

Application No: 19/3774M

Location: LIDGETTS LANE, RAINOW, MACCLESFIELD

Proposal: The proposed development includes a new service reservoir, construction compounds and connection pipework to the exiting service reservoir.

Applicant: Mr Michael Barton, United Utilities Plc

Expiry Date: 14-Feb-2020

SUMMARY

The proposed development seeks the erection of a new Service reservoir and associated infrastructure within close proximity to an existing facility in order to allow servicing and maintenance of the existing reservoir and in effect, provide a 'back-up' option for the local water supply.

The proposal would represent inappropriate development in the Green Belt by reason of its impact upon openness and encroachment. There would also be limited landscape harm created. However, it is deemed that Very Special Circumstances apply that clearly outweigh this harm. More specifically, the significant implications on local water supply if the facility not provided (in event of failure of the existing facility) and the because of the subsequent likely greater landscape implications of the alterative option which is to lay several kilometres of pipework and erect new pumping stations across a greater area.

As such, the principle of the proposal is deemed to be acceptable.

The scheme is deemed to be of an appropriate functional design that would not create any significant concerns with regards to; highways, amenity, landscape, trees, nature conservation, flooding and drainage, archaeology or Public Rights of Way, subject to conditions where necessary.

For the above reasons, the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR REFERRAL

The application has been referred to Northern Planning Committee because it relates to a commercial development comprising of a site between 2 and 4 hectares.

DESCRIPTION OF SITE AND CONTEXT

The application site is located to the east of Lidgetts Lane, in close proximity and on the opposite side of the road to an existing reservoir (Kerridge Service Reservoir), Kerridge, within the Green Belt. The site is also falls within a Landscape Designation Area (formerly known as Area of Special County Value) as well as being within the Peak District National Park Fringe.

The application site is relatively remote and forms a hill side, rising in height from west to east. It comprises of green fields with either shrub, post and wire fencing or dry stone wall boundaries.

The village of Kerridge is approximately 2km to the north of the site. The surrounding landscape comprises of Kerridge Ridge to the east, a former quarry to the north and fields to the south and west.

The application site covers an area of 38,171m².

DETAILS OF PROPOSAL

Full planning permission is sought for the creation of a new service reservoir and associated infrastructure. More specifically, the proposals comprise of the following development;

- New service reservoir structure (including under drainage)
- Control kiosk (3 metres in width, 2 metres in depth and would comprise of a flat roof with a height of 2.3 metres)
- Sample tap kiosk (2.3 metres in width, 1.5 metres in depth and would comprise of a flat roof with a height of 2.3 metres)
- Access ramp and staircase/access chambers
- New site access and associated hardstanding
- Ground re-profiling
- Retaining wall (approximately 85 metres in length, be 2 metres tall, stone clad with 1.1 metre tall welded mesh security fence above - all no higher than 2.4 metres)
- Site fencing
- Temporary compound
- Landscaping including land re-profiling
- Below ground pipework

Revised plans were received during the application process. The main changes and the reason for the changes are detailed below;

- **Removal of the Temporary Haul Road** - The original submission allowed for the construction of a temporary haul road between the proposed service reservoir and adjacent quarry to facilitate the storage of material during the construction process. Following a detailed site investigation, this is no longer required as the material can now be stored on the development site to the east of the proposed reservoir.
- **Tree Removal Plan updated** - The tree removal on the quarry bund is no longer required due to the removal of the temporary haul road. Pipework has also been relocated to

Lidgetts Lane further reducing the tree removal to the west of Lidgetts Lane and north of the existing service reservoir.

- **Traffic Management Plan updated** - Following detailed discussions between the applicant and suppliers, it became apparent that the original proposal to reverse vehicles up Lidgetts Lane was not acceptable due to logistical reasons. An alternative proposal has now been agreed to turn the vehicles around in Endon Quarry on Windmill Lane thus removing the need to reverse vehicles up Lidgetts Lane.
- **Soil Management Plan** - A Soil Management Plan has been produced in response to landscape consultee comments. It is proposed to retain as much of the surplus material on site to reduce the traffic movements from the development site.
- **Landscaping/Planting Plan:** Updated at request of Landscape Officer

A re-consultation was undertaken on the revised plans.

