



COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:**DM/21/04293/FPA****FULL APPLICATION DESCRIPTION:**

Installation of below ground pipeline from Lartington Water Treatment Works to Shildon Service Reservoir and associated works, including temporary construction compounds, pipe bridge, lagoons, pipe laydown areas, vehicular accesses and above ground ancillary structures

NAME OF APPLICANT:**Northumbrian Water Limited****ADDRESS:**

Lartington Water Treatment Works, Cotherstone,
Barnard Castle, DL12 9DP

ELECTORAL DIVISION:**Barnard Castle West****Claire Teasdale****Principal Planning Officer****03000 261390****claire.teasdale@durham.gov.uk**

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site covers approximately 317 Hectares (ha) and mainly comprises agricultural land with some small pockets of woodland. The application site covers a large geographical area given it is for a linear pipeline. Given its size, the site passes over a number of roads, the River Tees and some minor watercourses. The site is approximately 30km in length and runs from Lartington Water Treatment Works (WTW), towards the settlement of Cotherstone, the site then goes to the north of Barnard Castle, then eastwards, approximately parallel with Darlington Road connecting to Whorley Service Reservoir (SR) before passing to the north of the village of Winston and the west of Gainford, the route then goes to the west of Langton with part of the route branching eastwards, to the south of Headlam towards the Darlington Borough Council boundary. The remainder of the route heads north, to the west of Ingleton meeting the A68 to the south of Hummberbeck, following a north-east route crossing the A6072 to the north of Sildon. The site forks into two branches to the north of Gainford village. One branch of the site heads north east, passing to the west of Ingleton village and to the south of West Auckland before reaching Shildon where it finishes at Shildon SR. The other branch of the site heads east to Dyance Beck where it would connect to a future part of the strategic trunk main within the administrative boundary of Darlington Borough Council which would be the subject of a separate planning application.

2. The vast majority of the site comprises the route of the pipeline itself, although the application boundary also includes areas required to facilitate construction, such as compound areas, pipe laydown areas, lagoons and areas required for connection with the wider mains network, both on a strategic and local scale. The area surrounding the

proposed pipeline route and its various compounds is vast and comprises a mix of ancient woodland, watercourses and agricultural fields interspersed by tree belts, hedgerows, stone walls and single-track farm roads. The pipeline passes by several small villages and farms and crosses to the north of Barnard Castle.

3. The site does not fall within the boundaries of any Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites, Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR) or Local Nature Reserves (LNR).
4. Cotherstone Moor Site of Special Scientific Interest (SSSI) lies some 0.7km from the proposed route of the pipeline. Baldersdale Woodlands SSSI and Shipley and Great Woods SSSI are both 1.7km from the proposed route. Shipley Wood Ancient Woodland is located adjacent to the site and three other Ancient Woodlands including Waskey Wood/Spring Wood, Selaby Bases and Gainford Great Wood (which are also designated as Local Wildlife Sites (LWS)) are within 20m of the application site.
5. There are 17 non-statutory designated sites within 2km of the site. One is located within the site (Cotherstone Railway LWS) and a further 3 are located with 20m of the site (Waskey Wood/Spring Wood, Gainford Spa and Gainford Great Wood LWSs).
6. North Pennines Area of Outstanding Natural Beauty is located some 460m to the west of the application. The site is located within an Area of Higher Landscape Value (AHLV) as defined in the County Durham Plan.
7. Within the application site are eight main rivers and/or larger watercourses one of which in two locations. These being: Percy Beck; Black Beck; Walker Hill downstream crossing; Walker Hill upstream crossing; Alwent Beck; Tributary of the River Gaunless; Dyance Beck; River Tees; and Grise Beck.
8. The application is predominately located in Flood Zone 1, though it passes through Flood Zones 2 and 3 at five places. The proposed pipeline would pass below the watercourse level of four of these watercourses, with the exception of the Alwent Beck crossing which will be crossed using a pipe bridge.
9. The site falls within a HSE Major Hazard Site Consultation Zone at Lartington Water Treatment Works.
10. A section of the pipe route from Lutterington Lane to Shildon Service Reservoir is located within a Coalfield Development High Risk Area. Given the size of the site it lies within a number of mineral safeguarding areas.
11. A number of strategic roads are located in the vicinity of the proposed development. These include the A1(M) between Scotch Corner and Newton Aycliffe, the A66 between Scotch Corner and Bowes and the A67 between Bowes and Darlington. The application site would intersect with a number of public highways (listed from west to east).
12. Given the size of the site, there are a number of public rights of way within the vicinity of the site and the proposed development would intersect a number of those. The application site also intersects National Cycle Network (NCN) routes in two locations.
13. There are some 29 designated heritage assets within or in the vicinity of the site. These include the line of the Stockton and Darlington Railway and the Barnard Castle and Staindrop Conservation Areas and a number of Grade II listed buildings as well as the Grade I listed Church of St Mary at Staindrop.

14. A number of residential properties are within the vicinity of the application site and include individual dwellings and residential areas.

The Proposal

15. Planning permission is sought for the installation of a below ground pipeline from Lartington Water Treatment Works to Shildon Service Reservoir together with associated works, including temporary construction compounds, a pipe bridge, lagoons, pipe laydown areas, vehicular accesses and above ground ancillary structures.
16. The main element of the proposed development is the mains pipeline, which would be a permanent, underground structure to carry potable water, i.e. clean drinking water. However, there are a number of other components to the proposed development, some of which are temporary in nature.
17. Had the development not been considered to be Environmental Impact Assessment (EIA) development having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations), then all the below ground works would comprise permitted development and therefore, would not require express planning permission by virtue of the rights granted to Northumbrian Water as a statutory undertaker.
18. The proposed development can be split into 3 elements. The first two elements would be permanent features and comprise the strategic mains pipeline and the River Tees and Alwent Beck Crossings. The third would be temporary only required in order to allow the construction of the development to take place. Site compounds and associated welfare temporary buildings such as a portakabins and site accesses are also proposed. All temporary structures, compounds and site accesses would be removed once the development is complete.

The Strategic Mains Pipeline

19. The proposed strategic trunk mains pipeline would, for the most part be 800mm in diameter, with the first 5.5km being 900mm in diameter and be set within a granular bed and surrounded by a below ground trench which would vary in width. Where the pipeline is 900mm, the trench would be 1300mm wide and where the pipeline is 800mm diameter, the trench would be 1200mm wide. Section 2 (Whorley Service Reservoir to Gainford Great Wood) of the pipeline route would be twinned (i.e. laid with two adjacent pipes), and here the trench would be 2300mm wide. The depth of the trench would vary from approximately 1.5 – 3m below ground level depending on its location; for instance, it would be set deeper underneath roads than underneath fields.

River Tees and Alwent Beck Crossings

20. The proposed strategic trunk mains would cross under the River Tees in a tunnel to the north west of Barnard Castle. The crossing would comprise two pipes, below ground level, with shafts at both ends of the tunnel, which would be lined with concrete panels for reinforcement.
21. In addition, the strategic trunk main would also cross Alwent Beck via a pipe bridge. Concrete abutments would be embedded in the ground at either end of the pipe bridge.

Site Compounds

22. The construction and restoration phase of the proposed development is anticipated to last for a period of 34 months from October 2022 to August 2025 although it is expected that all construction work would be completed by March 2025.
23. The anticipated general construction working hours are 07:00 – 18:00 hours Monday to Friday, 07:00 – 14:00 on Saturdays with no working on Sundays, Bank or Public Holidays. Occasional out of hours may be required when tunnelling takes place, and this may be 24 hour working. Further out of hours working is likely to be required where works affect the public highway and where such works are only permitted by the Highway Authority at quieter times of the day and night
24. A high-level construction phasing plan has been submitted with the application identifying that works on different elements of the proposed development, and on different stretches of the pipeline would take place concurrently. The construction period of the proposed development would be approximately 34 months, with construction due to commence in October 2022. This period would be split into phases with work starting at various points along the route at various times although these phases are yet to be confirmed. As such details of phasing can be sought through the imposition of a phasing condition. A number of compounds and welfare facilities are required during the construction of the proposed development. These are divided into four categories of facility comprising: a main site compound; pipe laydown areas; dedicated compound and logistic areas at strategic crossings and connections and lagoons.
25. The majority of construction traffic for the proposed development would use the A1(M) to get to the site, and then travel via the A66, the A67, the A689/A688, the B6275, the B6279 or the B6277 to reach the site. Once completed, vehicular access would be taken from existing access points at Lartington Water Treatment Works, Whorley Service Reservoir and Shildon Service Reservoir.
26. During construction, a haul road would be introduced along the length of the proposed pipeline to allow for construction traffic to access the site. The haul road would be temporary with the land reinstated to its original condition once development is complete. The construction phase would include a number of construction compounds, lagoons, pipe laydown areas and crane pad areas that would be accessed via the existing road network.
27. The proposed development represents an investment by NWL of approximately £64m. It is expected that during construction, on average, there would be up to 70 operatives working on site at any one time although at the peak of construction in the summer of 2023 it could be up to 100 people working on site on the development. Once complete no operatives would be permanently working along the route of the pipeline with only those maintaining it attending as and when necessary.
28. The application is accompanied by an Environmental Statement (ES) as it is considered to be Environmental Impact Assessment (EIA) development having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations). This report has taken into account the information contained in the ES, further environmental information including that submitted under Regulation 25 of the EIA Regulations and information arising from statutory consultations and other responses.
29. The application is being reported to the County Planning Committee as it is major development over 2 hectares.

