Application No. 2/05/9037
Applicant United Utilities
Lingley Green Avenue
Great Sankey
Warrington
District Allerdale
Parish Bowness-on-Solway
Date of Receipt 19 July 2007

PROPOSAL Solway Coast Wastewater Improvement Project;
Land between Bowness on Solway and Drumburgh
1.0 RECOMMENDATION

1.1 That, having regard to the environmental information, planning permission is GRANTED for the reasons set out in Appendix 1 and subject to the conditions set out in Appendix 2.

1.2 That the planning assessment in section 4 of the report sets out the council’s reasons for granting permission should form the basis of the statement to be published as required under regulation 21 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 to inform the public and the Secretary of State of the determination.

2.0 THE PROPOSAL

2.1 The purpose of this proposed development is to ensure that the wastewater treatment and discharge regime for a 5km length of the Solway Coast between Bowness on Solway and Drumburgh is improved to comply with the requirements of the EC Urban Wastewater Treatment Directive. At present wastewater is discharged to the estuary untreated through crude discharges at Bowness, Port Carlisle, Glasson and Drumburgh. The project was required to be completed by 31 December 2005 and current discharges are therefore in breach of an EU Directive.

2.2 The proposed solution is to construct a new wastewater treatment works (WwTW) at Glasson to provide primary and secondary treatment and to transfer flows from the other villages to it by installing pumping stations. (Options of WwTW at each village, two separate plants or transferring flows to an existing WwTW were considered. The single WwTW option was considered to have least impact).

2.3 The application, accompanied by an environmental statement, was submitted in October 2005. Amended drawings and additional environmental information were submitted in July 2007.

2.4 The scheme, as amended, includes three pumping stations, the WwTW at Glasson, connecting sewers and upgrading of existing outfalls. The elements of the scheme are described below from west to east.

2.5 Bowness on Solway – A new sewer would connect to existing sewers at the eastern edge of the village. Works would also include replacement and upsizing of the existing outfall to accommodate storm water flows.

2.6 A pumping station would be constructed in a field 180m to the east of the village. It would be accessed directly from the coast road and comprise the access, underground pumping chamber and a dark green GRP kiosk, measuring 5.4m x 4.2m x 2.6m high. The kiosk would be screened by an existing hedge from views from the road and the Hadrian’s Wall Trail. The proposal includes a landscape scheme which would retain an existing hedge and sycamore tree on the roadward side of the site and provide additional tree and hedge planting.

2.7 Port Carlisle – An underground pumping station is proposed on the highway verge at the northern (seaward) end of the village. It involves slightly building up the land level and manholes would have a concrete surround with the area in
between surfaced with bound grit. Removable bollards would be provided to prevent access for service vehicles being blocked by parked vehicles. The associated control kiosk would be located in a nearby play area, constructed of brick with a pitched slate roof and would measure 4m x 2.5m x 3.0m high. It would be screened from views from properties in the village by an existing wall and planting and by additional landscape treatment.

2.8 Glasson – The proposed WwTW would be constructed in a field approximately 70m from a property known as Bombadil Cottage, 600m west of the village of Drumburgh. (The next nearest property is 330m from the site boundary). The treatment plant would comprise septic tanks, submerged aerated filters (SAF), hummus tanks and an outlet discharge chamber. Most plant would be placed below ground level and railings around surface structures have been eliminated in the amended scheme. The height of the discharge chamber has also been reduced to only 2m above existing field level. A control and blower building, measuring 8.5m x 8m x 4.6m high and constructed of natural random course stone bedded in mortar walls and a slate roof, with graphite grey doors and louvres, is proposed. In the amended scheme the building would be set on slightly raised ground to ensure louvres are above flood levels but the overall height to the ridge would be maintained by reducing the pitch of the roof and eaves.

2.9 The site would be largely screened from the nearest property by existing vegetation. The proposal includes the planting of additional hedges and trees around the southern and eastern boundaries of the site.

2.10 Drumburgh – A pumping station is proposed next to an existing facility comprising a control building, pumping station and macerator linked to a tidal outfall. The new facility would consist of an underground pumping station, valve chamber and a new hard standing and would utilise the existing control building. The outfall is in poor condition and would be replaced to enable storm water discharges. The site would be enclosed within a stock proof fence with a new hedge planted behind it to screen the development.

2.11 The planning application includes all the sewers linking the new pumping stations to the Glasson WwTW. These would be within the highway from Bowness, through Port Carlisle before going cross-country to the Glasson WwTW. The sewer from the Drumburgh pumping station would follow the coast to the WwTW, avoiding the need to go through the village.

2.12 The scheme as originally submitted included an additional pumping station at Westfield and septic tanks at the Bowness and Drumburgh Pumping Stations to prevent septicity during transfer. The amended scheme has increased the size of pipe work and the volumes that the pumping stations can pass forward eliminating the need for this additional plant. This would also reduce the number of storm water overflows.

3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 Allerdale Borough Council (Planning) – No objections but recommend that a slate ridge roof is incorporated in the proposed building at Bowness on Solway and alternative materials are used at Port Carlisle as it occupies a sensitive open location on the perimeter of the conservation area.
3.2 **Allerdale Borough Council (Environmental Health)** – No objections subject to conditions to control noise and odour.

3.3 **Bowness on Solway Parish Council** considers that the applicant has not fulfilled promises to consult the local community and seem indifferent to the strength of public feeling about the application. They do not consider that proper consideration has been given to the area’s unique combination of environmental, ecological and archaeological designations. The applicant has not carried out a serious or independent review or alternatives to a hard engineering solution. In spite of evidence provided by the Bowness on Solway Community Group in relation to reed beds and an acceptance by the applicant that they can provide the necessary treatment no serious attempt to evaluate this alternative has been made. The Environmental Statement provided by the applicant was commissioned by them and is not independent. Pumping Stations at Port Carlisle and Drumburgh are not sensitively sited.

