves, however the impacts of this approach in quarry 3 will almost

certainly be more pronounced and are considered to appear incongruous, especially if the materials and planting are poorly implemented. It is noted that quarry 3 has already been identified as a more sensitive area.

- 4.26. Collectively these points demonstrate clearly that the impacts of the design and the approach to the 'lodges' will contribute to impacts on the landscape setting (RfR design aspect 3). Whilst this is only within the site, the scale of the development means that this is not a minor design matter.

#### **Examples within the RM Design and access statement**

- 4.27. It is also important to consider in design terms the photographic examples provided within page 23 of the reserved matters Design and Access Statement (CD2.85); something that should have been used to justify or support the design solution presented. Page 23 includes images of typical lodges and a materials palette. Interestingly, the four images of buildings on this page, whilst being closer to the 'lodge' types now proposed (in contrast to that proposed and set out in the principles at outline – see previous chapter) are still somewhat different and better-quality design than that which is now proposed.

- 4.28. The better quality of these examples can be summarised as follows (albeit there are still some concerning factors that would not meet the policies):

- More articulation within the elevations with elements that step in and out and include material changes within them
- Carefully considered fenestration patterns that reinforce symmetry and the proportions of the buildings
- Added interest to the elevations including detailed panels and prominent shadow line to the eaves
- Buildings that are better set into the landscape, not 'sitting up' on top of a pad but built into the landscape and topography of surroundings.

- 4.29. To compare these to the 'lodges' it is clear that the product(s) proposed for this site are not of the same design quality even as those used to justify them within the application materials. Clearly following these best practice examples more closely would certainly help address RfR design aspects 1 and 2.

### **Appellants statement of case does not justify the shortcomings**

- 4.30. The policy review tables included in chapter 11 of the appellants Statement of Case for planning includes a number of statements that are somewhat at odds with the assessment in this chapter. On page 81 the appellant sets out that “*the appeal scheme has been sensitively designed to ensure that the development is compatible with the surrounding area, is appropriate in scale, quality and landscape character*”. Whilst on page 84 the appellant states that the appeal scheme “*has been designed to respect the sites context and is appropriate in terms of its scale height, density, layout, siting, landscaping, character and appearance.*” Similar comments are found on pages 77, 83, 91, 93 and 95. It also repeatedly sets out that the two statements of case of Design and Design Quality demonstrate these points.
- 4.31. Whilst this may be the case when considering the wider landscape masterplan and proposals, and in the design of the hub building (see the NDG assessment in Appendix 2), it is clearly not the case for the lodges. Having examined in detail the two design specific statements of case provided by the appellant neither is able to either point to a detailed assessment of how the scheme has considered local character or appearance in the design of the lodges. It is therefore unclear how the appellant can creditably advance the conclusions reached.
- 4.32. What appears to have been the focus of the appellant’s case has been to explain why this development is better than a ‘standard’ caravan park. This is clearly not related to the design aspects in the Council’s RfR which are all about the response to context, character and setting.

### **Internal qualities do not overcome these shortcomings**

- 4.33. The appellants Statement of Case makes frequent reference to the internal qualities of the ‘lodges’ as a justification for their assertions of a high-quality design approach. The policies in the development plan, and the majority of the content within the design guides (possibly excepting the homes and buildings section of the NDG), only consider the external appearance or visual qualities of developments within their setting. As a result, whilst the high-quality kitchen and bathroom fit out, and the quality of the furnishing in the living and bedroomed areas is noted it cannot carry any significant weight in favour of the scheme against the other design shortcomings.
- 4.34. The NDG does set out that internal space is important in some regard. Whilst there is no requirement for the scheme to meet the Nationally Described Space Standards, the accommodation provided is somewhere between 50% and 30% smaller than a 2 or 1 bed house respectively. In this regard the appellants assertion (see annotations

on coloured elevations CD3.5 to 3.8) that these are 'spacious', 'large' and 'generous' is somewhat questionable. In fact, some of the bedroomed areas and circulation spaces are incredibly restrictive. It seems unlikely that any of the four designs presented would be suitable for those who have mobility impairments or need the use of a wheelchair. This is exacerbated given that the 'lodges' are 600mm above the ground and would require long ramp (minimum of 7.2 metres for meeting the building regulations) and none of the designs accommodate this. Certainly, more details could and should be provided by the appellant as to how accessibility matters will be accommodated. Again, this would likely result in the need for changes to the designs presented.