PLANNING HISTORY

30. There is no relevant planning history.

PLANNING POLICY

31. A revised National Planning Policy Framework (NPPF) was published in July 2021. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
32. In accordance with Paragraph 219 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
33. *NPPF Part 2 - Achieving Sustainable Development.* The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
34. *NPPF Part 4 - Decision-making.* Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
35. *NPPF Part 6 – Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
36. *NPPF Part 8 – Promoting healthy and safe communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
37. *NPPF Part 9 – Promoting sustainable transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located

where the need to travel will be minimised and the use of sustainable transport modes maximised.

38. *NPPF Part 12 – Achieving well-designed places.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
39. *NPPF Part 14 – Meeting the challenge of climate change, flooding and coastal change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
40. *NPPF Part 15 - Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
41. *NPPF Part 16 - Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
42. *NPPF Part 17 - Facilitating the sustainable use of minerals.* It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

43. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; climate change; determining a planning application; land affected by contamination; flood risk and coastal change; healthy and safe communities; historic environment; light pollution; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities, public rights of way and local green space; travel plans, transport assessments and statements, use of planning conditions and water supply, wastewater and water quality.

<https://www.gov.uk/government/collections/planning-practice-guidance>

LOCAL PLAN POLICY

The County Durham Plan (October 2020)

44. *Policy 10 – Development in the Countryside* – States that development in the countryside will not be permitted unless allowed for by specific policies within the Plan or within an adopted neighbourhood plan relating to the application site or where the proposed development relates to the stated exceptions.
45. *Policy 14 – Best and Most Versatile Agricultural Land and Soil Resources* – States that development of the best and most versatile agricultural land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. Development proposals relating to previously undeveloped land must demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice.
46. *Policy 21 – Delivering Sustainable Transport* – Requires planning applications to address the transport implications of the proposed development. All development shall deliver sustainable transport by delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings.
47. *Policy 26 – Green Infrastructure* – states that development will be expected to maintain or improve the permeability of the built environment and access to the countryside for pedestrians, cyclists and horse riders. Proposals that would result in the loss of, or deterioration in the quality of, existing Public Rights of Way (PROWs) will not be permitted unless equivalent alternative provision of a suitable standard is made. Where diversions are required, new routes should be direct, convenient and attractive, and must not have a detrimental impact on environmental or heritage assets.
48. *Policy 28 – Safeguarded Areas* – Within safeguarded areas development will be subject to consultation with the relevant authority and will be permitted within the defined consultation zones of the Major Hazard Sites and Major Hazard Pipelines, where it can be demonstrated that it would not prejudice current or future public safety. The Policy also requires that development would not prejudice the safety of air traffic and air traffic services, that there would be no unacceptable adverse impacts upon the operation of High Moorsley Meteorological Officer radar and the operation of Fishburn Airfield, Shotton Airfield and Peterlee Parachute Drop Zone Safeguarding Areas.
49. *Policy 29 – Sustainable Design* – requires all development proposals to achieve well designed buildings and places and sets out criteria for development to be considered acceptable, including: making positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape proposals.
50. *Policy 31 – Amenity and Pollution* - sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and

that can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for locating of sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.

51. *Policy 32 – Despoiled, Degraded, Derelict, Contaminated and Unstable Land* – requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
52. *Policy 35 – Water Management* – states that all development proposals will be required to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. This includes completion of a Flood Risk Assessment (FRA) where appropriate.
53. *Policy 38 – North Pennines Area of Outstanding Natural Beauty* – states that the AONB will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty. Major developments will only be permitted in the AONB in exceptional circumstances and where it can be demonstrated to be in the public interest, in accordance with national policy. Any other development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes. Any development should be designed and managed to the highest environmental standards and have regard to the conservation priorities and desired outcomes of the North Pennines AONB Management Plan and to the guidance given in the North Pennines AONB Planning Guidelines, the North Pennines AONB Building Design Guide and the North Pennines AONB Moorland Tracks and Access Roads Planning Guidance Note as material considerations.
54. *Policy 39 – Landscape* – states that proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Development affecting Areas of Higher Landscape Value will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm.
55. *Policy 40 – Trees, Woodlands and Hedges* – Proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
56. *Policy 41 – Biodiversity and Geodiversity* – states that proposals for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or, as a last resort, compensated for.

57. *Policy 42 – Internationally Designated Sites* – states that development that has the potential to have an effect on internationally designated sites, either individually or in combination with other plans or projects, will need to be screened in the first instance to determine whether significant effects on the site are likely and, if so, will be subject to an Appropriate Assessment. Development will be refused where it cannot be ascertained, following Appropriate Assessment, that there would be no adverse effects on the integrity of the site, unless the proposal is able to pass the further statutory tests of ‘no alternatives’ and ‘imperative reasons of overriding public interest’ as set out in Regulation 64 of the Conservation of Habitats and Species Regulations 2017. Where development proposals would be likely to lead to an increase in recreational pressure upon internationally designated sites, a Habitats Regulations screening assessment and, where necessary, a full Appropriate Assessment will need to be undertaken to demonstrate that a proposal will not adversely affect the integrity of the site. In determining whether a plan or project will have an adverse effect on the integrity of a site, the implementation of identified strategic measures to counteract effects, can be considered. Land identified and/or managed as part of any mitigation or compensation measures should be maintained in perpetuity.
58. *Policy 43 – Protected Species and Nationally and Locally Protected Sites* – states that development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species’ abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.
59. *Policy 44 – Historic Environment* – seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets.
60. *Policy 46 – Stockton and Darlington Railway* – states that development which impacts upon the historic route of the Stockton and Darlington Railway (S&DR) of 1825, the Black Boy and Haggerleases branch lines and the Surtees Railway, together with their associated structures, archaeological and physical remains and setting, will be permitted where the proposal: seeks to reinstate a legible route or enhance any physical remains and their interpretation on the ground, and otherwise respects and interprets the route(s) where those remains no longer exist; safeguards and enhances access (including walking and cycling) to, and alongside, the route, branch lines and associated structures, archaeological remains and their setting; does not encroach upon or result in the loss of the original historic route(s), damage the trackbed excepting archaeological or preservation works, or prejudice the significance of the asset; and does not prejudice the development of the S&DR as a visitor attraction or education resource.
61. *Policy 56 – Safeguarding Mineral Resources* – states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area. This is unless it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value, provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse

impact, the non-minerals development is of a temporary nature that does not inhibit extraction or there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral or it constitutes exempt development as set out in the Plan. Unless the proposal is exempt development or temporary in nature, all planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.

NEIGHBOURHOOD PLAN:

62. There are no adopted Neighbourhood Plans within the application site. The Cotherstone Neighbourhood Plan Referendum was held on Thursday 7 July 2022. Part of the application site is located within the area of the proposed Plan.