The Council is convinced that acceptance of current proposals would lead to the process coming under legal challenge if the request for a full independent EIA and consideration of alternatives is ignored.

3.4 **Highway Authority** – No objection. The applicant has demonstrated that visibility can be achieved at the access to the Bowness on Solway Pumping Station and the Glasson WwTW meets the appropriate standard. There are no issues in relation to Port Carlisle and Drumburgh.

3.5 **The Environment Agency** has made a number of comments on this proposal. They confirm that the works will enable compliance with the EC Urban Wastewater Treatment Directive and new effluent standards defined by the Agency. The only suitable location for a continuous discharge is Glasson as it discharges to a tidal creek below Mean Low Water Spring Time Mark (MLWS). (Outfalls at Port Carlisle and Bowness discharge above this level and cannot feasibly be extended). The applicant has considered the risk of tidal flooding and the EA does not object on the grounds of flood risk.

3.6 **Natural England** confirms that the site lies within/close to the Solway Coast AONB, SAC, SPA, SSSI and Ramsar Site. However, they concluded that subject to appropriate procedures, which are or could be included in method statements, the developments are unlikely to have a significant effect on the designated site.

3.7 **English Heritage** – The application has been the subject of extensive pre-application discussions with the applicant that have generally allowed appropriate archaeological assessment and evaluation of the proposal to be undertaken. However, there are a number of issues, specifically the impact of the proposal and it’s servicing with electricity on the remains of Hadrian’s Wall where considerable concerns remain. EH advise against determination until these are resolved.

3.8 **Friends of the Lake District** – The site is within the Solway Coast AONB and would impact the Hadrian’s Wall World Heritage Site. They comment about the need for archaeological appraisal and the need for careful design. All buildings/structures should be underground or sunk into the ground. Access roads and turning areas should be minimised. Where field entrances are altered
traditional gate stoops should either be left in place or recorded and carefully repositioned. Landscaping should have regard to local species. Strict controls should be imposed on temporary compounds for contractors.

In terms of specific comments the pumping station at Port Carlisle would have a significant impact and an amended site should be sought. The control building at the proposed Glasson WwTW would appear undesirably prominent in the landscape. At Drumburgh the siting of the proposed pumping station should be moved slightly to enable better screening and avoid consideration of development on common land.

3.9 **Solway Coast AONB Unit** considers overall that regard has not been given to the AONB designation in this proposal. Detail comments are provided on the different components of the scheme, stressing the need for development sympathetic to local style and materials. Sites at Port Carlisle and Drumburgh are considered to be within common land. (The County Council’s Common Land Register does not confirm this). Existing outfalls at Bowness and Port Carlisle are considered unsightly and should be shortened or removed.

3.10 The local Member, Mr DS Fairbairn, was notified of the application.

3.11 28 letters of representation have been received, 23 of which object to the application as submitted and/or amended. In addition a petition with 57 signatures has been received objecting to the proposal. They raise the following matters:

3.12 The Bowness on Solway Community Group has made detailed comments setting out the case for reed beds as an alternative form of treatment, as being in keeping with and enhancing the environment of the area. They believe that a system based on vertical flow reed beds is capable of providing secondary treatment for a scheme of this size based on two new treatment works, one serving Bowness on Solway and Port Carlisle, the second Drumburgh and Glasson. They consider that the application does not comply with policies in the Cumbria Minerals and Waste Local Plan designed to protect the AONB and sites of international conservation interest and does not represent the best practicable environmental option. Most of the other letters objecting to the scheme express support for the reed bed solution.

3.13 **Visual Impact** - The proposed developments would have an unacceptable impact within the AONB and Hadrian's Wall World Heritage Site. it would be an eyesore when viewed from nearby properties and a legacy which people would not wish to leave for future generations.

3.14 **Traffic** - Tankers visiting the Glasson WwTW and pumping stations would compromise road safety and the convenience of other road users, cause disturbance, noise and vibration. Walkers on the Hadrian's Wall Trail and parents with children walking on the road would be affected.

3.15 **Sensitive areas** - The area is an AONB, World Heritage Site and has national and international nature conservation designations. In particular, the estuary supports important populations of birds, which would be affected by the proposed development.
Conservation areas - Bowness on Solway and Port Carlisle are conservation areas. The development at Port Carlisle raises particular concerns as it is proposed to locate the control kiosk in a children’s play area.

Impacts on fisheries - Attempts are being made to develop shellfish fisheries in the Solway which would be impacted by intermittent discharges for Bowness. The County Council must assess the microbiological impact of these and consider whether the proposal is consistent or otherwise with protecting public health and local amenity.

Independent assessment - The proposal should be subject to an independent environmental assessment.

The letters included one from Brian Simpson MEP lodging an objection to the planning application as being in breach of the Cumbria Minerals and Waste Local Plan.

The letters of support consider that the main object should be to clean up the coastline. They question the level of local support for reed beds, which they consider would require additional pipework and would not do away with the need for primary treatment.

4.0 PLANNING ASSESSMENT

The proposed development is to provide a wastewater treatment system for villages on the Solway Coast between Bowness on Solway and Drumburgh. Present crude discharges are in breach of the EU Urban Wastewater Treatment Directive and render the UK liable to prosecution in the European Court. Whilst there have been a number of objections to the proposed scheme there is no dispute about the need to provide an improved standard of treatment.

The area is a sensitive one. It is within the Solway Coast Area of Outstanding Natural Beauty (AONB). There are conservation areas at Bowness on Solway and Port Carlisle. Proposed sewers would cross the line of the Hadrian’s Wall Schedule Ancient Monument and World Heritage Site. The Solway estuary is designated as a wildlife site of international, European and national importance being a RAMSAR site, Special Protection Area (SPA), Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI). Some development, including the construction of outfalls would take place within these designated areas.

