

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

28th March 2023

Application No:	SMD/2023/0612	
Location	Former Severn Trent Reservoir, Troughstones Road, Biddulph, ST8 7SL	
Proposal	Proposed change of use of former reservoir structure to a single dwelling	
Applicant	Mr Y Heald	
Agent	DESIGN21 Architecture Ltd	
Parish/ward	Biddulph	Date registered: 05.12.2023
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 christopher.johnston@staffsmoorlands.gov.uk		

REFERRAL

The application is before committee because it has been called in by Councillor Garvey to consider the use of the site and the impact on the Green Belt.

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site comprises a former underground/part-submerged storage tank with a floor area of 22 x 23m that was used by Severn Trent Water. The structure has an internal floor to ceiling height of 2.6m. The site previously comprised a grassed field with mature trees to the boundaries. It is sited to the east of dense woodland, and to the south of Troughstones Road. Open fields are located to the east and south, whilst a Public Right of Way (PRoW), Biddulph Town 91 travels in an east-west direction immediately adjacent to the southern boundary of the site. The land slopes downwards from the road to the PRoW and beyond. The application site is located in the North Staffordshire Green Belt.

2.2 The applicant claims that the site was purchased in January/February 2020 and significant works were undertaken including a boundary wall, gate posts and gate have been sited along Troughstones Road; a large number of mature trees have been felled; the soil that formerly covered the roof of the tank has been removed, exposing the roof of the structure; excavation has taken place to the south of the site to create a level area adjacent to the former pumping station and a significant area of hardcore has been laid to create an access/driveway/parking/turning area. These works are unauthorised. There are wooden sheds and other structures on the land.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application for the conversion of the former reservoir structure into a 4 or 5 bed dwelling. There would be no enlargement of the structure. A Design & Access Statement describes the proposed conversion works for the structure as follows:

It is proposed that the existing roof would be waterproofed, insulated and overlaid with a green roof system. The walls are predominately below the natural ground levels and will generally remain so, with only the south façade to be partially uncovered and exposed, to form the primary entrance.

The proposed layout has been set out and designed to retain the prevailing structural grid form. The floor plan comprises of a central open courtyard with a square lightwell opening at the roof level. The walls to the perimeter of the internal courtyard are predominately glazed to maximise natural light deep into the plan form.

Internally an open plan living, dining, family room and kitchen aligns with the principal entrance and the south façade. A circulation corridor mirrors the internal courtyard with the bathroom, gym / study utility and the four bedrooms extending the corridor link. The bedrooms are orientated around smaller open light wells to capture natural light and ventilation to the habitable rooms.

3.2 Additional lighting for the rooms would be provided via two extracted rectangular internally glazed lightwells and five small circular rooflights.

3.3 An external entrance “courtyard” or sunken terrace would be provided to the south of the structure, via ground extraction works, to provide a level entrance into the ground floor level of the structure via an approx. 2m wide glazed sliding door. External steps would lead down to the courtyard from the ground level driveway/parking area to the west of the structure.

3.4 Recent works to provide a current access and driveway off the lane will be used as the access and parking area.

3.5 This is a resubmission of a 2021 planning application for a residential conversion which was refused by the Council for the following reasons:

1. The proposed development is unacceptable in principle. The application site does not comprise previously developed land and the structure to be converted is an underground concrete water tank that is not a heritage asset, nor is it a building worthy of conversion in terms of its architecture or character. The building is utilitarian and designed to be buried underground, not exposed and used to create a feature. The development is therefore contrary to policies SS10 and H1 of the Local Plan (2020).

2. The proposed development comprises inappropriate development in the Green Belt, would fail to preserve its openness and would conflict with the purposes of

including land within it. Inappropriate development should not be granted unless Very Special Circumstances exist that clearly outweigh the harm by reason of inappropriateness and any other harm resulting from the proposed development. No Very Special Circumstances have been advanced by the applicant. The proposed development is therefore contrary to policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2019).