- 4.35. It is therefore considered that the appellants consideration and articulation of 'high quality' cannot be afforded weight when measured against the failure of the three design aspects highlighted in the RfR.

#### **Internal site visual impacts of 190 lodges**

- 4.36. In design terms it is important to consider the cumulative impact of the poor-quality design of 190 buildings, and this relates specifically to the third design aspect of the RfR. In this case we are not dealing with one or two buildings within a townscape, but 190 separate instances of poor-quality units in an open landscape setting of a quarry. Whilst it is not normally considered appropriate to consider precedent, it should be noted that this is the phase 1 application and so would have the effect of 'setting the standard' for what will occur on phase 2 of the reserved matters for the full 250 'lodges'. In that respect any design shortcomings should be considered against the backdrop of 250 examples.
- 4.37. In his note of the 1<sup>st</sup> August 2024 the Inspector has asked for some consideration of where the lodges would be visible from. This is not from outside the site (the LVIA at the outline expressed that fundamentally the site is screened) but given the public access that is to be given to the site, the 'lodges' will be highly visible from several publicly accessible locations on footpaths and other leisure routes. The views from within the site will also be increased due to the removal of a lot of the vegetation currently on the site, and so wider, sweeping views will be possible.
- 4.38. The Statement of Common Ground between the Appellant and the Council includes an extract from the appellants submission which shows the public footpath, bridleway and other route connections around the site that will be created by the proposal. There is an obvious convergence of the bridlepath and public routes in the core of the site (by the hub building) from where views of the site will be possible. In this respect there will be public views showing myriad 'lodges' within the quarry setting from these vantages. Views from the hub building looking west over quarry

3, and north, over the development of quarry 1 will be possible and the Inspector is invited to consider those.

- 4.39. In this respect, the impact of the poorly designed architecture on this site, which is specifically designed to have high public visibility, contributes to RfR design aspect 3.

## 5. Assessment against the policy tests

### What is meant by high quality design

5.1. Relevant policies for this application have been set out in the Council's Statement of Case and have been agreed as part of the Statement of Common Ground between the appellant and the Council. Collectively these cover a great deal of matters regarding the approach that should be taken to considering design as part of plan making and decision taking. In summary, they comprise the following:

- Policies SS1, SS11, E4 and DC1 of the Staffordshire Moorlands Local Plan (SMLP), including the associated CVM and SMDG.
- The Framework specifically chapter 12 (design), with specific regard to ¶133, ¶135, ¶137 and ¶139, including the associated NDG.

5.2. Assessments against the NDG and the SMDG are included in Appendices 2 and 3. They have contributed to the previous chapter and demonstrate that the 'lodges' do not meet requirements set out in the NDG or SMDG. Further details are provided below.

5.3. Paragraphs 3.12 to 3.14 of the Council's Statement of Case sets out five criteria (A-E) developed from the relevant policies of the development plan and national policy, which collectively can be used to define what is meant, in planning and policy terms, as good design. The reason for refusal specifically referred to the failure of 'lodges' to deliver a *'high standard of design'*. As a result, it is these that will be used to assess the policy compliance of the design of the lodges.

5.4. These criteria are as follows (the square bracketed lists refer to specific sections of the policies and documents referred to under 5.1):

- A. Clearly responding to the site's context with the buildings design, taking account of the surrounding landscape / townscape, and reflecting the local built vernacular.

[Based on bullet point 6 of policy SS1, ¶2 of policy SS11, Criteria 1 and 2 of policy DC1, Criteria 2B of policy E4, Section 8.7 (Design principles) of the CVM and ¶135c of the Framework]

- B. Delivering a building that is of an appropriate scale, mass and form, that reflects local forms and does not undermine the landscape / townscape qualities.

[Based on criteria 2B of policy E4, Criteria 2 if policy DC1, Section 8.7 of the CVM (Design principles) and ¶135c of the Framework]

- C. Providing creativity in the architecture of the building, including appropriate materials, roofscape and detailing, delivered as part of an effective composition.

[Based on criteria 1 of policy DC1, Criteria 2B of policy E4, Section 8.7 (Design principles) of the CVM and ¶135b of the Framework]

- D. Creating buildings that are fit for purpose, durable and long lasting, and that maximise opportunities for sustainable design and construction.

[Based on bullet points 5 and 8 of policy SS1, Criteria 3 and 4 of policy DC1, Section 7.6.5 (Sustainable development) and Section 8.7 (Design principles) and of the CVM ¶135a of the Framework]

- E. Delivering buildings that improve and enhance their setting, and do not impact on the wider landscape, heritage or biodiversity.

