

Committee Report

Application No:	DC/19/00798/FUL
Case Officer	Lois Lovely
Date Application Valid	3 September 2019
Applicant	Northumbrian Water Ltd
Site:	Land North Of Mount Lane Springwell NE9 7UQ
Ward:	Lamesley
Proposal:	Laying of underground water mains connections to the Carr Hill water main (in connection with construction of a new service reservoir with underground water mains connections to the Derwent Main, an underground overflow connection to the combined sewer network, a new access road from Mount Lane, a single storey kiosk building with associated parking, landscaping works and fencing that are to be dealt with by Sunderland Council). (Amended 25/03/2020)
Recommendation:	GRANT
Application Type	Full Application

1.0 The Application:**1.1 DESCRIPTION OF APPLICATION SITE**

The application site comprises 6.4 ha of greenfield land and is located to the immediate south west of Springwell village. Eighton Banks Village lies to the north west and Springwell Quarry lies to the north east. It is within the Green Belt north of Washington, between Washington and the boundary of Sunderland City, and the boroughs of Gateshead and South Tyneside.

1.2 The only part of the application site that is located within the Gateshead Council area lies to the west of the Council boundary in Eighton Banks, with the majority of the site under the jurisdiction of Sunderland City Council. The part of the development within Gateshead, is located within a designated Wildlife Corridor and is also within the Green Belt.

1.3 Within Sunderland City Council (SCC) area

The part of the site on which the service reservoir is to be located is to the north of Mount Lane and is currently used for horse grazing. It is bound to the north by agricultural land, identified for housing in SCC's draft Core Strategy and Development Plan; to the south by Mount Lane; to the east by Broom Court; and to the west by Fernhill Farm, an equestrian centre.

1.4 To the south of Mount Lane, a triangular area of land has been included within the development site to allow for an underground connection to the Derwent

trunk main. This land is currently in use as agricultural land, with a hedgerow crossing the southern area of the site in a west to east direction. To the immediate west of this part of the site there are stables and agricultural land lies to the east, south and south west.

- 1.5 The site falls from approximately 150 metres AOD at its western extent to the north east and south east, at a gradient of 0.05 (5 in 100). The lowest point of the site is in the south eastern corner, at approximately 127m AOD.
- 1.6 Access into the area identified for the reservoir can currently be gained via two gates along Mount Lane. There are no highways or other public rights of way within this area.
- 1.7 The closest residential properties are Mount Lodge, immediately to the south of Mount Lane and Mount Cottage and the properties of Broom Court immediately to the east.
- 1.8 Bowes Rail, a Scheduled Monument, extends on a north east / south west alignment through the wider landscape.
- 1.9 Within Gateshead Council Area
The site is accessed from the strategic road network, the A194(M) to the south, via Springwell Road and Mount Lane.
- 1.10 There are several Public Rights of Way (PROW) in the wider agricultural fields and Sustrans Regional Route No.11 (Bowes Railway Path).
- 1.11 EIA DEVELOPMENT
The proposed development represents the development of a 61.4ML bi-compartment service reservoir with associated connections to the Carr Hill and Derwent water mains, operations kiosk building, access, landscaping and fencing on a site exceeding 1.0 hectares so falls within part 10 (i) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. (EIA Regs). Part 10(i) relates to 'Dams and other installations designed to hold water or store it on a long-term basis' where the site area exceeds 1 hectare. Part 1 of the EIA Regs confirms that development falling within Schedule 2 may comprise EIA development if it is likely to have significant effects on the environment by virtue of its nature, size or location.
- 1.12 The Council has agreed with the developer that the proposed development has the potential for significant effects due to the scale and nature of the development and its location to sensitive environmental receptors. As such the proposed development is considered to be EIA development and has been submitted with an Environmental Statement (ES). The submitted ES considers the likely significant effects arising during the construction and operation of the development and the potential cumulative effects which may arise when considered with other relevant nearby developments.
- 1.13 ACCOMPANYING INFORMATION

The application has been submitted with the following supporting information.

The Environment Statement comprising of :

Volume 1 Non Technical Summary

Volume 2 Main Technical Assessments

Chapter A - Introduction and Background

Chapter B - Scope and Methodology

Chapter C - Site and Scheme Description

Chapter D - Biodiversity

Chapter E - Heritage (above and below ground)

Chapter F - Air Quality

Chapter G - Noise and Vibration

Chapter H - Landscape and Visual Impact Air Quality

Chapter I - Traffic and Transportation

Chapter J - Water and Flood Risk

Chapter K - Ground Conditions

Chapter L - Residual and Cumulative Effects and Conclusions

Chapter L - Mitigation and Monitoring

Volume 3 - Technical Appendices

and the following supporting information:

Planning Statement

Statement of Community Involvement

Flood Risk and Drainage Assessment

Phase 1 Geo-Environmental Desk Study Report

Phase 1 Habitat Survey

Scheme Drawings

1.14 BACKGROUND TO THE PROPOSALS

Water use varies throughout the day, with large peaks of use in the morning and early evening and low demand during the night. Drinking water is stored in service reservoirs within the network, such as that the subject of this application, to smooth the daily variation in water use by allowing the water level in the reservoir to rise and fall. The storage also allows water to continue to be available in the event of a short term problem such as a major pipework failure.

- 1.15 In the Wearside and South Tyne area there is currently a shortage of service reservoirs and some of the existing reservoirs within the network are due to be decommissioned shortly, that will worsen the shortage.

- 1.16 In 1993 NWL recognised the need for a new service reservoir in the Springwell area and began to look at options. Reservoirs have specific location requirements. The reservoir needs to be at a certain height to allow water to reach it by gravity, but high enough so that a large area can be

supported by gravity flow from the reservoir. The site was chosen for its proximity to the existing Derwent North and Carr Hill pipelines.