3. The proposed development will cause significant harm to the character and appearance of the surrounding rural landscape as it will introduce an incongruous feature with associated light pollution and light spillage, engineering works and domestic paraphernalia, into an isolated site that was previously covered in trees, grass and brambles and was largely devoid of development. The proposed development will be viewed from close range from the Public Right of Way that bounds the southern boundary of the site, as well as from both short and long-distant views from the wider landscape. The development does not respect or respond sensitively to the qualities of the surrounding landscape. The proposed development is therefore contrary to policies DC1 and DC3 of the Local Plan (2020) and the NPPF (2019).

4. Insufficient information has been submitted in respect of the disposal of the spoil that will result from the exposure of the southern elevation of the building. It is not known where the spoil is to be disposed of or how much spoil will be generated. Therefore it is unclear whether the spoil disposal will have a detrimental effect on the landscape character of the area or otherwise. In the absence of this information the applicant has failed to demonstrate that the proposed development complies with policies DC1 and DC3 of the Local Plan (2020) and the NPPF (2019).

3.6 A subsequent appeal against the decision was dismissed by the Planning Inspector.

3.7 The changes made to the previous scheme resulting in the revised scheme put forward under this new application are as follows:

1. Increase in screen planting
2. The provision of a green “living wall” on the exposed south/primary elevation
3. Removal of metal railings from the roof which were placed around the central internal courtyard area
4. Change to the shape of the internal courtyard from oval to rectangle
5. Change to the shape of the extracted external courtyard (which provides the entrance into the structure) from a semi-circular shape to a rectangular one which would not project as far to the south but which would have stone retaining and external perimeter walls added
6. Replacement of two rectangular rooflights with five smaller circular rooflights
7. Removal of the internal courtyard stair and access to the roof
8. Change in the shape of the driveway and parking/turning area, moving the two parking spaces closer to the primary/south elevation of the structure
9. Reduction in the number of new openings to be formed within the entrance façade (south elevation) from three to two.
10. Removal of water feature on the roof.
11. Completion of an Impact Assessment of internal – external lighting design to

prevent light spillage and light pollution.

3.8 The application is accompanied by a Planning Statement, Arboricultural Report, Preliminary Ecological Assessment Report and Structural Survey Report.

3.9 The application files including the drawings, reports and other details of the proposal together with consultation and notification responses can be viewed on the Council website at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=176345>

4. RELEVANT PLANNING HISTORY

SMD/2021/0286: Proposed Change of Use of former Reservoir structure to a single dwelling. Refused on 28.6.21. Appeal dismissed on 30.6.22.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- H1 New Housing Development
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

Biddulph Neighbourhood Plan – Referendum Version – December 2023

National Planning Policy Framework (NPPF).- December 2023

Para 11: Presumption in Favour of Sustainable Development
Section 2: Achieving Sustainable Development
Section 4: Decision Making
Section 5: Delivering a Sufficient Supply of Homes
Section 12: Achieving Well Designed and Beautiful Places
Section 13: Protecting Green Belt Land

Section 15: Conserving and Enhancing the Natural Environment

6. CONSULTATIONS

6.1 A site notice was posted outside of the site on Troughstones Road. One letter has been received in response not objecting to the application.

Biddulph Town Council

6.2 Recommended Approval, it was agreed that it is an innovative design and a reuse of an existing structure. It also meets the neighbourhood plan ambitions and is sympathetic to the surrounding area.

SCC Highways Authority

6.3 Recommendation Summary: Acceptance

Site Visit Conducted on: 25-Dec-2023

Personal Injury Collisions:

Current records show that there were not any Personal Injury Collisions on Troughstones Road within 215 metres either side of the property accesses for the previous five years.

Background:

Troughstones Road is an unclassified road (Road No. D1098) with a speed limit of 60 mph. Troughstones Road has no footways on either side of the carriageway. The road is unlit.

The nearest footpath is Biddulph Town 91 which connects the Troughstones Road to the east of the site and runs south of the development site.

History

SMD20210286 - Proposed Change of Use of former Reservoir structure to a single dwelling.

Description of Proposal:

Proposed Change of Use of former Reservoir structure to a single 4 bedroom dwelling.