[Based on based on bullet points 6 and 7 of policy SS1, Criteria 2B of policy E4 ¶2 of policy SS11, Criteria 1 of policy DC1, Section 8.7 (Design principles) and of the CVM and ¶135c of the Framework]

#### **Assessment of scheme against 5 criteria for high-quality design**

- 5.5. Based on the evidence presented in the previous two chapters the following table provides a summary against each of the five criteria, and how they are met (or otherwise) through the design of the lodges:

<b>Criteria (summarised)</b>	<b>Response</b>
<b>A – Response to context and reflecting local built vernacular</b>	There is no evidence as part of either the design evolution, design principles or design detailing that any account has been taken of the local built character or identity. It is evident from evidence in support of this statement that the design solution is far from reflective of the local character. The materials used and the architectural detail in no way reflect other buildings of this size and scale in the local area. No justification has been provided for this either as part of the original submission of the reserved matters application or the appellants Statement of Case.
<b>B – Appropriate scale, mass and form, that reflects local forms</b>	The scale, form, massing and proportion of the lodges is not reflective of the local character and appears ill-proportioned. This is specifically the case due to the shallow pitch of the roofs and the fact that the presence of the chassis means that the floor level is artificially high and so sits up in the landscape

	rather than being built it into it. There is no reflection of the local building form and no justification provided for a different design solution. The choice of design solution, based on the Caravan Act, has resulted in 190 buildings that will be an incongruous form within the wider landscape and likely if permitted to enable another 60 units to follow.
<b>C – Creativity of architecture, appropriate materials and effective composition</b>	The architecture is based on a series of ‘off-the-shelf’ ‘lodges’ designed to be delivered by static caravan manufacturers. The architecture lacks creativity and articulation and will have flat and plain elevations. Poorly balanced and proportioned fenestration patterns contribute to buildings that have been designed from the inside out with little regard to how they will interface with the surroundings. The architecture is very formulaic and lacking in variety which will undermine the legibility of the site.
<b>D – Buildings that are fit for purpose and long lasting</b>	Insufficient detail has been provided to determine whether this requirement can be met. The final materials and the final details of the ‘lodges’ are somewhat vaguely presented in both the application and the appellant’s case. It is unclear as to the lifespan and longevity of the ‘lodges’ and whether they will be able to be adapted and reused over a longer period.
<b>E - Buildings that improve and enhance their setting</b>	As noted, the immediate setting of the ‘lodges’ has not been effectively considered. Issues of public and private space, lack of detailing of the surrounding access arrangements (parking, footpath access etc.) are not fully resolved at this stage and the ‘lodges’ appear to turn their backs on the circulation spaces.

**Table 5.1: Assessment of the scheme against the summary five policy criteria of high-quality design**

- 5.6. It is therefore immediately apparent that the design of the ‘lodges’ fails in every way to meet these design criteria and cannot be described as high quality. The appellant has sought to justify this with reference to matters of layout and of internal specification which are clearly not the matters of contention.
- 5.7. Collectively this demonstrates how in strict policy terms the appeal proposal results in RfR design aspects 1, 2 and 3.



## **Meeting design guidance documents**

- 5.8. It is clear from the evidence provided within the previous chapter that there are some serious and significant shortcomings in the design of the 'lodges' when meeting the both the national and local design guides. In the vast majority of cases, this is a result of the lack of consideration or justification of the design solution for the lodges against the local built character (identity within the NDG) or vernacular. Local Plan policy DC1 sets out that regard should be had to the SMDG and the NPPF sets out that the NDG and local policies should be used to determine the acceptability of design, both clearly highlighting this lack of consideration and relationship with the local vernacular as being an issue.
- 5.9. In such circumstances it is relevant to undertake a 'comply or justify' approach to design - either evidence the delivery of the policy requirements or justify why a different approach has been taken. From the evidence submitted with the planning appeal and the appellants Statement of Case neither of these justifications have been provided for the 'lodges'.
- 5.10. This is exemplified by the response that is made as part of the Council's assessment against the SMDG paragraph 3.7 (see Appendix 3) when it states that:
- "The proposed 'lodges' have not been designed in response to the character and context of the area. They are an 'off the shelf' caravan product. Their form, scale and detailing have not been informed by an assessment and understanding of the character and context of the area. There is no accompanying character and vernacular study that explains or justifies the design decisions. The design of the lodges does not respond to the local character and context through traditional design nor do they provide a contemporary response."*
- 5.11. In this regard, the lack of compliance with the design guides contributes most significantly to the failure of RfR design aspects 1, but the impacts can be found in design aspects 2 and 3 also.