- 1.17 Mosswood Treatment Works, which is located to the west of Consett, treats water from Derwent Reservoir and approximately half of its output feeds by gravity into the Derwent Pipeline. The area fed by this pipeline begins at Springwell and includes Washington, South Shields, Jarrow, Hebburn and the part of Sunderland to the north of the River Wear.
- 1.18 At present, there is very limited storage within this system and therefore even a relatively short interruption of supply from Mosswood could endanger supplies to over 52,000 residents of the above areas. There are links to other water sources that could minimise the effects, but this would depend upon the general supply situation at the time and the length of the interruption. There is therefore a need for additional storage and for this to provide maximum benefit to most people it should be located upstream of the first significant pipeline off-take, namely at, or to the west of, Springwell.
- 1.19 The proposed development will ensure the future delivery of a secure water supply to customers in Springwell Village and the surrounding area. It will also enable NWL to support the wider Wearside and South Tyneside areas with a more reliable and resilient water supply. The reservoir would strengthen and future-proof the NWL's existing network in the area, which directly serves around 125,000 customers. In addition, the new reservoir will enable NWL to provide improved resilience to the water networks in the wider Wearside and South Tyneside areas, benefiting a further 480,000 customers.
- 1.20 DESCRIPTION OF THE PROPOSALS
In summary, the proposal is for:
- the construction of a Service Reservoir;
 - associated underground connections to the Carr Hill water main and Derwent Main;
 - an underground overflow connection to the combined sewer network;
 - a new access road from Mount Lane;
 - a single storey kiosk building; and
 - associated parking, landscaping works, sustainable drainage and fencing.
- 1.21 The only part of the proposed works that lie within Gateshead Council's area is the underground pipework connections close to the Waggon Inn and transportation of excavated materials from the site to Springwell Quarry.
- 1.22 Details of the proposals within Gateshead area
An existing pipeline runs along Galloping Green Road and turns down Sandy Lane. The proposal is to make a new connection in the area immediately to the front of the Waggon Inn that will run in a south easterly direction for 100m when it turns east to follow the line of the bridleway, crosses over agricultural land to the north of Fernhill Farm and over the boundary into the SCC area. The existing pipeline down Sandy Lane will be left in situ but will be redundant.

- 1.23 Details of the proposals with SCC area
The service reservoir is proposed to be constructed from two rectangular reinforced concrete covered compartments each up to 8 metres deep (81m x 61.25m), with a total volume of 64.1ML that are proposed to be partially buried into the existing landscape, with grass covered earth embankments on all sides and an earth covered roof topped with grass.
- 1.24 The total volume of the reservoir is 64.1ML and the excavations required for the reservoir amount to approximately 94,000m³ (10,200m³ of top soil and 82,200m³ of rock) to accommodate the tanks. The proposals include the removal of the spoil from the site, processed at Springwell Quarry, before being partially returned (20,300m³ of stone and 10,200m³ of topsoil) to be used as infill material to create the embankments and reservoir covering.
- 1.25 The limited site area relative to the proposed development footprint means that it is necessary to transport all excavated material off site to Springwell Quarry that has consent to accept a maximum of 2,000 tonnes of excavated material per day for processing under its existing minerals permission.
- 1.26 Approximately 1,879 m of pipelines connections are proposed to extend in a north westerly direction towards the Carr Hill trunk main and south to the Derwent trunk main, with pipeline lengths of approximately 1,880m and 300m respectively.
- 1.27 A new access is proposed to the east of the reservoir from Mount Lane that is proposed to run in a northerly direction before turning west and into the site, to the rear of the reservoir structure and would be 5m wide and 165m in length. The access spur into the reservoir will be 5m wide and approximately 153m in length. A single storey operations kiosk is proposed at the end of a proposed grasscrete access track within the reservoir compound. The proposed access road and track are proposed to accommodate HGV access and smaller maintenance vehicles such as vans and cars. A hammerhead within the compound is proposed to allow vehicles to turn within the site and leave in a forward gear. Parking for maintenance operatives is proposed within the compound. A 2.4m high anti climb mesh fence and lockable gate at the entrance is proposed to enclose the compound.
- 1.28 It is proposed to regrade the site around the physical concrete structure of the reservoir with a flowing terraced land form proposed on the southern embankment. The earthworks and the surface of the reservoir are proposed to be topsoiled and seeded with grass. A range of landscaping is proposed within the reservoir site including the reinstatement of hedgerows and gapping up of existing hedgerows, the planting of new native and hedgerow trees, marginal vegetation and grass cover, as well as SuDS features along the southern boundary.
- 1.29 Land excavated for the installation of outflow and mains connections to the east, south and north of the reservoir are proposed to be remediated following construction.

- 1.30 The dimensions of the proposed kiosk building will be 4.8m high x 6m long and 4m wide constructed in stone, with a tiled roof and black guttering and downcomers. It is proposed to have a single security door with a ramped access on its western elevation and a powder coated steel louvre on the eastern elevation.
- 1.31 Whilst the reservoir has been designed to have a minimum lifespan of around 60 years there is no plan to decommission it after this time. The proposed two halves construction allows the reservoir to remain in partial operation should maintenance be required on the other half.
- 1.32 **CROSS BOUNDARY PLANNING APPLICATIONS**
Where a planning application crosses two boundaries, the applicant is required to submit identical applications to each local planning authority (LPA). The planning fee is payable solely to the authority that contains the larger or largest part of the whole application site, SCC received the fee for this application. There should be cooperation and a coordinated approach between the LPAs. However, each LPA is able to determine whether or not to grant planning permission to the part of the development that falls within their jurisdiction, meaning that before development can commence, planning permission must be granted by both LPAs.
- 1.33 **PLANNING HISTORY**
There is no relevant planning history.