The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham> (Adopted County Durham Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

63. *Cotherstone Parish Council* – supports the application.
64. *Highways Authority* – raise no objection noting that the end use itself would not have any impact on the local road network. However, as a major infrastructure project, there would be some disruption to the network during the construction phase, including some additional traffic. However, construction traffic routes can be controlled through an agreed Construction Method Statement which should be agreed with DCC Traffic Management prior to commencement of any works.
65. *The Coal Authority* – raises no objection subject to conditions requiring the undertaking of intrusive site investigations, prior to the commencement of development and implementation of any remedial works and/or mitigation. A Factual Ground Investigation Report was submitted following submission of the application, but the Coal Authority has raised queries regarding this including that it does not contain confirmation of the undertaking of any of the required remedial measures.
66. *Environment Agency* – has no objection subject to conditions requiring the development to be carried out in accordance with the submitted Flood Risk Assessment and requirement for the submission of a biosecurity plan. Without this condition the Agency advise that it would object to the proposal because it cannot be guaranteed that the development would not result in significant harm to the priority habitats and protected species within the zone of influence. Advice is provided with regard to the need for an Environmental Permit, water quality permit requirements, dewatering and water abstraction requirements, the water environment, biodiversity net gain and it is recommended that a target of at least ‘no net loss’ is set to reduce impact of the development. Advice is also provided with regard to invasive non-native species, migratory fish and fish passage, concreting and pollution prevention, waterbody improvement, waste and ground water.
67. *Drainage and Coastal Protection* – raise no objection and offer advice in relation to major infrastructure construction works in greenfield locations and expect this to be covered in the drainage strategy for the development.

68. *Historic England* – does not wish to offer any comments and suggest the views of the Council's specialist conservation and archaeological advisers are sought.
69. *Natural England* – raise no objection and considers that, based on the plans submitted, the proposed development would not have significant adverse impacts on statutorily protected nature conservation sites. With regard to European sites Natural England considers that the proposed development would not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, it advises the Council to record the decision that a likely significant effect can be ruled out. In terms of Sites of Special Scientific Interest, Natural England considers that the proposed development would not have likely significant effects on statutorily protected sites and has no objection to the proposed development. It is noted that the proposed development is for a site within or close to a nationally designated landscape namely North Pennines AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal and assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Advice is also provided on Sites of Special Scientific Interest Impact Risk Zones, landscape, best and most versatile agricultural land and soils, protected species, local sites and priority habitats and species, Ancient woodland, ancient and veteran trees, environmental gains, access and recreation, rights of way, access land, coastal access and national trails and biodiversity duty.

INTERNAL CONSULTEE RESPONSES

70. *Ecology* – raise no objection subject to conditions requiring a completed DEFRA metric showing a net gain in Biodiversity Units for habitats, linear features and rivers, Biodiversity Management and Monitoring Plan for all habitats delivering for net gains (both on-site and off-site) for a period of 30 years.
71. *Landscape* – raise no objection noting that a Landscape and Visual Assessment and Arboricultural Assessment has been provided which states that mitigation planting is to contain Ash. Due to Ash dieback this species should be omitted from any proposed planting, and an appropriate alternative be provided if considered necessary.
72. *Design & Conservation* – raise no objection. Officers advise that the application is accompanied by a comprehensive and well articulated heritage impact assessment which correctly identifies the above ground assets which may be affected by this proposal either during or post completion and assesses the impact in both phases. The conclusions are reasonable that the main impacts relate to setting during the construction phase and would be mitigated post completion. Whilst there would be some modest infrastructure additions along the route which would be above ground the impact would be negligible to nil. Officers consider that overall, the proposal would cause no harm to above ground assets in the delivery of this major infrastructure project. There are concerns around the impact on below ground assets and especially the S&DR railway given current projects underway to enhance this asset, officers defer to archaeology colleagues on these matters.
73. *Archaeology* – raise no objection to the proposals subject to conditions requiring a written scheme of investigation and that no individual phase of the development shall be commissioned until the post investigation assessment has been completed. Officers note that trenching carried out during consideration of the application showed that most of the route has no further archaeological interest, though it did also identify a number of places where further works (trenching/archaeological work) would be required.

74. *Environmental, Health and Consumer Protection (Air Quality)* – note that the development would not likely have an impact on the AQMA as it is too far away. The development is in a rural setting with likely good existing air quality. Officers consider that the submitted assessment report does not reference the requirement of an assessment of the impact of construction traffic emissions on designated ecological receptors. The impact extents of construction, especially haulage routes and track out, and also emissions associated with vehicle exhausts to this important ecologically designated area should be confirmed. Mitigation measures recommended in the submitted documentation should be agreed through condition.
75. *Environmental, Health and Consumer Protection (Contaminated Land)* – has no objection having assessed the available information and historical maps. Officers advise that the site in general is free from contamination. An area of the site identifying elevated Pb is recommended for removal from the site which officers agree with considering that the risk posed is not to the end use but more associated with the site workers. There is no requirement for a contaminated land condition however informatics are recommended related to the removal of Pb contaminated soils and if unforeseen contamination is encountered.
76. *Environment, Health and Consumer Protection (Nuisance Action)* – officers agree in principle with the proposed approach to noise and vibration. Several noise sensitive receptors have been identified. Due to the transient nature of the pipeline being laid it is not envisaged noise impact would last for a long duration. A tunnel would be constructed under the River Tees and these works would be undertaken for 24 hours per day. To mitigate against excessive noise a number of measures are proposed. However, officers consider the information submitted is not sufficient to allow full consideration against the thresholds stated in the TANS and further information is required in respect of working hours, the contractors method statement and details of who and how noise impact would be monitored at noise sensitive receptors.
77. *Access & Rights of Way* – raise no objection but advise as a major construction project this would impact upon the public rights of way network along the route. Officers agree that proposals to manage the situation during construction and set out in the Environmental Statement are the best way forward. Timescales for temporary closure orders are provided.

PUBLIC RESPONSES:

78. The application has been advertised in the local press (the Northern Echo and Teesdale Mercury) and by site notice as part of planning procedures. In addition, 5,802 notification letters were sent to neighbouring properties.
79. 7 representations have been received including one letter representing 8 households comprising 10 individuals. Of the representations received 2 are objections, 1 support and 4 making comments on the application.

Objection

80. The grounds of objection and concern raised in relation to the application are summarised below, copies of the full representations are available to view on the Council's website.

Principle of Development

- Queries and clarification on the length of the new pipeline and what is the fate of the existing pipeline.

- There is no information regarding what the new pipeline will be made of.
- The pipeline route is not the most suitable or cost-effective option.
- No benefit of consultation on the potential alternative routes for the pipeline.
- No consultation on the reason why the pipeline route has been chosen above other alternative routes.
- No consultation on the apparatus that will be located upon site owner's land.
- The proposed pipeline goes through potential development land whereby the installation of the pipeline will hinder/prevent development for landowners.
- Ensure that the route is the most sustainable and cost effective route.
- The scheme is not justified.

Ecology and Trees

- The development is the biggest environmental disturbance to Teesdale in a generation.
- Query regarding whether the existing pipeline is an environmental hazard.
- The Arboricultural Impact Assessment underestimates the extent of tree loss.
- Request for a planning condition enforcing arboricultural supervision.
- The development suggests that every tree felled, 3 will be planted, query regarding how 3 has been arrived at.
- The application includes replanting with ash, this has not been commercially grown due to ash dieback.
- Environmental mitigation should be included within a S106 agreement.
- Opportunity to repopulate hedgerows with hedgerow trees.
- Request for a post development survey in 2026 to show how many trees and hedgerows were removed.

Residential Amenity

- Occupier of Lathbury Lodge raises concerns regarding noise pollution from a construction compound. Request that the construction compound is sited away from house line of site/noise transmission.
- Restrict working hours in construction compounds to weekdays 0900 to 1700 to reduce antisocial noise pollution.

Highways and Transport

- Concerns regarding a bridge crossing a beck on Mire Lane and whether it is at risk of collapse if further and continued heavy vehicles continue to use it.
- Mire Lane is unadopted and if the bridge is damaged, concerns regarding who will repair it and who will repair the pot holes and damage to the surface of Mire Lane.

Other matters

- Poor information display, the mapping is of poor quality and does not include road numbers, streets and property names.
- Doubts as to whether the local community grasp the extent of the construction and road closures over a 3 year period.
- Individuals set out in George F White letter were not notified of any public consultation events.

Comments

81. 3 letters received raise points from a neutral stance. These letters were from Friends of the Stockton and Darlington Railway. In their letters they raised the following issues The Public bridleway on Haggs Lane should remain unobstructed during 1 March and 31 October 2025 to allow its continued use of the Stockton and Darlington Walking and Cycling Route. Haggs Lane is a public bridleway, and it is requested that contractors keep them and the general public informed of the dates of closure of

Haggs Lane. The works should not interfere with the Bicentenary celebrations in 2025; and no visible evidence of excavation of land, construction of pipeline, erection of fencing or other work within 20 metres of the route of the Stockton and Darlington Railway between 1 March and 31 October 2025.