For the benefit of clarity, Service reservoirs store fully treated potable water close to the point of distribution.

RELEVANT HISTORY

97/0080P - (Marksend Quarry) - Construction Of Temporary Amenity Mounds To Screen Quarry Workings – Approved 7th November 1997

77343P - (Marksend Quarry) - Construction Of Temporary Amenity Mounds To Screen Quarry Workings – Approved 25th May 1994

70111P - (Marksend Quarry) - Saw Sheds Dressing Sheds Workshop and Masonry Store – Approved 14th August 1992

15158P - (Marksend Quarry) - Permission To Bring In Imported Non-Toxic Fill To Fill In Old Quarry Workings – Approved 7th September 1978

14812P - (Marksend Quarry) - Use Of Exist Building & Hard-Standing For Production Sale & Storage Of Agricultural Fencing Timbers – Refused 28th June 1978

12602P – Caravan siting – Refused 8th March 1978

12510P - (Marksend Quarry) - Filling In Of Old Quarry Workings – Refused 8th March 1978

ADOPTED PLANNING POLICIES

The relevant aspects of the Cheshire East Council Development Plan subject to this application are; the Cheshire East Local Plan Strategy and the Macclesfield Borough Local Plan. The relevant policies within these include;

Cheshire East Local Plan Strategy (CELPS)

PG1 - Overall Development Strategy, Policy PG2 - Settlement Hierarchy, PG3 – Green Belt Land, PG6 – Open Countryside, PG7 – Spatial Distribution of Development, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, SE1 - Design, SE2 - Efficient Use of Land, SE3 - Biodiversity and Geodiversity, SE4 - The Landscape, SE5 - Trees, Hedgerows and Woodland, SE6 – Green Infrastructure, SE9 - Energy Efficient Development, SE12 Pollution, Land Contamination and Land Instability, SE13 – Flood Risk Management, SE15 – Peak District National Park Fringe and CO1 – Sustainable Travel and Transport

Macclesfield Borough Local Plan (MBLP)

NE1 – Areas of Special County Value, NE3 – Conservation and enhancement to rural landscape, NE11 - Nature Conservation, NE15 – Creation or enhancement of habitats, NE17 – Major developments in the countryside, BE24 – Sites of possible archaeological importance, GC1 - Green belt (new buildings), DC3 - Protection of the amenities of nearby residential properties, Policy DC6 - Circulation and Access, Policy - DC8 – Landscaping, Policy DC9 - Tree Protection, Policy DC38 - Guidelines for space, light and privacy for housing development and Policy, DC63 – Contaminated land

Other Material planning policy considerations

National Planning Policy Framework (NPPF) 2019
National Planning Policy Guidance (NPPG)

CONSULTATIONS (External to Planning)

Head of Strategic Infrastructure (Highways Officer) – No objections

Environmental Protection (Cheshire East Council) - No objections, subject to conditions including; Prior submission/approval of a soil verification report and works to stop if contamination is identified

Public Rights of Way Officer (Cheshire East Council) – No objections

Environment Agency – No objections

Flood Risk Manager (Cheshire East Council) – No objections

Cheshire Archaeological Planning Service – No objections

Cadent Gas – Recommend informatives in the event of approval only

Rainow Parish Council – No objections, but requested further landscaping details. These were subsequently provided. No further formal comments have been received at the time of writing this report.

REPRESENTATIONS

Neighbour notification letters were sent to all adjacent occupants and a site notice was erected. The proposal was also advertised in the local newspaper, the Macclesfield Express. In response

to the original consultation, 2 letters of representation were received. The main points raised included;

- Impact of construction works upon – Pedestrian safety, air quality, car parking due to narrow nature of highway
- Wider environmental impacts of development in terms of – road quality, drainage & dry stone walls damage, landscape impacts of associated infrastructure, impact upon local wildlife

In response to the re-consultation on the revised plans, comments have been received from 1 interested party raising the following concerns;

- Highways – Inconvenience of road closures

OFFICER APPRAISAL

Green Belt

Policy PG3 of the Cheshire East Local Plan Strategy (CELPs) seeks to control new development within the Green Belt and does not support the construction of new buildings within it, unless it is for one of the purposes set out in the policy.

