

REFERENCE: 16/0085

APPLICANT: Severn Trent Water Limited

PROPOSAL: Construction of underground water pipeline (approximately 10.8km in length), break pressure tank, extension to Frankley Water Treatment Works and associated works in association with the Birmingham Resilience Project (BRP).

SITE: Land to the west of Frankley Water Treatment Works (extension to the water treatment works). Land to the east of Putney Lane, nr Romsley (Break Pressure Tank). Pipeline runs between Frankley Water treatment works and the District boundary west of Waystone Lane, Belbroughton.

RECOMMENDATION:

- (a) **MINDED** to **APPROVE** full planning permission
 - (b) In accordance with The Town And Country Planning (Consultation) (England) Direction 2009, it is a requirement that should Members be minded to approve the application it should be referred to the Secretary of State under Section 9 of that Direction to afford the Secretary of State the opportunity to consider whether to utilise the call-in powers conferred by Section 77 of the Town and Country Planning Act 1990
 - (c) Given (b) listed above, that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the Listed Building Consent if the Secretary of State is not mindful to call the application in
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CONSULTATION COMMENTS

Belbroughton & Fairfield Parish Council

Consulted: 08/06/2016 Views Received: 21/06/2016

No further comments to make.

Consulted: 04/02/2016 Views Received: 17/02/2016

The Parish council does not object to the application but wishes that the following points are noted and as appropriate added to conditions should the application be approved:

- a) There should be minimal disruption to residents with workings restricted to weekdays and daylight hours only.
- b) Noise should be kept to a minimum.
- c) Roads should be kept clear of mud and any spillages.
- d) All above ground permanent structures should be adequately landscaped.
- e) All hedgerows affected should be replaced with suitable planting to ensure a return to their pre works condition.

Romsley Parish Council

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 27/03/2016

Romsley Parish Council objects to the planning submission in its current form for the following reasons;

- a) The Break Pressure Tank (BPT) / Powdered Activated Charcoal (PAC) dosing site and its impact on the Romsley Parish community and its green belt rural environment.
 - i. The BPT facility is completely at odds with any other buildings or facilities in the immediate vicinity or wider Parish and appears to be in conflict with Bromsgrove's own LPA Policy C1.
 - ii. The quoted 40 minute latent period between dosing and arrival at the treatment works for PAC treated water could be reduced to 15 minutes therefore removing the requirement for PAC treatment at the Putney lane site.
 - iii. The proposal would cause a threat to the adjacent marhole and its ecology.
- b) The significant impact of constructing the Birmingham Resilience Project (BRP) on Romsley parish, its environment and its community.
 - i. impacts of dust, increased highway movements and noise (working hours should be controlled by condition)
- c) Concerns arising from the Severn Trent consultation and communication exercise.
 - i. Lack of information relating to the likely impacts of noise and power on the community should the site become operational.

Conservation Officer

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 24/03/2016

No objection. The following should be noted and actioned;

- a) I note that due to the proximity of the Churchyard Cross at Frankley and St Leonard's Church, Frankley, to the sludge plant it is proposed to construct a bund and plant on top of it to screen this building from the heritage assets. I would have no objection to the bund, but some thought needs to be given to the landscaping to avoid creating an artificial looking screen. Existing planting and hedgerow between the church yard and the proposed plant could be reinforced. Considered planting of British native tree species would be preferable to trees that will just quickly grow to some height. Cultural assets 21 and 22 (as identified in the Environmental Statement), are also in close proximity to the above assets and the proposed sludge plant, and although non designated I would hope that the proposed screening will also screen them.

Landscape & Trees Officer

Consulted 08/06/2016 Views Received: Final formal comments awaited.

Consulted: 04/02/2016 Views Received: 16/03/2016

North Worcestershire Water Management

Consulted 08/06/2016 Views Received: 16/06/2016

Consulted: 04/02/2016 Views Received: 27/05/2016

No objection, recommend a condition requiring information relating to surface water drainage at the break pressure tank site to be submitted and agreed.

Historic England

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 17/02/2016

No objection and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Worcestershire Wildlife Trust

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 24/03/2016

No objection. We recognise that the proposed development will have significant effects on biodiversity but we consider that the proposed mitigation and enhancement will offset this harm to an acceptable degree. Appropriate conditions covering a Construction Environment Management Plan (CEMP) (to include protection of retained features/species, control of runoff, noise and light), a biodiversity method statement including details of mitigation planting/habitat creation (including long term enhancements), drainage (including details of the BPT overflows etc) and necessary protected species licenses should be included in any permission granted.

Worcestershire Regulatory Services: Noise

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 08/02/2016

No objection.

The submitted CEMP looks comprehensive with regard to construction noise, dust and odour and the recommended mitigation measures shall be implemented.

Worcestershire Regulatory Services: Contaminated Land

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 08/02/2016

No objection.

Knowledge of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, a tiered investigation condition is recommended for inclusion on any permission granted.

Worcestershire Regulatory Services: Air Quality

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 19/02/2016

No objection.

WRS are satisfied with the content of the report and have no adverse comments to make in respect of air quality.

Worcestershire Archive and Archaeological Service

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 11/03/2016

No objection.

Conditions requiring a programme of archaeological works are required.

Worcestershire County Council Strategic Planning: Minerals & Waste Team

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 18/03/2016

No objection.

We would recommend that a condition is attached to the planning permission requiring the CEMP to be agreed with the planning authority and adhered to throughout the development.

Worcestershire Highways

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 08/02/2016

No objection.

Whilst this is a significant engineering project the only permanent highway works are for a new access on Putney Lane, Romsley to serve a new break pressure tank, all other works are temporary and associated with the construction phase. The temporary works can be controlled through condition and will not lead to any longstanding highway implications.

Ramblers Association

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 07/03/2016

No objection. The following points should be noted;

- a) we request that you ensure that walkers have sufficient guidance in the form of notices to know where the right of way is, what dangers they must watch out for and to ensure that the state of the ground surface is not so disturbed that walking is difficult.
- b) We also note the intention to replace hedgerows and reseed areas that are disturbed by the construction process and we are pleased about this. Again we look to the local planning authority to ensure that this by condition.
- c) The extension of the water treatment works at Frankley is also acceptable to us in that it is to be well screened by the existing small woodland on the south east side and an earth bund, to be planted with trees and shrubs, on the south west, west and north west sides.
- d) We are concerned that the woodland on the south east side of the water treatment works extension may not be under the control of the applicants. Consequently they may not be able to ensure screening from this side in the long term if the woodland were to be felled or neglected.
- e) A consequence of our willingness not to object to the extension of the water treatment works is that it will be necessary for us to support the temporary and permanent diversion of Footpath FK-537. The temporary order proposed by the applicants is acceptable to Ramblers but we are concerned about the permanent order. The two issues that concern us are firstly that the alignment is unduly inconvenient and secondly that the section between the wood and the boundary fence to the extension will not be pleasant to walk. TWe shall seek to negotiate an improved alignment directly with the applicants either prior to the making of the Order or by way of objection to the Order once made. We believe a satisfactory solution can be achieved and do not raise this matter as an objection to the planning application.
- f) The Break Pressure tank at Putney Lane Romsley appears to be well screened by a proposed woodland on the south and east sides so that once the woodland has matured it will not be seen from Footpath RM-551. Again we would ask that you attach suitable conditions to ensure that this woodland is planted and maintained for sufficient time for it to become an effective screen.