Support

82. One letter of support has been received from Cotherstone Parish Council who commented that they have considered the application and support it with no further comments to add.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:
<https://publicaccess.durham.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

APPLICANTS STATEMENT:

83. Northumbrian Water Ltd (NWL) is a statutory undertaker for the supply of water and is responsible for safeguarding the future supply of water in the north east of England. It supplies drinking water to 1.3 million properties in the north east of England through its distribution network of reservoirs, water treatment works, service reservoirs and mains pipes and needs to continually maintain and upgrade this water supply network.
84. As part of its investment programme for the next ten years NWL is proposing to replace two strategic trunk mains forming part of the network which supplies communities all along the Tees Valley, including Barnard Castle, Darlington and the wider Teesside area. The two existing mains run from a water treatment works at Lartington, west of Barnard Castle, to a service reservoir at Long Newton (just within Stockton Borough Council's administrative area). In addition, there are at least eighty smaller diameter pipes connected to these mains which feed the local distribution networks supplying approximately 18,000 properties. The replacement was first recommended in the Trunk Mains Cleaning Feasibility Study undertaken by Amec in 2012, and was again recommended in the Teesside Strategic Network Study completed in 2017.
85. The two existing pipelines run through the middle of Barnard Castle and Darlington. In this context, in order to seek to minimise disruption to its customers, local residents and businesses, NWL is proposing a new alternative route for a single replacement main, around these urban areas. The existing mains will be abandoned following construction of the new mains, so additional work will be required to re-connect the eighty local distribution networks to the new main or other suitable water mains nearby.
86. In order to improve the resilience of supply between Teesdale and Durham, it is also proposed to install a new pipeline from the new main (from a point west of Winston at Whorley Hill ('SR')) to a SR at Shildon. This will provide a second feed into the distribution network covering the south and central part of County Durham. The new pipelines will extend to over 50km in length.
87. In addition to the implementation of the new strategic trunk mains, the proposed development includes the works required to connect the new mains pipeline to the network of pipes which directly supply potable water to communities. These works, which are variable in nature, are referred to as 'mains reconnections'.

88. The proposed development subject to this planning application relates to the part of the replacement strategic trunk mains and associated mains reconnections that fall within the administrative boundary of County Durham. A planning application, accompanied by its own ES, for the remainder of the works required to deliver a new strategic trunk main to the reservoir at Long Newton will be submitted to Darlington Borough and Stockton Borough Councils in due course.
89. The proposed development will replace existing Victorian era water mains and will ensure a safe and secure supply of water for County Durham and the wider Teesside area for decades to come.

PLANNING CONSIDERATIONS AND ASSESSMENT

90. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of the development, residential amenity (noise and vibration, air quality and dust, lighting, contamination, health impact and visual impact), access and highway safety, landscape and visual impact, cultural heritage, ecology, flooding and drainage, recreational amenity, safeguarding within safeguarding areas and minerals development, agricultural land, cumulative impact, other matters and public sector equity duty.

Principle of Development

91. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The County Durham Plan (CDP) is the statutory development plan within County Durham. This is the starting point for determining applications as set out in the 2004 Planning Act and reinforced at Paragraph 12 of the NPPF. The CDP was adopted in October 2020 and provides the policy framework for County Durham until 2035.
92. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:
 - c) approving development proposals that accord with an up to date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or,
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

93. In light of the recent adoption of the CDP, the Council now has an up to date development plan. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up to date development plan without delay (Paragraph 11 c). Accordingly, Paragraph 11(d) of the NPPF is not engaged.

Key policies for determination

94. The key policies in the determination of this application are CDP Policy 10 (Development in the countryside) and CDP Policy 38 (North Pennines Area of Outstanding Natural Beauty).
95. CDP Policy 10 relates to development in the countryside and advises that development in the countryside will not be permitted unless allowed for by specific policies in the plan or where the proposal relates to a number of exceptions including to support essential infrastructure where the need can be demonstrated for that location.
96. CDP Policy 38 relates to the North Pennines Area of Outstanding Natural Beauty and states that the AONB will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty. Major developments will only be permitted in the AONB in exceptional circumstances and where it can be demonstrated to be in the public interest, in accordance with national policy. Any other development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes. Any development should be designed and managed to the highest environmental standards and have regard to the conservation priorities and desired outcomes of the North Pennines AONB Management Plan and to the guidance given in the North Pennines AONB Planning Guidelines, the North Pennines AONB Building Design Guide and the North Pennines AONB Moorland Tracks and Access Roads Planning Guidance Note as material considerations.
97. Policy 10 sets out that development will only be supported where, inter alia, it is for essential infrastructure where the need can be demonstrated for that location. In addition, the policy also sets out general design principles which should be followed. These include development which does not give rise to unacceptable harm to heritage, biodiversity, geodiversity, intrinsic character, beauty or tranquillity of the countryside which cannot be adequately mitigated or compensated for. Further considerations set out in the Policy include that development must not be prejudicial to highway safety, water or railway safety nor impact adversely upon residential amenity or general amenity.
98. The proposed development comprises the laying of an underground pipeline which would transfer drinking water from the west of the county to the east and north and beyond. The proposed development would replace existing Victorian infrastructure as well as providing enhanced resilience to the water distribution network. The works would safeguard the supply of water to County Durham and Teesside for generations to come. The route of the pipeline has been carefully chosen and refined over the last 3 years to ensure that the development created the least environmental impact and disruption to nearby residents and highway users. It is therefore the case that there is a clear and demonstrable need in this location for the proposed development. As part of the works, the applicant proposes to re-plant trees on a 3 to 1 replacement ratio as well as being committed to providing biodiversity net gain, which is considered later in the report.

99. The application site is not allocated for any specific use within the adopted County Durham Local Plan however, as set earlier in this report the proposed development comprises essential infrastructure works to replace two strategic trunk mains forming part of the network which supplies communities with water all along the Tees Valley, including Barnard Castle, Darlington and the wider Teesside area.
100. The proposed development's impact upon the North Pennines AONB is considered within the Landscape and Visual Impact section of this report.
101. The development is required to support essential infrastructure and the principle of the development is considered to be acceptable in this location given that it comprises essential infrastructure relating to the resilience of the future water supply in County Durham. The proposal does not conflict with CDP Policy 10 nor Part 15 of the NPPF. The environmental impacts of the proposal are considered below.

Residential Amenity

102. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air or noise pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality and water quality. Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Paragraph 186 of the NPPF advises that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Paragraph 187 of the NPPF advises that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs).
103. CDP Policy 31 sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for locating of sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
104. A number of residential properties are within the vicinity of the application site and include individual dwellings and residential areas as detailed below,

Location	Distance from site (metres) approximately
Mense House, Hill Crest, Cooper House, West Holme House and East Holme House	Mense House – 0m (within redline boundary) Hill Crest – 0m (within redline boundary) Cooper House – 230m West Holme House – 150m East Holme House – 150m

Low Park Wall, Kenmore, Quarry Grange and Rosemead Farm;	Low Park Wall- 130m. Kenmore- 0m (within the boundary). Rosemead- 50m Quarry Grange – 350m
30 The Oval, Runa Farm, East Town Pasture;	30 The Oval- 0m (within the boundary) East Town Pasture- 170m Runa Farm – 60m
Hoy House, Humbleton, Hill House Farm, Arlaw Banks, Dial House, Black Bull Farm and Whorlton High Grange;	Dial House- 10m (adjacent to boundary) Hoy House – 10m (adjacent to boundary) Humbleton – 110m Hill House Farm – 200m Arlaw Banks – 10m (adjacent to boundary) Black Bull Farm – 10m (adjacent to boundary) Whorlton High Grange – 1,500m
Meadowfield, Gate House, Stoneliegh, West Whorley Hill, East Whorley Hill, Etherley House, Whorlton Lodge, Stubb House and Walker Hall;	Meadowfield- 0m (within the boundary). Gate House- 0m (within the boundary). West Whorley Hill- 0m (within the boundary). East Whorley Hill- 0m (within the boundary) Etherley House -10m (adjacent to boundary) Whorlton Lodge – 1,500m Stubb House – 10m (adjacent to boundary) Walker Hall – 450m
Rose Cottage, Station Farm, Vicarage Farm, Primrose Cottages, Primrose Hill Farm, Whinfield and East Selaby, Grant Cottage, South Lodge	Rose Cottage- 120m. Station Farm- 10m (adjacent to boundary). Vicarage Farm- 50m Primrose Cottages- 40m Primrose Hill Farm -50m. Whinfield- 10m (adjacent to boundary). Grant Cottage- 10m (adjacent to boundary). South Lodge- 10m (adjacent to boundary). East Selaby – 600m
Hollin Hall East, Hollin Hall West, Hollin Hall Cottage, Hill House and Dyance	Hollin Hall Cottage- 30m. Dyance- 30m Hollin Hall East – 40m Hollin Hall West – 150m Hill House – 270m
Whitethorn, Fairholme, High Hulam, Low Hulam, Pinder House, West End Farm, Broomsfield, Council Farm, Ingleton Grange, Todwell House and Hilton Close	Whitethorn- 30m Fairholme- 30m West End Farm- 40m Council Farm- 50m. Hilton Close- 1550m High Hulam – 600m Low Hulam – 450m Pinder House – 300m Broomsfield – 400m Ingleton Grange – 450m Todwell House – 130m
East Leaside, West Leaside and Hindeberries;	East Leaside- 150m West Leaside – 170m Hindeberries – 250m