Listed within these purposes is 'engineering operations'. The proposed works are deemed to represent 'engineering operations'. However, a pre-cursor to the acceptability of engineering operations in the Green Belt is that such works should preserve the openness of the Green Belt and should not conflict with the purposes of including the land within the Green Belt. This policy is deemed to be consistent with the NPPF and as such, is afforded full weight in decision making.

The various elements of the proposals are listed in the description of development.

In consideration of openness, the main structure, the service reservoir itself, would be stepped into the existing hillside. A terrace will be created and the structure would sit within it, almost entirely below ground level. As such, the main consideration in relation to openness and the service reservoir will be the re-modelling of the hillside to accommodate this structure.

Higher up the slope, land will be excavated, whereas lower down the slope, it would be built up and a slope re-introduced to the bottom of the hill (1:2), to respect the existing topography as much as possible. It is considered that these earthworks cancel each other out with regards to openness.

The other elements to consider when it comes to openness is the other associated development, namely the; control kiosk, sample tap kiosk, access ramp and staircase/access chambers, new site access and associated hardstanding, retaining wall, site fencing, temporary compound and landscaping.

It is considered that this associated development would indeed impact the openness of the Green Belt. Openness is the absence of built form and the introduction of the associated structures, walls and fencing would not preserve the openness. It is also considered the creation

of the hard standing, structures the service reservoir itself would result in encroachment into the Green Belt.

As such, the proposals are deemed to represent inappropriate development in the Green Belt due to either their impact upon openness and their harm by reason of encroachment.

Policy PG3 of the CELPS states that planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.

Landscape

The application site falls within the Green Belt, a landscape designation, the Peak District National Park Fringe and is located in an elevated position on a hillside. As such, the landscape impacts of the development proposed are a significant consideration of the application.

Landscape and Visual Impact Assessment (LVIA)

An LVIA was submitted in support of the application. Such an assessment considers the wider landscape implications of development proposals. This report has been done by a specialist environmental consultancy. The conclusions of this report found that the proposals would;

- Have no effect on the Peak District National Park as the topography limits intervisibility
- The form and appearance of the development will be more engineered than at present and the perimeter weld mesh fencing and railings at variance with the rural setting when viewed closely. However, when seen in the wider landscape context, they will be less distinct within the wider ridge landscape.
- The proposal would give rise to negligible to minor adverse effects other than in very close proximity where there would be a moderate effect on the landscape.

The Council's Landscape Officer does not disagree with these conclusions which in short, conclude that the wider landscape harm of the proposal would be limited.

Soils management

A Soils Management Plan was submitted with the application. Following requests for further information, the Landscape Officer is now satisfied with the earthworks proposed. For the benefit of clarity, these comprise of;

- 11,417 m³ of surplus soils dug to add the service reservoir will be used to re-profile the existing pastureland to the east
- This material will be up to 2.2 metres in depth in places
- Soil will be smoothly graded to tie into the existing landform
- The land will be reinstated as pasture upon completion

The key points the Officer is satisfied with are that; no excess soil will be leaving the site as the surplus will be used to re-profile the existing pastureland as shown on plan (80060309-01-MMB-KERRI-97-DR-T-00012 Rev 0); seeding details of the re-profiling have been submitted and

agreed and confirmation received that soil testing to British Standards of the soils prior to re-distribution on the site will be carried out.

Landscape conclusions

As a result of the demonstrated limited harm the proposal would have upon the wider landscape, the Council's Landscape Officer has raised no objections to the proposed development, subject to a detailed condition that requires all hard and soft landscaping proposals to be implemented, that all soils moved on site be done so in accordance with British standards, that all tree shrub and hedge planting should comply with British standards and that if any vegetation seeded or planted is removed, dies or becomes severely damaged or diseased within 5 years, it should be replaced.

Subject to this condition, the application is deemed to adhere with Policies SE4 and SE15 of the CELPS with regards to landscape considerations.

Trees

The amendments removing an originally sought temporary haulage road, now show that only 6 trees are proposed for removal rather than the previous 16 which is reflected in the updated Arboricultural Report/ Tree Protection Plan.

