

**Planning and Regulatory Committee**  
**20 May 2014**

**5. PROPOSED ERECTION OF A KIOSK TO SUPPORT EXISTING  
SEWAGE PUMPING STATION AT FIELD HOUSE FARM BARNES,  
THICKNALL LANE, CLENT, STOURBRIDGE,  
WORCESTERSHIRE**

<b>Applicant</b>	Severn Trent Water Limited
<b>Local Councillor</b>	Ms R E Jenkins
<b>Purpose of Report</b>	<p>1. To consider a County Matter planning application for the erection of a kiosk to support the existing sewage pumping station at Field House Farm Barns, Thicknall Lane, Clent, Stourbridge, Worcestershire.</p>
<b>Background Information</b>	<p>2. Under the Private Drains and Sewers Transfer Regulations June 2011, all privately owned public sewers built prior to July 2011 and which serve more than one property and pump to the existing sewer become the responsibility of the sewerage company from 10 October 2016, in this instance Severn Trent Water. The existing wet well related to the existing public sewer will be retained and the below ground pumps would be refurbished which falls within Severn Trent Water's Permitted Development Rights available under Part 16 of the Town and Country Planning (General Permitted Development) Order 1995 – Development on behalf of Sewerage Undertakers. However, planning permission is required for the erection of a kiosk. The proposed development is required following a full assessment of the condition of the existing private sewage pumping station and the development of a strategy to enable the subsequent operation and maintenance of the asset by Severn Trent Water Limited.</p> <p>3. The new kiosk will allow access to the sewage pumping station controls at all times. These controls are currently situated within an unsuitable location within the bin storage area which poses potential operational risks to the pumping station when the sewage pumping station is transferred to Severn Trent Water Limited who will operate the facility.</p>
<b>The Proposal</b>	<p>4. Severn Trent Water Limited is seeking planning permission for the erection of a kiosk to support the existing Sewage Pumping Station at Field House Farm Barns, Thicknall</p>

Lane, Clent, Stourbridge, Worcestershire.

5. The proposed kiosk would be mounted on a hard standing plinth. The kiosk would measure approximately 0.72 metres long by 0.48 metres wide by 1.28 metres high. The hard standing plinth would measure approximately 0.8 metres long by 0.55 metres wide by 0.15 metres high.

6. The kiosk would be a Holly Green colour to British Standard BS5252 14-C-39 and would be constructed from Glass Reinforced Plastic (GRP). The applicant states that the proposed Holly Green colour is the standard colour selection for most utility companies.

7. The proposed development is located to the rear of the existing bin storage area, approximately 20 metres north of the nearest residential properties; The Dairy and The Buttery, Thicknall Lane. The proposal is sited approximately 30 metres east of Thicknall Lane. There is an open field to the north and woodland with pools directly adjacent to the east of the site.

8. The sewage pumping station is accessed via Thicknall Lane.

9. The Field House is a Grade II\* Listed Building and is located approximately 55 metres south of the site and the Orangery located about 27 metres north-west of Field House is a Grade II Listed Building located approximately 90 metres south of the site. The Stables, the Buttery and the Granary are located between the site and the Listed Buildings.

10. The proposed site is located within flood zone 3 (high probability of flooding).

11. The site is located within the Green Belt.

12. The main issues in the determination of this application are the impact of the proposal on:

- Greenbelt
- Location of Development
- Landscape Character and the Local Area
- Residential Amenity
- Water Environment/Flood Risk
- Traffic and Highways Safety and
- Ecology.

## The Site

## Summary of Issues

## Policy

### National Planning Policy

13. PPS 10 Planning for Sustainable Waste Management.

### National Planning Policy Framework (NPPF)

14. The National Planning Policy Framework (NPPF) was published and came into effect on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a

material planning consideration in determining planning applications. Annex 3 of the NPPF lists the documents revoked and replaced by the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking.

15 Sustainable Development is defined by five principles set out in the UK Sustainable Development Strategy.

- "living within the planet's environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance; and
- using sound science responsibly.

16. The Government believes that sustainable development can play three critical roles in England.

- an economic role, contributing to a strong, responsive, competitive economy;
- a social role, supporting vibrant and healthy communities; and
- an environmental role, protecting and enhancing our natural, built and historic environment.