2.0 Consultation Responses:

Highways England	Highways England has no objection to the planning application subject to the imposition of relevant conditions that would require, amongst other things, a Construction Traffic Management Plan.
Historic England	No objection subject to a condition to be imposed by SCC requiring the final methodology for the tunnelling beneath the Bowes Railway
Tyne And Wear Archaeology Officer	The applicant has provided a number of reports on archaeological geophysical survey and trial trenching related to the pipeline and the associated reservoir. No further archaeological investigation is recommended for this section of the pipeline.
Environment Agency	No objections
Sunderland City Council	No observations

3.0 Representations:

- 3.1 Publicity and neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015 and the new Regulation 23A added to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 that requires applicants to make Environmental Statements available via a website and amendments to Regulation 25 that permit the publication of the relevant information on a website maintained by the LPA.
- 3.2 This planning application has therefore been advertised on site and in the press as a being submitted with a Supplementary Environmental Statement.
- 3.3 Five notices were posted around the perimeter of the site and a notice was published in The Journal on 11 September 2019. No representations have been received. Following receipt of amendments a further Press Notice was published on 29 April 2020 with an overall expiry of 20 May 2020.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CFR20 Local Open Space

CFR23 Protecting and Imp Existing Open Space

DC1D Protected Species

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

ENV21 Sites of Archaeological Imp - Known

ENV22 Sites of Archaeological Imp - Potential

ENV44 Wood/Tree/Hedge Protection/Enhancement

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

ENV49 Sites of Nature Conservation Importance

ENV51 Wildlife Corridors

CS1 Spatial Strategy for Sustainable Growth

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

CS19 Green Belt

CS20 Minerals

5.0 Assessment of the Proposal:

5.1 PRINCIPLE

Chapter 15 of the National Planning Policy Framework (NPPF) sets out a number of core planning principles that includes recognising the intrinsic character and beauty of the countryside. Paragraph 70 requires the planning system to contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes. Paragraph 141 encourages the enhancement of landscapes and visual amenity within Green Belts.

5.2 For proposals affecting the Green Belt, paragraph 146 of the NPPF recognises that 'certain other forms of development are also not inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within it'. The NPPF includes engineering operations as an acceptable form of development.

5.3 The physical need for the development is outlined elsewhere in this report where it explains that there is a pressing requirement for a new service reservoir in the Wearside and South Tyne area as there is currently a shortage of service reservoirs and a growing population. Furthermore other (existing) reservoirs in the network are due to be decommissioned.

5.4 Need for Green Belt Site

Reservoirs have specific locational requirements. The reservoir needs to be located at a certain height, low enough to enable water to reach it by gravity flow but high enough so that a large area can be supported by gravity flow from the reservoir. It needs to be located to the west of Springwell as the land falls away to the east; and close to the existing Derwent North and Carr Hill pipelines. Further, by being close to the areas of supply the reservoir is downstream of high risk crossings of the A1 and the East Coast Mainline Railway.

- 5.5 Reservoirs also need appropriate ground conditions, as evidenced by a number of service reservoirs in the South Tyneside and Wearside area having suffered from defects over the years as a result of poor ground conditions. This has made it more difficult to deliver a resilient water supply service in this region.
- 5.6 Taking into account these locational requirements it was concluded by the applicant that the area of search for the reservoir lay within the Green Belt.
- 5.7 **Green Belt Policy**
The application site is located in the Green Belt, which is protected by NPPF Paragraph 70 and local planning policy CSUCP Policy CS19. The Government attaches great importance to Green Belts. Paragraph 133 of the NPPF makes clear that '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.' Paragraph 145 explains that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 5.8 Notwithstanding this NPPF Paragraph 146 acknowledges that some forms of development, including engineering operations, may not be inappropriate in the Green Belt, provided that it 'preserves its openness and does not conflict with the purposes of including land within it'.
- 5.9 The site is in a particularly sensitive location within the Green Belt and the impact of the proposal on the openness of the Green Belt must be considered. This area of Green Belt is particularly fragile as part of the strategic gap between the Tyneside conurbation and the Washington, Chester le Street, Birtley urban agglomeration and is therefore in one of the most important locations within the whole Tyne and Wear Green Belt for performing one, in particular, of the purposes of the Green Belt set out in the National Planning Policy Framework paragraph 80, namely to prevent neighbouring towns merging into one another.
- 5.10 CSUCP Policy CS18 identifies the Green Belt gap between major urban areas in this location as part of the Strategic Green Infrastructure Network, described as 'a high-quality and comprehensive framework of interconnected green infrastructure that offers ease of movement and an appealing natural environment for people and wildlife', which is to be maintained, protected and enhanced in respect of its integrity, connectivity, multifunctionality and accessibility.
- 5.11 The development of a service reservoir and associated pipe works is an engineering operation that does not conflict with Green Belt policies. The development involves the removal of rock and topsoil to allow the reservoir chambers to be partially set into the ground. The final structure is proposed to be re-graded, covered with topsoil and seeded with grass which will integrate

the structure into the landscape and will retain the level of openness currently experienced in this part of the Green Belt.

5.12 A kiosk structure is required for operational purposes. This is proposed to be sited in the north west of the reservoir site, close to Fernhill Farm, to integrate with existing development where possible.

5.13 The main development site where the reservoir chambers will be created is to the north of Mount Lane and is sited between Fernhill Farm and the existing and established settlement of Springwell. Land to the immediate north of the service reservoir site is proposed to be removed from the Green Belt for residential use by Sunderland City Council. Irrespective of the reservoir works, the development of this area for housing will change the nature of this part of the Green Belt.

5.14 ALTERNATIVE SITES

The EIA Regulations require that consideration is given to any alternatives to the scheme that may have been studied by the applicant along with consideration of what may happen at the site should development not go ahead.