Fair View, Bridge House, Lutterington Hall, Wheatside Farm and surrounding properties	Lutterington Hall Farm- 100m. Wheatside farm- 180m. Fair View – 150m Bridge House – 150m
Wheatside Lodge, Dial House, Bildershaw Grange Farm, Brackenbury House, Backsandsides Farm, Bankfoot Farm, Redmires Farm, Brusselton Farm, Low West Thickley Farm and Copy Crooks Farm;	Dial House- 10m Backsandsides Farm- 190m Wheatside Lodge – 70m Bildershaw Grange Farm – 290m Brackenbury House – 400m Bankfoot Farm – 400m Redmires Farm – 550m Brusselton Farm – 150m Low West Thickley Farm – 950m Copy Crooks Farm – 170m
150 Auckland Terrace, Viewlands and Eastholme Farm	150 Auckland Terrace- 10m (adjacent to boundary) Viewlands- 10m (adjacent to boundary) Easthome Farm- 10m (adjacent to boundary).
Town Farm Close, Green Farm, Cooper House Farm, The Beeches, East Town Pasture, Birckett Close, St Andrews Church.	Town Farm Close- 220m Green farm- 280m The Beeches- 150m Cooper House Farm- 230m East Town Pasture- 170m. Birckett Close- 130m. St Andrews Church- 160m.

105. There are 12 towns and villages within 2km of the proposed pipeline which are set at varying distances from it. The closest settlement to the pipeline is Barnard Castle with West Auckland being the furtherest away within the 2km zone. Other settlements comprise Cotherstone, Lartington, Stainton Grove, Winston, Headlam, Langton, Ingleton, Hilton, Humberbeck and Shildon.
106. Specific considerations in relation to residential amenity are noise, air quality and dust, lighting, contamination and visual impact and are considered below.

Noise

107. During the construction phase there is potential for noise from traffic making deliveries and site preparation works but this would be time limited. During the construction period good practice measures would be put in place to manage the effects of noise and a construction management plan would be required through condition.
108. The Noise and Vibration Assessment submitted with the application considers the construction noise from the following activities: the strategic trunk main pipeline construction, shafts and tunnelling, construction compounds, pipe laydown areas, strategic crossings and connections and haul roads. The Assessment identifies temporary significant noise effects during the daytime from shafts and tunnelling at Cooper House Farm, and pipe laydown areas at Cooper House Farm, Mense House Farm, Winfield and Grant Cottage.
109. The Assessment identifies temporary significant noise effects during the evening and weekends from construction noise generated by shafts and tunnelling at Cooper House Farm and Westholme Farm and during the night-time from shafts and

tunnelling at Birkett Close, Westholme Farm, Green Farm, Cooper House Farm, Mense House Farm and Hill Crest.

110. Environmental Health and Consumer Protection officers agree in principle with the proposed approach to noise and vibration and advise that due to the transient nature of the pipeline being laid, it is not envisaged noise impact would last for a long duration. Officers suggest conditions are imposed, which regulate times of use, the contractor's method statement and details of who and how noise impact would be monitored at noise sensitive receptors.
111. The anticipated general construction working hours are 07:00 – 18:00 hours Monday to Friday, 07:00 – 14:00 on Saturdays with no working on Sundays, Bank or Public Holidays. Occasional out of hours may be required with the applicant advising that residents would be informed in advance. Such working would be required for certain parts of the construction process. This includes the tunnelling beneath the River Tees which by virtue of the method of construction, once tunnelling commences works cannot stop until the tunnel is complete. Routine operations at the shafts and construction vehicle movements to and from the shafts would be limited to day- time operations. It is only the tunnelling work itself that is proposed to be 24/7 due to engineering requirements for continuous operation to prevent the tunnelling machine jamming. The tunnelling work is expected to last for no more than 8 weeks. In addition, further out of hours working is likely to be required where works affect the public highway and where such works are only permitted by the Highway Authority at quieter times of the day and night.
112. Conditions would be required relating to the submission of a Construction Management Plan and limiting the hours of construction activities given the potential for construction activities to cause some disturbance in terms of noise.
113. The Noise and Vibration Assessment submitted by the applicant proposes, at Noise Sensitive Receptors where an exceedance of SOAEL (Significant Observed Adverse Effect Level) 75dB LAeq have been identified, a temporary noise barrier would be introduced, either located as close to the source or receiver as practically possible and be designed to limit the effects on the noise sensitive receptors exceeding the SOAEL 75dB LAeq threshold. In order to secure this a further noise and vibration management plan would be prepared and form part of a Construction Environmental Management Plan (CEMP) that would be secured through planning condition. This would set out the approach to consultation with the Council, complaint management process and the noise monitoring methodology during construction including details of the noise barrier.

Air quality and dust

114. The proposed development has very limited potential to create any unacceptable dust pollution impacts. The submitted Construction Dust Assessment concludes that the pre mitigation impacts from the strategic mains works of the proposed development are defined as 'low to high risk' for dust soiling and 'negligible to low risk' for health effects. For the reconnections works the risk for dust soiling and health effects are 'negligible to low risk.'
115. Environmental Health and Consumer Protection officers have considered the proposals and advise that the development would not likely have an impact on the Air Quality Management Area as its too far away. The impact extents of construction, especially haulage routes and track out, and also emissions associated with vehicle exhausts to this important ecologically designated area should be confirmed.

116. A construction dust risk assessment methodology has been submitted with the application which sets out the screening criteria for the proposed development which states that an assessment will normally be required where there is an ecological receptor within 50m of the boundary of the site or within 50m of the route(s) used by construction vehicles on the public highway, up to 500m from the site entrances. The construction dust risk assessment potential impacts section confirms that no ecological receptors have been identified within 50m of the proposed development therefore impacts on ecological receptors were scoped out of the assessment. In addition, emissions from vehicle exhausts i.e. construction road traffic emissions, were scoped out of the Environmental Statement through agreement with Environmental Health and Consumer Protection officers who confirmed that an air quality assessment was not required in the ES and only a construction dust risk assessment would be needed as a standalone document. Environment, Health & Consumer Protection officers, therefore, recommend a condition requiring a Dust Management Plan, which could be incorporated into a Construction Environmental Management Plan which would also be required to control noise and vibration during the construction phase. These plans would include details of any mitigation which is considered necessary by officers.

Lighting

117. No new or permanent external lighting is proposed as part of the proposed development, only moveable temporary lighting would be required during the construction phase. Nonetheless lighting details would be required to be submitted through a planning condition.

Contamination

118. Part 15 of the NPPF (Paragraphs 120, 174, 183 and 184) requires the planning system to consider remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate. Noting that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. CDP Policy 32 requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
119. The Geo-Environmental Assessment Report submitted with the application concludes that based on available information, ground material on-site is not considered to pose a significant risk to construction and maintenance workers, and no specific mitigation is required. Asbestos was not detected in the test soil samples. Whilst the level of Lead (Pb) recorded in a topsoil sample exceed the GAC, a significant risk to site end-users was considered unlikely from the proposed works. However, the applicant's report recommends that the material from this location be removed from site, thereby removing the source.
120. The Geo-Environmental Assessment Report also concludes that the potential for soil leachates to contaminate freshwater courses is considered to be low.
121. Environmental Health and Consumer Protection officers have considered contamination noting that the site in general is free from contamination. Officers agree with the recommendation for the removal of an area of the site with an elevated Pb level, agreeing that the risk posed is not to the end use but more associated with site workers.

122. Environmental Health and Consumer Protection Officers confirm that there is no requirement for a contaminated land condition however, informatics are recommended related to the removal of Pb contaminated soils and if any unforeseen contamination is encountered.