17. The NPPF does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England. The NPPF states that Planning Policy Statement 10 (PPS 10) 'Planning for Sustainable Waste Management' will remain in place until the National Waste Management Plan is published. However, the NPPF states that local authorities taking decisions on waste applications should have regard to the policies in the NPPF so far as relevant. For that reason the following guidance contained in the NPPF, is considered to be of specific relevance to the determination of this planning application:

- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 9: Protecting Green Belt land
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment.

### **The Development Plan**

18. The Development Plan is the strategic framework that guides land use planning for the area. In this respect the current Development Plan consists of the Worcestershire Waste Core Strategy and the Saved Policies of the adopted Bromsgrove District Local Plan. Planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning

decisions.

19. Annex 1 of the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. However, the policies contained within the NPPF are material considerations. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the NPPF. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

#### **20. Worcestershire Waste Core Strategy Development Plan Document**

Policy WCS 1: Presumption in favour of sustainable development

Policy WCS 3: Re-use and Recycling

Policy WCS 8: Site infrastructure and access

Policy WCS 9: Environmental assets

Policy WCS 10: Flood risk and water resources

Policy WCS 11: Sustainable design and operation of facilities

Policy WCS 12: Local characteristics

Policy WCS 13: Green Belt

Policy WCS 14: Amenity.

#### **21. Bromsgrove District Local Plan**

Policy DS2: Green Belt Development Criteria

Policy DS13: Sustainable Development

Policy ES1: Protection of Natural Watercourse Systems

Policy ES3 Sewerage Systems.

## **Draft Planning Policy**

#### **Draft Bromsgrove District Plan (formerly Core Strategy)**

22. The Bromsgrove District Plan will set the spatial visions and objectives for the future growth and development of Bromsgrove District until 2030, and will contain a set of primary policies for delivering the overall strategy and identify strategic allocations for development through the production of a proposals map. This map will illustrate broad locations for strategic development and land-use designations.

23. On 12 March 2014, Bromsgrove District Council, as the Local Planning Authority, submitted the Bromsgrove District Plan (BDP) to the Secretary of State for independent examination. Once adopted this document will replace the 2004 Bromsgrove District Local Plan.

24. The Bromsgrove District Plan is in the process of examination and has not therefore been tested at examination or adopted by Bromsgrove District Council. Having regard to the advice in the NPPF, Annex 1, it is the view of the Head of Economic Development and Planning that little weight will be

## The Government Review of Waste Policy in England 2011

### Consultations

attached to the Draft Bromsgrove District Plan in the determination of this application.

25. The Government (Defra) published the Waste Management Plan for England in December 2013. This Plan superseded the previous waste management plan for England, which was set out in the Waste Strategy for England 2007.

26. There are comprehensive waste management policies in England which taken together deliver the objectives of the revised Waste Framework Directive, therefore, it is not the intention of this Plan to introduce new policies or to change the landscape of how waste is managed in England. Its core aim is to bring current waste management policies under the umbrella of one national plan.

27. This Plan is a high level waste management document, not Planning Policy, which is non-site specific. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of the revised Waste Framework Directive.

28. The key aim of this Plan is to work towards a zero waste economy as part of the transition to a sustainable economy. In particular, this means using the “waste hierarchy” (waste prevention, re-use, recycling, recovery and finally disposal as a last option) as a guide to sustainable waste management.

29. The Government Review of Waste Policy in England 2011 seeks to move towards a green, zero waste economy, where waste is driven up the waste hierarchy. The waste hierarchy gives top priority to waste prevention, followed by preparing for re-use, recycling, other types of recovery (including energy recovery) and last of all disposal.

30. **Bromsgrove District Council** has no objections to the proposal.

31. **Clent Parish Council** has no objections to the proposal.

32. **Worcestershire Regulatory Services** has no comments regarding noise, odour and light.

33. **The Environment Agency** acknowledges that the proposal is in Flood Zone 3 on the Environment Agency indicative Flood Map, however the application comprises minor ‘Water Compatible’ infrastructure and as such, they have no objection to the proposal and are satisfied they comply with the key principles of the NPPF.