5.15 If the development were not to go ahead the site would remain in its current use however water capacity enhancements required within the network would not be delivered which would compromise water supply resilience in the immediate and wider area. Alternative sites have been considered however their geography and environmental constraints were not suitable. Expanding and / or rebuilding existing reservoirs has also been discounted due to site constraints and ground condition issues.

5.16 Alternative Site Assessment

In order to identify the most appropriate site for this service reservoir NWL looked at alternative sites, based on the following criteria:

- o The site must be at least 8 acres;
- o Must provide for 52,000 properties currently without storage;
- o Must be at a strategic point for connectivity so that Ryhope, Downhill and Stoneygate supply areas can be fed from this site in the future, if required;
- o The storage should be located on or in close proximity to the existing Derwent North Pipeline;
- o It should be upstream (west) of the first major take off at Washington West for connectivity;
- o It should be as close to Washington West as possible to maximise resilience;
- o The elevation needs to be low enough to allow flows from Mosswood to be maximised; and,
- o The elevation needs to be high enough to supply properties downstream.

5.17 Option 1: Expand/re-build reservoirs on existing sites

There are limited options in terms of expanding or rebuilding reservoirs on existing sites in the area as the ground conditions are generally unsuitable for construction. Land ownership and land availability also prohibits this option.

- 5.18 Most of the Service Reservoirs in the Wearside area are situated on hazardous ground and there have been collapses in the past because of sink holes. In the late 1970's Mill Hill 1 and 2 collapsed and in 2006 Stoneygate 1 collapsed. Mill Hill 3 and 4 were constructed in the 1980s but Stoneygate 1 has never been replaced. There is a risk that further reservoirs could collapse in a similar way as there have been sink holes on the Downhill site, which have not affected any of the reservoirs but would not allow for expansion.
- 5.19 Ryhope reservoir has been lined for water quality reasons and an inspection report carried out in April 2012 suggested that the reservoir is in poor condition and has major ingress issues.
- 5.20 Whilst there is some potential for a re-build on site, additional land would need to be purchased and it is unlikely that the full required storage capacity could be constructed in the land available.
- 5.21 The existing service reservoirs are therefore not recommended for further development due to geological hazards and the underlying strata is particularly vulnerable to weathering and erosion.
- 5.22 Option 2: Duplicate main from Mosswood and upsize onsite storage. The cost of duplicating 30km of main from Mosswood to Wearside make this option unviable.
- 5.23 Option 3: Alternative Sites West of Springwell
Three potential service reservoir locations were identified to the west of Springwell that NWL considered in its site search.
Site 1 is the application/EIA site;
Site 2 is land to the South of Springfield Avenue, Wrekenton; and
Site 3 is land East of Eighton Road.
- 5.24 Site 2 has been ruled out due to the following:
- Hydraulic conditions within the site would not allow all of the available storage to be utilised.
 - The site has two 450mm diameter high pressure gas mains running through it. Whilst these could be moved this would not be financially viable to the project.
 - Due to the elevation of the site relative to the existing network the reservoir would need to be 10 metres deeper, which would compromise the viability of the project and extend the construction period and its associated impacts.
 - The site is also similar to the chosen site (Site 1), in that it is located within the Green Belt.

- 5.25 Site 3 has been ruled out due to the following:
- Multiple Public Rights of Way cross the site.
 - The site has multiple landowners, which would make purchasing the site complex and difficult.
 - There is significant previous mining activity within the site.
 - There is no location for the discharge of drainage or overflow from the service reservoir.
 - The elevation of the site is lower than the proposed application site and would require additional works in the wider distribution network to gain resilience benefits available from preferred Site 1.
- 5.26 The applicant undertook a thorough assessment of alternative sites and alternative options to delivering the necessary water supply infrastructure improvements that are required at Springwell. On the basis of the above issues Site 2 and Site 3 were discounted and the applicant decided to progress Site 1. Whilst it lies within the Green Belt the application site does not include any Public Rights of Way, it has good connections to the existing trunk main and drainage system and its elevation does not require additional works in the wider distribution network. In comparison to the environmental impacts and site constraints of Alternative Sites 2 and 3, Site 1 delivers the most benefits and minimises environmental impacts.
- 5.27 Given the above the principle of the development is considered to be acceptable as it meets the requirements of the NPPF and CSUCP policies CS18 and CS19 that support sustainable development that achieves a satisfactory balance between accommodating change and protecting the openness of the Green Belt and valued and important aspects of the natural and built environment.
- 5.28 **LANDSCAPE AND VISUAL IMPACT**
The NPPF requires that development is appropriate and is sympathetic to the surrounding built environment and landscape setting (Paragraph 127). Paragraph 141 refers to the protection of Green Belt land and Paragraph 170 relates to the conservation and enhancement of the natural environment, stating that planning decisions should protect and enhance the natural and local environment in a manner commensurate with their statutory states or identified quality.
- 5.29 CSUCP policies CS15 (Placemaking), CS18 (Green Infrastructure and the Natural Environment) and CS19 (Green Belt) and saved UDP policies DC1 (Environment), DC2 (Residential Amenity), ENV3 (Character and Design) and ENV44 (Woodland, Trees and Hedgerows) all reflect national policy.
- 5.30 Landscape and visual impacts can have a number of aspects relating to design, landscaping, the quality of existing landscapes, visual matters, biodiversity and the Green Belt. The reservoir itself lies within SCC area however will be visible from Gateshead and the visual impact on the

landscape and green belt is a material consideration for Gateshead Council. The proposed reinstatement of grassland removed temporarily for the construction of the pipelines within Gateshead's area is also a material consideration for Gateshead Council.