Policy

The Development Plan Policies against which the development must be considered are set out in the Cumbria and Lake District Joint Structure Plan and the saved policies of the Cumbria Minerals and Waste Local Plan (MWLP). (Saved policies are those which the Secretary of State directed in September 2007 should remain in effect until replaced by the County Council’s Minerals and Waste Development Framework).

Policy E34 of the Structure Plan relates to developments affecting sites of national and international importance, and covers all the designations in paragraph 4.2 above. It indicates that development affecting such sites or within
their settings that are detrimental to their characteristics will not be permitted. Exceptions will only be made where there is an over-riding need for development required to meet local infrastructure needs which cannot be located elsewhere and which is sited to minimise environmental impacts and meets high standards of design.

4.5 The key policy in the MWLP is Policy 60 which makes clear that planning permissions will be granted for waste water treatment facilities. This presumption in favour of developments overrides normal policy constraints, which relate to built developments in the open countryside and even to development within AONBs. The policy indicates that where there is likely to be significant adverse effects on the environment and local communities, proposals will only be permitted where they represent the best practicable environmental option (BPEO). This is the option that provides the most benefit and the least damage to the environment as a whole, at acceptable cost, in the long term as well as in the short term. It is important in this context to note that it includes economic as well as environmental aspects.

4.6 Other policies which are applicable are Policy 1 relating to road traffic, Policy 2 noise and Policy 4 in relation to dust and odour. Policy 12 and 13 are also relevant, seeking to protect schedule monuments and to require archaeological evaluation prior to the determination of any planning application.

4.7 They do not include two of the policies which objectors to this proposal have cited in their representations, namely Policy 8 relating to the waste developments in AONBs and Policies 15 and 16 seeking to protect sites of national and international nature conservation importance. The reason these policies were not saved is that they were seen to duplicate national policy but they are also effectively covered in Structure Plan Policy E34 as well.

4.8 National policy is set out in Planning Policy Statements (PPS) which are material considerations to be given great weight in reaching any planning decisions. PPS7 Sustainable Development in Rural Areas states that AONBs have the highest status of protection in relation to landscape and scenic beauty and that their conservation should be given great weight in planning decisions in those areas. Similarly PPS9: Biodiversity and Geological Conservation points out that international sites (SPAs and SACs) already enjoy statutory protection, a protection which as a matter of policy extends to RAMSAR sites, SSSIs also enjoy a high level of protection in their own right.

**Alternatives to the Propose Scheme**

4.9 The regulations covering environmental impact assessment require that the environmental statement outlines the main alternatives studied and the main reasons for the choice of the proposed solution, taking into account the environmental effects. Options considered in this case included a treatment works for each of the villages involved, two treatment works, one serving Glasson and Drumburgh, the other Bowness and Port Carlisle, a single treatment works at Glasson and transferring flows to an existing treatment works elsewhere. The last option was dismissed because of the distances involved and the additional works required. The applicant also considered other technologies, in particular use of reed beds, an option which has been strongly championed by the local community.
4.10 In considering the options a key determinant leading to the proposed solution is the Environment Agency’s (EA) requirement that any continuous discharge to estuarine or coastal waters should be located below Mean Low Water Spring Tide Mark (MLWS), a requirement only met by the existing discharge at Glasson. Outfalls at Port Carlisle and Bowness on Solway discharge above the MLWS and the EA consider that it is not feasible to extend them to the estuary channel approximately 1km away. There are also no watercourses inland which have sufficient flows to enable discharges from a WwTW to be made.

4.11 The EA’s requirement, coupled to issues relating to site finding, additional traffic and inefficient use of resources led to the option of four treatment works being discounted. Whilst a treatment works to serve Glasson and Drumburgh would be feasible a second works to serve Bowness and Port Carlisle would be more problematic. This would essentially require a tidal storage tank and pumping station at Port Carlisle to retain flows until they could be discharged against the tide. There were a number of issues relating to site locations and a site inland of Port Carlisle was considered to be technically feasible. However, as well as requiring the pumping stations at Bowness and Port Carlisle and a treatment plant similar to that proposed at Glasson under this application an additional building and pumping station, together with an additional sewer would have been required to transfer flows back to Port Carlisle for discharge via the tidal tank referred to above. It would also have required a larger control building at Port Carlisle than is currently proposed to serve the additional pumping station. As a consequence the two WwTW solutions were rejected in favour of the single WwTW solution and three pumping stations, the subject of this application.

4.12 I consider that a scheme based on a single treatment works at Glasson with flows transferred to it from the villages to the east and west is the option which minimises surface development and potentially would give rise to the least impact on the landscape. Schemes based on two or four treatment works would result in greater impacts, lead to increased traffic require to remove sludge and, with the exception of a works at Glasson, have problems securing a discharge meeting the EA’s requirements.

4.13 The Bowness Community Group has strongly advocated the use of reed beds as a method of treatment. They consider that this form of treatment would be effective and would be more sustainable as being more in keeping with the special landscape of the AONB. They have also argued that reed beds could overcome the constraint on finding a satisfactory discharge for an inland WwTW to serve Bowness and Port Carlisle as part of a two treatment work solution, in terms of creating their own flows or discharging to ground water. Their proposal is supported by the Parish Council, which regards reed beds as an alternative to a hard engineered’ solution, and in many of the letters of representation.

4.14 The applicant’s response is that, whilst reed beds can be used to provide secondary treatment, they are not normally used by the water industry for schemes of the scale of the one proposed. The size of reed bed required would have an area of $4000m^2$, which they contrast with the $150m^2$ required for a SAF plant. In addition, the majority of the infrastructure now proposed to transfer flows and a treatment works with a control building and septic tank to provide primary treatment would be required. They also raised issues about the ability of reed beds to treat to the standard required by the EA and initially considered that a reed bed could not be located at Glasson due to the risk of flooding and of
4.15 At the end of 2007 the applicant employed ARM, a company specialising in reed bed technology, to look again at the issue. The study concluded that a reed bed of the size required could be engineered adjacent to the proposed Glasson WwTW, which would achieve the required discharge standard. The reed beds were design to overcome the problems associated with flooding and saline intrusion (this would require either a substantial bund or raising the level of the entire reed bed). A sketch scheme indicated reed beds covering some 4000m³ located in the area adjacent to the proposed WwTW. The applicant considers that whilst technically feasible the use of reed beds would increase the land take and visual impact of the works and could also raise concerns by English Heritage as part of the reed beds would be developed close to Hadrian’s Wall. From an operational point of view they consider that the technology would require greater manual intervention than a SAF plant and has the potential to attract flies. (This was one of the reasons they rejected the use of trickling filters as opposed to SAF which is fully enclosed). As indicated above the WwTW would still require the control building and primary treatment plant proposed.