34. **North Worcestershire Water Management** acknowledges that the site is located in the Severn and Stour catchment; an area at risk of flooding, however the proposed development has a limited surface area which would be located on an existing area of hard standing therefore the

proposal would not result in any additional run-off or flood risk. The North Worcestershire Water Management Team has no objections subject to the proposal being carried out in accordance with the submitted Method Statement/ Risk Assessment to ensure that the works will not adversely affect (pollute and silt) the nearby watercourse.

35. **The County Ecologist** has no objections, subject to the imposition of conditions to prevent ingress of wildlife and disturbance of adjacent habitats.

36. **The County Archaeologist** has no comments to make regarding the proposal.

37. **The County Landscape Officer** has no objections to the proposal.

38. **The District Conservation Officer** considers that the proposal is a sufficient distance from the listed buildings so as not to affect the setting.

39. **The Worcestershire Wildlife Trust** does not wish to make any comments on the proposal.

40. **The County Highways Officer** has no objections to the proposal.

## Other Representations

41. In accordance with the Development Management Procedure Order 2010, the application has been advertised on site, in the local newspaper and through neighbour notification letters. No letters of representation have been received.

## The Head of Economic Development and Planning's comments

42. As with any planning application, this application should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The relevant policies and key issues have been set out earlier.

43. Severn Trent Water is seeking planning permission for the erection of a kiosk to support the existing Sewage Pumping Station at Field House Farm Barns, Thicknall Lane, Clent, Stourbridge, Worcestershire.

### Green Belt

44. The proposed site is located within the Green Belt.

45. The introduction to Section 9 of the NPPF states that "the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belts are their openness and their permanence. The NPPF states that Green Belt serves five purposes.

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one

another;

- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land".

46. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

47. When considering any planning application, 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, is clearly outweighed by other considerations.

48. The Head of Economic Development and Planning considers that in accordance with the NPPF, the proposed kiosk would be classed as a structure and therefore very special circumstances would need to be demonstrated to justify its location in the Green Belt.

49. The applicant has submitted the following very special circumstances for the proposed development in the Green Belt; the kiosk is required to support the existing sewage pumping station which is sited within the Green Belt. As such, it is considered that the kiosk is ancillary to the existing sewage pumping station and is, therefore, dependent on this location.

50. Under the Town and Country Planning (Consultation) (England) Direction 2009, the County Council is only required to consult the Secretary of State for Communities and Local Government on new buildings in the Green Belt it intends to approve that would be inappropriate development and exceed 1,000 square metres, or any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. The Head of Economic Development and Planning considers that the proposed development would not have a significant impact on the openness of the Green Belt and furthermore, as the floor space of the proposed control cabinet would measure a maximum of 4 square metres, it would not need to be referred to the Secretary of State if members are minded to approve the application.

51. The Head of Economic Development and Planning considers that given the ancillary nature of this proposal to the existing sewage pumping station which is located within the Green Belt, the applicant has demonstrated very special circumstances to justify the kiosk's proposed location in the Green Belt in accordance with the NPPF and Policy WCS 13 of the Worcestershire Waste Core Strategy.

### **Location of Development**

52. The Waste Core Strategy contains a geographic hierarchy which directs waste management facilities to broad locations within Worcestershire. The Waste Core Strategy states that waste water treatment facilities will be permitted at all levels of the geographic hierarchy.

53. Notwithstanding the proposed development's location in the Level 5, the lowest level of the geographic hierarchy, the development is in accordance with Policy WCS 3 of the Worcestershire Waste Core Strategy.

54. In view of the above, the Head of Economic Development is satisfied that the location of the proposal is in accordance with Policy WCS 3 of the Worcestershire Waste Core Strategy.

### **Landscape Character and the Local Area**

55. The development site is bound by a bin storage area; a gravelled courtyard area and residential properties to the south; maintained grass to the north and west, beyond is Thicknall Lane, a Public Right of Way approximately 30 metres west to the west and a strip of scrub grass and shrubbery on the boundary with the woodland to the east.

56. Given the countryside setting of the site, careful consideration should be given to the design of the proposal so as to not detract from the landscape character.