Comments on Information Submitted

The proposal is for a 4 bedroom dwelling and 3 car parking spaces proposed. This is in line with South Moorlands parking standards. However, Proposed site plan no. 1472:05 shows 2 spaces. However, there is sufficient space within the curtilage to accommodate the 3 spaces.

No cycle facilities have been shown – this could be any secure, covered and weatherproof within the site curtilage.

Similarly, no bin storage has been shown and these can be accommodated within the curtilage – but should be shown on any revised plans.

Recommendations

I have no objection (on Highway grounds) to the proposed development.

Note to Planning Officer:

The proposed development does not constitute sustainable development in that it is entirely reliant on the private car and does not enable future residents to reasonably choose sustainable modes of transport to access the site as required by national and local planning policies.

Environmental Health (EH)

6.4 No objection subject to conditions relating to the construction/conversion works phase, soil testing, unexpected contamination and one requesting details of lighting be submitted for approval. EH commented as follows:

Contamination: The site was previously used as a Severn Trent reservoir. Some Historical contamination could be present in the surrounding soils. A full contamination survey would appear to onerous but it would be advisable that the soils are tested to ensure they are suitable for the proposed residential use. Condition recommended.

Nuisance: In order to protect the night time and week end amenity of the area all noisy workings should be restricted to the time set out in condition.

Staffordshire Wildlife Trust

6.5 Comments awaited and will be reported at the Committee meeting.

SMDC Waste Collection Service

6.6 No issues regarding waste collections.

SMDC Trees and Landscape Officer

6.7 Comments awaited and will be reported at the Committee meeting.

7. OFFICER COMMENT AND PLANNING BALANCE

Introduction

7.1 Paragraph 11 of the National Planning Policy Framework (NPPF, 2023) promotes a 'presumption in favour of sustainable development'. For decision takers this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless:

- i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.2 Paragraph 8 of the NPPF (2023) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protect, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2023).

7.3 The main issues with the proposal are as follows:

- Whether or not the proposal amounts to inappropriate development in the Green Belt and if so, whether or not there are any “very special circumstances” to outweigh the harm to the Green Belt.
- The overall principle of the development in this location.
- The impact on the character and appearance of the area including trees.
- The impact on residential amenity.
- The impact on highway safety.
- The impact on the ecological value of the area.

Whether or not the proposal amounts to inappropriate development in the Green Belt.

7.4 The application site is located in the North Staffordshire Green Belt whereby policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2023) are applicable. Part (6) of policy SS10 states that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

7.5 The proposal is for the conversion of an existing mostly submerged water holding tank. However, the development will also require engineering operations (significant amounts of ground extraction) to expose the southern elevation of the structure; alterations to the structure to create windows/doors within the southern elevation, alterations to the roof to create a central courtyard, lightwells, rooflights and associated works to the surrounding land, including the provision of a garden, driveway and parking area etc.

7.6 Paragraph 154 of the NPPF (2023) outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt unless it meets an

exception. Such exceptions applicable to this application are:

(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; and

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development.

7.7 Paragraph 155 of the NPPF (2023) goes on the list certain other forms of development that are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include:

(b) engineering operations;

(d) the re-use of buildings provided that the buildings are of permanent and substantial construction; and

(e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).

7.8 A letter from Northern Structural Services has been submitted to support the application that concludes that *'the structure is fit for the proposed conversion works and that it is in a stable condition'*. It can therefore be concluded that the development will result in the re-use of a building that is of permanent and substantial construction. In order for the development to comply with part (d) of paragraph 155 of the NPPF (2023) an assessment has to be made as to whether the development will preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

7.9 In terms of the development needing to *'preserve the openness of the Green Belt'*, it is noted that this does not mean that all new development within the Green Belt will automatically affect openness, instead it is an assessment of a development's harm.