4.16 The Community Association have welcomed the acceptance that reed beds could meet the required standards and have rejected the risk of flies, which they believe would be controlled by birds attracted to the reeds. They believe that there are options for alternative locations south of the Drumburgh – Glasson Road, which could avoid the need for the type of bunds proposed and enable a reed bed to have a more natural appearance. In the applicant’s view this would involve additional crossings of Hadrian’s Wall and impacts of the scheduled monument.

4.17 From a planning point of view the issues of alternatives is only relevant where development gives rise to significant environmental impacts and those impacts could be reduced by use of an alternative technology which can be delivered at acceptable cost. The local support for reed beds reflects an understandable desire by the community to influence the way their area develops and to protect its sensitive landscape from inappropriate forms of development. Reed bed technologies are used to provide secondary and tertiary treatment for wastewater in the UK, including by the applicant. The applicant has accepted, perhaps belatedly, that technically they would enable the required discharge standards to be met in this case.

4.18 However, I do not consider that there is any evidence that they would lead to any reduction to the potential impact of the scheme for this part of the Solway. Their use would inevitably increase the land take, i.e. take land which would otherwise remain in agricultural use, and, based on the works to engineer a reed bed at Glasson, lead to increased visual impact. As set out above I believe the arguments for a single WwTW are clear in terms of minimising the overall footprint of the scheme and meeting Environment Agency requirements for discharge. Any scheme for a separate treatment works for Bowness and Port Carlisle, based on reed beds, would therefore be unacceptable for the reasons already set out above. I have therefore concluded there are no grounds to question the alternative that has been selected.
Archaeology

4.19 The proposed development requires that sewers connecting the pumping stations to the WwTW would cross Hadrian’s Wall Scheduled Ancient Monument at a number of points. The extent of the archaeological investigation carried out to assess the impacts on Hadrian’s Wall is one of the main reasons for the delay in progressing this scheme which was originally submitted in 2005. A series of trenches have been dug across the Wall along the line to be followed by sewers and on the side of the proposed Glasson WwTW. These found archaeological features at all but the site of the proposed WwTW and included evidence of Hadrian’s Wall in terms of rubble, possible foundations and the spread remains of a turf wall. These were in poor condition, indicating that stone from the wall had been extensively reused by local communities and the sub surface remains have also been disturbed by 19th century canal and railway building.

4.20 The trenches have been backfilled but would be re-excavated to enable the sewers to be laid. The applicant has indicated that these would also be used for the power supply to the site, a matter about which English Heritage have some remaining concerns. I understand that EH are concerned that the laying of the pipeline, even in trenches, which have already been recorded, could cause damage to important remains possibly in the base and sides of trenches. The applicant has indicated that pipes would be laid either in foamed concrete or pipe-bedding 150mm on either side of the pipeline and works would be subject to a separate consent from the Department of Culture, Media and Sport. In addition an archaeologist would be present whilst works are carried out. I believe that these measures, secured by a condition on any permission should provide an adequate safeguard.

4.21 None of the other proposed infrastructure impacts the schedule monument although one potential location for the proposed Glasson WwTW was discounted because of its proximity to the line of the wall.

Nature Conservation

4.22 As set out above the Solway Estuary is a wildlife site of national and international importance, with important populations of wintering wild fowl and waders. Proposed replacement outfalls at Bowness and Port Carlisle are within the designated area as is the underground pumping chamber as Port Carlisle, which would take up a small area of the foreshore. Natural England has not objected, subject to agreeing methodologies for works within the designated areas being agreed. These would be based on using plant which would minimise damage to salt marsh and by timing works to avoid periods of maximum wildlife interest. The impact would also be reduced by leaving existing outfalls in place where they run underground. (Unsightly surface pipelines would be replaced by new outfalls). Natural England accepts that there is no alternative to the loss of a small area of saltmarsh at Port Carlisle and that mitigation measures should ensure that damage at the location is minimised.

4.23 The net effect of the overall scheme would be to improve water quality in the estuary by removing crude discharges. Storm water overflows would also be minimised under the scheme as now proposed as larger capacity pumping
stations would increase the flows which can be passed forward for treatment. I conclude that the development would not have an unacceptable impact on the nature conservation interest and the designated sites within the estuary.

**Landscape and Visual Impact**

4.24 The scheme has four above ground elements which the application indicates have been designed to minimise visual impact and be in keeping with the area’s status as an AONB. The largest single element is the proposed Glasson WwTW, which would have an area of approximately 4000m$^3$ including the access. It would include a control and blowers building approximately 4.6m high but with no other structure higher than 2m, slightly below the height of the security fencing which would surround the site. (The major part of the plant would be below ground level). The control building would have natural random coursed stone bedded in mortar and a slate roof, materials selected to suit local building colours and features.

4.25 The nearest property is Bombadil Cottage, only 70m from the site boundary. It is currently screened from view of the site by existing vegetation although a 10m length of this would have to be removed to enable sewer construction, temporarily increasing potential views of some parts of the treatment plant, the main visual impact being the security fence. The next nearest residential properties are School House and Sea View, 330m and 475m respectively to the east of the site, which because of rising ground levels would have views from some windows of the control building.

