

Mr Paul Adams
DESIGN21 architecture Ltd
No5 The Court House 72 Moorland Road
Burslem
Stoke on Trent
ST6 1DY

Mr Heald
57 Well Street
Biddulph
Staffordshire
ST8 6HY

Application no: SMD/2023/0612

Determined on: 11/04/2024

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

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Location of Development:

Former Severn Trent Reservoir Troughstones Road Biddulph Common Staffordshire ST8 7SJ

Description of Development:

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

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:-

To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-

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Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Prior to the commencement of works to the external appearance of the building, details/samples of the external materials to be used in the construction of the development, including retaining walls and the glass specification for the windows in the southern elevation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and shall be retained in such materials for the lifetime of the development.

Reason:-

To ensure the development is of an appearance that is acceptable to its rural setting.

4. Prior to the occupation of the development hereby approved, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and retained in such a form thereafter.

Reason:-

To reduce the visual impact of the development on its rural location.

6. The development hereby approved shall be undertaken in accordance with Chapter 5: Recommendations outlined in the Preliminary Ecological Appraisal produced by Elite Ecology and dated March 2021.

Reason:-

To ensure the development does not have a detrimental impact on protected species, wildlife and habitats.

7. Prior to the occupation of the dwellinghouse hereby approved, all existing structures/buildings, other than the former pumping station (as annotated on drawings listed in Condition 2) and the dwellinghouse hereby approved, shall be completely removed from the application site. The applicant shall inform the Local Planning Authority when this has been completed and evidence shall be provided/a site visit shall be undertaken to satisfy the Local Planning Authority that this condition has been complied with.

Reason:-

To remove unauthorised structures from the application site, to maintain the openness of the Green Belt, and to protect the character and appearance of the countryside.

8. Prior to the excavation of the bank to expose the southern elevation of the water tank, details of the amount of spoil to be excavated and its final destination shall be submitted to

and approved in writing by the Local Planning Authority. If the spoil is to be distributed within the application site, existing and proposed levels drawings including spot heights, shall be submitted and approved in writing by the Local Planning Authority. The proposed development shall be undertaken in accordance with the approved details.

Reason:-

To ensure the excavated material does not have an adverse impact on the character and appearance of the countryside or adversely affect the openness of the Green Belt.

9. Notwithstanding the works that have already taken place on site, prior to the construction of the southern elevation of the dwellinghouse, full details of both hard and soft landscape proposals including boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the number, species, heights of planting and positions of all additional trees, shrubs and bushes to be planted and shall include proposals to reduce the amount of hard landscaping that currently exists within the application site.

Reason:-

In the interests of the visual appearance of the development and the amenities of the area

10. All planting, seeding or turfing comprised in the approved details of landscaping and elevational and roofing finishes/treatments (including the planting to the roof of the watertank) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority give written consent to any variation. All hard landscaping works shall be completed prior to the occupation of the dwellinghouse, or in compliance with an agreed timetable that has first been submitted to and approved by the Local Planning Authority.

Reason:-

In the interests of the visual appearance of the development and the amenities of the area.

11. The first action on commencement of development, prior to any further action (including any demolition, site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and as set out in the Tree Heritage Arboricultural Report reference THL-R20-133 dated 16th December 2020 submitted in support of the application hereby approved, and these barriers and notices shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the local planning authority. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services,

provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the local planning authority.

Reason:-

In the interests of the visual appearance of the development and the amenities of the area.

Reason for Approval

The Committee considered that the proposal complies with Policy DC1 and DC3 of the Staffordshire Moorlands Local Plan as well as the Biddulph Neighbourhood Plan and represents innovative design which would outweigh the harm to the openness of the Green Belt.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: 0333 880 2000.
1. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.
2. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
 - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.
3. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.
4. The permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
 - (b) Variation to the approved plans will require the submission of a new planning application.
5. 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.
6. 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.

7. 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.
8. 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.
9. 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>
10. 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.
11. 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.
12. Domestic sprinklers
Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1
If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)
13. Working smoke alarms correctly positioned in your home can save your life.

The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month. Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.