Severn Trent Water: Asset Protection Team

Consulted: 08/06/2016 Views Received: No further comments received

Consulted: 04/02/2016 Views Received: 09/02/2016

No objections to the proposals subject to the inclusion of drainage conditions:.

PUBLICITY

59 neighbour letters were sent on 04/02/2016 (expired 25/02/2016)

Site notices posted along the pipeline route 04/02/2016 (expired 25/02/2016)

Press notice published 12/02/2016 (expired 26/02/2016)

Re-consultation letters to all interested parties were sent on 08/06/2016 (expired 18/06/2016)

20 objection letters received in total; 19 Letters of objection were received up to 26/05/2016, 1 additional letter of objection was received following re-consultation on 08/06/2016. The comments made are summarised as follows;

Highway Matters

- a) Existing roads are not suitable for the likely construction traffic for 18 months of continual traffic for 12 hours per day; Farley Lane is much too narrow and constrained to accommodate heavy HGV traffic, Dayhouse Bank is unsafe due to the steep hill and blind summit .
- b) There is a real risk that properly parked residents vehicles could be damaged by HGV traffic at narrow parts of the roads and the close proximity of resident properties to the road will suffer vibration damage.
- c) The proposal would make existing roadways unsafe for pedestrians. Farley Lane has no footpaths and in some of the narrower parts when the bus meets a car, they have to both slow, and in some places, stop completely. School children walk to and from the school coach. It is also popular with walkers, cyclists and horse riders alike. There are two blind bends and a speed limit of 60 mph. With the addition of this proposed traffic it would be an improper use of this type of lane and an accident waiting to happen.
- d) Furthermore, the unprotected grass verges that lie vulnerable to two large loads passing simultaneously would bring about unacceptable damage that need not happen.
- e) Putney Lane is clearly sign posted as not being suitable for HGV vehicles. Are existing roadways of sufficient construction to withstand the loading of increased HGV usage?

Air & Noise Pollution

- f) The sheer volume of heavy goods vehicles that are proposed to travel along this country lane would undeniably raise both noise and air pollution to such extents that should not be allowed for this narrow road
- g) There are no defined construction windows for this three-year project. Are we, the local residents doomed to suffer the incessant noise of heavy machinery at all times of the day and night? We would request clearly defined construction time windows that exclude early mornings, weekends, evenings and nights.
- h) Es volume 4-18.1 air quality & odour. Section 184) states in relation to local receptors 'it is possible that significant impacts may be experienced at these properties if suitable mitigation measures are not employed'. It also states ' The prevailing wind direction dictates that the predominant wind direction is likely to be from the south west, meaning that existing residential properties to the north east of the site would be most susceptible to any potential fugitive dust emissions during construction'. All sections of earthworks excavation for the BPT; for dust soiling, human health & ecological impact are classified as Medium risk. The effectiveness of mitigation will be paramount in both application & monitoring to reduce the associated health hazard to Low risk. However, mitigation may be minimally effective to the closest receptors. [comments relate to the break pressure tank]

Scale, Siting and Design

- i) Alternative water treatment solutions have been considered, including a solution at Frankley WTW, but have been discounted for reasons of land take and cost. The BRP, therefore, does not necessarily depend upon the siting of a water treatment plant at Romsley. Land take may be an issue, but the sacrifice of Green Belt rurality to cost is sensitive enough that the rightness of the current proposal is questionable.
- j) The proposed huge construction is totally unsuitable for development in our beautiful green belt and is industrial in scale at over 6 metres high, with walkways and extensive lighting. We would request that Severn Trent reduce the scale and height of the tank and hoppers to minimise the devastating effect on the landscape, or sink the construction into the ground and increase screening.
- k) Why couldn't Severn Trent & South Staffs water boards work together & utilise the existing South Staffs water site or even the Arqiva site as a base for the break pressure tank.

Impact on Amenity

- l) The proposal could cause vibration risk and nuisance, and the resilience of the residential properties in withstanding expected levels of vibration from the proposed traffic?
- m) Though the 3D images give an impression that the BPT and water treatment compound will not be so prominent as to be an eyesore to Bromsgrove Road passers-by unaware of its location, to its residential neighbours its presence will always be felt - whether or not the compound is visible from neighbours' properties, whether or not emphasized by the to and fro of service vehicles - simply because of the uncomfortable knowledge of its existence, changing the sense of place from rural to semi-industrial.
- n) The lack of a specific socio-economic impact report for Romsley is inappropriate given Romsley is likely to be the village most affected.

Consultation Process

- o) The community has been given an unreasonable and insufficient amount of planning consultation time, particularly given the flawed consultation process of STW it is wholly unreasonable to expect local residents who will be significantly and adversely affected by this proposal to adequately digest over 300 documents in the limited time allowed by the planners of 28 days and the deadline of February 23rd 2016.

Other matters

- p) What planning obligations has STW considered entering into that would be persuasively beneficial to Romsley and its environs.
- q) Effective reinstatement and recovery of the environment following completion of the project is essential with a clear and absolute undertaking from STW to return the environment to its previous condition, particularly around footpaths and the ancient woodlands that may be affected.
- r) Severn Trent and its contractors should provide a legacy to compensate the community for the disruption the construction project and subsequent operations will cause.
- s) There has been no clear justification for the seemingly late inclusion of the PAC treatment plant at the break pressure tank site. Existing facilities or the use of Granular Activated Carbon (GAC) could do the same treatment job and would remove the need for the proposed treatment works at Romsley.

- t) The applicants have failed to consider alternative options which would mitigate the effects of the proposed development namely harm to the Green Belt.

RELEVANT POLICIES

Bromsgrove District Plan (Adopted January 2004)

DS2: Green Belt Development Criteria
DS9: Protection of Designated Environmental Areas
DS11: Planning Obligations
DS13: Sustainable Development
S19: Incompatible Land Uses
S35A: Development in Conservation Areas
S36: Design of Development in Conservation Areas
C4: Criteria for Assessing Development Proposals
C5: Submission of landscaping Schemes
C9: Development Affecting SSSI's and NNR's
C10: Development Affecting SWS's and LNR's
C10A: Development Affecting Other Wildlife Sites
C12: Wildlife Corridors
C16: Effect of Infrastructure Development on the Landscape
C17: Retention of Existing Trees
C18: Retention of Existing Woodland
C36: Preservation of Archaeological Resources
C38: Development Criteria for Archaeological Sites
TR11: Access and Off-Street Parking
RAT13: Stopping-Up a Right of Way
RAT 19: Safeguarding Commons and Greens
ES1: Protection of natural Watercourse Systems
ES2: Restrictions on Development Where Risk of Flooding
ES4: Groundwater Protection
ES16: Reforming of Land

Emerging Bromsgrove District Plan

BDP1: Sustainable development principles
BDP4: Green Belt
BDP19: High quality design
BDP20: Managing the historic environment
BDP21: Natural environment
BDP22: Climate change
BDP23: Water management
BDP24: Green infrastructure

National Planning Policy Framework

Section 7: Requiring good design
Section 9: Green Belt
Section 10: Meeting the challenge of climate change, flooding and coastal change
Section 11: Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment

RELEVANT PLANNING HISTORY

None relevant

PROPOSAL DETAILS

This application is submitted by Severn Trent Water Ltd (STW) and is one part of a larger infrastructure project known as the Birmingham Resilience Project (BRP). The BRP is intended to provide an alternative source of potable water for Birmingham.