4.26 The site would also be visible from passing views from the road to the south and west. The site would be separated from the road by the remaining part of the field in which it is to be located and is presently largely screened from views by a substantial hedge along the roadside. Unfortunately, in order to secure adequate visibility for the site access, it would be necessary to maintain the hedge at a maximum height of 1m, opening up greater views of the proposed site temporarily. There are not considered to be any views from public footpaths, and those walking the Hadrian’s Wall route to the south would not have a clear view of the site.

4.27 The application includes a landscaping scheme involving the planting of a new hedgerow at the site boundary which would be allowed to grow to a height of 3 metres and along the access road, with blocks of planting screening views from the road and the residential properties to the east. The surface of the site would be grass between the various components of plant whilst the access would be bounded by new and existing hedgerows. The application also proposes a number of detailed measures, such as the use of porous concrete surfaces which would become colonised by algae, and careful design of lighting to further reduce the visual impact.

4.28 I consider that the development is likely to create moderate localised landscape and visual impacts. These effects would be mitigated by landscape and replacement planting. Overall, given the need to locate the treatment works close to a discharge point acceptable to the EA and other constrains imposed on site location by the proximity to Hadrian’s Wall, I consider that the proposal is acceptable in landscape and visual terms within the AONB. Conditions would be attached to any permission to require details of building materials, type of
fencing and landscaping.

4.29 The other elements of the scheme are smaller and less significant than the WwTW. There is an existing control building at Drumburgh which is already a slightly intrusive element at the entrance to the village. Parts of the existing works would be abandoned but the building would be re-rendered or painted in a more acceptable colour and retained for use as a control building. A new pumping station would be constructed with all structures at ground level and the whole site enclosed within a fence and a new hedge, which would link into an existing hedgerow to the west of the existing building. Overall the scheme is likely to have a negligible effect both on landscape character and visual impact.

4.30 The pumping station at Port Carlisle would be within the Port Carlisle Conservation Area. However, the pumping chamber would be underground and in the foreshore on the highway boundary, with removable bollards to prevent access being blocked by parked vehicles. As such, it is considered to have a negligible visual impact. (It has been suggested that the land in question here and at Drumburgh is common land but that this has not been confirmed by the County Council’s commons register). A control kiosk is proposed within a nearby play area. Whilst 3m high it would be screened from residential properties by the wall surrounding the play area and would be landscaped with ornamental planting. The impact in landscape and visual terms is again considered negligible. Concerns expressed by Allerdale Borough Council about the need for construction materials to be in keeping with the conservation area can be addressed by a condition requiring the finish of the building to be agreed.

4.31 The Bowness on Solway pumping station is proposed in a field approximately 170m to the east of the village, outside the conservation area, and would not be visible from properties in the village. Again the pumping station would be below ground and a proposed GRP control kiosk would be screened from the road and the Hadrian’s Wall Trail by an existing hedgerow and by retaining an existing mature tree.

4.32 Allerdale Borough Council and the Solway Coast AONB unit have suggested that a control building with a pitched roof to appear like a small barn, would be more visually acceptable. However, such a building would inevitably be more visible due to its greater height and such small isolated buildings do not appear to a particular feature of the Solway landscape. I consider that the approach adopted by the applicant of minimising the size of the control building to screen it behind existing planting offers a better solution although I do consider that there are better options for the external cladding than GRP. The applicant has proposed the use of stone effect panels at a site elsewhere in the county and I consider that they would also be appropriate for this site with a stone pattern to reflect local vernacular style.

4.33 The most intrusive element of the proposed pumping station is the access to the public highway. As originally proposed it would have utilised an existing field access but this was unacceptable from a highway point of view. As now configured it meets the highway authority’s requirements and I believe it provides an acceptable compromise between visual impact and highway safety.

4.34 The only other above ground structures are the outfalls at Bowness on Solway and Port Carlisle which would be replaced. (Some works are also proposed to
Concerns have been expressed by the AONB Unit that the existing outfalls are a blight and that further work should be undertaken to minimise or remove the problem altogether. However, storm overflows are an integral part of any waste water system and there is no realistic alternative to the locations proposed given the existing and proposed sewerage infrastructure. The current proposal has been redesigned from that originally submitted to increase pumping station capacities, which would reduce the number of storm water overflows, but no system can be designed to cater for all storm events. (It isn’t practicable and the level of dilution during a storm is such that discharges are extremely diluted). I would propose a condition if permission is granted requiring details of the above ground structures and materials to be provided.

**Traffic and Access**

Traffic generation from this scheme can be divided into construction and operational traffic. The application indicates that a traffic management scheme would be developed for the construction phase. Also working methods would be agreed to maintain access to properties during the laying of pipelines along public highways. These works would require some temporary road closures, where an adequate carriageway width cannot be provided, and elsewhere use of traffic light control on sections of the highway. These impacts are an inevitable part of installing a new system (and would be required whichever type of treatment system is provided). I would propose a condition on any permission requiring submission of the management scheme and method statement for approval to ensure impacts are kept to a minimum.

The main traffic impact associated with the operation of the treatment scheme would be 6 wheel tankers required to remove sewage sludge periodically from the Glasson WwTW. This would involve the removal of 16 loads every 8 to 12 weeks, ie 70 to 104 tanker journeys per year. The access to the site has been designed to ensure that visibility for those vehicles entering and leaving the site can be provided safely by maintaining hedges on either side at a height below 1m. The applicant has indicated that sludge would be transported to the Carlisle WwTW for further treatment via the coast road, a route which is acceptable to the Highway Authority who expressed concern about potential HGV movements through Glasson and Bowness on Solway.

All other routine visits to the WwTW and pumping stations would be made by light vans. (A redesign of the Bowness and Drumburgh Pumping Stations removed the need for septic tanks at these site which would have generated some tanker movements). The Highway Authority has confirmed that accesses meet the required standards at all sites, and subject to conditions covering surfacing, drainage etc, I consider that there are no objections to this development of highway grounds.