7.10 Prior to the works that the applicant has undertaken to the application site, the site comprised a grassed field largely covered in mature trees and brambles. The water tank could not be seen from the surrounding landscape as it was completely buried underground. The site had a narrow access onto Troughstones Road that was covered in vegetation. In contrast, the application site has now been cleared, trees have been removed, gates/walls/gate posts have been erected to the entrance that are domestic in appearance, a large area of gravel has been laid to create a driveway/turning/parking area and some of the ground to the south of the site has been excavated to create a level area surrounding the former pumping station, works which are unauthorised. In addition, in order to facilitate the building as a dwellinghouse, the southern earth bank behind which the tank is currently buried will be removed and large floor-to-ceiling glazed windows and doors will be inserted that will serve the main living areas of the dwellinghouse. A sunken hard-surfaced

terraced garden area will be created with stone perimeter and retaining walls as well as a pedestrian access ramp and steps up to the parking area would also be created.

7.11 The soil and vegetation that once completely covered the roof of the water tank has been exposed and it is proposed to insert lightwells and rooflights in the roof, as well as create a centrally positioned rectangular internal courtyard that will be open. The existing and proposed 'Site Sections' drawings also include excavation that has already been undertaken without planning permission, rather than the levels of the site as it was formerly.

7.12 The development, due to its proposed design, form, scale and materials, and due to the domestic paraphernalia associated with a dwellinghouse such as washing lines, play equipment, garden furniture etc. is not considered to preserve the openness of the Green Belt. It is also considered that the development will be contrary to part (c) of paragraph 143 of the NPPF (2023) in that the development will not '*assist in safeguarding the countryside from encroachment*'; one of the five purposes of including land in the Green Belt. It is therefore concluded that the development will not comply with the following exceptions to development in the Green Belt:

(b) engineering operations;

(d) the re-use of buildings provided that the buildings are of permanent and substantial construction; or

(e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).

7.13 In terms of exception (c) outlined at paragraph 154 of the NPPF (2023) in respect of extensions and alterations to an existing building, the development would not involve any extensions, and the alterations proposed will not result in disproportionate additions over and above the size of the original building. However, in order for the alterations to be undertaken, the ground surrounding and covering the building must first be excavated, which has already been deemed to affect the openness of the Green Belt and lead to encroachment.

7.14 Exception (g) outlined at paragraph 154 of the NPPF (2023) is in respect of the redevelopment of previously developed land (PDL). The Glossary to the NPPF (2023) defines PDL. It is considered that the land does not comprise PDL as it is excluded by the definition by virtue of '*land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape*'. Prior to unauthorised works that have taken place on the site, the site comprises a concrete water tank that was completely buried underground. It's roof and sides were covered in soil and the land had become overgrown with brambles and trees. The structure as built was not visible and had blended into the landscape. The site therefore does not comprise PDL.

7.15 Even if it is subsequently determined that the site does in fact comprise PDL, part (g) of paragraph 154 of the NPPF (2023) also requires the development to '*not*

have a greater impact on the openness of the Green Belt than the existing development. As described previously, the proposed development would have a significantly greater impact on the openness of the Green Belt than the former use of the site as a water holding tank. The proposed development would therefore not comply with this exception.

7.16 The proposed development will not comply with any of the exceptions listed in either paragraph 154 or paragraph 155 of the NPPF (2023) and therefore it comprises inappropriate development in the Green Belt.

7.17 It is considered that the new revised scheme proposes a similar amount of development and extraction works than the previous scheme which was refused on Green Belt grounds and dismissed at appeal and therefore the changes to the scheme put forward in this new application do not overcome the Green Belt reasons for refusing the application (repeated in Section 3 of this report). Furthermore, at the appeal stage the Planning Inspector upheld the considered harm to the openness of the Green Belt due to the works involved in conflict with the NPPF. It is considered that the revised scheme, due to the proposed works involves and impacts associated with the change of use, still harming the openness of the Green Belt, also therefore does not address the Planning Inspector's reasons for dismissing the appeal.

7.18 The NPPF (2023) states *'that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'* and *'when considering a planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It is considered the proposal would not provide any overriding social, economic or environmental benefits that would outweigh the level of harm to the openness of the Green Belt. No Very Special Circumstances exist.* This was also the view of the Planning Inspector in dismissing the appeal against the previous application. Therefore the proposed development remains contrary to policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2023). Therefore the application for the amended scheme is again recommended to be refused for the same Green Belt impact reasons.