- 5.31 A series of landscaping measures are proposed in the construction and design of the proposed service reservoir to mitigate landscape and visual impacts. These include:
- i Retaining hedgerows as far as possible. Where loss is unavoidable hedgerow sections will be replaced on at least a like for like basis and existing hedgerows will be gapped up with appropriate native species.
 - ii Areas of grassland that will be temporarily removed to accommodate the pipeline corridors will be reinstated and the reservoir will be seeded.
 - iii Using grasscrete for areas of access track beyond the main access track that runs north from Mount Lane thereby reducing the contrast in colour and textures in the surrounding landscape.
 - iv Introducing trees along the eastern edge of the service reservoir to filter views from housing at Broom Court.
 - v Introducing a woodland copse in the north eastern corner of the site to screen views from housing at Beech Grove.
- 5.32 Despite these measures there will remain adverse impacts on the following receptors during the temporary construction period:
- Landscape Character Area 1a (Springwell Rise) due to construction activity. In the longer term and in the operational phase the landscape effects will not be significant.
 - A limited number of properties in the south west of Springwell will be able to view construction activities.
 - A limited number of properties in Eighton Banks will be able to view construction activities.
 - Users of the Public Right of Way to the south of Mount Lane will experience intermittent views of construction activities.
 - Drivers and passengers travelling along Mount Lane will experience open views of construction activities in the foreground of northerly views from a short section (420m) of the road.
- 5.33 During the operation of the service reservoir significant impacts will only remain for a limited number of properties in Springwell and Eighton Banks due to the visibility of the engineered landform that may foreshorten views and partially screen longer range views.
- 5.34 With regards to the effects on the Green Belt, it is considered that the re-seeding of the pipeline routes and the reservoir landform, together with the proposed additional planting, will enhance the natural environment and retain

the openness of the Green Belt. A condition is recommended to secure a landscape scheme (CONDITIONS 4 and 5).

5.35 Taking the above into account it is considered that the proposed development is acceptable and in accordance with the NPPF and CSUCP policies CS15 and CS19.

5.36 FLOOD RISK

The NPPF considers the need for local planning authorities, with regards to drainage and flooding matters, to mitigate and adapt to climate change, taking full account of flood risk and water supply and demand considerations.

Paragraph 163 is specific to the consideration of flood risk in determining planning applications and requires that development proposals ensure that flood risk is not increased elsewhere. This includes requiring development proposals in areas at risk of flooding to be accompanied by a flood risk assessment "FR"). Paragraph 165 requires the incorporation of sustainable drainage systems "SuD") into major developments where appropriate.

5.37 Paragraph 170 of the NPPF requires development proposals to help improve local environmental conditions and prevent unacceptable risk on, or adverse impacts arising from, the flow and quantity of surface and groundwater from the site. This requirement is reflected in CSUCP Policy CS17.

5.38 A Flood Risk Assessment has been submitted in support of the application and it concludes that when operational there is a residual risk of failure of the service reservoir that would affect the surrounding area including areas of Gateshead, however the applicant has a proven track record of operating and maintaining such structures and there are also strict design, construction and maintenance regulations to be adhered to.

5.39 The site is situated within flood zone 1 and therefore has a low flood risk. However, the Gateshead flood mapping data indicates that the pond/wetland located to the south of the Bowes Railway line (within Sunderland City Council area) is subject to surface water flooding at 1 in 30 year and 1 in 100 year flooding event. Gateshead Lead Local Flood Authority has no comments to make on the proposals.

5.40 During the construction phase sediment-laden surface water runoff and groundwater flows from excavations are proposed to be managed on site and discharged into the Beech Grove system. All runoff is proposed to be collected within a sedimentation basin at the lowest point of the site then pumped into a 'silt buster' or similar device before being discharged.

5.41 Towards the end of construction, the sedimentation basin is proposed to be reworked to form the two proposed SuDS detention basins. During the Springwell Service Reservoir operational phase, runoff from the service reservoir and the upslope areas will be captured by a swale and drained eastwards to be attenuated within the western SuDS detention basin before discharging into the Beech Grove surface water system. To the east of the access road runoff will drain to the smaller SuDS detention basin, which

ultimately drains into the second detention basin and the Beech Grove surface water system.

- 5.42 It is proposed to maintain a discharge rate from the service reservoir of no more than 3.5 l/s/ha in order to ensure compliance with Northumbrian Water Group flow rates and volumes.
- 5.43 The design of the proposed development and SuDS features will therefore ensure that there is no increase in flood risk within the site or elsewhere. Measures are proposed to ensure that water quality is not compromised.
- 5.44 Given the above the proposal is considered to be acceptable and in accordance with the NPPF and CSUCP policy CS17 in respect of water and flood risk.
- 5.45 **TRANSPORT**
Transport policy is set out within Chapter 9 of the NPPF and focuses on sustainable transport. In accordance with the principles of sustainable transport, Paragraph 108 requires that decisions should take into account whether:
'a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
b) safe and suitable access to the site can be achieved for all users; and,
c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'
- 5.46 A focus of the NPPF (Paragraph 108) is on sustainable transport, with planning applications needing to ensure that impacts on the transport network in terms of capacity, congestion and highway safety are acceptable. This is reflected in CSUCP Policy CS13. It is a policy requirement that development addresses traffic congestion and highway safety issues that it may cause, encourage the use of the strategic road network for major traffic flows and HGV movements; and provide appropriate car and cycle parking provision.
- 5.47 The proposed route of the underground water mains within Gateshead directly impacts on several bridleways: LA/70/04; LA/70/05; LA/79/1; and LA/79/2. Separate to the planning application the applicant will be required to enter into legal notifications, temporary traffic management and temporary Traffic Regulation Orders to temporarily divert or close these bridleways.
- 5.48 Regarding the works within Sunderland these will have a direct impact on the highway network in Gateshead, during the construction period, due to restrictions on traffic routing to Springwell Quarry. It is accepted that following the construction period the traffic impact of this proposal will be minimal.
- 5.49 It is proposed that the excavated material will be transported to Springwell Quarry via the Strategic Road Network (the A194(M)), New Road, Leam Lane and Springwell Road. HGV movements will not be routed through Springwell Village.