The proposed steps to avoid trees as part of the mitigation is to be welcomed and reduces the reliance on replacement planting. The Council's Tree Officer raises no objections to the proposals, subject to a condition to ensure that the development be implemented in accordance with the submitted Arboriculture Report (Mott McDonald Revision P03 dated 23/7/2019) and Tree Protection Plans 1 and 2.

A condition is also proposed requiring the submission/approval of an updated landscaping scheme showing a greater ratio of replacement tree planting than currently demonstrated, and landscaping implementation.

Subject to these conditions, the Council's Forestry Officer advises that there are unlikely to be any significant arboricultural implications and the proposal would adhere with Policy SE5 of the CELPS.

Nature Conservation

The application is supported by ecology surveys.

The Council's Nature Conservation Officer has reviewed the proposals and the submitted surveys and the relevant impact of the proposals are considered below;

Bats

The submitted ecology report identified that the building referred to as Building 1 (stone built structure with flat concrete roof) offered some potential to support roosting bats. Confirmation has been received from the applicant that this building will not be impacted by the proposed development. As such, no further bat survey effort is therefore required for this application.

Great Crested Newts (GCN)

The presence of GCN was confirmed within the submitted *Preliminary Ecological Appraisal* (Mott MacDonald, 09/05/2019) in a pond near the site. It was however concluded that due to the distance from, and barriers to the dispersal of GCNs into the site, they were unlikely to be impacted by the proposals.

Herptiles (reptiles or amphibians)

The submitted *Preliminary Ecological Appraisal* (Mott MacDonald, 09/05/2019) recommends that any required removal or disturbance of dry stone walls or rock piles should be done between March and October, or under the supervision of an ecologist to avoid potential disturbance of hibernating herptiles. In the event of approval, the Council's Nature Conservation Officer has advised that a condition be imposed requiring adherence to the recommendations made in section 4.2 relating to herptiles.

'Other protected species'

The submitted *Preliminary Ecological Appraisal* (Mott MacDonald, 09/05/2019) makes recommendations relating to other protected species including that an updated 'Other protected species' survey is carried out no more than 6 weeks prior to the commencement of works. In the event of approval, the Council's Nature Conservation Officer recommends the addition of a condition requiring adherence to the recommendations made in sections 4.1 and 4.2 of the report relating to 'Other protected species'.

Semi-improved neutral grassland

Biodiversity metric calculations have been carried out by the ecologist using a recognised measurement tool. The calculations include proposals for provision of created and enhanced habitats which include neutral grassland within the application site. The proposals predict a 28.7% net gain for biodiversity. This assumes the successful creation of habitats, some of which will take in excess of ten years to create.

The Council's Nature Conservation Officer concurs with the calculation results. In the event of approval, the Officer recommends a condition requiring adherence to the habitat proposals detailed in the *Biodiversity Net Gain Report* (Mott MacDonald, 23/01/2020). In addition, the report recommends a long term management plan. As such, the Council's Nature Conservation Officer also recommends that a 25-year habitat management plan be conditioned for approval.

Breeding Birds

If planning consent is granted, a condition to protect breeding birds is proposed.

Ecological Enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate

features to increase the biodiversity value of the final development in accordance with this policy. The Council's Nature Conservation Officer therefore recommends that if planning permission is granted, a condition should be attached which requires the submission of an ecological enhancement strategy.

Subject to the above conditions, it is considered that the proposal adheres with Policy SE3 of the CELPS and the relevant NE policies of the MBLP.

Highways

The main highway impacts will arise during construction and this has been discussed at pre-application stage. The Council's Head of Strategic Infrastructure (Highways Officer) has advised that once operational, there will very few movements associated with the reservoir and these will be for maintenance purposes only. A service road is being provided in front of the reservoir and the Officer advises that provides an acceptable visibility in both directions.