57. The applicant has stated that the size of the kiosk has been designed to keep it to a minimum to ensure that the structure does not have a detrimental impact on the character and appearance of the local area. A small part of the well-maintained grassed area and some shrubbery will be lost as a result of the proposal.

58. Although the structure will be visible when approached along the access track from the north; it is considered that the proposed Holly Green colour of the structure would be in keeping with the character and appearance of the adjacent woodland, therefore, it is recommended that the colour of the Kiosk is imposed via a planning condition so that the structure would not detract from the landscape character of the local surroundings.

59. The County Landscape Officer has no concerns with regards to the proposal.

60. The Field House, which is a Grade II\* Listed Building, and the Orangery which is a Grade II Listed Building are located south of the site. The Stables, the Granary and the Buttery are located between the site and the Listed Buildings and it is considered that given the intervening residential properties the Listed Buildings would not be adversely affected by the proposed development.

61. In view of the above, the Head of Economic Development



and Planning considers that given the sympathetic size, siting and design of the proposal, there will be no unacceptable adverse impact on the landscape character and appearance of the local area including the nearby listed buildings, in accordance with Policy WCS 12 of the Worcestershire Waste Core Strategy subject to planning conditions.

### **Residential Amenity**

62. Public notices were erected around the site to advertise the proposal; advertised in the local newspaper and neighbour notification letters were delivered to the nearest residential dwellings. The nearest dwellings are sited approximately 20 metres south of the proposal.

63. There have been no representations received regarding the proposal.

64. The positioning of the kiosk to the rear of the bin store means that the structure is mostly screened from the residential properties.

65. The Head of Economic Development and Planning considers that there will be no adverse impact on the amenity of neighbouring residential properties or the surrounding area in accordance with Policy WCS 14 of the Worcestershire Waste Core Strategy.

### **Water Environment/Flood Risk**

66. The application site is located within the Severn and Stour catchment within Flood Zone 3 (high probability of flood risk). The Environment Agency has acknowledged that the proposal comprises of 'water compatible' infrastructure and as such they have no objections to the proposals and are satisfied that the scheme complies with the key principles of the NPPF in terms of the site location.

67. The North Worcestershire Water Management Team has no objections to the proposal subject to the development being carried out in accordance with the submitted Method Statement. The Head of Economic Development and Planning recommends that this be the subject of a planning condition.

68. In view of the above, the Head of Economic Development and Planning is satisfied that the proposal would not have any adverse effects on the water environment or increase the risk of flooding in the area and considers that the planning application accords with Policy WCS 10 of the Worcestershire Waste Core Strategy and Policy ES1 of the Bromsgrove Local Plan, subject to the imposition of a condition to protect the watercourse.

### **Traffic and Highway Safety**

69. The applicant states that the access to the proposal will remain unchanged and vehicular access to the application site will be achieved directly from the parking area servicing the residential properties and utilised by the waste collection

vehicles directly from the access track. The applicant considers that there is adequate space within this parking area for vehicles to turn and exit the site in a forward facing direction.

70. The applicant states that the anticipated vehicle movements to serve the sewage pumping station once the responsibility of Severn Trent Water Limited are up to four maintenance visits per annum to inspect the site and one visit per annum for the cleaning of the wet well, which is similar to the current maintenance.

71. The four maintenance visits will be carried out by a small van and the cleaning of the wet well will be carried out by a tanker up to 18 tonnes.

72. The County Highways Officer has no objections to the proposal.

73. In view of the comments from the County Highways Officer, the Head of Economic Development and Planning considers that the proposal would not have an adverse impact on Highways safety.

#### **Ecology**

74. The applicant states that the proposed development will be erected on existing hard standing and small area of maintained grass. The site is bounded by maintained grass to the north and west; a strip of scrub grass and shrubbery on the boundary with the woodland to the east and a gravelled courtyard area to the south.

75. The County Ecologist has no objections to the proposed development subject to the imposition of conditions to prevent ingress of wildlife and disturbance of adjacent habitats which includes ensuring that construction and maintenance traffic are contained on the existing hard standing and well maintained amenity lawns.