**Odour**

The potential for wastewater treatment works to give rise to odour is a matter which Members are well aware of. In this case the proposed Glasson WwTW and associated pumping stations design specifications require that odour levels shall not exceed 5 odour units above background level at the site boundaries.
The proposed WwTW would be wholly enclosed in covered tanks with carbon filters provided on the septic tanks, the most likely source of any potential odour. I am also aware that odour problems have arisen at other sites from the loading of tankers with sewage sludge. I would therefore propose that odour levels and loading operations would be subject to conditions on any permission.

4.40 Odour is not normally an issue associated with pumping stations and connecting sewers. I consider that conditions limiting levels to 5, an increase of less than 5 odour units, at the site boundary would ensure that odour from these sites does not give rise to nuisance.

Noise

4.41 All plant associated with the scheme would be electrically powered, with much of it underground or in the case of the blowers to aerate the SAF plant at Glasson within an acoustic enclosure. The specification for the scheme seeks to limit any increase to below 5dBA at site boundaries, a level which I would also propose to set by condition.

4.42 The environmental statement gives specific consideration to Bombadil Cottage, which is located only some 70m from the boundary of the Glasson WwTW. (The control building, housing the blowers, which would be the largest potential noise source, is at the far end of the site from the cottage). The ES indicates that both day and nighttime noise levels in the area are very low. It concludes, however, that an increase of 5dBA at the site boundary would not give rise to a detectable increase at the property boundary. I would propose a specific condition to require monitoring at this point and in the event of complaint remedial measures would be required.

Flooding

4.43 The scheme has been designed to ensure that in the event of tidal flooding salt water does not enter the system. The top of plant at Glasson WwTW would be 2m above the base of the site and control equipment would be at levels which should ensure that it is not affected even at maximum tide levels which have been calculated taking account of predicted sea level rises.

Fisheries

4.44 The representation has expressed concerns that overflows at Bowness could affect shell fish fisheries in the Solway estuary. It suggests that the County Council should assess the microbiological impact of these. I consider that the matter of discharges and frequency of storm water overflows is a matter for the EA to regulate. They have commented that given the distance of the private fishery from the discharge, the modest volume of proposed discharges and the fact that there is no evidence that the fishery is being effected by current crude discharges they continue to support the scheme.

Conclusion

4.45 This scheme has had a long and complicated history. This reflects the fact that the area is one of great sensitivity in landscape, historic and nature conservation terms, which has had to be balanced against constraints imposed by the
requirements of the EA in relation to discharges and the highway authority concerns about road safety in designing all elements of the scheme. However, it is also easy given the nature of the area to overstate the impacts of the scheme whose surface development comprises only a small treatment works and three pumping stations spread over a 5km stretch of the Solway Coast, none of which would give rise to more that limited local impacts.

4.46 There is strong local support for a solution based on the use of reed beds. The applicant accepts that this technology could replace the chosen option for secondary treatment but would effectively double the size of the treatment works and far from being the attractive landscape feature envisaged by those advocating reed beds it would have an engineered appearance due to the need to ensure that it was protected from tidal flooding.

4.47 It is easy to get side tracked into technical arguments on what reed beds can do and the acceptability or otherwise of discharges from them to water courses or ground water. The bottom line is that they would as a minimum require exactly the same infrastructure as is currently proposed in terms of pumping stations and a treatment works more or less as now proposed. The only element that they would displace is the proposed secondary treatment based on a submerged aerated filter (SAF), a compact plant occupying approximately 150m$^3$ (as opposed to a 4000m$^2$ reed bed). The applicant has stated the SAFs are standard technology at sites across the county and indeed in the Lake District National Park.

4.48 Having considered all other matters raised by this development I have concluded that, subject to agreeing matters of detail, the proposal is an acceptable one and I recommend that planning permission is granted.

**Human Rights Act 1998**

4.49 The proposal will have a moderate impact on the visual amenity of this sensitive area and a limited impact on residential and environmental amenity. Any impacts on the rights of local property owners to a private and family life and peaceful enjoyment of their possessions (Article 8 and Article 1 of Protocol 1) are minimal and proportionate to the wider social and economic interests of the community.

**Shaun Gorman**
**Head of Environment**

**Contact**

John Pell, Kendal, tel. 01539 773420

**Background Papers**

Planning Application File Reference No. 2/05/9037.
Electoral Division Identification

D S Fairbairn, Bowness, Thursby & Calbeck

\ceekenb\kenda\filing\planning\applications\allerdale\2059037\2059037 report 080619 dcr.doc
SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION

1. This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.

2. The key development plan policies taken into account by the County Council before granting permission were as follows:

**Cumbria and Lake District Joint Structure Plan – Adopted Plan (2001 – 2016)**

**Policy E34 Areas and Features of National and International Importance**

Development and other land use changes in areas or features of national or international conservation importance, or within their settings, and that are detrimental to their characteristics will not be permitted.

Exceptions will only be made where:

1. there is an over-riding need for development required to meet local infrastructure needs which cannot be located elsewhere and which is sited to minimise environmental impacts and meets high standards of design, and
2. In the case of international areas of nature conservation interest where:
   i. There is no alternative solution; and
   ii. There are imperative reasons of overriding public interest, including those of a social or economic nature; and
   iii. If the site concerned hosts a priority natural habitat type and/or a priority species, where there are imperative reasons of human health or public safety or benefits of primary importance to the environment and
3. In the case of European Protected Species where:
   i. There is no satisfactory alternative; and
   ii. There is no detriment to the maintenance of the populations at a favourable conservation status in their natural range; and
   iii. The proposed development is in the interests of public health or public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance to the environment.
4. In the case of national areas of nature conservation interest, where the reasons for the development outweigh the national nature conservation value of the site.