Severn Trent presently transport water from the Elan Valley in Wales, via the Elan Valley Aqueduct (EVA) to serve the needs of Birmingham. The proposal is to provide an alternative source of water from the River Severn, at a new abstraction point at Lickhill in the District of Wyre Forest, to enable the EVA, to be taken out of service for short periods to allow essential refurbishment work to be carried out. The intention is for the BRP scheme to be operated for periods of around 50 days at a time, during the autumn or winter months when river levels are sufficiently high to enable abstraction without any significant environmental or social impacts. It is anticipated that one 50 day EVA outage would be planned every one to two years, subject to water availability in the river.

From the proposed new abstraction point the water would be transported towards Frankley Water Treatment Works where it would be treated and served to the Birmingham conurbation. The BRP would thus consist of infrastructure located in the administrative areas of four Local Authorities including Wyre Forest District Council, Wychavon District Council, Bromsgrove District Council and Birmingham City Council. Planning permission for the elements of the scheme in Birmingham and Wychavon has been secured. For the purposes of Bromsgrove District and this planning application, the proposal includes the construction of underground water pipeline (approximately 10.8km in length) from Belbroughton across to Romsley, a break pressure tank and water treatment (Powder Activated Carbon (PAC) dosing) facility at Romsley and an extension to Frankley Water Treatment Works (including centrate tanks and pumping station, sludge tanks, storage buildings, washwater lamellas and landscape bund), with associated infrastructure to include working mobilisation areas along the route.

The main elements of the scheme are described in more detail below;

Pipeline – The abstracted water is proposed to be pumped via the proposed pipeline across the District from where it meets the boundary of Wyre Forest District to the south of Belbroughton in a north-east direction through Bell Heath towards Dayhouse Bank to Putney Lane where a Break Pressure Tank (BPT) and Powder Activated Carbon (PAC) dosing treatment plant are proposed to be installed. The pipeline would leave the Putney Lane site in a north-east direction across Frankley Hill where it would continue east terminating at Frankley Water Treatment Works. The pipeline would equate to a total length of 10.8km.

The pipeline would be a 1.05m diameter welded steel pipe, laid underground at an average underground depth of 1m. Along the route there would be a requirement for air valves, washout chambers and one cathodic protection kiosk which would be above ground features. The air valves and washout chambers would be surface structures having similar resemblance to a manhole cover. The cathodic protection kiosk (required to prevent corrosion of the pipeline) would be located at Frankley Hill Lane and would be largely subterranean however a structure resembling a telecommunications cabinet would be sited above ground.

To lay the pipe a trench method is proposed for the majority of the route. Where a trench is to be dug and the pipe laid a working width of approximately 50m is required with the pipe being laid at the centre at an average depth of 1m below the surface. Trenchless crossing (tunnelling) techniques are proposed along the route at all major roads and some minor roads and are shown on the drawings which accompany the application. It will however be necessary for some road closures at minor roads where a trenchless approach is not proposed.

Break Pressure Tank and Water Treatment Plant - A concrete break pressure tank and treatment plant is proposed at the high point along the pipeline route, approximately 1km south of the village of Romsley, located on a 0.6ha parcel of agricultural land accessed off Putney Lane.

The break pressure tank would have a footprint of 25.0m by 20.0m with an average height of 4.0m. The treatment plant which would be provided on site for the dosing of powdered activated carbon (PAC) for the removal of pesticides in the river water would comprise two hoppers for PAC storage and a kiosk where the powder would be mixed with water for dosing into the gravity pipe below the outlet from the break pressure tank. Each hopper would be approximately 15.0m long, 4.4m wide and at the highest point would be 6.3m tall. A concrete access road into the site would allow tankers to pull up between the break pressure tank and hoppers and is proposed with access off Putney Lane..

The entire structure is proposed to be dug into the existing site resulting in it being encased by a grass mound on the north-east, south east and south-west elevations. The north-west elevation would be largely open with the majority of the proposed structures being visible from this elevation save for the break pressure tank which would be completely concealed by an artificial grass mound which would be an equivalent height to the existing ground levels. The treatment plant (including two PAC silos, dosing room and other miscellaneous control rooms) would be fully exposed on this elevation. The silos would measure 6.3m high at their tallest point, other structures would be shorter ranging from 3.5m for the PAC Kiosk and around 2m for the other structures. Due to the proposal to dig the structures into the bank it would only be the hoppers on top of each PAC silo which would protrude above the existing ground level, by around 2.2m.

A 3.0m high security fence is proposed around the entire site and a twin security gate provided at a new access point onto Putney Lane. External lighting is proposed to be provided by a series of 4.0m and 6.0m floodlights providing tightly focussed illumination for the access road and equipment areas within the security fence. All lighting has been designed to minimise impact on adjacent receptors and would only be in operation when personnel are at the BPT. The facility would be unmanned and unlit in normal operation. All activity requiring personnel to be present would take place in daylight hours. Operation of the lighting would therefore be an infrequent event.

Extension to Frankley Water Treatment Works - The existing water treatment works at Frankley is located wholly within the administrative boundary of Birmingham City Council however the facilities are capable of treating only Elan Valley water, new separate facilities are therefore required for the treatment of the River Severn water and its waste products. To this end significant upgrades to the existing facilities (to include new buildings and structures) has been approved by Birmingham City Council. Part of the overall requirement however is that a new sludge treatment works is required. This necessitates an extension to the Frankley Water treatment Works operational boundary into an area of green field land beyond the southern boundary of the site. The proposed new sludge treatment works development would be located

within the administrative boundary of Bromsgrove District Council and would comprise the following:

- Washwater lamella tanks to settle sludge from the water treatment works backwash streams (measuring approximately 31.0m x 32.0m with a height of 7.0m) and associated kiosks.
- MCC building (measuring approximately 20.4m x 10.3m with a height of 7.5m).
- Sludge thickener tanks (three 17.0m diameter cylindrical tanks with a height of 7.0m) and associated kiosks.
- Thickened sludge storage tanks (two 11.0m diameter cylindrical tanks with a height of 6.0m) and associated kiosk.
- Sludge thickener feed tanks (two 17.4m diameter cylindrical tanks with a height of 6.0m) and associated kiosks.
- Centrate tanks and centrifuges (three 11.0m diameter cylindrical tanks with a height of 6.7m and centrifuges raised on a platform with a height of 8.7m).
- Sludge cake storage area (a covered area measuring 31.0m x 18.0m with a height of 8.5m).
- Polymer storage kiosk (measuring approximately 16.5m x 8.2m with a height of 6.2m).

Landscape bunding is proposed along the western and southern boundaries to protect views from elevated ground beyond. The total permanent agricultural land take including the sludge plant development, landscape bunds and land in between the two would be 5.21ha. As a public right of way currently runs along the boundary of the WTW site, a footpath diversion would be routed along the outside of these bunds. It is proposed that the bunds would be approximately 30.0m wide and 5.0m tall and planted with trees and shrubs, meaning that from the north-west and south-west it would sit taller than any of the new proposed structures.

