

DELEGATED DECISION REPORT

SMD/2024/0050
Valid 31/01/2024

**CRESSWELL BOREHOLE
WATER PUMPING STATION
SANDON ROAD
CRESSWELL**

**INSTALLATION OF A
FILTRATION BUILDING
(RETROSPECTIVE)

(FULL - MINOR)**

MAIN ISSUES

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

The principle of the development

The impact on the character and appearance of the area

The impact on residential amenity

The impact on highway safety

DESCRIPTION OF SITE

The site is a short distance to the west of Cresswell village and is within the Green Belt. It comprises a water borehole pumping station run by Severn Trent Water and there is a small number of existing buildings. This is accessed via a long driveway connected to Cresswell Lane to the east, opposite Cresswell Old Road, the former Izaak Walton pub and also very close to a level crossing. The site itself is to the north of the railway. There are dwellings immediately to the east of the site either side of the access road but other than those, the site is surrounded by open land and the landscape is fairly flat in this area. There is a small area of woodland to the north and west almost enclosing the site and several trees also to the south.

PROPOSAL

This is a full planning application to retain a filtration building for the water works which was built to allow the treatment/disinfection of water in the interests of ensuring acceptable water quality for the local STW catchment population. It was built without planning permission in 2020 and is unauthorised development. The later approval of a motor control kiosk building in 2021 had a condition attached requiring the removal of the unauthorised filtration building by 1st January 2024.

However, the motor control kiosk permission has not been implemented and the filtration building has not been removed and SWT state this building is now needed permanently. This is the purpose of this new full planning application.

A Planning, Design and Access Statement has been submitted which states the following:

STWL is currently implementing its Asset Management Plan for AMP7 (April 2020 to March 2025), which is the mechanism by which the regulator OFWAT defines in a

five-year capital expenditure programme for all water companies. Investment during the AMP7 period is in response to a number of key challenges including population growth and the importance of protecting the environment. Investment during this period seeks to build the resilience of water supply, reduce leakage and pollution incidents. There will also be investment in treatment works and plans to protect the environment.

The development comprises the installation of a filtration building, which is required permanently following advice from the Public Health & Standards team within Severn Trent who decided that the site cannot run without disinfection of the water, due to water quality issues at the site. Full retrospective planning permission is sought for the filtration building.

The filtration building is located within the boundary of the Borehole Pumping Station and is a functional requirement to support the continued operations at Cresswell BPS, to provide clean water.

Planning permission was granted on 04/07/2021 at the site for “The installation of 1 No. Motor Control Centre (MCC) Kiosk”, reference SMD/2021/0109. Condition 7 on this permission stated that “The building marked “Temporary Filtration Building” on drawing 103A shall be demolished and all demolition materials shall be removed from the site before 1st January 2024.”. However, this permission has not been implemented due to a change in scope at the site. Additionally, the filtration building, marked as temporary in the previous application, is now required permanently and is therefore subject to this retrospective planning application.

This application seeks full retrospective planning permission for the filtration building at Cresswell BPS, which is required permanently following advice from the Public Health & Standards team within Severn Trent who decided that the site cannot run without disinfection of the water, due to water quality issues at the site.

The building became operational on 30 August 2020.

The filtration building measures 21.57m in length by 6.01m in width by 5.04m in height. The building has a footprint of approximately 129.6m². The lower part of the building is constructed from concrete cladding and the upper part of the building, including the roof is constructed of Juniper Green (BS 4800 12-b-29) steel cladding.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SS10 – Other Rural Areas Area Strategy
DC1 – Design Considerations

NPPF (Revised December 2023)

Sections 12 (Design) and 13 (Green Belts)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2018/0025: Installation of plumbosolvency dosing kiosk. Approved.

SMD/2021/0109: Motor Control Kiosk building. Approved on 4.6.21 but not implemented. The permission is extant until 4.6.24.

CONSULTATIONS

Publicity

Site Notice expiry date: 26.3.24

Neighbour consultation period ends: 26.3.24

Press Advert: 6.2.24 expires 6.3.24 (Development affecting a PROW).

Public Comments

None.

Town / Parish Comments

No objection.

Environmental Health

There is no record of complaint against the operation of the filtration building to date. No objection subject to conditions requiring details of machinery (so that noise levels can be assessed) and external lighting to be submitted to the Council for approval.

SCC Public Rights of Way Team

The PROW does not appear to be affected.