76. Subject to the imposition of the conditions as recommended by the County Ecologist, the Head of Economic Development and Planning is satisfied that the proposed development accords with Policy WCS 9 of the Worcestershire Waste Core Strategy and as such would have no detrimental impact on any protected species or biodiversity.

77. The Head of Economic Development and Planning is satisfied that the applicant has demonstrated very special circumstances to justify the ancillary development of a kiosk in the Green Belt in accordance with the NPPF and Policy WCS 13 of the Worcestershire Waste Core Strategy.

78. The Head of Economic Development and Planning considers the location of the proposal is in accordance with Policy WCS 3 of the Worcestershire Waste Core Strategy.

79. Given the size, siting and design of the proposed kiosk, the

## **Conclusion**

Head of Economic Development and Planning considers that the sympathetic nature of the scheme will have no adverse impact on the character or appearance of the local area including the nearby Listed Building's in accordance with Policy WCS 12 of the Worcestershire Waste Core Strategy.

80. The Head of Economic Development and Planning considers that there will be no adverse impact on the amenity of neighbouring residential properties or the surrounding area in accordance with Policy WCS 14 of the Worcestershire Waste Core Strategy.

81. On the basis that the proposal is 'water compatible' infrastructure development and subject to the imposition of a condition to protect the watercourse, the Head of Economic Development and Planning is satisfied that the proposal accords with Policy WCS 10 of the Worcestershire Waste Core Strategy and would not have any adverse effects on the water environment or increase the risk of flooding in the area.

82. The Head of Economic Development and Planning is satisfied that the planning application would not have any detrimental impact on highway safety in accordance with Policy WCS 8 of the Worcestershire Waste Core Strategy.

83. Subject to the imposition of conditions to prevent ingress of wildlife and disturbance of the adjacent habitats, the Head of Economic Development and Planning is satisfied that the proposed development would have no detrimental impact on any protected species or biodiversity in accordance with Policy WCS 9 of the Worcestershire Waste Core Strategy.

84. On balance, taking into account the comments received from statutory consultees; members of the public and the provisions of the development plan in particular Policy WCS 1; Policy WCS 3; Policy WCS 8; Policy WCS 9; Policy WCS 10; Policy WCS 11; Policy WCS 12; Policy WCS 13; Policy WCS 14 of the Worcestershire Waste Core Strategy Development Plan Document and Policy DS2; Policy DS13; Policy ES1 and Policy ES3 of the Bromsgrove District Local Plan, it is considered that the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

## **Recommendation**

**85. The Head of Economic Development and Planning recommends that planning permission be granted for the erection of a kiosk to support the existing sewage pumping station at Field House Farm Barns, Thicknall Lane, Clent, Stourbridge, Worcestershire subject to the following conditions:**

- a) The development must be begun not later than the expiration of three years beginning with the date of this permission;**

- b) The development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Numbers: A5S11399-PA00106, Rev A, except where otherwise stipulated by conditions attached to this permission;
- c) The colour of the Kiosk shall be constructed in Holly Green to British Standard BS5252 14-C39;
- d) The development hereby approved shall be carried out in accordance with the Risk Assessment/Method Statement prepared by J N Bentley Management Systems, dated 17/04/2014 and referenced MS/RA Ref No.014;
- e) All trenches/excavations/pipes shall be closed-off overnight, or if unavoidable, they must be fitted with wood or earth escape ramps to allow any trapped wildlife to escape;
- f) In the unlikely event that any protected species are found on the site during the works then all works must cease immediately and the advice of a suitably qualified ecologist must be sought and followed prior to works re-commencing on the site; and
- g) All construction and maintenance traffic shall be restricted to the existing hard standing and well maintained amenity lawns.

## Contact Points

### County Council Contact Points

Worcester (01905) 763763, Kidderminster (01562) 822511 or Minicom: Worcester (01905) 766399

### Specific Contact Points

Emma Johnston, Planning Assistant:  
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Mark Bishop, Development Control Manager:  
01905 766709, [mbishop@worcestershire.gov.uk](mailto:mbishop@worcestershire.gov.uk)

## List of Background Papers

In the opinion of the proper officer (in this case the Head of Economic Development and Planning) the following are the background papers relating to the subject matter of this report:

The application, plans and consultation replies in file reference 14/000004/CM.