Visual Impact

123. The area is sparsely populated, but there are a number of properties within 250m of the site, as set out in the table above.
124. During construction and restoration, of the forty sensitive receptors highlighted within the study area set out in the submitted Landscape and Visual Impact Assessment, thirty-one would be significantly affected by the proposed development, this includes the following residential properties: residents of Cooper House, looking east; residents of West Holme House, looking north; residents of Humbleton, looking south; residents in Hilton Close, looking south towards Ingleton; residents in Ana-Fen House, looking east and west; residents of Copy Crooks Farm, looking south; and residents in Black Bull Farm, looking north.
125. Views from these dwellings would be subject to a loss of scenic quality, and some of the views will be screened by the works or associated buildings, machinery, or infrastructure. These effects would be either medium or short term in duration and will result in a Moderate Adverse effect on twenty-nine dwellings and a Major Adverse effect on two, which is Significant.
126. The submitted Assessment does not include effects on visual receptors during the operation of the proposed development as most of it is below ground and will not be visible, and the above ground elements of the proposed development are relatively minor in nature and are unlikely to give rise to significant visual effects.
127. The Assessment recommends a Landscape and Environmental Management Plan is followed during the restoration stage of the proposed development. This would be secured by way of condition.
128. Whilst the aspect of these properties and the presence of intervening vegetation is likely to filter the proposal from the majority of the residential properties the LVIA concludes that all effects would be temporary for varying durations over the course of the construction of the proposed development. Embedded mitigation that restores the site to its existing condition would ensure that all effects would reduce over time and further assimilation would be achieved through additional tree planting.
129. Landscape officers raise no objection. Landscape and visual impact is considered further below.

Residential amenity summary

130. It is considered that the proposal would not create an unacceptable impact on living or working conditions or the natural environment. The development would not result in unacceptable noise, air quality, dust, light pollution, contamination and visual impact subject to the imposition of the conditions recommended above. The development would provide an acceptable standard of residential amenity in accordance with CDP Policies 31 and 32 and Part 15 of the NPPF.

131. Paragraph 110 of the NPPF states that safe and suitable access should be achieved for all people. In addition, Paragraph 111 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe. CDP Policy 21 states that the transport implications of development must be addressed as part of any planning application, where relevant this could include through Transport Assessments, Transport Statements and Travel Plans.
132. The submitted Environment Statement considers the effects of the proposed development on traffic and transport. It sets out that the proposed development will intersect a number of public highways. This comprises the B6277 Lartington Lane, B6278 Harmire Road, Dent Gate Lane, A688 Stainton Bank, Town Pasture Lane A67 between A688 and Whorley, Unclassified and unnamed access road from A67 to Humbleton, Unnamed Road (C44) connecting to Tarn Lane and the Unnamed Road north of A67, West of Whorley all of which are along the Lartington WTW site to Whorley Service Reservoir. In the Whorley SR to Gainford Great Wood section there is Tarn Lane, B6274 north of Winston and Unnamed Road north of the A67 Grant Bank. From Gainford Great Wood to County Durham / Darlington Borough Council Boundary the pipeline would cross Ford Dike Lane and Cock Lane. And in the Gainford Great Wood to Shildon SR section the pipeline would cross Selaby Lane, Hulam Lane, The B6279 at Ingleton, Unnamed adopted C Road north-west of Ingleton, Unnamed road east of Hilton (unadopted), Stobhill Lane, A68 north of Bildershaw and A6072 West Auckland Road
133. The Environment Statement concludes that no significant effects upon traffic and transport are anticipated during the construction and restoration phases of the proposed development. This includes no significant effects on driver delay, road safety, severance, pedestrian amenity / fear of intimidation and pedestrian amenity.
134. A Framework Construction Environmental Management Plan (CEMP) submitted with the application sets out the key measures and principles that will be adhered to during construction and restoration. It includes the following measures and principles of relevance to highways and access: designated vehicle access routes and a traffic management strategy; restrictions on deliveries and access to working sites outside of peak highway periods; keeping A roads open where possible, limiting the duration of road closures and usage of a dedicated haul road parallel to the pipe route for construction movements between working areas; and include a number of potential HGV construction traffic no-go zones, in order to minimise effects on the following local communities where alternate routes are available.
135. During construction, the following hierarchy would be used where there are interfaces with PROWs, or a combination thereof, to minimise disruption to the Public: maintain the PROW with appropriate surfacing across the working width except for short manned closures with associated H&S protection; divert the PROW within the working width with associated H&S protection and footpath surfacing; agree and install a diversion route for the PROW with the Local Authority, with associated signage and surfacing works when neither of the first two actions are viable.
136. Where the proposed development crosses public highways, it is proposed that open cut trenching could involve partial or full road closures with shuttle working or a local diversion in place. Given the width of the crossings, the duration of open-cut trenching is anticipated to be short; limited to a matter of days. The works could also be undertaken over a series of nights, meaning any local diversions or shuttle working would only take place at night and not affect peak daytime traffic.

137. Durham County Council as Highway Authority has considered the proposal and raise no objection but advise as a major infrastructure project, there would be some disruption to the network during the construction phase, including some additional traffic. However, construction traffic routes can be controlled through an agreed Construction Method Statement which should be agreed with DCC Traffic Management prior to commencement of any works.
138. Whilst the development would generate a number of construction traffic movements for the 34 month construction period it would be not be unacceptable in this location due to good access and existing highway capacity for this temporary period. Following construction, the site would be returned to its original condition. A further condition is recommended to ensure that vehicles accessing the site are adequately cleaned before leaving to ensure that debris is not carried onto the public highway. It is considered that the proposal would not result in harm to the safety of the local or strategic highway network and would not cause an unacceptable increase in congestion or air pollution. The proposal is considered not to conflict with CDP Policy 21 and Part 9 of the NPPF.

Landscape and visual impact

139. Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.
140. CDP Policy 38 which relates to the North Pennines Area of Outstanding Natural Beauty states that the AONB will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty. Major developments will only be permitted in the AONB in exceptional circumstances and where it can be demonstrated to be in the public interest, in accordance with national policy. Any other development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes. Any development should be designed and managed to the highest environmental standards and have regard to the conservation priorities and desired outcomes of the North Pennines AONB Management Plan and to the guidance given in the North Pennines AONB Planning Guidelines, the North Pennines AONB Building Design Guide and the North Pennines AONB Moorland Tracks and Access Roads Planning Guidance Note as material considerations.
141. CDP Policy 39 states that proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Development affecting Areas of Higher Landscape Value will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm.
142. CDP Policy 40 states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Where development would involve the loss of ancient or veteran trees it will be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Proposals for new development will not be permitted that would result in the loss of hedges of high landscape, heritage, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Proposals for new

development will not be permitted that would result in the loss of, or damage to, woodland unless the benefits of the proposal clearly outweigh the impact and suitable replacement woodland planting, either within or beyond the site boundary, can be undertaken.

143. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application. The LVIA seeks to assess the landscape and visual impact of the proposed development. The Assessment states that a series of mitigation measures have been embedded into the scheme that restore the site to its existing condition which would ensure that all effects of the construction phase will reduce over time and further assimilation would be achieved through additional tree and hedgerow planting. The LVIA submitted by the applicant considers the proposed development in the context of a study area. The study area comprises the planning application site plus a buffer which extends a further 2km beyond. There are several designations within the study area that are of note. These include The North Pennines Area of Outstanding Natural Beauty (AONB) to the west of the western end of the site, Pennine Dales Environmentally Sensitive Area (ESA) approximately 4km to the west of the western end of the site, Several Sites of Special Scientific Interest (SSSI) on the western fringe of the site, Listed buildings and conservation areas across the study area, Lartington Hall park and garden (Grade II listed), Bowes Museum park and garden (Grade II listed) and Areas of High Landscape Value (AHLV) - a local landscape designation, designated in the County Durham Plan as areas which are considered by the local planning authority to be of particular landscape value to the local area. Areas were assessed for their condition, scenic, cultural and perceptual quality, rarity, recreational value and natural and historical conservation interest to determine their sensitivity.
144. The site is situated within (or includes part of) National England National Character Area 22: Pennine Dales Fringe and parts of the site are located within the following published Landscape Character Areas. Part of the site lies within an Area of Higher landscape Value (AHLV) as defined in the CDP.