The Council's Head of Strategic Infrastructure has advised that as access to the site for HGV's is difficult, a Traffic Management Plan has been submitted that details the vehicle routing to and from the site. The key points to be drawn from this plan are;

- Construction is estimated to commence February 2020 and will last approximately 15 months
- Access to the development site will be taken off Lidgetts Lane which will be closed for the duration of the main works as agreed with Cheshire East Highways
- No HGV (or site) traffic will access Lidgetts Lane from the Rainow Road end
- Vast majority of the site traffic will access the development from the B5470 Rainow Road, travelling along Kerridge Road
- HGVs will continue along Windmill Lane to the entrance of Endon Quarry where they will turn around within the quarry and return along Windmill Lane to Lidgetts Lane. An agreement is in place between the applicant (United Utilities) and Endon Quarry for this.
- To facilitate this, Kerridge Road will also be closed (from Swanscoe Farm access track to junction with Windmill Lane) for duration of works as agreed with Highways
- Access to Lidgetts Lane will be for residents only. There will be no access for pedestrians or cyclists. However, access will be retained for pedestrians, cyclists and horse riders from Rainow Road as far as the first corner where Bridleway 43, Rainow meets the road.
- Access on Kerridge Road will be maintained for residents, pedestrians and cyclists.

The Council's Head of Strategic Infrastructure advises that there are no objections to the proposal as once complete; the reservoir will have little traffic impact.

Construction routing to the site is difficult and planned access to and from the site by HGV traffic has been submitted and agreed with CE Highways, as have the required road closures are necessary to protect the safety of the public during the construction period. These matters would not be controlled by planning, but by the Highways Act.

The proposed arrangements for HGV's to turn at Endon Quarry cannot be controlled through the Highways Act as it relates to private land. However, the applicant has confirmed that a

Temporary Site Compound Licence Agreement is in place/on the verge of being signed with the landowner, for this to take place.

The proposals are therefore deemed to adhere with Policy DC6 of the MBLP.

Amenity

Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to (amongst other considerations); loss of privacy, sunlight and daylight, an overbearing impact and environmental considerations.

Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

The closest neighbouring residential properties to the application site are over 100 metres away. As such, it is not considered that the proposals would create any concerns in relation to overbearing impacts or light and its very nature would ensure no privacy concerns would be created. The proposal therefore complies with policy DC3 of the MBLP and the amenity aspect of policy SE1 of the CELPS.

In consideration of environmental matters, the Council's Environmental Health Officer has reviewed the proposals and advised that they have no objections, subject to conditions including; Prior submission/approval of a soil verification report and works to stop if contamination is identified. Subject to these conditions the proposal will comply with policy SE12 of the CELPS and DC63 of the MBLP.

Public Rights of Way

The Council's PROW Officer was originally concerned that as part of proposals to close off Lidgetts Lane during construction, the intention was to restrict access (other than for residents) for pedestrians, cyclists and horse riders from Rainow Road as far as the first corner where Bridleway 43, Rainow meets the road.

The applicant has amended the road closure scheme as to allow access for the above groups as requested. The Council's PROW Officer has subsequently withdrawn any concerns they originally had.

Design

Policy SE1 of the CELPS advises that the proposal should achieve a high standard of design and; wherever possible, enhance the built environment. It should also respect the pattern, character and form of the surroundings.

The proposed developments required for the effective operation of the reservoir are appropriate for the purpose they will serve. The reservoir itself will be cut into the hill-side reducing its wider impact.

Subject to a condition requiring the prior submission/approval of the stone cladding proposed to the retaining wall, it is considered that the proposal would respect the local rural character

and adhere to Policy SE1 of the CELPS, the Cheshire East Design Guide SPD and the NPPF.

Flooding and Drainage

The application site falls entirely within a Flood Zone 1, the lowest categorisation established by the Environment Agency. Nonetheless, the Council's Flood Risk Officer was consulted in their capacity as a member of the Local Lead Flood Risk Authority. They subsequently raised no objections to the proposals.

Furthermore, given the scale of the development, the Environment Agency themselves were consulted. They too raised no flood risk concerns.

It is noted that a drainage plan has been submitted with the application. In the event of approval, this will form one of the approved plans to which the applicant will need to implement.

Subject to the above, it is considered that the proposal would adhere with Policy SE13 of the CELPS.

Archaeology

The Cheshire National Mapping Programme and Lidar Mapping Project recorded a number of archaeological sites defined by earthworks within the application area. These sites include agricultural features and route-ways dating from the medieval period, to early post medieval coal mining and nineteenth century quarrying.