Construction Compounds/Mobilisation Areas

To facilitate the storage of required materials and equipment as well as on site welfare facilities for workers there would be a practical requirement for mobilisation areas, these are proposed at the following locations;

- Break pressure tank - located in the field to the west of the BPT, on the opposite side of Putney Lane, providing storage areas for plant, materials and equipment, and accommodation and car parking for up to 30 personnel.
- Frankley WTW - located to the north of the working areas within the Frankley WTW site boundary. An additional area for welfare facilities would be provided closer to the main construction site. A temporary car park for approximately 300 personnel would be located to the north of the site within the red line boundary, and a shuttle bus service would be set up for workers to travel safely within the WTW operational area between the temporary car park and the main construction area.
- Farley Lane

Environmental Impact Assessment (EIA)

From the outset the proposed development was concluded to be EIA development being a long distance aqueduct, under Part 10(I), Schedule 2, of the Town and Country (EIA) Regulations 2011. Accordingly, an Environmental Impact Assessment (EIA) has been carried out for the

proposed development and deals with the BRP scheme as a whole across the four local planning authorities. As part of the EIA the Applicant has carried out a number of surveys and reports including: an Extended Phase 1 Habitat Survey; species surveys (bat, bird, badger, barn owl, reptile, Great Crested Newt, otter and water vole, dormouse); a draft Construction Environmental Management Plan (CEMP); Aquatic Ecology Assessment; Tree Survey, Archaeological Desk Based Study, Flood Risk Assessment (FRA); Transport Assessment; Air Quality Assessment and Noise Assessment. The findings of the EIA are set out in the Environmental Statement (ES) and its appendices. A Planning Statement, Design and Access Statement, Consultation Statement and Utilities Statement have also been submitted in support of this planning application.

ASSESSMENT OF PROPOSAL

The proposed development would be limited entirely to the rural areas of the District, across areas of Green Belt land and areas recognised for their positive contribution to the wider landscape. Elements of the scheme would be in close proximity to sensitive receptors such as wildlife sites, watercourses and residential properties. For these reasons it is considered that the main issues to be considered in this application include;

- The principle of development
- Visual impacts
- Highway safety
- Ecology and biodiversity
- Trees and landscaping
- Water management (flood risk, drainage and pollution)
- Air quality
- Materials and waste
- Heritage Assets
- Noise & vibration
- Socio-economic impacts

PRINCIPLE OF DEVELOPMENT

The proposed development would be wholly limited to rural areas of the District washed over by the West Midlands Green Belt and as such Policy DS2 of the Bromsgrove District Local Plan, Policy BDP4 of the emerging Bromsgrove District Plan and Paragraphs 89 and 90 of the National Planning Policy Framework are relevant. In having regard to the greenbelt and landscape policies of the development plan the following conclusions are drawn relative to each identifiable element of the scheme;

Pipeline

The pipeline would run through areas of Green Belt, in accordance with the policies listed above I am minded to conclude that the laying of the pipeline would be an appropriate form of Green Belt development given that it would constitute an engineering operation which would not impact on openness and therefore would satisfy the definition of 'appropriate' development set out in the National Planning Policy Framework.

Break Pressure Tank and Treatment Plant and Extension to Frankley Water Treatment Works

The proposed development at both of these sites, is considered to be 'inappropriate' development in the Green Belt, both by definition and due to the likely harm to openness which would arise. The applicant accepts that the proposed development are inappropriate in the Planning Statement which accompanies the application. There is therefore a requirement for the applicant to demonstrate that 'very special circumstances' exist which would outweigh the harm by virtue of inappropriateness and any other harm before the development could be approved, in

accordance with Paragraph 87 of the NPPF. Paragraph 88 of the NPPF continues “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.”

The applicant has advanced a case for ‘very special circumstances’ which covers three broad strands; Firstly that the main objective of the BRP scheme is to provide resilience to the water supply of Birmingham and the 1.2 million Severn Trent Water customers using this water supply, which is currently highly dependent on the Elan Valley Aqueduct which, due to its age, requires maintenance. Secondly, there is the statutory requirement to ensure resilience as The Water Bill, introduced in the House of Commons in June 2013, contains changes to Ofwat’s duties concerning resilience. It features a new primary duty for Ofwat “*to secure the long-term resilience of water supply and sewerage systems against environmental pressures, population growth and changes in consumer behaviour*”. This reflects the high priority that government places on resilience. Thirdly, the applicants point out that due to the location of the existing Water Treatment Works being in a Green Belt location and given that all of the land between the District boundary with Wyre Forest and the Frankley Water Treatment Works is washed over by Green Belt then there would be no feasible alternative route which would take development outside of a Green Belt area.

Given the above, I am therefore satisfied, that in the context of Paragraphs 87 and 88 of the NPPF, the benefits of the proposed development i.e. resilience to the water supply of Birmingham, are highly significant and clearly outweigh any harm to the Green Belt by reason of inappropriateness.

Harm to openness would arise as a direct result of the proposed development (excluding the pipeline), the applicants have sought to limit the severity of this harm through either excavating new development into the existing topography of the site (break pressure tank and treatment plant) or through the introduction of new landscape features (landscape bunds and extensive landscape planting) which would reduce the visual intrusion into the landscape. The visual impacts of the proposal are discussed in more detail below. Whilst I cannot conclude that there would be no harm to openness, it is considered that the measures proposed by the applicant would limit the severity of this harm, this when considered alongside the importance of the project and all other material considerations, is in my opinion sufficient to conclude that very special circumstances do also exist to outweigh the harm to openness of the proposed development.

Very special circumstances do therefore exist to justify this development in the Green Belt.

VISUAL IMPACTS

The Environmental Statement (ES) submitted with the application identifies the landscape and visual impacts of the proposed development, using photomontages to illustrate impacts over time from surrounding receptors. It identifies that during the construction phase there would be a range of visual effects ranging from ‘slight adverse’ to ‘large adverse’ effects across the entire length of the pipeline. The ES then goes on to categorise the perceived visual effects in the short term (opening year, 2018) and then the perceived visual impacts thereafter up to 2033 (year 15). Predictably the greatest visual impacts would be at the site of the break pressure tank and treatment plant and at the extension to the Frankley Water treatment Works site.

At the site of the break pressure tank and treatment plant the most significant opportunity for the development to have a long term visual impact is from the Public Right of Way (PRoW) which runs to the south of the break pressure tank site. The visual impacts assessment in the ES

acknowledges that the impacts would be significant in the construction phase and would remain moderate in the short to long term due to the ability to see the site from the PRoW. Views towards the proposed break pressure tank and treatment works site from other vantage points in the immediate vicinity would, in the long term, have a neutral visual impact due to the mitigation measures including landscaping and the proposal to excavate the structures into the hillside.

Visual impacts of the proposed extension to the Frankley Water Treatment Works would be more significant. The ES identifies that during the construction phase there would be a 'large adverse' effect on Frankley Lodge Farm, Beech Tree Cottage, and the boundary public footpath, with other nearby receptors having 'moderate adverse' and 'slight adverse' effects. By the opening year of the scheme a 'large adverse' effect would remain with regard to views from the boundary public footpath, and there would be 'moderate adverse' effects on views from Frankley Lodge Farm and Beech Tree Cottage. By 2033 (Year 15) there would only be one large 'adverse effect' on views from the boundary public footpath, 'slight adverse' effects from residential properties on the Ley Hill estate to the north east of the site, from Frankley Lodge Farm and from Beech Tree Cottage, and with the remainder of receptors reducing to neutral.