Where development is permitted, mitigation should be provided, where appropriate.
Areas and features of international or national importance are defined as:

- World Heritage Sites recognised by the World Heritage Committee of UNESCO
- National Parks
- Areas of Outstanding Natural Beauty (AONB)
- Potential and classified Special Protection Areas (SPAs)
- Ramsar sites
- Candidate and designated Special Areas of Conservation (SACs)
- Limestone Pavement Areas protected by Order.
- National Nature Reserves
- Sites of Special Scientific Interest (SSSI)
- Statutory protected species
- Buildings or groups of buildings listed as of Grade 1 Grade II* or Grade II architectural or historic merit
- Parks or gardens listed as Grade I Grade II* or Grade II in the Register of Parks and Gardens of Special Historic Interest
- Sites of archaeological or historic interest which are scheduled ancient monuments
- Battlefields included in the Register of Historic Battlefields
- St Bees Heritage Coast


POLICY 1

Proposals for minerals and waste development which generate road traffic will only be permitted where:

i. the roads, junctions and site access are to the appropriate standard, or they can be upgraded without causing irreversible damage to the character of the road, so that the road network is capable of accommodating the type and volume of traffic without having an unacceptable impact on highway safety or the convenience of other road users; and

ii. the increase in traffic would not have an unacceptable impact on local communities by reason of visual intrusion, fumes, dust, noise and vibration.

Proposals for sites with good links to the strategic route network will be favoured.

POLICY 2

Proposals for minerals and waste development will only be permitted where they will not subject surrounding land uses to unacceptable noise.

POLICY 4

Proposals for minerals and waste development will only be permitted where surrounding land uses can be adequately safeguarded from dust and odour.
POLICY 12

Proposals for minerals and waste development which would adversely affect a nationally important archaeological site or monument, whether scheduled or not, or its setting, will not be permitted unless the site can be preserved in situ.

POLICY 13

Proposals for minerals and waste development on sites where there is good reason to believe there are remains of archaeological importance will only be permitted where evaluation is carried out prior to determination.

POLICY 60

Planning permission will be granted for wastewater treatment facilities. Proposals which are likely to have significant adverse effects on the environment or communities will only be permitted where they represent the best practicable environmental option.

3. In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably by mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.
PROPOSED SCHEDULE OF CONDITIONS

TIME LIMITS

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

APPROVED OPERATIONS PROGRAMME

2 The development shall be carried out strictly in accordance with the approved documents, hereinafter referred to as the approved scheme. Any variation to the approved scheme shall be submitted to and approved by the Local Planning Authority prior to being carried out.

Reason To ensure that the site is worked and restored in accordance with the approved scheme.

GLASSON WASTEWATER TREATMENT WORKS

3 Prior to the commencement of construction of the MCC and Blower Building at the Glasson WwTW samples of the stone to be used in external walls and of roofing slate, together with the colour of mortar, external doors and louvers and details of the construction of the security fence and gates shall be submitted to the Local Planning Authority for approval.

When approved the development shall be only constructed in accordance with the approved details.

Reason To minimise the visual impact of the permitted built development in the interest of amenity.

4 Prior to commencement of planting details of trees and hedges to be planted as shown on drawing UU/PV/90012978/2246 shall be submitted to the Local Planning Authority for approval. These shall include species, plant size, method of planting and a 5 year programme of maintenance to ensure that growth becomes established. For the avoidance of doubt tree species shall be low growing varieties in order to minimise the visual impact on the Hadrian’s Wall World Heritage Site.

When approved planting shall take place in the first planting season following construction of the Glasson WwTW.

Reasons: In the interest of visual amenity.
5 Prior to the commencement of any development on site the hedgerow bordering the highway verge shall be cut back to a height of 1 metres as shown on drawing M114/90012978/00/97/1003, issue D and thereafter maintained at that height throughout the life of the site,

*Reasons: In order to maintain adequate site lines for vehicles accessing the site in the interests of highway safety.*

6 All artificial lighting units installed on the Glasson WwTW site shall be so sited and shielded as to be incapable of direct sight from any residential property outside the site.

*Reason To safeguard the amenity of local residents.*

**BOWNESS-ON-SOLWAY PUMPING STATION (PS)**

7 Prior to the placing on site of the MCC kiosk at the Bowness PS samples of materials to be use for the exterior finish of the building, which may include stone effect panels reflecting local materials, shall be submitted to the Local Planning Authority for approval.

When approved the development shall be only constructed in accordance with the approved details.

*Reason To minimise the visual impact of the permitted built development in the interest of amenity.*

8 Prior to commencement of planting details of trees and hedges to be planted as shown on drawing UU/PV/90012978/2250 shall be submitted to the Local Planning Authority for approval. These shall include species, plant size, method of planting and construction of kests and a 5 year programme of maintenance to ensure that growth becomes established.

When approved planting shall take place in the first planting season following construction of the pumping station.

*Reasons: In the interest of visual amenity.*

**PORT CARLISLE PS**

9 Prior to the construction of the control building for the Port Carlisle PS samples of the materials to be used in the walls, roof and doors of the building shall be submitted to the Local Planning Authority for approval.

When approved the development shall be only constructed in accordance with the approved details.

*Reason To minimise the visual impact of the permitted built development in the interest of amenity.*

10 Prior to commencement of planting details of trees and hedges to be planted as shown on drawing UU/PV/90012978/2248 shall be submitted to the Local
Planning Authority for approval. These shall include details of ornamental planting and the programme for its maintenance.

When approved planting shall take place in the first planting season following construction of the pumping station.

Reasons: In the interest of visual amenity.

DRUMBURGH PS

11 Prior to repainting or rendering the existing control building the colour and/or materials to be used shall be submitted to the Local Planning Authority for approval.

When approved the building shall be painted/rendered with the approved materials.

Reason To minimise the visual impact of the permitted built development in the interest of amenity.

12 Prior to commencement of planting details of the tree and hedges to be planted as shown on drawing UU/PV/90012978/2247 shall be submitted to the Local Planning Authority for approval. These shall include species, plant size, method of planting and construction of kests and a 5 year programme of maintenance to ensure that growth becomes established.