Other matters relating to the principle of the development

7.19 The application site is located in the Open Countryside and Green Belt whereby policy SS10 of the Local Plan (2020) is applicable. Policy SS10 states that these rural areas will provide only for development that has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

7.20 Part (1) of the policy is concerned with meeting housing requirements within the rural areas, including *'restricting new build housing development in the countryside to that which has an essential need to be located in the countryside in accordance with Policy H 1'* and *'allowing the conversion or replacement of an existing rural building in accordance with policy H1'.*

7.21 Part (5) of policy H1 of the Local Plan (2020) restricts housing development in

the rural areas to those listed. Criterion (d) is applicable to the proposed development, which states:

'The conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion; or where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.'

7.22 The former reservoir comprises an underground tank. It is not a heritage asset, nor is it required in respect of enabling development. A letter from Northern Structural Services has been submitted to support the application that concludes that *'the structure is fit for the proposed conversion works and that it is in a stable condition'*. It therefore can be concluded that the proposed conversion could be suitable and worthy in physical terms, but the wording of the policy means that the building must also be suitable and worthy in architectural and character terms. The same letter from Northern Structural Services outlines that the reservoir was formerly *'buried below ground level'* and *'the roof of the water tank which is at ground level and has formerly been covered with topsoil and vegetation'*. The structure was therefore a non-descript concrete water holding tank that was not visible from the surrounding area and was designed to be buried underground. The structure therefore could not be considered to be suitable and worthy in architectural or character terms and therefore the proposed conversion would not comply with part (5)(d) of policy H1 of the Local Plan (2020).

7.23 This was also a view which was upheld by the Planning Inspector in dismissing the appeal against the refusal of the previous scheme.

7.24 Criterion (e) of part (5) of policy H1 of the Local Plan (2020) relates to *'proposals to redevelop previously developed land provided it is not of high environmental value'*. The Glossary to the NPPF (2019) defines Previously Developed Land (PDL). It is considered that the land does not comprise PDL as it is excluded by the definition by virtue of *'land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape'*.

7.25 Prior to the unauthorised works that have taken place on the site before the submission of the previous application, the site comprised a concrete water tank that was completely buried underground. Its roof and sides were covered in soil and the land had become overgrown with brambles and trees. The structure as built was not visible and had blended into the landscape. The site therefore does not comprise PDL and the development would not comply with part (5)(e) of policy H1 of the Local Plan (2020).

7.26 It is for these reasons that the proposed development would be unacceptable in principle and contrary to policies SS10 and H1 of the Local Plan (2020).

Impact on the Character and Appearance of the Area

7.27 Policy DC1 refers to design and seeks to secure development of a high quality

which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

7.28 Paragraph 127 of the NPPF (2019) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

7.29 The Council's Design SPD outlines the Council's expectations in respect of design and states that *'alterations need to be undertaken with care. Insensitive changes can easily spoil a building...The aim is to revitalise the building without altering its fundamental character'*. It goes on to state that *'the guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained'*.

7.30 Policy DC3 of the Local Plan seeks to protect and where possible, enhance local landscape and the setting of settlements, resisting development that will lead to a prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement.

7.31 Policy SS10 of the Local Plan seeks to enhance and conserve the quality of the countryside by giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape.

7.31 The Landscape Character Assessment outlines that the application site is located within the Potteries and Churnet Valley character area and within the Gritstone Uplands character type. The landscape is described as an *'upland gritstone landscape with strongly undulating slopes and localised steep sided valleys. The upland plateau is bleak in character with open aspect and extensive views out eastward towards the Manifold Valley although Leek is hidden within the Churnet valley'*. The land use is *'mainly low intensity pastoral farming of sheep and cattle'*. The *'Planning for Landscape Change SPG to Staffordshire & Stoke on Trent Structure Plan, identifies this landscape character type as a landscape requiring restoration'*.

7.32 The alterations proposed to the water holding tank and the remainder of the application site are described within the Green Belt section above. The southern elevation of the structure will be exposed but grassed over (which differs from the previous scheme where the south elevation was proposed to be clad in stone), whilst the roof will be flat and have a 'green' roof. Flat roofs are not a traditional feature of the Staffordshire Moorlands.