As such, the Cheshire Archaeological Planning Service recommended that the applicant commission an archaeological desk based assessment which considers the known information on the site's archaeological potential and the likely impact of any development. The results of any such assessment will assist in further defining the nature and extent of the archaeological remains on the site and will help to determine the need, if any, for further archaeological mitigation secured by condition.

In response, the applicant provided this. It identified two sites of archaeological interest within the red line boundary depicted on the submitted location plan, the Parks End Quarries and a series of linear earthworks located within the field east of Lidgetts Lane (Lidia Field). Buildings structures and earthworks associated with the quarries are considered to be of regional significance. It is now apparent that the compound will be located away from these heritage assets and will therefore have no long term detrimental impact. Lidia Field contains a number of linear earthworks recorded by Historic England as part of the Cheshire National Mapping Programme and Lidar Mapping Project. These features are recorded as a group of post medieval field boundaries visible as earthwork banks on the National Monuments Record (monument no. 1600940). These heritage assets are considered to be local significance and will be largely destroyed by the construction of the reservoir.

As the ground disturbance is to be restricted only to the area of the proposed service reservoir, and given the limited significance and archaeological potential of the earthworks in Lidia Field, the Cheshire Archaeological Planning Service has advised that no further archaeological work is required, and no objections are raised.

Very Special Circumstances (VSC's)

Within the submitted planning statement (section 2), the applicant has provided detail explaining the requirement for the new facility. The explanation is as follows;

- Service reservoirs are key infrastructure in the supply of drinking water.
- They allow water companies to deal with the daily diurnal supply.
- Water treatment works treat flows at a constant rate which mean that storage is required in the network to deal with the fluctuations in supply and demand.
- The storage capacity in the service reservoirs allows short term maintenance shut downs at the water treatment works.
- United Utilities (the applicant) have a commitment to the Drinking Water Inspectorate to install infrastructure at Kerridge Service Reservoir which will allow it to be isolated from the water distribution network for periodic cleaning and maintenance, whilst maintaining water quality and supply
- Following investigation, the most appropriate solution identified to enable this is the construction of a new Service reservoir close to the existing one in Kerridge.
- It will operate in parallel with the existing Service reservoir, but is still be capable of supplying a catchment of over 8000 properties when the existing reservoir is isolated for maintenance.
- The areas supplied by the reservoir are; Kerridge, Rainow and Bollington

In response to the above justification, a further question was put to the applicant in order to understand what the other possible solutions were to allow for the cleaning and maintenance of reservoirs are. In response, the applicant advised that;

'Modern reservoirs as standard are built with two compartments which allow for one compartment to be taken out of service while the other remains in service to feed the area. The existing reservoir at Kerridge was built as a single compartment and therefore there is no resilience for the network should it be taken out of service. The Water Treatment Works which feeds this site requires frequent short duration outages to ensure water quality is maintained and as Kerridge SR is a last in line service reservoir for some areas it would mean that if the reservoir were taken out of service currently there would be a loss of supply to those properties during these outages [Officer emphasis]

The proposal is to build an additional single compartment reservoir which will enable the site to act as a twin compartment and prevent resilience to the area being compromised in any future cleaning, inspection and maintenance works.

A number of other options were considered prior to progressing the current option including bringing supplies in from other areas, however, the existing network did not have the connections required to facilitate this so it would require laying of several km of new mains over difficult terrain and constructing new pumping stations to achieve the required flows and pressures in the mains. Additionally the other treatment works closest to the area do not have the capacity to provide the additional flows needed meaning that flows would have to be transferred even further.'

The application submission has also provided a site selection assessment to demonstrate why the application site is the most appropriate site for the application proposals. Other sites have been dismissed due to 'operational requirements'. More specifically, the following issues were identified; topography, archaeology, ground stability, extent of vegetation clearance, visual impact of main structure and buildings and construction ease.

It is advised that the application site was selected because of the ability to cut the main reservoir structure into the hillside to reduce its visual impact and to utilise the adjacent quarry for site set-up and material management.

Conclusions

Policy PG3 of the CELPS states that planning permission will not be granted for inappropriate development in the Green Belt, except in very special circumstances, in accordance with national policy. Consideration therefore, needs to be given to whether there are Very Special Circumstances that clearly outweigh the harm by reason of inappropriateness and the limited landscape harm that would be created.

