

**20/00341/FUL  
NON-MAJOR**

**Severn Trent Water Ltd**

**LOWER PENN**

**Councillor Robert Reade  
Councillor Barry Bond  
Councillor Dan Kinsey**

**Pumping Station Dimmingsdale Road Lower Penn WOLVERHAMPTON WV4 4XF**

**Installation of a new kiosk at Dimmingsdale Borehole Pumping Station**

## **1. SITE DESCRIPTION AND PLANNING HISTORY**

### **1.1 Site Description**

1.1.1 The proposal is located within the wider site of an existing Severn Trent Water pumping station on Dimmingsdale Road, which lies within the Green Belt. The site is a fully operational borehole pumping station and consists of a white walled flat roofed dosing plant building surrounded by areas of amenity grassland and hard standing. The site is bounded by an area of grassed land to the east and by the River Stour to the west, which is designated as part of the Staffordshire & Worcestershire Canal Conservation Area.

### **1.2 Relevant Planning History**

2010: Construction of GRP kiosk to house fluoride dosing plant, approved [09/00912/FUL]

2013: Demolition of building and installation of fluoride dosing kiosk, approved [13/00260/FUL]

2015: Installation of 1 No. (GRP) kiosk at Dimmingsdale Borehole Pumping Station to accommodate UV equipment, approved [15/01123/FUL]

2018: Site extension to the operational area of the Dimmingsdale Borehole Pumping Station and erection of 2.4 m boundary fence, approved [18/00484/FUL].

## **2. APPLICATION DETAILS**

### **2.1 The Proposal**

2.1.1 The application proposes to install a new hypo chlorination dosing system and interceptor kiosk. This kiosk is required to facilitate the water treatment process and forms part of the wider scheme to refurbish existing and install new boreholes.

2.1.2 The proposed kiosk will be constructed from glass reinforced plastic [coloured Holly Green] and will measure 5.5m in length, 4m in width and 3.15m in height, creating a total floorspace of 22m<sup>2</sup> and capacity of 69.3 m<sup>3</sup>. The kiosk will be

positioned upon a reinforced concrete base slab which will be 100mm (above ground level).

2.1.3 The kiosk is proposed to be located adjacent to the internal access road towards the eastern boundary of the site.

## **2.2 Agents Submission**

2.2.1 The application is accompanied by;

- Design and access statement [including flood risk assessment]
- Ecological Constraints Technical Note.

## **3. POLICY CONTEXT**

Within the Green Belt

Core Strategy [2012]

Core Policy 1: The Spatial Strategy

Policy GB1: Development in the Green Belt

Core Policy 2: Protecting and Enhancing the Natural and Historic Environment

Policy EQ3: Conservation, Preservation and Protection of heritage assets

Core Policy3: Sustainable Development and Climate Change

Policy EQ7: Water Quality

National Planning Policy Framework [2019]

Supplementary Planning Documents

Green belt and Open Countryside SPD

## **4. CONSULTATION RESPONSES**

**Councillors:** No comments received [expired 26/05/2020]

**Parish Council:** *no objections* [26/05/2020]

**Environmental Health:** No comments received [expired 26/05/2020]

**County Ecology:** *The proposal will result in the removal of small areas of grassland and scrub. To achieve no net loss to biodiversity in line with NPPF, a modest amount of new planting such as a native hedge should be incorporated* [received 26/05/2020]

**Neighbours:** No comments received [expired 26/05/2020]

A **site notice** was posted on the 05/05/2020.

## **5. APPRAISAL**

5.1 The application is being referred to planning committee as the proposal is contrary to Policy GB1.

### **5.2 Key Issues**

- Principle of development
- Very Special Circumstances
- Impact on the Green Belt and visual amenity.
- Impact on the Heritage Asset
- Flood risk
- Protected Species
- Neighbouring amenity
- Highways/access

### **5.3 Principle of development**

5.3.1 The development is located within the Green Belt. The Council's Core Strategy and the NPPF indicates that new buildings within the Green Belt will only be acceptable where new buildings are for specific purposes set out in Policy GB1 of the Core Strategy and Paragraph 145 of the NPPF. The proposed development does not fall within any of these categories and as such it is inappropriate development in the Green Belt.

