

## COMMITTEE REPORT

**Date:** 19 January 2011                      **Ward:** Holgate  
**Team:** Major and Commercial      **Parish:** No Parish  
Team

**Reference:** 10/02519/FULM  
**Application at:** Water Works Landing Lane York  
**For:** Construction of water treatment works enclosed within a new building, new sub-station and new motor control centre kiosk.  
**By:** Mr Mark Hewison  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 11 February 2011  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application site is situated off Landing Lane within Acomb Landing Water Treatment Works in Holgate. The application site area is approximately 0.33 hectare, although the overall area of the site owned by Yorkshire Water is approximately 19 hectares. The Treatment Works provides the City of York with potable drinking water. The site has been used for water treatment since the nineteenth century. Over the years the water treatment works has been extended to meet supply and water quality regulations needs.

1.2 The main east coast railway lines are situated approximately 15m to the west of the development proposals. Beyond the existing water treatment plants to the east of the site lies River Ouse. On the opposite side of the Ouse lies an existing public footpath and cycleway. RSPCA and Water End are situated to the south, and Acomb, Poppleton and Clifton Ings to the north.

1.3 The purpose of the proposals is to construct a new Water Treatment Works to meet current drinking water standards. The proposals would consist of a new treatment plant building and associated access road, a high voltage sub-station building and a pump control panel kiosk, all of which would be situated within the existing flood protection wall.

1.4 In addition it is proposed to install new underground intake pipes by river Ouse. These operational development fall outside the consideration of this planning application as by virtue of part (g), Class E, Part 17, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, the proposed intake pipes do not require planning permission.

1.5 To reduce its scale and visual impact and to break up its overall massing the main water treatment plant as shown on the revised plans would consist of differential ridge heights which is reflected by its roof design. Whilst its maximum height of 11.55m would remain (as measured from the lowest ground level) the pitched roof which covers a large part of the building would reduce its overall height to 7.45m. The twin

steel silos adjacent would measure 13.6m high. The gross floor area of the building would remain unchanged (51.3m x 46.7m max).

1.6 The sub-station brick building to the west of the proposed water treatment works would measure 8.75m x 8.55m with an overall height of 3.7m, and the proposed pump control panel kiosk to the south of the treatment works would be a 2.5m high 'Holly Green' fibreglass structure. It would measure 3.65m x 9.15m.

1.7 The proposed treatment plant building would be partially situated above a disused slow sand filter. Prior to construction the abandoned slow sand filter will be filled by spoil imported from outside the treatment works site.

1.8 Existing access arrangements and car park would remain unchanged.

#### RELEVANT PLANNING HISTORY:

1.9 Acomb Landing Water Treatment Works has been the subject of a number of planning applications, none of which are directly related to the development proposals.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

York North West Boundary GMS Constraints: York North West Boundary CONF

2.2 Policies:

CYSP3 Safeguarding the Historic Character and Setting of York

CYGP1 Design

CYNE2 Rivers and Stream Corridors, Ponds and Wetland Habitats

CYGP15 Protection from flooding

CYNE6 Species protected by law

CYNE7 Habitat protection and creation

## **3.0 CONSULTATIONS**

EXTERNAL

Neighbours

3.1 Neighbours notified and site notice posted. One response received expressing the following concerns:

- the proposals would have a detrimental effect on the visual appearance of the area due to its height and the even higher silos adjacent;
- the proposed use of materials would detract the appearance of the area.

#### Environment Agency

3.2 No objections, although the following recommendations should be taken into consideration:

- there should be no raising of site levels;
- in areas at risk of flooding consideration should be given to the development of flood proofing measures
- emergency planning and rescue implications should be considered.

#### Network Rail

3.3 No objections subject to the following requirements:

- All surface and foul water must be diverted away from Network Rail property;
- all operations must be carried out in a “fail safe” manner such that no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line;
- all excavations and earthworks must not interfere Network Rail property or structures;
- security of the railway boundary will need to be maintained at all times;
- method statements may require to be submitted to Network Rail for approval prior to the commencement of development.
- if lighting is proposed adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated;
- all roads, paths and ways providing access to any part of the railway undertaker’s land must be kept open at all times

#### British Waterways

3.4 No response received.

INTERNAL

#### Highway Network Management

3.5 No highway objections. In reaching this decision the following were noted and considered relevant:

- the use is an extension of an existing and very well established use;
- access would remain unaltered;

- the site already has an existing network of concrete/tarmac roadways and these would be extended;
- site traffic is confined to maintenance, monitoring and sampling personnel;
- approximately 3500 tonnes of sludge cake (waste) is proposed annually and this volume would not substantially alter;
- it is not considered that construction traffic likely to be associated with this development would adversely affect the volume of traffic using Landing lane, Water End, A19 or A59.