As advised, given that the proposed reservoir itself would be cut into the hillside, the impact upon openness would be limited. Nonetheless, the reservoir would encroach into the Green Belt.

The impact upon openness and encroachment created by the service buildings, due to their limited scale, would in turn, be deemed to be limited in nature.

However, the creation of the 85 metre-long, 2 metre-tall retaining wall with 1.1 metre-tall fencing above, adjacent to Lidgetts Lane and the 2.4 metre-tall security fencing that would encompass the rest of the site is deemed to have a greater impact.

Attempts were made to explore alternative options or mitigation of these particular elements of the scheme with the applicant during the application process. However, the applicant advised that for various reasons listed below, such options were not possible;

- The only way to reduce the height of the retaining wall would be to push the reservoir structure itself further back into the hillside which in turn would have considerable construction implications including significantly increased traffic movements.
- As well as security, the 1.1m high fence over the retaining wall is necessary as it also acts as safety handrail to the footpath at the bottom of the embankment.
- A conscious decision was made not to include planting to the perimeter in a bid to screen the security fencing because it would detract from the existing character of open landscape and interrupt the visibility of Kerridge Ridge, identified as a key characteristic and local landmark within the Landscape and Visual Appraisal (LVA).
- It is not possible to plant a second hedgerow to the rear of the retaining wall along the frontage of the development because immediately to the rear of the retaining wall and security fence is an 800mm wide concrete footpath essential to safe maintenance and inspections.
- A hedgerow on the Lidgetts side of the proposed retaining wall could not be accommodated as there simply would not be enough room.

As such, no changes to this element of the scheme have been made.

These restrictions are recognised. Furthermore, the wall and fence adjacent to Lidgetts Lane would be viewed in the context of their being a rising hillside behind, tempering the impact of this part of the development. The impact of this is further reduced as the fence atop of the retaining wall would be 'open' in nature (mesh design) as would the security fence that would surround the site.

As such, these matters are deemed to lessen the level of harm to openness created by the wall and fencing.

The harm to the landscape has already been identified to be limited in nature.

Alternatively, the benefits, or indeed the implications of not providing the new service reservoir in the location proposed would be significant. This is either because of the implications on local water supply if not provided or because of the likely greater landscape implications of the alternative option which is to lay several kilometres of pipework and erect new pumping stations across a greater area.

For the above reasons, it is considered that the above justification represents a Very Special Circumstance that clearly outweighs the harm by reason of inappropriateness.

As such, the principle of the development is deemed to be acceptable.

The scheme is deemed to be of an appropriate functional design that would not create any significant concerns with regards to; highways, amenity, landscape, trees, nature conservation, flooding and drainage, archaeology or Public Rights of Way, subject to conditions where necessary.

For the above reasons, the application is recommended for approval.

RECOMMENDATIONS

APPROVE subject to the following conditions;

- 1. Time (3 years)**
- 2. Plans**
- 3. Materials as per application (except wall cladding)**
- 4. Prior submission/approval of stone wall cladding details**
- 5. Arboricultural Report and Tree Protection – Implementation**
- 6. Submission/approval of an updated landscaping scheme showing greater ratio of replacement tree planting**
- 7. Landscape implementation (incl; BS soil testing, planting and replacement)**
- 8. Submission/approval of existing and proposed spot levels**
- 9. Adherence to recommendations within sections 4.1 and 4.2 of ecology survey (other protected species)**
- 10. Adherence to recommendations within section 4.2 of ecology survey (hibernating herptiles)**
- 11. Adherence to recommendations within section 4.2 of ecology survey (dry stone walls)**
- 12. Adherence to the habitat proposals detailed in the *Biodiversity Net Gain Report* (Mott MacDonald, 23/01/2020)**

- 13. Submission/approval of 25-year habitat management plan**
- 14. Submission/approval of Nesting birds survey**
- 15. Submission/approval of ecological enhancement strategy**
- 16. Submission/approval of a soil verification report**
- 17. Works to stop if contamination is identified**

In order to give proper effect to the Northern Committee's intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