5.3.2 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

### **5.4 Very special circumstances**

5.4.1 Paragraph 144 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

5.4.2 The proposal is within an existing operational site and is small in scale [22m<sup>2</sup> floorspace]. The applicant's Planning, Design & Access Statement sets out that the new kiosk will form part of a key phase of development which will involve the refurbishment of the two existing boreholes, installation of new boreholes and enable the continuity in quality water supply for the locality.

5.4.3 It is considered that the proposal's public benefits, i.e. water supply and quality, outweigh the harm caused to the Green Belt by reason of inappropriateness, and any other harm. Consequentially, very special circumstances exist to allow the development to be permitted.

## **5.5 Impact on openness and visual amenity of the Green Belt**

5.5.1 Openness is an essential characteristic of the Green Belt. Openness has both a visual and spatial aspect. The latter can be taken to mean the absence of built form.

5.5.2 The proposed kiosk would have a relatively small footprint and would sit within a site containing numerous other built structures. Because of this, any impact on the Green Belt's openness and visual amenity will be very limited. Furthermore, the proposed development would not undermine any of the five purposes of Green Belt land set out in paragraph 134 of the NPPF.

## **5.6 Impact on the Heritage Asset**

5.6.1 Chapter 16 of the National Planning Policy Framework and Policy EQ3 of the adopted Core Strategy state that care and consideration must be taken to ensure no harm is caused to the character or appearance of a heritage asset. Heritage assets are buildings, sites, monuments, places, areas or landscapes identified as significant features in the historic environment. Conservation areas are designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and defined as "an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance." The NPPF stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

5.6.2 The proposed kiosk would be sited within the site of the existing pumping station, which is bounded to the west by the Staffordshire & Worcestershire Canal Conservation Area. The proposed development is small in scale and will be sited near the pumping station buildings, which are set back from the canal and separated from it by substantial tree planting, reducing its visual prominence from the Conservation Area. Therefore, the proposed development is not considered to cause any harm to this heritage asset.

## **5.7 Flood Risk**

5.7.1 The proposed development site is located within Flood Zone 2, as identified on the Environment Agency's Flood Map for Planning. The National Planning Policy Framework (NPPF) requires that proposals in Flood Zone 2 are supported by a flood risk assessment. This must demonstrate that within the site the development is located in the areas at lowest risk of flooding and that the development is appropriately flood resilient and resistant. Planning Practice Guidance (PPG) clarifies that a flood risk assessment should also be appropriate to the nature, scale and location of development.

5.7.2 A Flood Risk Assessment was undertaken for the site in 2015 for a previous project and considered that the overall risk of flooding of the site from all sources is considered as low and as such no flood resistance or resilience measures are necessary.

5.7.3 The document provides that the new development will not have any significant impact on run-off rates, given that there is only a very minor increase in the area of hard standing [22sqm]. Surface water run-off from the development will drain into the existing drainage system or infiltrate into the surrounding grass covered areas.

5.7.4 The proposal is classed as 'water compatible' development, as defined by the PPG. The Environment Agency standing advice (FRSA) for vulnerable developments provides that 'water compatible' development within flood zone 2 is appropriate development. It is therefore considered that the proposed development is acceptable in terms of flood risk.

## **5.8 Protected Species**

5.8.1 Local plan policy EQ1 provides that developments should not cause significant harm to habitats of nature conservation, including woodlands and hedgerows, together with species that are protected or under threat.

5.8.2 The National Planning Policy Framework (2019) s.170 states: "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"

5.8.3 An ecological constraints technical note has been submitted with the application and provides that the amenity grassland affected is of a low ecological value.

5.8.4 In line with the County's Ecologist comments a planting plan will be conditioned which ensures no net loss in biodiversity.