7.33 The conversion has been designed so that the earth to the rear and sides will be retained. This will ensure that the building will not be highly visible from Troughstones Road to the north. However, the roof of the structure will still project

above the adjacent ground level and the land to the north of the road rises upwards. Although the previous proposed railings and water feature on the roof have been removed from the scheme, the roof of the structure with its rooflights (there were two in the previous scheme but replaced with five smaller circular rooflights) and light wells (which remain in the amended scheme) will still be visible, as well as the other associated works, especially the large gravelled area to the west of the structure.

7.34 A PRow, Biddulph Town 91, follows the southern boundary of the site in an east-west direction. Some trees have been retained towards the rear boundary, however, the site adjoins an open field that is devoid of trees or development. This allows both long-distant and short-distance views to be gained from the site to the south and vice-versa. The proposal will result in the excavation of the southern bank that currently buries the tank and the insertion of 2no. glazed floor-to-ceiling openings or windows that will serve a large open-plan living/dining/kitchen area and a porch. The lightwells and rooflights, together with the central open courtyard will result in light spillage and light pollution on an otherwise isolated site that will be highly visible from adjacent PRow, despite further landscaping and planting as shown on the elevation drawings of the new amended application, as well as both long and short distant views. It is also highly likely that external lighting will be required to ensure that the occupants/visitors are able to negotiate from the parking area to the dwellinghouse, given its isolated rural position. This will further add to the issue of light spillage and light pollution from the development.

7.35 The site clearance and other works that were undertaken before the submission of the first application had significantly altered the character and appearance of what was an overgrown greenfield site covered in grass, trees and brambles. These works help to highlight exactly why the proposed development will have a detrimental impact on the rural character of the surrounding landscape. The site was previously devoid of development and the development proposed (on top of what has already been undertaken) will erode this character even further.

7.36 It is for these reasons that the design of the proposed development is considered to have a detrimental effect on the character and appearance of the application site and the wider landscape. It detracts from the quality of the countryside, especially when compared to the former character and use of the site. The development does not respect or respond sensitively to the qualities of the surrounding landscape. The development will result in an incongruous feature on an isolated rural site with associated impacts of light pollution, light spillage, domestic paraphernalia, areas of hardstanding, domestic planting, domestic entrance walls/pillars and parked vehicles.

7.37 It is not considered that the proposed amendments to the scheme would be sufficient enough to offset the visual harm, despite the greening of the south elevation wall and removal of roof-top railings. Furthermore, the Inspector in dismissing the previous scheme commented that the planted/green roof would however take time to become established. It is therefore considered the same could be said of the "living wall" on the south elevation of the structure and that the upper parts of the existing concrete wall of the structure would remain visible. The Inspector also states that "this, as well as parking and other domestic activities that would be seen in similar views would undermine and thus harm the area's rural

character.” Furthermore, the Inspector also stated “the development would result in light spillage from the various openings.....and would have a suburbanising effect and erode the darkness and otherwise tranquillity of this rural area”. It is considered that despite there being one less opening/window on the south elevation and changes to rooflights (two replaced by five smaller rooflights as shown on the amended scheme, this would not significantly reduce the visual impact of the development and therefore it remains unacceptable on this basis.

7.38 With regard to trees, there was no objection from the Tree Officer in response to the previous application. The previous proposal involved the removal of two trees which were not regarded as high quality. The comments of the Tree Officer in response to the new application are awaited and will be reported at the Planning Committee meeting.

7.39 Due to the impact on the character and appearance of the area of the proposed works, the proposed development is therefore contrary to policies DC1 and DC3 of the Local Plan (2020) and the NPPF (2023).