### Countryside Officers

#### 3.6 No objections:

- The proposed scheme, including the new treatment plant building and associated sub station and MCC centre would have limited effect on local ecology and biodiversity.
- Nevertheless in terms of the site as a whole there are a number of opportunities for mitigation work and enhancement in the form of creation of new wildflower grassland and/or the management of existing habitats on site, including the control of invasive species. Such enhancement work would be particularly beneficial adjacent to the River Ouse, Poppleton Ings to the north and Clifton Ings floodplain meadow grassland across the river.
- Also of interest within this site are some of the old buildings associated with the treatment works.
- Many of these buildings have bat roost potential and whilst they are vacant at the moment, it may be proposed in the future to refurbish or convert some of these redundant buildings.
- If this is the case then bats will need to be taken into account with any proposed work and bat surveys will likely be needed, especially as there is also excellent foraging habitat on site. - The lagoons to the north of the site which are no longer used are also likely to have considerable wildlife interest and again this will need to be taken into consideration with any future plans for this area.

### Drainage Consultancy

3.7 Note that the proposed development is in high risk Flood Zone 3b, and defined as 'functional floodplain' in City of York Council's 2007 Strategic Flood Risk Assessment. This 'water-compatible' class of development is permitted within this Flood Zone, although the requirements set out by the Environment Agency must be satisfied. Drainage Engineering consultancy objected as insufficient information has been provided by the developer to determine the potential impact the proposals may have on the existing drainage systems.

### York Northwest team

3.8 The development does not appear to impact on the York North West sites in terms of access and arrangements. Nevertheless the development should be as fully screened as possible to its northern elevation. The level of screening seems too low. Screening should be secured by condition.

## Environmental Protection

3.9 No objections, standard informatives recommended.

### **4.0 APPRAISAL**

4.1 The main issues to be considered are as follows:

- i. Scale, Design and Appearance
- ii. Highway considerations
- iii. Environmental considerations and residential amenity
- iv. Nature conservation
- v. Flood protection and drainage
- vi. Environmental Impact Assessment
- vii. Network properties

#### SCALE, DESIGN AND APPEARANCE

4.2 The main element of the proposals is a large 51.3m x 46.7m (max) water treatment plant building with a maximum height of 11.55m. It is the first of its kind within Acomb Landing Water Treatment Works, in that if approved it would be the first fully enclosed large scale water treatment plant in York. Whilst the site contains a number of water treatment plants and associated reservoirs, slow sand filters and tanks, many of which are currently disused and/or abandoned the screening provision afforded by these plants and structures are unlikely to be effective due to the overall scale and massing of the proposed treatment plant building. As such the building is likely to be highly visible when viewed especially from within the carriages of passing trains, Water End road embankment and the residential area on the opposite side of the railway lines. It may also have some visual implications, albeit to a much lesser extent, on wider areas including the public walkway and cycle path on the opposite side of River Ouse, Poppleton, Clifton and Acomb Ings to the north and beyond. In assessing the acceptability of the proposals in this location the following points have been taken into considerations:

#### i. Need:

4.3 According to the information provided the plant capacity has been down rated since 1999 due to process limitations. Currently only two of the four treatment streams on the site are operational. The remaining treatment streams require a high level of manning to maintain the required quantity and quality of water going into supply due to the equipment age and obsolete treatment processes on the site. To address the treatment and supply risks associated with the existing plant, the feasibility study commissioned by Yorkshire Water recommended that a new fully enclosed water treatment work is required to meet the current drinking water standards.

#### ii. Alternative locations:

4.4 Sites outside Acomb Landing Water Treatment Works have been explored by Yorkshire Water. Nevertheless due to restrictions relating to water abstraction Yorkshire Water have a license to abstract water from the River Ouse in this location only. They cannot abstract water from other locations in York.

4.5 Furthermore, it is considered not possible to locate the Water Treatment Work outside York as water would have to be pumped from the existing site to a new location and then pumped back to Acomb Landing for distribution into the water supply system. The energy wasted in doing so is considered to be unfeasible. Equally due to operational restrictions and environmental implications it is not considered practical, in the long term to balance the current demand by importing water from Elvington Water Treatment Works as this would affect water supply elsewhere.