5.8.5 The proposal is compliant with Policy EQ1 and section 170 of the NPPF.

## **5.9 Impact on neighbouring amenity**

5.9.1 In accordance with Local Plan Policy EQ9, all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight.

5.9.2 The proposal will cause no adverse harm on neighbouring amenity as there are no neighbouring properties adjacent to the site boundary.

5.9.3 The application is compliant with Policy EQ9.

## **5.10 Highways/access**

5.10.1 There are no highways or access issues with respects to this application.

## **6. CONCLUSIONS**

6.1 The proposed development is inappropriate development in the Green Belt and therefore very special circumstances must be demonstrated for the development to be approved.

6.2 The application has demonstrated very special circumstances as the proposal is required to improve water quality

6.3 The proposal complies with all the relevant policies and therefore I recommend the application for approval.

## **7. RECOMMENDATION - APPROVE Subject to Conditions**

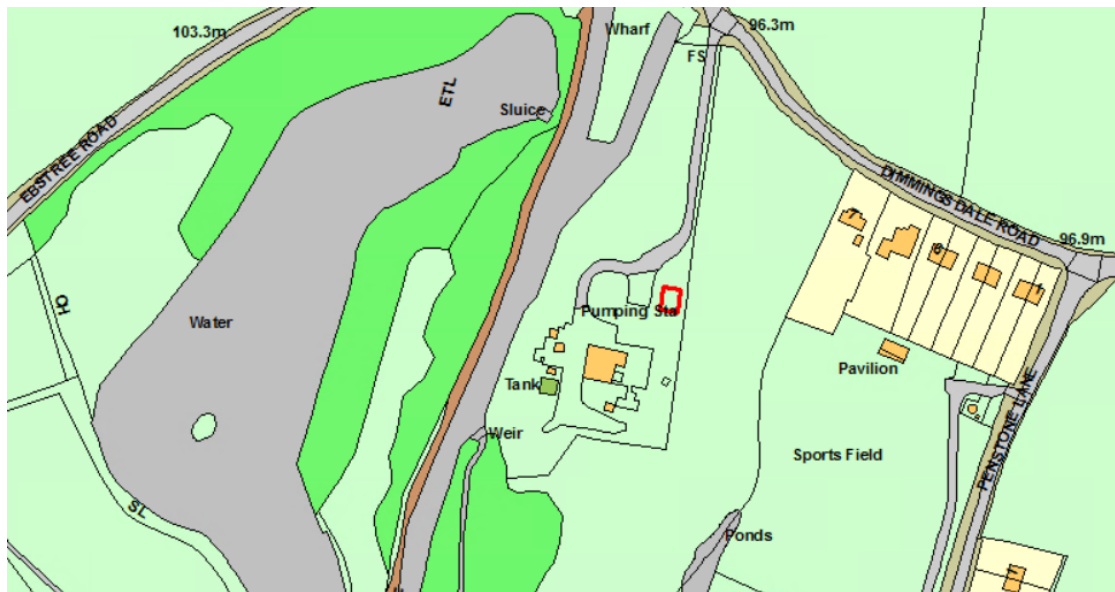
Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: A6W11373-PA00120 Rev A, A6W11373-PA00121 Rev A received 01/05/2020.
3. Within 6 months of the commencement of the development, a planting plan regarding the planting of native species hedge or similar to replace lost scrub and grassland habitats shall be submitted to the Local Planning Authority for approval. The approved plan shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. The planting shall be retained and maintained for a minimum period of 10 years by the land owner from the notified completion date of the scheme. Any plant failures that occur during the first 5 years of the notified completion date of the scheme shall be replaced with the same species within the next available planting season (after failure).

### **Reasons**

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. In order to comply with paragraph 170 of the National Planning Policy Framework [2019]

4. Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner in accordance with paragraph 38 of the National Planning Policy Framework 2019.



Pumping Station, Dimmingsdale Road, Lower Penn WV4 4XF