The Ramblers

The proposed development does not seem to affect Footpath /Draycott in the Moors 11. The Public Right of Way must remain open at all times.

Peak and Northern Footpaths Society

Use of the PROW, and the safety of users must not be affected by the development, nor during the work taking place.

Network Rail

No observations to make.

OFFICER COMMENTS

The site is in the Green Belt and the strategy for the countryside, Policy SS10 of the Local Plan, requires strict control over inappropriate development in the Green Belt. The NPPF in paras 154 and 155 lists the exceptional forms of development which are not inappropriate in the Green Belt. New buildings for water utility providers are not listed and therefore the proposed building is deemed to be inappropriate development in the Green Belt and therefore by definition in the NPPF, the building is harmful to the openness of the Green Belt and should not be approved unless there are very special circumstances which are considered to outweigh the level of harm to the openness of the Green Belt.

The building appears to be essentially required in order to provide the local Severn Trent Water catchment population with safe drinking water. At the time it was built in 2020 it was only intended to be a temporary building. However, the requirements of the legislation have changed since and STW now require the building permanently. I consider that the purpose of the building in assisting with the provision of clean and safe water is a very important purpose and therefore I consider that very special circumstances have been demonstrated to allow its permanent retention.

Similar considerations were also given in approving the MCC kiosk in 2021 also considered essential at the time to the operation of the site in providing safe drinking water. Water providers such as STW are essential utilities. The MCC kiosk was also approved under very special circumstances and which were considered to outweigh the particular level of harm to the Green Belt. However, this building was not implemented and it appears from the Planning Statement that STW that it is no longer be required. Paras 154 and 155 of the NPPF do allow in the exceptions for replacement buildings which are “not materially larger”. In this respect, the MCC building was approved with dimensions of 16m x 4m and height of 4.3m. The filtration building subject to this current application has dimensions of 22m x 6m and a height of 5m. It is debatable without the benefit of any clear guidance as to what is “materially larger”, the current filtration building is deemed to be materially larger than the unimplemented MCC kiosk building. However, as previously stated, the filtration building is considered to pass the “very special circumstances” test which allows such buildings in the Green Belt in any case.

What needs to be decided now is whether or not the very special circumstances are considered to outweigh the particular level of harm to the Green Belt. It is clear the openness of the Green Belt has been affected but this harm is significantly reduced when considering the previous approved building if this had been implemented and the filtration building removed as required by the planning condition. There is a clear and important need for the building, a consideration which should be afforded substantial weight.

Regarding other impacts such as visual amenity, it does benefit from a very good level of screening by woodland to the north, some level of screening to the west by trees although this tree belt is more “gappy” although there are no nearby public footpaths and roads in this direction and so it would be difficult to view the building in the landscape from the west. There is also a tree belt to the south, although the building would be more visible from the south because the land rises further south to

the other side of the railway. Despite this, views from distant public footpaths to the south would be restricted to glimpses of the building through the trees in the Winter months. I do not consider there is a better location for the building within the site. It would be better screened immediately to the north of the current brick and pitched roof building of similar height. However, it would also be much closer to the adjacent residential property to the east which would raise the concern over visual intrusion and noise affecting the neighbours and their residential amenities. The building in its current position on the opposite side of the site further west away from dwellings is not affecting residential amenity.

Overall, the building remains well screened by vegetation. The particular design and appearance could be improved by extending the green metal cladding down to the ground to cover the exposed light grey concrete and this has been suggested to the applicant but they have declined due to the need to restrict public costs. Ultimately, I do not consider visual improvements to be essential given the very good level of screening of the building from the public realm.

The existing development does not lead to any other harmful environmental impacts. Conditions recommended by Environmental Health requiring the approval of machinery and lighting can be added in order to ensure that the residential amenities of the area remain unaffected.

CONCLUSION / PLANNING BALANCE

It is considered that although the unauthorised building harms the openness of the Green Belt and is deemed to be inappropriate development, it has been demonstrated that this is essentially needed for the purposes of assisting with the provision of clean and safe water for the utility provider catchment population. This is considered to be a "Very Special Circumstance" which outweighs the level of harm to the Green Belt. The building also is not significantly harming the landscape or the general visual and residential amenities of the area and is not leading to any other environmental harms. Therefore, the application to permanently retain the building would comply with the Council's Local Plan as well as the government planning guidance contained in the NPPF and therefore retrospective approval should be granted to permanently retain the unauthorised building.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 19.4.24

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council