- 5.50 During operation, traffic movements will be associated with ad-hoc maintenance and weekly monitoring visits. Due to the low level of vehicle movements this is not considered to give rise to any adverse impacts.
- 5.51 The details of traffic movements expected during the site clearance and export of material during the construction of the service reservoir over a 46-week construction period equates to a maximum of an 8 hour period resulting in an average flow of 16 HGV movements per hour (8 arriving and 8 departing) that will occur over an estimated 11 month period.
- 5.52 In order to avoid adverse impact on the operation of the Leam Lane/Lingey Lane traffic signalised junction on route to Springwell Quarry it has been agreed with the applicant that HGV movements to and from the site should not utilise this junction prior to 09:00 hours. The egress from the reservoir lies within the jurisdiction of SCC and therefore SCC is the enforcing Local Planning Authority. SCC have suggested imposing a condition, in the interest of maintaining the operation and safety of both the Strategic and Local Road Network, to avoid nuisance to the occupiers of adjacent properties during the construction phases and in the interests of highway safety, that would require a Construction Traffic Management Plan to be submitted for approval to Sunderland in liaison with the Local Highway Authority, Gateshead Council, and Highways England. The plan should include, but not be limited to:
- o Hours of construction, including deliveries (based on an anticipated working day of 08:00-18:00 Monday-Friday);
 - o Routing of movements including details of any abnormal loads (HGV movements will be scheduled to avoid peak travel hours and HGV movements will be restricted at the A195 Lingey Lane signalised junction, with no HGV movements here until after 09:00);
 - o Monitoring and enforcement procedures for the HGV routing and times;
 - o Site compound arrangements;
 - o Parking of vehicles of site operatives, delivery vehicles and visitors;
 - o Measures to prevent debris being displaced onto the highway;
 - o Details of any temporary highway / rights of way closures and routes;
 - o Temporary traffic management and site access control measures; and
 - o Site security and contractor details.
- 5.53 The proposed use of such a condition is acceptable.
- 5.54 There are no objections to the limited works within Gateshead Council area but it is recommended an informative is added to any decision as a reminder that appropriate highway licences/agreements are required to undertake the works.
- 5.55 Given the above, the proposals are considered to be acceptable and in accordance with the NPPF and CSUCP policy CS13.
- 5.56 AIR QUALITY

The NPPF requires development to comply with relevant air quality limit values or national objectives for pollutants (Paragraph 181). Saved UDP Policy DC1 and CSUCP Policy CS14 refer to air quality, ensuring that development does not result in unacceptable air quality or dust issues.

- 5.57 Due to the nature of the proposed development and the negligible traffic associated with its operation, air quality consideration is focused on the construction phase. During construction there is a high risk of dust soiling arising in the SCC element of the site due to the excavation and earthworks required and the vehicle movements associated with this.
- 5.58 In order to mitigate any adverse impacts a series of measures are proposed that minimise dust and establish a communication, site management and monitoring regime to proactively address dust and air quality matters. These measures can be secured by SCC imposing a condition. It is recognised that air quality and dust impacts are limited to the construction phase only and will be temporary.
- 5.59 Given the above, subject to the recommended condition, it is considered that the proposed development accords with the requirements of the NPPF and CSUCP policy CS14 and Saved UDP policy DC1 in respect of Air Quality.
- 5.60 RESIDENTIAL AMENITY
Chapter 8 of the NPPF and CSUCP policy CS14 seeks to protect the health and well being of communities by preventing negative impacts of developments on residential amenities.
- 5.61 If planning permission is forthcoming from both Gateshead and Sunderland Councils the construction is expected to be completed within three years following commencement.
- 5.62 There are elements of the construction of the reservoir and associated works; such as the laying of underground water mains within Gateshead that will inevitably have an impact on residential amenities through noise and disturbance. The impact can be minimised by restricting the hours for the works to be undertaken. The hours that are being sought are Monday to Friday 08:00 to 17:00 and Saturday 09:00 to 13:00 and on Sundays and Public Holidays no noise generating construction activities (CONDITION 3).
- 5.63 During the construction phase noise will be generated by the use of fixed and mobile plant and construction traffic. In accordance with the BS 5228-1:2009+A1: 2014, screening is an effective method to reduce noise levels at sensitive receptors when it is not possible to increase the distance from the noise source, a number of other mitigation measures can also be used.
- 5.64 The Construction Traffic Management Plan (CTMP) incorporating any relevant environmental requirements to address construction effects on the environment, existing surrounding communities and residents of the area will be secured by SCC by condition referred to under the Transport heading.

- 5.65 It is considered that there will not be significant impacts as a result of construction noise, construction vibration or construction traffic and given the above, subject to the recommended conditions requiring the CTMP and restricting hours of construction (CONDITION 3), the proposed development is considered to be acceptable, and in accordance with the NPPF and Saved UDP policy DC1(h) and CSUCP policy CS14.
- 5.66 **GROUND CONDITIONS**
The site area within Gateshead's boundaries has been assessed and inspected as part of the Council's Contaminated Land Strategy and is not situated on significant potentially contaminated land based on previous historic use. The majority of the site within the Gateshead area has been occupied by agricultural land/ open space. Consequently, overall the potential level of contamination possibly being a hazard to site operatives and future site users is considered to be low within the Gateshead area, and that significant contamination of soils and made ground beneath these areas is not anticipated. Therefore, it is considered that it is not necessary to impose any conditions.
- 5.67 However, land within the boundaries of Sunderland City Council has areas of potentially contaminated land has previously occupied by 'sludge beds'/ reservoir and railway land which are a potential source of contamination. The majority of the site is situated on land used as open space/ agriculture which is a low contamination risk. There is also one active landfill (Springwell Quarry) recorded 0.2km north west of the site.
- 5.68 SCC has consulted Gateshead Council as a neighbouring authority on the application being considered by SCC. The Council response to SCC will be to recommend conditions for an intrusive site investigation in the potentially contaminated land areas with a Phase II Detailed Risk Assessment, and where required conditions for Remediation, and Verification Reports.
- 5.69 Given the above, the proposal is considered to be acceptable and in accordance with the NPPF and CSUCP policy CS14.
- 5.70 **BIODIVERSITY**
Policies regarding the conservation and enhancement of the natural environment are provided at Paragraphs 170 to 183 of the NPPF. Paragraph 170 sets out requirements for development to contribute to and enhance the natural and local environment, including ensuring that impacts on biodiversity are minimised and net biodiversity gain is achieved where possible. It also seeks to preserve and enhance the natural environment, including through avoiding development that results in the loss or damage of irreplaceable habitats (Paragraph 174).
- 5.71 CSUCP Policy CS18 and saved UDP Policies ENV44 and ENV46-ENV51 reiterate this requirement, with ENV51 also referencing the protection of wildlife corridors.