Impact on Residential Amenity

7.40 Core Strategy policy DC1 and paragraph 127(f) of the NPPF (2019) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

7.41 The application site is isolated, surrounded by fields and a woodland. Moor House Farm is located approximately 100 metres to the southwest, Millstone Green Farm is located to the east (on the opposite side of Troughstones Road). It is for these reasons that the proposed development will not have a detrimental effect on neighbouring amenity and it will comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

Highway Safety

7.42 Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

7.43 The local highways authority does not object to the application. It would not affect highway safety on adjacent roads and although only two parking spaces are shown, further spaces and turning area can be easily accommodated on the proposed hardstanding.

7.44 It is therefore considered that the proposed development will not have a detrimental effect on highway safety and it will comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2023).

Biodiversity

7.45 Policy NE1 seeks to protect and enhance site biodiversity and expects all development, where possible, to deliver a net gain in biodiversity proportionate to the size and scale of the development.

7.46 Staffordshire Wildlife Trust (SWT) did not object to the previous application on the basis of the PEA Report which has been resubmitted with this new application. It was considered with the previous application that given the character of the site prior to the applicant purchasing it, that Biodiversity Net Gain would be required but subject to such a condition and a further condition in respect of the development to be undertaken in accordance with the Preliminary Ecological Assessment's mitigation measures, it was considered that the development would comply with policy NE1 of the Local Plan (2020). The comments of SWT in response to this new application are awaited and will be reported at the Committee meeting.

Other Points

7.47 The previous application was also refused due to insufficient information regarding how soil from the extraction to the south of the structure would be dealt with and therefore what impact this would have on the landscape (Reason for Refusal no.4). However, due to further information which came to light since the previous decision, the Council did not contest this reason for refusal at the planning appeal and the issue of the soil was not raised by the Planning Inspector. Therefore this will not be added to the reasons for refusal of the new application.

8. CONCLUSION AND PLANNING BALANCE

8.1 The proposed development would amount to inappropriate development in the Green Belt as it would fail to preserve the openness of the Green Belt and by definition in the NPPF, would be harmful to the openness of the Green Belt. There are no very special circumstances to outweigh the harm to the Green Belt and therefore the proposal is contrary to Policy SS10 of the Local Plan and Section 13 of the NPPF. The proposed development is unacceptable in principle in other respects. It could be considered in line with the new Biddulph Neighbourhood Plan in that it would provide an additional family dwelling in the area. However, it does not comply with Policy SS10 as a whole or Policy H1 due to its unsustainable countryside location. The proposed works would also amount to harm to the character and appearance of the area contrary to policies DC1 and DC3 of the Local Plan.

8.2 It is not considered that the amendments made to this new scheme put forward would address the first three reasons for the refusal of the previous application and would not address the reasons for the dismissal of the proposal at the planning appeal. Although the NPPF has been updated since the previous application and appeal decision, the policies in which the proposal would be determined against in the Local Plan and NPPF have not changed significantly. It therefore remains unacceptable in Green Belt and character and appearance terms. Therefore the application is again recommended for refusal.

9. RECOMMENDATION

A. That the application be REFUSED for the following reasons:

1. The proposed development is unacceptable in principle. The

application site is not considered to comprise previously developed land and the structure to be converted is an underground concrete water tank that is not a heritage asset, nor is it a building that is worthy of conversion in terms of its architecture or character. The building is utilitarian and designed to be buried underground, not exposed and used to create a feature. The development is therefore contrary to policies SS10 and H1 of the Local Plan (2020).

2. The proposed development comprises inappropriate development in the Green Belt. Inappropriate development should not be granted unless Very Special Circumstances exist that clearly outweigh the harm by reason of inappropriateness and any other harm resulting from the proposed development. No Very Special Circumstances have been advanced by the applicant. The proposed development is therefore contrary to policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2023).
3. The proposed development will cause significant harm to the character and appearance of the surrounding rural landscape as it will introduce an incongruous feature with associated light pollution and light spillage into an isolated site that was previously covered in trees, grass and brambles and was devoid of development. The development will be viewed from close range from the Public Right of Way that bounds the southern boundary of the site, as well as from both short and long-distant views from the wider landscape. The development does not respect or respond sensitively to the qualities of the surrounding landscape. The proposed development is therefore contrary to policies DC1 and DC3 of the Local Plan (2020) and the NPPF (2023).

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.

Location Plan



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