As identified above the greatest long term visual impact of the proposed development would be on views from the boundary public footpath. Existing views from the footpath already overlook the site. However, as a result of the proposed development there would be a 'large adverse' effect due to close range views of the two lines of security fencing, and increased site coverage of buildings and structures, including some of the tallest elements of the proposal. To a large extent the impact of the structures is likely to be reduced by the proposed creation of a new landscape bund along the site boundary. However this would have an engineered appearance, and until any tree planting matures, would have a significant visual impact of its own.

The proposed new buildings/structures on the Water Treatment Works site would be utilitarian in design, reflecting their functional requirements. In terms of scale, the proposed tallest structures on site would be the centrifuges and sludge cake storage area which would measure 8.7m and 8.5m respectively. To put these heights into context, the tallest structure on the existing Frankley Water Treatment Works site is a lime dosing plant with a height of 22.5m. Given the proposed buildings/structures on the site would appear broadly similar in terms of scale and appearance to existing buildings/structures on the site and would be no taller than the tallest structure already existing on the site; the finish colour of the majority of new buildings/structures would be grey-green to blend in with the predominantly green backdrop of the site's surroundings and recede as much as possible into the landscape from long distance views, which I consider to be acceptable; new landscaped bunds would to some extent hide views of the new structures from the south-west; the application site benefits from being located in a natural basin; and there are extensive proposals for new native woodland and shrub planting, I am satisfied that the visual impact of the proposed development as a whole, particularly in the long term, would be neutral. Any more localised harm, e.g. views from the boundary public footpath would, in my opinion, be outweighed by the very significant public benefits the BRP scheme would deliver.

The District Council's Landscape Officer has raised no objection to the proposed development provided that the tree planting and landscape management mitigation measures are fully implemented and maintained. I concur that in order to minimise the visual impact of this proposal these are both necessary and relevant matters which could be suitably controlled by condition and that any planning permission issued should indeed contain such conditions.

HIGHWAY SAFETY

The ES submitted with the application makes specific reference to traffic and highway matters covering the construction phase through to the operational phase and included in that report are details of likely traffic generation and proposed construction traffic routes, with the following

projected additional daily trips being projected relative to mobilisation areas at the following sites during the construction phase;

Putney Lane	14 additional trips (+3.6%)
Dayhouse Bank	11 additional trips (+0.21%)
Frankley Hill Lane	226 additional trips (+7.12%)

Based on the above projections the applicants have concluded that the scheme would result in very low levels of traffic generation in both phases, All of the information has been considered by Worcestershire Highways who do not object to the proposed development but do suggest conditions which would require any new access points needed during the construction phase (or thereafter) to be constructed to a specification agreed.

A number of concerns relating to highway safety were raised during the public consultation period, one of which was that the road network would not be suitable to accommodate the increased movements likely to be associated with the construction phase. Based on the professional advice of Worcestershire Highways I have no reason, based on the advice of Worcestershire highways, to suspect that this would be the case or that it would lead to any greater danger to other road users or pedestrians than currently exist. I do however consider that full details of the construction traffic movement should be included in a CTMP which should be agreed prior to any works being carried out on site. For these reasons I consider the proposal is capable of implementation without detriment to the highway network or highway safety in accordance with Policy TR11 of the Bromsgrove District Plan.

ECOLOGY AND BIODIVERSITY

The application site covers land which sits in close proximity to a number of locations formally recognised as important nature conservation sites as listed below;

Sites of Special Scientific Interest (SSSI);

- a) Sling gravel pits (off Shut Mill Lane) – approx. 600m from the proposed pipeline working area.
- b) Madely Heath Pit – approx. 600m from the proposed pipeline working area
- c) Romsley Hill – approx. 500m from the proposed pipeline working area and break pressure tank and treatment plant site.
- d) Romsley Manor Farm – shares a boundary with the proposed pipeline working area and approximately 150m from the break pressure tank and treatment plant site.

Local nature Reserve (LNR):

- a) Waseley Hills Country Park - approx. 500m from the break pressure tank and treatment plant site.

The ES has identified all of the above as well as the non-statutory designated sites as follows;

- a) Hurst Coppice Meadows (Grassland)
- b) Hill Farm Meadows (Local wildlife Site)
- c) Hagley Hill Farm (grassland)
- d) Sling Pool and Marsh (Woodland)
- e) Great Farley and Dales Woods (Ancient woodland)
- f) Little Farley Wood
- g) Romsley Manor Farm Meadows
- h) Frankley Wood
- i) Frankley Green Wood

Feedback from the public consultation also raised concern that the proposal would adversely impact on an area of common land known as the marlhole which sits adjacent (to the north-west) of the proposed site of the break pressure tank and treatment plant.

The pipeline route and proposed new structures have been designed to avoid any significant intrusion into statutory or non-statutory designated ecologically important sites where possible, including all of those listed above. The ES does however acknowledge that there are some areas where the proposal would have detrimental impacts on biodiversity and where there is some potential for ecological impact namely in the form of hedgerow removal, habitat loss and disturbance most notably to badger, breeding birds and bats.

Natural England, Worcestershire Wildlife Trust and the Council's Landscape Officer have all been actively involved with the assessment of the application and have no objections to the proposal, Worcestershire Wildlife Trust have identified that the mitigation measures proposed by the applicants are acceptable and would even have potential biodiversity gains in some parts of the application site, however a number of conditions pertaining to mitigation for residual impacts and the minimisation of ecological harm have been suggested as discussed below;

Natural England have made specific comment on the Romsley Manor Farm meadows, which are a non statutory designated grassland habitat which lie immediately adjacent to the break pressure tank and treatment works site. The ES identifies that there are potentially significant effects of habitat loss at this location during the construction phase and sets out a series of mitigation measures including topsoil reinstatement. Natural England have suggested that a condition requiring the grass mixture detail and method statement should be included on any consent.

In the comments of Worcestershire Wildlife Trust the area of copse (referred to as the marlhole by third party objectors) is identified as being likely to be affected by the break pressure tank and treatment plant development proposed at the adjacent site. In their comments it is suggested that further information be sought from the application relating to ecological mitigation through site design. The revised plans for the break pressure tank and treatment works site, as submitted show increased tree screening and landscaping intended to act as a buffer, both physical and visual, between the new development and the adjacent copse (Marlhole). This is consistent with the advice of Worcestershire Wildlife Trust and whilst no revised comments have been provided by them on the revised plans based on their previous comments then I am satisfied that, subject to conditions to control the type of screening and its management, then the proposal would not cause harm to the ecological credentials of the adjacent site.

The advice of Natural England and the of Worcestershire Wildlife Trust is that controls need to be in place to ensure that harm to ecology and biodiversity from pollution form noise, light and runoff are minimised. It is suggested that lighting around the break pressure tank is limited to ensure there are no impacts on locally important sensitive species. I consider these issues to be important and should form the basis of a series of conditions requiring full details of ecological mitigation measures and enhancements as well as means of protecting the environment from pollution (in the form of a CEMP) to be included in any planning permission issued.

