

Mr Paul Adams
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Mr Heald
C/o Agent

Application no: SMD/2021/0286

Determined on: 28th June 2021

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

REFUSAL OF PLANNING PERMISSION

Location of Development:

Former Severn Trent Reservoir Troughstones Road Biddulph Common Staffordshire

Description of Development:

Proposed Change of Use of former Reservoir structure to a single dwelling house

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref:

- 1437 01,
- 1437 02,
- 1437 03,
- 1437 04,
- 1437 05,
- 1437 06,
- 1437 07,

for the reason(s) specified below:-

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).

Informatives

Prior to the determination of the application the Council advised the applicant that the principle of such development is unsustainable and did not conform with the provisions of the NPPF (2019). It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
1. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
2. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
3. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
4. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
5. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.