### iii. Mitigation measures:

4.6 The scheme as originally proposed was a large single pitched building with a maximum ridge height of 11.55m as measured from the lowest ground level. Due to its scale, massing and dominance in relation to the surrounding settings together with its bland appearance the original scheme was deemed unacceptable. To reduce its scale and to break up its overall massing without harming the operational requirements of the treatment plant the latest plans show the proposed building would consist of differential heights which is reflected by its roof design. Whilst the overall footprint of the building would be unaltered and the maximum height cannot be reduced due to the need for an overhead crane to travel horizontally along the gallery a separate and much lower pitched roof is proposed to cover the rest of the building outside the gallery. To fully enclose the 'air scour blowers' and 'GAC feed pumps' a small localised raised roof is also proposed on the northern part of the building. The result is a scheme which its scale has been reduced as much as it is reasonably possible while the differential heights reflected by the roof design has helped to break up its overall massing and reduce its blandness.

4.7 To further reduce its visual impact and to address the concerns raised by York North West team a landscaping scheme facing the railway lines is proposed within the grassed area, details of which will be secured by a standard landscaping condition if approval is recommended (condition 4).

4.8 Whilst the latest revised scheme would remain visible from various viewpoints it is considered, having taken the above into account, that the need for a new water treatment plant of the scale proposed in this location is necessary in order to provide a sustainable and long term solution to drinking water supply in York. Due to economic, environmental, legal, logistical and other operational reasons the proposed water treatment plant cannot be located elsewhere. Furthermore, as mentioned above the overall size and scale of the building has been reduced as much as it is reasonably possible without harming the operational requirements and compromising the current drinking water standards. Overall it is considered that very little can be achieved other than that described above to reduce its visual impact and at the same time maintain sufficient quantity and improve the quality of drinking water for York's residents.

4.9 The design, scale, appearance and location of the associated high voltage sub-station building and pump control panel kiosk are considered to be acceptable.

Notwithstanding the overall height of the twin silos adjacent to the proposed water treatment plant due to their diameters (3.5m each), it is unlikely that the proposed silos would have an adverse effect on the visual appearance and amenity of the locality.

#### HIGHWAY CONSIDERATIONS:

4.10 In considering the impact of the scheme upon the existing highways it is noted that the proposal is an extension, and to a large extent, a replacement of an existing and very well established water treatment works. Furthermore, once the scheme is in full operation the site traffic would be confined to maintenance, monitoring and sampling personnel where the number of visits is unlikely to be more frequent than the existing arrangements. In addition the site has an existing network of concrete/tarmac roadways and these would be extended. It is also considered by the Highway Network Management team that the existing roads serving Acomb Landing Water Treatment Works are suitable for all classes of vehicles. Given the above, and the fact that access into the site would not be altered, it is unlikely that any traffic associated with the proposals before or after the construction process would adversely impact on the volume of traffic using the public highways and create conditions prejudicial to highway safety. No objections have been raised by Highway Network Management.

#### ENVIRONMENTAL CONSIDERATIONS AND RESIDENTIAL AMENITY.

4.11 The purpose of the application is merely to upgrade/replace the existing old water treatment equipment. Given the nature of the proposals and its distances from the residential area on the opposite side of the railway line (approximately 120m away from the nearest residential property 37 Lavender Grove and over 180m away from 25 Priors Walk) it is not considered that any nuisances relating to the proposals would be materially greater than that exist within the existing Water Treatment Works site. No objections have been raised by Environmental Protection subject to the imposition of informatives. In the interests of residential amenity a condition has been recommended to restrict the hours of construction and demolition works (condition 7).

#### NATURE CONSERVATION

4.12 It is considered that the site where the building would be situated does not have any Great crested newt or other ecological interests. Although meadow species are present in the grass area around the application site they would not be affected by the proposals. As such the proposed scheme including the new treatment plant building and associated sub station and pump control kiosk would have limited effect on local ecology and biodiversity. Whilst there are a lot of interests within the site as a whole and there are a lot of opportunities for mitigation work and enhancement across the site these areas fall outside the application sites. Thus for the purpose of assessing the merits of the proposals these potentials and opportunities cannot be imposed by way of planning conditions, bearing in mind that planning conditions can only be imposed on matters which are directly relevant to the development proposals. This applies also to the bat roosting potential in some of the old buildings within the treatment works site.

#### FLOOD PROTECTION AND DRAINAGE

4.13 According to Environment Agency most of the proposed water treatment building would be set above the modelled 1 in 100 year flood level. Furthermore the proposals, including the associated sub-station building and MCC kiosk are situated within Yorkshire Waters flood protection wall. As such no objections have been raised by Environment Agency, although regard should be had on the adequacy of emergency response and evacuation procedures in the case of a flood. In the interests of site safety these recommendations will be secured by condition (condition 8). An informative has also been recommended to advise the applicant to take into consideration flood proofing measures in areas at risk of flooding.