Subject to the conditions set out above I am satisfied that the harm to ecology and biodiversity which would arise as a result of this development can be kept to an acceptable level relative to the scale and nature of the development proposed. Suitable mitigation and enhancement measures can be secured by condition to ensure that harm to ecology and biodiversity is minimised.

TREES AND LANDSCAPING

Extensive discussions between the applicant and the Council's landscape Officer have taken place during the assessment of this application. Original concerns of the landscape Officer were that the proposal would result in the unnecessary loss of too many significant trees and hedgerows and that insufficient compensatory provision had been proposed. Accordingly the applicant has provided revised plans and a revised tree removal/planting schedule which

shows a much reduced number of trees would be lost and that significantly greater replanting and new planting would be introduced. It is proposed by the applicant that to minimise harm to hedgerows which would require removal to install the pipeline, that the width of removed hedgerow would be reduced from 45m to 24m and that all hedgerows would be re-planted. Any significant trees which would be required to be removed would be replaced by a suitable size and number of trees, at a location to be agreed with the landscape officer, suitable to compensate for the loss. Interim comments from the landscape Officer are that the proposal is generally acceptable, however there are outstanding queries relating to the root protection two mature oak trees which require further clarification which could be suitably addressed by condition.

Whilst no detailed landscape specifications have yet been provided, the proposed plans do show that significant planting would take place at both the break pressure tank and treatment plant site and at the extension to Frankley Water Treatment Works. Landscaping at the break pressure tank and treatment plant site would comprise; a 7m strip of planting between the attenuation tank and the adjacent copse (marl hole) to act as a visual and physical buffer between the two. A large area of planting between the north-east elevation of the proposed treatment plant and the proposed new access track is proposed to minimise the visual impact of the open elevation of the treatment plant and the access track on the surrounding rural environment. These measures, along with the fact that the subterranean break pressure tank would be enveloped by a grass mound and would be laid with a green roof planted with trees and native shrubs, would in my mind ensure that the break pressure tank and treatment works site are able to blend as comfortably as is possible with the surrounding rural landscape.

At the site of the proposed extension to Frankley Water treatment Works a landscape bund is proposed to the south-east of the proposed extension which would sit taller than the proposed new building which would therefore be totally obscured from views from the east and south-east. This bund is proposed to be planted with a large number of trees at locations and of types and sizes which are to be agreed with the landscape officer. This is to soften the visual impact of the bund which would initially appear alien in this setting due to its utilitarian form, however this impact would in my view reduce as the landscaping becomes established. The Conservation officer has requested landscaping to this bund to reduce the visual impact of the proposed extension on the setting of St Leonard's Church as discussed below.

It has been agreed with the Council's Landscape Officer that an Environmental Management Plan (EMP) should be required by condition which would include full details of the landscaping proposals (including replacement planting) and the times of planting and future maintenance regimes. This should be drawn up in full consideration of the comments made by Natural England and Worcestershire Wildlife Trust and would be agreed with the Council's Landscape Officer. On this basis I am satisfied that the loss of any significant trees can be mitigated for by suitable landscaping along the application site.

WATER MANAGEMENT (FLOOD RISK, DRAINAGE AND POLLUTION)

The application is submitted with a detailed Flood Risk Assessment (FRA). North Worcestershire Water Management (NWWM), in their capacity as the Lead Local Flood Authority covering matters relating to ordinary watercourse flood risk and surface water drainage, and the Environment Agency (EA) as the authority on main watercourse flood risk, have been consulted on the application. Neither NWWM or the EA raises any objection to the proposal.

Comments from NWWM confirm that the FRAs do identify a risk of groundwater flooding to the proposed break pressure tank however suitable mitigation measures are proposed which would manage and mitigate the identified flood risk to an appropriate level.

The ES recognises that there are two ways that the development might increase the flood risk for the surrounding areas, namely

- a) large volumes of impounded water can escape from various elements of the total system due to structural failure or breach of the break pressure tank and the pipeline itself (basically anywhere along the route), and
- b) by the emergency overflow system for the break pressure tank (required in the event that the gravity pipe to Frankley WTW should be shut down and the various water level trips in the break pressure tank all fail to operate) becoming operational and discharging into a field adjacent to the Fenn Brook near Bromsgrove Road, Romsley.

Based on the information contained in the ES it is considered that the flood risks that result from the proposed development have generally been assessed into a good level of detail. The conclusion is that the risk of both the activation of the emergency overflow and a breach of the break pressure tank are limited to the failure of individual assets and infrastructure. As all assets and infrastructure are believed to be subject to rigorous maintenance and inspection regimes it is understood that the remaining risk is likely to be low and confined to an animal shed and several roads and believed not a reason to withhold planning approval.

NWWM have identified that there is potential for contributions to localised flooding to occur both during and after the construction phase through the introduction of hard surfaces, specifically at the new break pressure tank site. To ensure that this is appropriately managed so as not to increase flood risk a condition requiring a scheme of surface water drainage has been agreed.

The Environment Agency have identified that where the pipeline would pass through any areas of known land contamination there is a risk to ground and surface waters if that ground is disturbed. To this end they have suggested land contamination conditions requiring detailed contaminated land investigations and mitigation methodology as well as a CEMP should be included on any planning permission. I consider this a necessary and reasonable approach in the interests of protecting the water environment.

AIR QUALITY

Paragraph 109 of the NPPF states that new development should be prevented from contributing to unacceptable levels of air pollution. The ES confirms that no adverse impacts on air quality or odour emissions are expected once the scheme is in operation. It indicates that construction dust emissions on the application site would be at high risk of resulting dust nuisance effects. However, a number of site mitigation controls and procedures are recommended, and would be finalised within the CEMP, which I recommend be submitted by way of condition. With mitigation measures such as dust suppression, use of wheel-washing, and the erection of solid screens or barriers around dusty activities or site boundaries that are at least as high as any stockpiles on-site, the ES confirms that the risk of dust impact on the nearest residential properties would

be reduced to 'low'. The ES explains that the additional traffic movements associated with the proposed development would not be sufficient to result in air quality effects upon the local road network when compared to the existing situation.

MATERIALS & WASTE

The NPPF supports and encourages minimising waste (Paragraph 7) and the re-use of existing resources (Paragraph 17). Development within Bromsgrove should have regard for the waste hierarchy (Policy BDP1: Sustainable Development Principles of the emerging Bromsgrove District Plan).

It is proposed that during construction, mitigation measures for materials used on-site would be managed by the development of a CEMP which would include a detailed Site Waste Management Plan (SWMP), Materials Management Plan (MMP) and Soils Management Plan (SMP). Excavated material from the pipeline would largely be reused as backfill. It is not explicit in the documents submitted where the material to construct the proposed landscape bunds would be sourced from however this would be a requirement covered by the CEMP.

Once operational, the proposed development is not likely to require significant quantities of materials or produce significant quantities of waste. For this reason and given that Worcestershire County Council's Minerals and Waste Team do not object to the proposal subject to a condition requiring a CEMP then I am satisfied that the proposal is capable of implementation without causing land contamination concerns.