## **Absence of harm does not result in good design**

- 5.12. The appellants Planning Statement of Case includes a number of tables in chapter 11 which set out how they consider the scheme meets the local plan policies and the Framework. It should be noted that the Council's response to these tables is quite different from that which is within the appendices prepared in support of this Proof of Evidence. One of the key aspects of this is that the appellant has determined that lack of harm in terms of heritage, landscape or biodiversity impact means that good design has been achieved. Absence of harm is a requirement of

good planning (and forms part of the fifth criteria), but it is the starting point for good design.

- 5.13. The RfR design aspects are not overcome simply as a result of there being no harm – they represent a failure of the process in the design of the lodges.

**Examples provided within the appellants statement of case**

- 5.14. The appellants evidence, thus far, especially that provided by Mr Bratherton (Design quality review) includes several examples of the design rationale behind the scheme at Moneystone Quarry. Mr Bratherton refers to three examples from elsewhere including Cheddar Woods, Keswick Reach and Rivendale Retreat (Chapter 3). These are three schemes that within the last decade have been completely overhauled to improve the qualities of the product and offer. However, these sites are not directly comparable to the appeal scheme since these were existing, well established static caravan and touring caravan sites, some dating back to the 1950s, as opposed to completely new facilities such as the one proposed under the appeal scheme.

- 5.15. The scheme at Rivendale (near Ashbourne in the Peak District National Park) would not have been acceptable in principle in the context of the current planning policy of the Peak District National Park Authority and the re-development of this site to modern standards was seen as opportunity to improve an existing very poor-quality situation. The report to the planning committee (Ref: NP/DDD/0219/037 - 10<sup>th</sup> May 2019) states:

*“it is important to remember that this application is for the redevelopment of a very large and long-established site, and is not for the creation of a new site... policy RT3 is clear that development that would improve the quality of existing sites, including improvements to upgrade facilities, access, landscaping, or the appearance of existing static caravans, will be encouraged.”*

- 5.16. The same is advanced for the scheme shown at Cheddar Woods (Somerset Council – formerly Mendip Council) which sought the redevelopment of an existing and long established very large camping and caravan site during 2016 and an extension in 2017.

- 5.17. As a result, any inference of transferability of concepts of quality should be discounted. In arriving at a planning balance on design quality the starting point – providing tangible benefits to an existing site - is very different and thus direct comparisons are impossible to draw. In this respect the appellants assertion that another permission has found a similar accommodation ‘product’ to be high-quality is misplaced when measured against something that would otherwise be

considered poor and outdated design quality,. This clearly cannot address the five criteria of high-quality design set out at the beginning of this chapter, and this misplaced approach has led to the failure of the scheme and the three RfR design aspects.

- 5.18. As a result, these examples should not be afforded any weight and do nothing to alter the shortcomings found in the design of this scheme on land that has never previously been a caravan park and in an area of high landscape value and sensitivity (see CVM section 7.6.5).

**Development that is not well designed should be refused**

- 5.19. ¶139 of the Framework clearly sets out that development that is not well-designed should be refused, taking account of any local design guidance and supplementary documents. It is clear from the evidence presented in this proof that the scheme does not accord with either the policies in the development plan nor the guidance at the national or local level – including the National Design Guide and the Staffordshire Moorlands Design Guide – and as such I conclude the committee were correct in refusing permission on these design grounds. The three RfR design aspects that are contained in paragraph 2 of the decision notice are clearly demonstrated as part of evidence that I have presented. There is no evidence or material provided by the appellant that would suggest a different approach should be taken.
- 5.20. The policy assessment undertaken in appendices 4, 5 and 6 clearly shows how many of the design criteria of policies DM1 (not least the fact that there is little or no consideration of the SMDG in the appellant's submission) and SS11 are unmet due the poor-quality design of the 'lodges'. Taking all the above into account, it is clearly evident that, insofar as the approach taken to the design of the 'lodges' by the appellant, this scheme fails to achieve high quality design. The resultant design fails to reflect the local character and context. There is no justification provided for this shortcoming. In that respect and given the number, scale and spread across the large site of poorly designed 'lodges', this proposal should be dismissed at appeal.