- 5.72 The proposed development site straddles the authority boundaries of Gateshead and Sunderland and is located within a designated Wildlife Corridor.
- 5.73 The proposed development site is located within 2km of several Local Wildlife Sites (LWSs), including Springwell Ponds LWS (Sunderland) which is located immediately adjacent/adjoining the northern boundary of the site. Sheddons Hill LWS is located approx. 200m west of the southernmost extent of the proposed development. At its nearest point the proposed development site is located approx. 200m north of Dunkirk Pond Local Wildlife Site (LWS).
- 5.74 The majority of the development proposals, including the construction/operation of a service reservoir occur outside/to the east of Gateshead's boundary. Works within Gateshead are largely restricted to the creation/upgrading of piped connections and are considered to have minimal ecological impact.
- 5.75 The application is supported by an ecological survey, assessment and mitigation report. It is expected that SCC will impose appropriate conditions relating to an Ecological Management Plan (EMP) and Biodiversity Method Statement.
- 5.76 Given the above, the proposed development can be undertaken within acceptable ecological limits and in accordance with the NPPF and CSUCP Policy CS18 and saved UDP Policies ENV44, ENV46 and ENV51.
- 5.77 HERITAGE AND ARCHAEOLOGY
Guidance on proposals affecting heritage assets is provided at Paragraphs 189 to 192 of the NPPF. When determining applications, the NPPF requires applicants to 'describe the significance of any heritage assets affected, including any contribution made to their setting.
- 5.78 The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance...' (Paragraph 189).
- 5.79 The assessment submitted in support of the application identified a number of designated and non-designated heritage assets within and in the vicinity of the site including the Scheduled Monument of Bowes Railway, including Blackham's Hill Hauler House; the Grade II listed buildings of Blue House Villa and Red Hill House and the undesignated routes of several former waggonways which cross the site.
- 5.80 There are no significant effects on the settings of any designated heritage assets within the study area. There will be no direct effect on the Bowes Railway scheduled monument. The tunnelling methodology submitted in respect of going underneath the railway in the SCC area has been designed to ensure the continued integrity of the scheduled monument.

- 5.81 The applicant has provided a number of reports on archaeological geophysical survey and trial trenching related to the pipeline and the associated reservoir. Geophysical survey was carried out on the southern part of the application area in 2019 (Event 4948, report 2019/38, Area 1) which detected a possible service. No further archaeological investigation is required.
- 5.82 Given the above it is considered that there will be no significant heritage impacts as a result of the laying of underground pipes or from the construction of the reservoir and that the proposal is considered to be acceptable and in accordance with the NPPF, CSUCP policy CS15 and Saved UDP policies ENV21 and ENV22.
- 5.83 **CONDITIONS**
The Environmental Statement (ES) has identified a series of mitigation and ongoing monitoring and or management measures which are designed to limit or remove any significant adverse environmental effects of the proposed service reservoir and its associated pipeline and drainage connections.
- 5.84 Schedule 4, Part 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 requires an ES to provide 'a description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example preparation of a post-project analysis).'
- 5.85 Most of the measures are standard best practice processes and they are all capable of being secured by planning condition should planning permission be granted for the development that will ensure the conclusions of the ES can be secured and that effects will be negligible or kept to an absolute minimum. The documents identified are not all relevant to the element of works within Gateshead however they include:
- 5.86 During the Construction Period:
- Construction Environmental and Traffic Management Plan;
 - Management and Construction Waste Management details;
 - Stakeholder Communications Plan;
 - Dust Management Plan;
 - Travel Plan;
 - Ground Conditions Site Investigation;
 - Contamination Remediation Method Statement and Verification Report (if required by the above Site Investigation);
 - Landscape and Ecology Management Plan;
 - Tunnelling Methodology Technical Note; and
 - Surface Water Drainage Strategy.
- 5.87 During the Operational Period:
No specific conditions have been identified to mitigate impacts during the operation of the service reservoir. Further site investigation may be undertaken, if required.

5.88 STATEMENT OF COMMUNITY INVOLVEMENT

Following the introduction of the Localism Act in 2011, greater emphasis has been placed upon increased community involvement in the planning process. The NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Paragraph 66 of the NPPF states that:

'Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably'.

5.89 A consultation exercise was undertaken to involve and engage with Council Officers, stakeholders and members of the public prior to the preparation and submission of the planning application. Throughout the consultation process, there has been an intention to respond to consultation feedback from stakeholders and members of the public and, where practicable, to provide information and address concerns.

5.90 Consultation with Sunderland and Gateshead Councils

Since the decision was taken by NWL to progress with the development of a new service reservoir, a series of meetings have been held between NWL and Officers at Sunderland City Council, as well as other statutory consultees, in order to discuss the proposed development. These meetings took a variety of forms and were attended by Planning, Highways and Environmental Health Officers.