HERITAGE ASSETS

There are a number of heritage assets which would be affected by the proposal, these are all identified in the ES which accompanies the application. During the construction phase it is highly likely that the setting of any nearby heritage assets would be compromised however given the temporary nature of the construction phase such impacts would not be permanent. Similarly, where there are heritage assets close to the pipeline route the long term impact on these features would not be significant due to the fact that the pipeline would be below ground. At the break pressure tank and treatment plant site there are no designated heritage assets which would be affected by the proposal. At the Frankley Water treatment Works site St Leonard's Church (Grade II* Listed Building) and the Churchyard Cross (Scheduled Monument) are important assets the setting of which could be compromised by the proposed extension.

Paragraph 132 of the NPPF states "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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting..." Accordingly the District Council's Conservation Officer, Historic England and Worcestershire Archaeology have all been consulted on the proposal.

The Council's Conservation Officer has raised no objection to the proposed development. She concurs with the suggested mitigation measures as set out by the Applicant and recommends that the proposed mitigation landscaping is agreed with the Council's Landscape Officer to ensure that the setting of the Listed St. Leonard's Church or the standing cross in its churchyard are not compromised significantly by the proposed development. In her comments she emphasises the need for Worcestershire County Council's Archaeology team to be consulted on the potential for harm to be caused to features of archaeological significance. This view is echoed by the comments of Historic England who also do not object to the proposal but do raise concerns relating to archaeology.

Accordingly Worcestershire County Council's Archaeology team have provided comments and are satisfied that the applicant has undertaken a range of archaeological surveys to inform the development of the Cultural Heritage chapter for the Environmental Statement which provide enough baseline information to inform the determination of the application. However, it should be noted, as stated in the Environmental Statement Cultural Heritage chapter that less than 50% of the route has been subject to geophysical survey or any other form of field evaluation, primarily due to land access issues/ crop cover at the time the scheme was being designed. To this end it is recommended that an programme of additional geophysical resurvey should be carried out and any mitigation measures agreed prior to any works being carried out. Similarly all mitigation measures set out in the ES which relate to areas already surveyed are considered acceptable. Both matters are capable of being controlled by condition a condition requiring submission of a written scheme of investigation for archaeological observation and recording during development.

The removal of parts of some historic hedgerows to facilitate the laying of the pipeline would be necessary, however all would be reinstated so as not to cause any visual harm. The impact of this on ecology and biodiversity is discussed in the relevant section of this report.

For the reasons set out above I am satisfied that subject to suitable conditions requiring additional investigative archaeological works and conditions to ensure that the landscape bund and proposed landscaping are suitably designed, then the proposal is capable of implementation without direct harm to any heritage assets or their setting.

NOISE & VIBRATION

Paragraph 123 of the NPPF states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and that decisions should aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

Proposals for development that is potentially noisy are required to be located in areas where noise will not be an important consideration or where impacts can be minimised (Policy ES14A: Noise Sensitive Development of the Bromsgrove District Local Plan). In addition to maximising distances between noise sources and noise sensitive users Policy BDP19: Policy High Quality Design of the emerging Bromsgrove District Plan highlights the importance of taking into account the implications of existing night time use of the locality and incorporating sufficient soft landscaping and other measures to reduce noise pollution.

With the exception of tunnel boring activities, construction activities for the, transfer pipeline, BPT and works at Trimpley WTW would be restricted to between 07:00 to 19:00 from Monday to Friday and 07:00 to 13:00 on Saturdays. Tunnel boring activities would need to be undertaken 24-hours per day, 6 days per week (Monday to Saturday) in order for the process to operate efficiently. At Frankley WTW, construction activities would be restricted to between 08:00 to 18:00 from Monday to Friday and 08:00 to 13:00 on Saturday in line with standard guidance provided by the Environmental Protection Unit of Birmingham City Council.

The ES presents the results of both noise and vibration assessments carried out to assess these impacts during construction and operation of the scheme and it is noted that there are properties along the pipeline route which could be affected by the proposed development and some construction activities have the potential to lead to significant effects, for example at the two closest properties to Frankley WTW (Fir Lodge and Frankley Lodge Farm), for properties in closest proximity to the drive and/or receipt shafts for the tunnel crossings beneath the M5 motorway and the A491, and for Torestin and The Corn House on Woodfield Lane. However with

appropriate mitigation measures incorporated into the construction operations significant adverse noise and vibration effects are not generally expected at these locations

It is considered necessary that a scheme of noise and vibration monitoring be agreed with Worcestershire Regulatory Services, and noise and vibration limits be contained within any agreed Construction Environmental Management Plan.(CEMP), to include working hours conditions as considered appropriate. Given that Worcestershire Regulatory Services have not objected to the application as proposed then I consider this to be a suitable approach to ensure that there are no significant noise pollution implications, particularly for residential amenity, as a result of the proposed development.

SOCIO-ECONOMIC IMPACTS

Comments received as a result of the public consultation raise concerns that the impact of the proposal on the socio-economic amenity of Romsley village has not been considered. The ES contains a detailed socioeconomic impact assessment giving specific reference to effects on socioeconomic features which are likely to impact on how the local population live, work, play and relate to one another. The proposed development, due to its nature, is unlikely to have any significant detrimental impact on any of the above features given the nature of the development proposed. In the short term I perceive that there may some impact to Romsley village however I consider it likely to be a gain to local businesses with increased trade from construction workers. Similarly, with the intention of STW to utilise as much local suppliers and workforce as possible there too could be a temporary economic gain in this respect. I do not consider that the temporary increase in construction traffic or managed noise/vibration levels would amount to a detrimental socio-economic effect, especially to Romsley village which is a reasonable distance from the working areas.

In the case of the proposed development the greatest socioeconomic impacts are likely to be being the impact on Public Rights of Way (PRoW) where they are proposed to be temporarily or permanently diverted. As these matters would be dealt with at the County Council under a separate application and given that there is no proposal to loose any PRoWs then I am satisfied that any impacts would be temporary and with neutral consequence.

The fact that no bespoke report relating to the socio-economic impacts of the proposal on Romsley village is included in the ES is not, in my opinion, a flaw in the report. I am satisfied that sufficient consideration has been given to the wider socio-economic impacts of the development in the ES and that the nature of the proposed development would mean that such impacts are limited.

One concern raised by a third party was that the knowledge of the presence of the break pressure tank and treatment plant at Putney Lane would be sufficient, irrespective of any visual impact regardless of how significant, to result in a loss of amenity. I do not agree that this would be the case, for the reasons outlined above in the section relating to the visual impact of the proposal I am satisfied that in time the proposed development at Putney Lane would become increasingly worn-in to the surrounding landscape so as not to be visually intrusive or incongruous.

OTHER MATTERS

There have been numerous letters of objection which highlight the dissatisfaction of the community with the way in which the pre-application public consultation was executed. In particular it is the perceived late addition of the PAC treatment plant to the break pressure tank at the Putney lane site which has caused most complaint. I am aware that the applicants did carry out extensive public consultation prior to the submission of the application and that the dialogue with community groups has been ongoing I am not inclined to check the detail of every

meeting. It is quite reasonable however that during the pre-application stages that a proposal can alter and this may indeed what has happened in this instance. For the purposes of determining this planning application I am bound only to consider what has been formally applied for as part of the application. There has been a full public consultation carried out in accordance with the relevant legislation and as such I am satisfied that the public have been given the required amount of detail and time to consider and respond to the development proposal.