4.14 The drainage details requested by York Drainage Consultancy are expected to be submitted and approved in writing by the local planning authority prior to the commencement of development. These are recommended to be secured by condition (condition 9)

## NETWORK RAIL PROPERTY

4.15 Network Rail have no objections to the principle of the development. Nevertheless due to the distance between the development proposals and the electrified railway issues regarding drainage, the use of crane and plant, excavations and earthworks, security, method statements, lighting and access to railway have been raised to ensure works associated with the proposals would meet Network Rail's requirements. These requirements have been drawn to the applicants' attention by way of informatives, although in the interests of railway safety and to minimise disruption and inconvenience conditions requiring method of work statement and external lighting details to be submitted prior to the commencement of development have been recommended (conditions 5 and 6).

## 5.0 CONCLUSION

5.1 Given the demonstrated need and the functional requirement of the proposal it is considered that the revised proposals are acceptable and accord with policies CYSP3 (Safeguarding the Historic Character and Setting of York), CYGP1 (Design), CYNE2 (Rivers and Stream Corridors), CYGP15 (Protection from flooding), CYNE6 (Species protected by law), CYNE7 (Habitat protection and creation) of the Development Control Local Plan.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

D5001 - 2002 Rev A4 Treatment building elevations sheet 2 of 2;  
D5001 - 2001 Rev A4 Treatment building elevations sheet 1 of 2;

D5001 - 2000 Rev A4 Proposed treatment works location and site plans;  
D5001 - 2004 Rev A1 HV building and MCC kiosk plans and elevations; and  
D5001 - 2008 Rev A1 Proposed treatment building floor plan

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 VISQ8 Samples of exterior materials to be app

4 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

5 Prior to the commencement of the works hereby permitted, a detailed method of works statement shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved details shall be fully implemented and complied with unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure that the works are carried out in a safe manner and with minimum disruption and inconvenience to the users of the adjacent railway and public highways.

#### INFORMATIVE

To satisfy this condition the applicant is expected to enter into an asset protection agreement with Network Rail to ensure works will be carried out in a "fail-safe" manner. Full details of the agreement is expected to be included in the method of works statement. The statement should also include the precautions to be taken to ensure the safety of the general public, the method of securing the site, the access to the site, the route taken by vehicles transporting the demolition waste from and construction materials to the site and the hours of operations.

6 Prior to the commencement of development details of the external lighting shall be submitted to and agreed in writing by the local planning authority. Thereafter the external lighting shall be installed in accordance with the approved details.

Reason: To protect the visual amenities of the area and in the interests of railway safety.

7 All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00

Not at all on Sundays and Bank Holidays.

Reason: To protect the amenities of adjoining occupants.

8 Prior to the commencement of development details setting out the emergency responses and evacuation procedures in the case of a flood shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be fully implemented and complied with before, during and after a flood.

Reason: So that the Local Planning Authority may be satisfied that adequate procedures and responses associated with flooding is achieved.

9 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

#### INFORMATIVE

To satisfy this condition the following information is expected to be submitted to and approved in writing by the Local Planning Authority:

i. Details to include calculations and invert levels of the existing surface water system together with details to include calculations and invert levels of the proposals for the new development.

ii. A topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties.

iii. The development should not be raised above the level of the adjacent land. Existing and proposed surfacing should be specified.

iv. Additional surface water should not be connected to any foul / combined sewer, if a suitable surface water sewer is available.

v. Peak run-off from developments should be attenuated to 70% of the existing rate (based on 140 l/s/ha of connected impermeable areas). Storage volume calculations, using computer modelling, should accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model should also include an additional 20% allowance for climate change. The modelling should use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required. If existing connected impermeable areas not proven then a Greenfield run-off rate based on 1.4 l/sec/ha shall be used for the above.

10 HT1 11.55m

#### 7.0 INFORMATIVES:

## Notes to Applicant

### 1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity, highway considerations, environmental protection, residential amenity, protection against flood risk, nature conservation and drainage. As such the proposal complies with Policies SP2, SP3, GP1, GP15, NE2, NE6, NE7 and NE5a of the City of York Development Control Local Plan.

### 2. NETWORK RAIL

The applicant is advised to comply with the following Network Rail's requirements, and if further information is needed please contact Network Rail's Asset Protection Engineer Team at Network Rail, Floor 1B, George Stephenson House, Toft Green, York, YO1 6JT:

i. All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure.

ii. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

iii. All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

iv. Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Engineer.

v. All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

vi. Network Rail is required to recover all reasonable costs associated with facilitating these works.

### 3. CONTAMINATED LAND

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

#### 4. CONTROL OF POLLUTION ACT 1974

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be followed, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

- i. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".
- ii. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.
- iii. The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.
- vi. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.
- v. There shall be no bonfires on the site.

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