5.91 On 21 December 2018, the applicant formally requested that the two Councils form an EIA scoping opinion with respect to the proposed development. Gateshead and Sunderland provided their formal opinion on 22 January 2019 and 8 March 2019 respectively. Since then various conversations have been undertaken with the Council to discuss the scope of the EIA. Full details are provided in the individual technical assessment chapters of the ES.

5.92 Consultation with the Public

NWL undertook a range of consultation exercises culminating in a one-day public exhibition. The consultation included the following:

26th July 2016 - Attendance at Springwell Village Residents Association meeting

29 November 2016 - Attendance at Springwell Village Residents Association meeting

18 September 2017 - Letter sent to all Springwell residents informing them about the purchase of the site and the intention to attend the Springwell Village Residents Association Meeting in October.

3 October 2017 - Presentation to Springwell Village Residents Association at Springwell Social Club.

19 June 2018 - Public exhibition was held at Springwell Social Club

5.93 Public Exhibition

A public exhibition was considered to be the most appropriate way in which the public could obtain further information about the proposals and comment on the plans.

- 5.94 In this context, letters were delivered to 1,400 properties in the local area. A list of the properties to be notified of the planning application was provided by the Council. The distribution of invitations to the public exhibition covered at least the addresses provided by the Council. Invitations were also sent to the local Councillors.
- 5.95 In order to ensure that all interested members of the local community had an opportunity to find out more about the proposals, the letter also provided a postal address and telephone number. This allowed people unable to attend the public exhibition to contact the project team and obtain further information on the scheme.
- 5.96 The public exhibition was held at Springwell Social Club on 19th June 2018. This was considered an appropriate venue given its accessibility those most affected by the proposals. The exhibition was held from 2pm to 7pm, thereby ensuring the maximum opportunity for local residents to attend both during and after working hours.
- 5.97 Over the course of the exhibition, over 56 people attended in total (based on signing in sheet).
- 5.98 A comments form, was distributed at the public exhibition for members of the public to provide feedback on the proposals. The response form included the following questions:
- The need to secure water supplies across the area justifies development in the green belt. Do you: Strongly agree, agree, neutral, disagree, strongly disagree?
 - In principle do you support the development of a service reservoir in this location: yes, neutral, no?
- 5.99 In response to the public consultation exercise, a total of 46 completed response forms were received, by the following means:
16 responses were posted in a comments box at the public exhibition; and
30 responses were posted to the project team at the Freepost address.
- 5.100 This response rate is only around 3.3% of the circa 1,400 forms distributed. Of those who attended, 16 questionnaire responses were received. Of these 14 noted that in principle they supported the development of a service reservoir on this site. It is reasonable to assume that those who did not attend the event, or voice any concerns, 'the silent majority', do not have any strong objection to the scheme.
- 5.101 Overall Response to the Scheme
55.55% of respondents agreed or strongly agreed that the need to secure water supplies across the area justifies development in the green belt.

68.89% support, in principle, the development of a service reservoir in this location.

5.102 The local community has been involved in the development proposals and care has been taken to address the concerns and comments received. Changes have been made to the scheme prior to submission to directly address some of the concerns raised.

5.103 COMMUNITY INFRASTRUCTURE LEVY

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development as it is not for qualifying retail or housing related development.

6.0 CONCLUSION

6.1 The Environmental Information contained with the Environmental Statement submitted with the application has been examined and the significant effects of the proposed development on the environment taken into consideration by the Council in coming to its decision.

6.2 The Council is satisfied that the reasoned conclusion to grant planning permission subject to conditions is up to date and addressed the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development.

6.3 Therefore, taking into account all the relevant material planning considerations, including the environmental information contained with the Environmental Statement and the comments made by consultees, it is considered that the proposal is acceptable and accords with the aims and objectives of both national and local planning policies.

6.4 It is therefore recommended that planning permission be granted subject to the recommended planning conditions.

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary

1

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

The Environment Statement comprising of :

Volume 1 Non Technical Summary

Volume 2 Main Technical Assessments

Chapter A - Introduction and Background
Chapter B - Scope and Methodology
Chapter C - Site and Scheme Description
Chapter D - Biodiversity
Chapter E - Heritage (above and below ground)
Chapter F - Air Quality
Chapter G - Noise and Vibration
Chapter H - Landscape and Visual Impact Air Quality
Chapter I - Traffic and Transportation
Chapter J - Water and Flood Risk
Chapter K - Ground Conditions
Chapter L - Residual and Cumulative Effects and Conclusions
Chapter L - Mitigation and Monitoring

Volume 3 - Technical Appendices

and the following supporting information:

Planning Statement
Statement of Community Involvement
Flood Risk and Drainage Assessment
Phase 1 Geo-Environmental Desk Study Report
Phase 1 Habitat Survey

Scheme Drawings

38519-04/GOS/CVD/100 Rev C, 050 Rev D, 105 Rev B, 110 Rev A,
111 Rev A, 112 Rev A, 101 Rev B, 102 Rev A, 055 Rev B, 052 Rev F,
065 Rev B, 066 Rev B, 120 Rev A, 121 Rev A, 122 Rev A, 125 Rev A,
126 A.

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

Unless otherwise approved in writing by the Local Planning Authority, all works, demolition and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Fridays and between 0900 hours and 1300 hours on Saturdays and on Sundays and Public Holidays no noise generating construction activities.

Reason

To safeguard the amenities of nearby residents and in accordance with Saved Policy DC2 of the Unitary Development Plan and CS14 of the CSUCP.

4

No development shall commence on site until a fully detailed scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of hard landscaping, all existing trees and hedges to be retained, ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan.

5

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To ensure that the landscape of the development becomes well established and is satisfactorily managed and maintained in the long term in the interests of the visual amenity of the area and in accordance with Policies DC1 and ENV3 of the Unitary Development Plan.



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