Specific questions were raised as to the need for the treatment plant at the break pressure tank site. It was argued that the use of the proposed PAC (Powder Activated Carbon) dosing technique which requires the sizeable silos was unnecessary and that a GAC (Granular Activated Carbon) method should be used as a more appropriate technology and because it would remove the need for the PAC dosing silos on this site. Due to the technical nature of this query the advice from the Environment Agency was sought and is quoted verbatim below;

“Further to a discussion with our water quality team I can clarify the following in relation to the two options and the reasoning for inclusion of PAC within the above scheme.

PAC:

- PAC has a much higher surface area per volume than GAC*
- Its absorption capabilities are much higher in a shorter period than GAC*
- It is a one-time application (cannot be regenerated)*
- It is dosed into the water treatment process stream normally upstream of clarification*
- Carbon adsorbs contaminants from the water and is then removed from the water and is disposed of in the sludge*
- Generally only used for limited periods in exceptional circumstances.*
- Quicker and easier to deploy making more sense for use in a temporary/emergency situation*

GAC:

- Installed as a bed of granules in a contactor (very similar to sand in a rapid gravity filter).*
- Water passes through the bed and the GAC removes the contaminants.*
- Once exhausted and has lost its removal capacity, the granules can be regenerated and re-used.*
- Cheaper long-term use.*

In other words, as far as the use in the Birmingham Resilience project is concerned, the periodic need for treatment (as opposed to continual) is best satisfied by the quicker, more effective, easier to deploy method offered by PAC use.”

Based on the above advice I am satisfied that the proposed use of PAC dosing as a treatment method the most appropriate means of water treatment and on this basis I cannot afford any material weight to the proposition that a GAC dosing option should be sought as an alternative.

It was suggested that the proposed PAC dosing treatment plant should be located elsewhere along the pipeline route and not on the Putney Lane site where its visual impacts would be adverse. I accept that there may be practically feasible alternative locations however I have not sought to explore this with the applicant. The reason for accepting the treatment plant adjacent to the break pressure tank is due to the fact that to insist on its relocation would, in my mind, simply be transferring the potential impacts of this element of the development to another location. Given that the pipeline follows a path that passes through a majority Green Belt area then the potential harm in another part of the Greenbelt could be more significant especially

given that the application site, due to its topography, provides good facilities for the proposed development to be excavated into the ground thus reducing its impact on the visual amenity and openness of the Green belt.

Romsley parish Council have queried whether Romsley Parish ought to be compensated for the perceived disruption to the community and have suggested a legacy be provided by the applicant to the community. Given that the proposed development would not, in my opinion, attract any Section 106 contributions and that all other concerns could be dealt with by condition, I do not find it would be reasonable to insist on any financial contributions from the developer in this instance. Whether the applicant and Romsley parish Council would wish to work together to provide the community with a legacy gesture is a private matter and is not one which I can afford any weight to in considering this application.

CONCLUSIONS

I consider that the benefits of the proposed development i.e. resilience to the water supply of Birmingham, would constitute very special circumstances which clearly outweigh any harm to the Green Belt by reason of inappropriateness and harm to openness. The proposed above-ground structures, their location, siting, materials and design have all been carefully considered in order to minimise impacts on the landscape, visual amenity and existing trees, and as such I am satisfied that there would be a neutral impact on the landscape/visual amenity of the surrounding area in the long term. I consider there would be no material adverse ecological impact as a result of the proposed development, with replacement habitat to support that lost and a range of mitigation and ecological enhancement measures proposed. There would be no adverse impact on flood risk, traffic, risk of land contamination, materials and waste, water resources or heritage assets as a result of the proposed development. Some of the potential impacts identified, i.e. noise and air quality, are associated solely with the construction period of the scheme and would therefore be temporary in nature. A range of mitigation measures are proposed to minimise construction impacts on local residents and the environment.

In the context of the wider scheme, accepting some individual elements may have differing effects, some harmful, I consider that the proposed development complies with the relevant planning policies and provides a sustainable balance between localised environmental disturbance and the highly significant social and economic benefits of providing a resilient water supply for the City of Birmingham. I am therefore satisfied that the proposal would accord with all relevant policies of the development plan.

In accordance with The Town And Country Planning (Consultation) (England) Direction 2009, it is a requirement that should members be minded to approve the application then it should be referred to the Secretary of State under Section 9 of that Direction to afford the Secretary of State the opportunity to consider whether to utilise the call-in powers conferred by Section 77 of the Town and Country Planning Act 1990.

RECOMMENDATION:

- (a) **MINDED to APPROVE** full planning permission
- (b) In accordance with The Town And Country Planning (Consultation) (England) Direction 2009, it is a requirement that should Members be minded to approve the application it should be referred to the Secretary of State under Section 9 of that Direction to afford the Secretary of State the opportunity to consider whether to utilise the call-in powers conferred by Section 77 of the Town and Country Planning Act 1990

- (c) Given (b) listed above, that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the Listed Building Consent if the Secretary of State is not mindful to call the application in

CONDITIONS

1) Time

Commencement of development timescale (3 years)

2) General

Development in complete accordance with the approved plans

3) External Materials

No development shall commence until samples and details of all external materials to be used to all above ground buildings and structures (to include the PAC treatment plant, dosing hoppers, retaining structures and ancillary structures at Putney Lane and the extension to the water treatment works) have been submitted to and agreed in writing by the Local Planning Authority.

4) Highways

a) Prior to the commencement of construction of the break pressure tank hereby approved, the construction of the vehicular access shall be carried out in accordance with a specification to be agreed

b) Prior to the commencement of construction of any temporary site access, the construction of the vehicular access shall be carried out in accordance with a specification to be agreed. Upon the completion of the project the accesses shall be reinstated in accordance with a specification to be agreed

5) Landscaping & Trees

a) No development shall commence until an Environmental Management Plan (EMP) has been submitted and approved. The EMP shall cover;

i – lighting and noise control

ii – full details of planting and habitat creation

iii- landscape management plan (covering a period up to establishment)

iv – Full details of the reinstatement of all mobilisation compounds including timeframes for completion.

6) Heritage

a) Programme of archaeological works to be submitted prior to any development being carried out.

b) Site investigation and post investigation assessment to be completed in accordance with a) above.

7) Construction

a) No development shall commence until an updated Construction Environmental Management Plan (CEMP) has been submitted and approved. The CEMP should cover;

i – A Construction Traffic Management Plan (CTMP)

ii – A Site Waste Management Plan (SWMP)

iii – A Materials Management Plan (MMP)

iv – A Soils management Plan (SMP)

- v – A Water Management Plan (WMP)
- vi – A Habitat Management Plan (HMP)
- vii – A Pollution Prevention Plan (PPP)(including noise, dust, odour and light)

b) The Pollution prevention plan (PPP) as required by condition 6 shall be devised with strict regard to Worcestershire Regulatory Services 'Demolition and Construction Guidance' document .

c) The Pollution Prevention plan (PPP) as required by Condition 6 shall have regard to the Institute of Lighting Engineers (ILE) guidance on external lighting in order to minimise light spill to any nearby receptors.

8) Drainage

a) No works or development shall take place at the break pressure tank site until a scheme for surface water drainage has been submitted and approved.

b) No works or development shall take place at the break pressure tank site until a scheme for drainage relating to the break pressure tank overflow has been submitted and approved.

9) Contaminated Land – Tiered Investigation

NOTES

A. This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.

B. The attention of the applicant is drawing to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Worcestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Case Officer:

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