When approved planting shall take place in the first planting season following construction of the pumping station.

Reasons: In the interest of visual amenity.

ODOUR

13 No offensive odours arising from the operation of the Glasson WwTW or any of the associated pumping stations at Bowness-on-Solway Port Carlisle and Drumburgh shall give rise to an increase of more than 5 odour units per m3 above background levels when measured at any boundary of the site.

Reason: To ensure that odour from the operation of the plant does not give rise to nuisance at any residential property or business in accordance with policy 4 of the Minerals and Waste Local Plan.

14 Prior to the Glasson WwTW being brought into use a scheme for odour monitoring and control shall be submitted to the Local Planning Authority. The results of all monitoring shall be made available to the Local Planning Authority on request. In the event that monitoring demonstrates that levels of odour are in excess of the limit specified in condition 6 of this permission, other than as a result of short term operational problems, remedial measures, including timescale for works, shall be agreed with the Local Planning Authority and implemented.

Reason: To ensure that odour from the operation of the plant does not give rise to
nuisance at any residential property or business in accordance with policy 4 of the Minerals and Waste Local Plan.

15 Prior to the Glasson WwTW being brought into use a scheme for the loading of tankers with sewage sludge shall be submitted to the Local Planning Authority for approval. The scheme shall include measures to ensure that air displaced during loading does not give rise to offensive odours beyond the site boundary.

When approved the scheme shall be implemented in its entirety during loading operations.

Reason: To ensure that odour from the operation of the plant does not give rise to nuisance at any residential property or business in accordance with policy 4 of the Minerals and Waste Local Plan.

HOURS OF WORKING

16 No operations for the construction of the development, including laying of pipelines, shall take place outside the hours 08.00 to 18.00 hours Mondays to Fridays and 08.00 to 14.00 hours on Saturdays except with the prior written approval of the Local Planning Authority.

This condition shall not operate so as to prevent the operation of pumping equipment and traffic control systems and the carrying out, outside these hours, of essential maintenance to plant and machinery used in the construction works.

Reason To ensure that no operations hereby permitted take place outside normal working hours which would lead to an unacceptable impact upon the amenity of local residents.

NOISE

17 Noise levels from the operation of the Glasson WwTW and any pumping station shall not give rise to an increase of more than 5dB(A) above background levels at any noise sensitive property.

Monitoring shall be undertaken before plant comes into operation and within 3 months of operations commencing. In the event that noise has increased above the level set out above a scheme of remedial works shall be agreed with the Local Planning Authority and implemented.

Reason To safeguard the amenity of local residents by ensuring that noise generated by the operations hereby permitted does not cause a nuisance outside the boundaries of the site.

ACCESS AND TRAFFIC

18 Access roads to the Glasson WwTW and all pumping stations (except at Port Carlisle) as shown on the approved plans shall be surface with bitmac (or such other bound material as may be agreed in writing by the Local Planning Authority) and drained to prevent water entering the public highway. All gates at
site entrances shall be set back from the highway and designed to open inwards into the site so that the largest vehicle routinely visiting the site can stand clear of the highway whilst gates are opened.

When constructed the accesses shall be maintained in a good standard of repair free from potholes for the life of the site. Any alterations shall be submitted to the Local Planning Authority for approval prior to implementation.

Reason In the interests of highway safety in accordance with Policy 1 of the MWLP.

19 Prior to the commencement of development a traffic management scheme shall be submitted to the Local Planning Authority for approval. It shall include routes to be used by construction traffic and details of traffic control measures, including road closures, use of traffic light and a programme of works setting timescales for works affecting the highway. The scheme shall also include measures to be adopted to keep local residents informed of works affecting their area.

When approved the scheme shall be implemented in its entirety.

Reason: In the interest of highway safety and for the convenience of other road users in accordance with Policy 1 of the MWLP.

DEVELOPMENTS WITHIN EUROPEAN WILDLIFE SITE

20 Prior to their construction details of the materials to be use for the replacement outfalls and their appearance shall be submitted to the Local Planning Authority for approval.

When approved the outfalls shall be constructed in accordance with the details.

Reason: In the interest of visual amenity within this AONB in accordance with Structure Plan Policy E34.

21 Prior to any works taking place within the Solway European Wildlife Site a method statement shall be submitted to the Local Planning Authority for approval. This shall set out measures to minimise damage to the salt marsh, including leaving in place existing pipelines where appropriate, and the timing of works to avoid sensitive periods for birds using the estuary.

When approved the works shall be carried in accordance with the approved methodology.

Reason: To protect features and species of national and international importance in accordance with Structure Plan Policy E34.

ARCHAEOLOGY

22 No development shall take place within trenches which have been excavated across the line of Hadrian’s Wall to evaluate archaeological evidence until details of the depth and width of excavations, a method statement for pipelaying and a methodology for locating and following the evaluation trenches have been
submitted to the Local Planning Authority for approval, demonstrating that works can take place without damage to remaining archaeological interest.

When approved works shall thereafter only be carried out under the supervision of a qualified archaeologist in accordance with the approved details.

Reason: To ensure that the risk of damage to the Schedule Monument is minimised.

23 Works to strip soils from the site of the Glasson WwTW and associated pumping stations shall take place be subject to an archaeological watching brief in accordance with a scheme agreed with the Local Planning Authority prior to works commencing.

Reason To afford the opportunity for an examination to be made to determine the existence of any remains of archaeological or historic interest within the site and to decide on any action to be required for the preservation, protection, examination or recording of such remains.

APPROVED DOCUMENTS

24 The approved documents for this planning consent shall comprise:

24.1 the submitted planning application form
24.2 the supporting statement
24.3 the plans listed on Pg 15 of Addendum to Environmental Statement – July 2007
24.4 the details required by conditions attached to this permission
24.5 the Decision Notice

Reason To avoid confusion as to what the approved scheme comprises of.