Section	County Character Area	Broad Landscape Type	AHLV
Lartington WTW to Whorley SR	Dales Fringe CCA	Lower Dale BLT Gritstone Vale BLT Moorland Plateau BLT (North Pennines AONB)	Yes Yes
Whorley SR to north of Gainford Great Wood	Dales Fringe CCA Tees Lowlands CCA	Gritstone Vale BLT Lowland Vale BLT Lowland River Terraces BLT	Yes Yes
Gainford Great Wood to Durham County/Darlington Borough Council Boundary	Tees Lowlands CCA	Coalfield Valley BLT	Partial
Gainford Great Wood to Sildon SR	Dales Fringe CCA Tees Lowlands CCA West Durham Coalfield CCA	Lowland River Terraces BLT Gritstone Vale BLT Coalfield Valley BLT Coalfield Valley Floodplain BLT	Yes Yes Partial No

145. The LVIA concludes that, all four County Character Areas (CCAs) that fall within the study area would be significantly affected by the construction of the proposed development. These CCAs would be subject to a temporary reduction in scenic quality, landscape condition and tranquillity, that will occur across large proportions of each CCA. These reductions will result in a Moderate Adverse, and Significant effect on each CCA.
146. In a small area of the Tees Lowland CCA, construction of the proposed development would occur near to the village of Ingleton, and in this area works include three pipe laydown areas and a lagoon. In addition, these works would occur within the rural setting of the Ingleton Conservation Area. It is anticipated that these works would result in a Major Adverse and Significant effect on the local landscape character around Ingleton.
147. These BLTs would be subject to a temporary reduction in scenic quality, landscape condition and tranquillity, that would occur across large proportions of each BLT. These reductions would result in a Moderate Adverse effect on each BLT, which is Significant.
148. In terms of visual amenity, during construction and restoration, of the forty sensitive receptors highlighted within the study area, the LVIA concludes that thirty one would be significantly affected by the proposed development, these being walkers on a number of PROWs (footpaths and bridleways).
149. Views from these receptors would be subject to a loss of scenic quality, and some of the views from these receptors would be screened by the works or associated buildings, machinery, or infrastructure. These effects would be either medium or short-term in duration and would result in a Moderate Adverse effect on twenty nine visual receptors and a Major Adverse effect on two visual receptors, which is Significant. The remaining nine sensitive receptors within the study area would be subject to Minor Adverse visual effects, which are Not Significant. These receptors typically have lower sensitivity and/or would be subject to short term effects.
150. A proposed Landscaping Strategy has not been submitted with the application however, details of landscaping can be secured by condition.
151. Trees within the application site are not covered by a Tree Preservation Order. There would be some loss of trees in order to allow the development to be constructed. An Arboricultural Impact Assessment ('AIA') accompanies the application and concludes that fifty trees and eleven tree groups have been identified 'at risk' as they are within the footprint of the pipeline and/or the planned haul road. These trees would be retained and protected during construction where possible. The AIA recommends a number of protection measures.
152. The submitted Arboricultural Impact Assessment sets out a number of protection measures including Root Protection Areas, use of ground protection, temporary barrier protection and pruning methods. Implementation of the measures would be secured through condition.
153. The design of the proposed development has considered, where appropriate, the retention of trees. Given the essential need for the proposals to ensure water supply, it is considered that their potential loss is outweighed by the benefits of the proposal namely the long term security of water supply to County Durham through the replacement of Victorian era essential infrastructure as well as a significant enhancement to the resilience of the county's water supply

154. Where tree loss would occur, new woodland or tree planting would be provided at a ratio of 3 trees planted for everyone lost and will comprise native species. The new planting would avoid sites of existing nature conservation value. If it is not possible to provide such replanting at this scale, then mitigation comprising new small and medium sized mixed or broadleaved woodlands will be introduced, respecting field patterns, and avoiding sites of nature conservation or archaeological interest, where possible, and overgrown or gappy hedges unaffected by the works will be improved by coppicing and gapping up, where possible.
155. If post and wire fencing is lost or removed due to the proposed works, then new hedgerow planting would be introduced in its place where possible.
156. Proposed mitigation measures also include (if it is not possible for new tree and hedgerow planting to be introduced on a 3:1 basis in the areas where trees and hedgerow have been removed): new small and medium sized mixed or broadleaved woodlands will be introduced, respecting field patterns, and avoiding sites of nature conservation or archaeological interest; overgrown or gappy hedges unaffected by the works will be improved by coppicing and gapping up; where possible, new native oak woods in denes and ravines and along steep riverside bluffs will be introduced; where possible, new native alder woods on riverbanks and streamsides and on wet or seasonally flooded haughs will be introduced; and overgrown or gappy hedges unaffected by the works would be improved by coppicing and gapping up.
157. In addition, a Framework Construction Environmental Management Plan (CEMP) has been submitted which includes the following measures or principles, to reduce adverse effects on landscape and visual amenity. These being lighting during construction would be designed to minimise light pollution during the hours of darkness. Lighting would be directional to prevent light spill and designed to reduce sky-glow; and site fencing and hoarding around the construction sites will be well maintained throughout the construction period.
158. The proposed mitigation measures would minimise the potential effects of the proposed development on landscape and visual amenity. Mitigation would be secured through a suitably worded condition.
159. Landscape officers have considered landscape and visual effects and raise no objection to the proposed development. Landscape Officers note that a Landscape and Visual Impact Assessment and Arboricultural Assessment have been provided which state that mitigation planting is to contain Ash. Due to Ash dieback, Officers advise that this species should be omitted from any proposed planting, and an appropriate alternative be provided if considered necessary.
160. The effects of the development would be temporary for varying durations over the course of the construction period. The embedded mitigation would ensure that effects reduce over time and assimilate the development into the environment such that no significant landscape and visual effects will remain. As such, the proposed development would not cause unacceptable harm to the character, quality or distinctiveness of the landscape or to important features or views once the development is complete and the restoration phase has been implemented. In addition, in Areas of Higher Landscape Value, the quality of the landscape would be maintained following completion of the development. Within the North Pennines AONB the proposed development would result in temporary, partial alterations to key characteristics of the landscape, however, these changes will occur over a small part of the landscape character area. CDP Policy 38 requires that major developments will only be permitted in the AONB in exceptional circumstances and where it can be demonstrated to be in the public interest in accordance with national policy. Given

that the proposed development comprises essential infrastructure to safeguard the future water supply of a large part of the county, it is considered that the proposed development is in the public interest. As such subject to the implementation of the landscape and environmental management plan, which can be secured by condition, the impacts of the proposal upon the landscape are considered acceptable. The proposal is therefore not considered to conflict with CDP Policies 38, 39 and 40, and Part 15 of the NPPF.

Cultural heritage

161. In assessing the proposed development regard must be had to the statutory duty imposed on the Local Planning Authority under the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area. In addition, the Planning (Listed Buildings and Conservation Areas) Act 1990 also imposes a statutory duty that, when considering whether to grant planning permission for a development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. If harm is found this gives rise to a strong (but rebuttable) statutory presumption against the grant of planning permission. Any such harm must be given considerable importance and weight by the decision-maker.
162. Part 16 of the NPPF requires clear and convincing justification if development proposals would lead to any harm to, or loss of, the significance of a designated heritage asset. CDP Policy 44 seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets.
163. Policy 46 relates to the Stockton and Darlington Railway and states that development which impacts upon the historic route of the Stockton and Darlington Railway (S&DR) of 1825, the Black Boy and Haggerleases branch lines and the Surtees Railway, together with their associated structures, archaeological and physical remains and setting, will be permitted where the proposal: seeks to reinstate a legible route or enhance any physical remains and their interpretation on the ground, and otherwise respects and interprets the route(s) where those remains no longer exist; safeguards and enhances access (including walking and cycling) to, and alongside, the route, branch lines and associated structures, archaeological remains and their setting; does not encroach upon or result in the loss of the original historic route(s), damage the trackbed excepting archaeological or preservation works, or prejudice the significance of the asset; and does not prejudice the development of the S&DR as a visitor attraction or education resource.
164. There are a number of designated heritage assets located within the application site and within the vicinity of it. These include the line of the Stockton and Darlington Railway and the Barnard Castle and Staindrop Conservation Areas and a number of Grade II listed buildings as well as the Grade I listed Church of St Mary at Staindrop. The table below sets out the heritage assets potentially be affected by the proposed development:

No.	Name	Asset Type	Grade	Approx. Distance (m)
1	Dial House and Outbuildings	Listed Building	II	34
2	Farm buildings, 15 metres west of East Whorley Hill Farmhouse	Listed Building	II	20
3	Stockton & Darlington Railway	Scheduled	-	637
4	Barnard Castle Conservation Area	Conservation Area	-	0
5	Deepdale Cottage and Attached Sheds	Listed Building	II	20
6	Deepdale Aqueduct	Listed Building	II	30
7	Deepdale Bridge	Listed Building/Scheduled Monument	II	68
8	Marwood Cottage	Listed Building	II	10
9	100 & 102, Galgate	Listed Building	II	25
10	104 & 106, Galgate	Listed Building	II	25
11	108 & 110, Galgate	Listed Building	II	25
12	112 Galgate	Listed Building	II	25
13	116 Galgate	Listed Building	II	25
14	118 Galgate	Listed Building	II	25
15	Humbleton Farmhouse	Listed Building	II	130
16	Byre attached to right of Humbleton Farmhouse	Listed Building	II	130
17	Walker Hall and Garden Wall to the south	Listed Building	II	275
18	Outbuilding attached to right of Walker Hall	Listed Building	II	275
19	Byre and attached cart shed 40 metres north of Walker Hall	Listed Building	II	300
20	Staindrop Conservation Area	Conservation Area	-	0
21	Church of St Mary	Listed Building	I	40
22	Former King's Arms Inn, 24 and 26 Front Street	Listed Building	II	62
23	Staindrop Hall	Listed Building	II	117
24	Old Farmhouse at Hollin Hall West	Listed Building	II	150

25	Stable and Loose Boxes Attached to Old Farmhouse	Listed Building	II	150
26	Cart shed and barn, 10 metres west of Old Farmhouse	Listed Building	II	150
27	Hill House	Listed Building	II	300
28	Smithy, Byres and Dovecote, 12 metres east of Hill House	Listed Building	II	300
29	Walled Garden adjoining to north of Hill House	Listed Building	II	300

165. Barnard Castle Conservation Area is located within the application site. Within the Conservation Area there are a number of key designated heritage assets that could be potentially affected by the proposed development. These being the Grade II listed buildings at Deepdale Cottage and Attached Sheds; Deepdale Aqueduct; Deepdale Bridge; Marwood Cottage; 100 & 102, Galgate; 104 & 106, Galgate; 108 & 110, Galgate; 112 Galgate; 116 Galgate, and 118 Galgate.
166. Staindrop Conservation Area is also located within the application site. Within the Conservation Area there are the following key designated heritage assets that could be potentially affected by the proposed development: the Grade I listed Church of St Mary; the Grade II listed Former Kings Arms Inn, 24 and 26 Front Street and Staindrop Hall.
167. A Heritage Impact Assessment (HIA) has been submitted in support of the application. The HIA concludes that the route of the underground pipeline would have no direct impact on most designated heritage assets, except for minor works within the Staindrop and Barnard Castle Conservation Areas and the abandonment of the pipeline crossing Deepdale Aqueduct. The Assessment concludes that these works would have a temporary negligible adverse effect on the significance of the conservation areas due to the limited impact on their character and appearance during the construction period and the temporary changes to views within those conservation areas, noting of course that once the development is constructed all of the pipeline will be underground and not visible.
168. The proposed development would have temporary adverse effects on the settings of various heritage assets during the construction phase, however it is considered that it would have no impact on the setting of Marwood Cottage or the group of listed buildings on Galgate in Barnard Castle and would, therefore, preserve the setting and significance of those heritage assets. Changes within the setting of the former Stockton and Darlington Railway and the listed buildings in Staindrop would have no effect on their significance. The appearance of construction activity within the setting of the various farmhouses and farm buildings along the route of the proposed pipeline would have a temporary negligible-adverse effect on their significance by temporarily changing their agricultural setting which makes a minor contribution to their historic significance. This effect would cease when construction is complete. Paragraph 202 of the NPPF advises that this harm should be weighed against the public benefits of the proposal. An assessment of public benefits is set out below.
169. Historic England advises that it does not wish to offer comments instead suggesting that the views of the Councils' conservation and archaeological advisers are sought.

170. The submitted HIA considered that the proposed development would have a negligible minor adverse impact upon the setting of the heritage assets where the works are perceptible. Furthermore, it is considered that the adverse effects are negligible and temporary and would not affect the significance and special architectural or historic interest of affected designated heritage assets. The negligible adverse effects upon the significance of some heritage assets along the route of the pipeline due to temporary changes within their setting would in NPPF terms amount to less than substantial harm at the lowest end of the scale.
171. Design & Conservation officers raise no objection to the proposed development and advise that the application is accompanied by a comprehensive and well articulated heritage impact assessment which correctly identifies the above ground assets which may be affected by this proposal either during or post completion and assesses the impact in both phases. Officers consider that the conclusions are reasonable that the main impacts relate to setting during the construction phase and would be mitigated post completion. Whilst there would be some modest infrastructure additions along the route which would be above ground the impact would be negligible to nil. Officers consider that overall, the proposal would cause no harm to above ground assets as the above ground infrastructure would be of neutral impact, it would preserve the character/appearance of the Conservation Areas and the character and features of the heritage assessments.
172. Consideration has been given to the effects of the proposed development on archaeology. The submitted HA explains that the location of all scheduled monuments including nationally, and locally designated heritage assets have been taken into account during the route planning phase. In particular the proposed development avoids the Scheduled Monuments of the Iron Age Hillfort [Prehistoric defended settlement 500m north west of West Holme House] (MM1008) and a Roman period native settlement, prehistoric carved rock and an iron smelting site on Knott Hill, 750m south of Stone Cross (MM1015), as well as the non-designated area of Westwick Camp (MM1047) and the Iron Age settlement on the west bank of the Tees (MM1012).
173. During construction of the proposed development, there are likely to be permanent effects on a number of heritage assets as result of the excavation of the working corridor. The construction process would remove or partially remove any previously unidentified heritage assets consisting of archaeological remains. The construction would partially or wholly remove heritage assets identified within the working corridor of the pipeline. These include heritage assets of medium heritage value, including the prehistoric settlement East of the Tees Valley Railway, sections of the Tees Valley Railway itself, and the DMV of Barford if it is present in this location. In addition, heritage assets of low value such as ridge and furrow and features associated with Westwick Military Camp including the presumed practice trenches and those of negligible value such as field boundaries would be removed.
174. This would result in effects including Negligible Adverse (80 assets), Not Significant, Minor Adverse (6 assets), Not Significant, to Moderate Adverse (18 assets) in those locations where it is anticipated that the archaeology is broadly understood. Those receptors that may experience a significant effect are listed below; all other receptors set out in ES are not significant: Railway Building, North of Tees Valley Railway; Barford; Red Well, Barnard Castle; Linear features, North of Red Well; possible prehistoric settlement, East of Tees Valley Railway; Areas of enhance magnetism, 500 of WSW of Humbleton Farmhouse; Sildon; Former culvert, South of Wood Lane; Prehistoric Settlement (possible), North West of Ingleton; Lutterington DMV; Possible archaeological features, East of A68; Dyance Deserted Medieval Village, Gainford;

Prehistoric settlement, North of Whorley Hill Reservoir; Prehistoric settlement, 255m West of Tarn Lane; Circular features, North West of A67; Dyance medieval village, possible features; Circular features North of Dyance Farm, and Linear anomalies, North of Dyance Farm.

175. There would be no effects on below ground archaeological assets during the operational phase. There are no expected effects during restoration however, the repair and/or reconstruction of upstanding heritage assets will be required during this stage if any assets are damaged. No effects greater than Moderate Adverse have been identified within this assessment however, the report includes a number of mitigation and monitoring or offsetting measures including photographic recording, reinstatement, open area excavation or archaeological monitoring.
176. The proposed development has been routed to avoid any nationally designated heritage assets and where possible any non-designated heritage assets of archaeological remains where their extent and value are known. As most heritage assets are buried, heritage value does not contribute to the setting of archaeological remains. Therefore, there are no long-term impacts to the value of heritage assets due to changes in their setting where the pipeline passes.
177. Archaeology Officers requested results of the trial trench evaluation that had been undertaken. In response an Archaeological Evaluation Report was submitted concluding that most of the pipeline route has no further archaeological interest but identified a number of places where further work would be required. Archaeology Officers concluded that most of the trenching had been carried out however in some areas, additional trenching/archaeological work is still required. The additional work can be secured by condition.
178. Two further specific mitigation measures are proposed by the applicant. A culvert identified by geophysical survey north of Great Gainford Wood should be investigated and, if still in use, reinstated once the pipeline is installed and the embankment of the Tees Valley Railway line should be reinstated using suitable materials. This can be secured by condition through the provision of an Archaeological Management Plan.
179. It has been demonstrated by the applicant that where mitigation has been identified this will reduce the scale of effects to Negligible Adverse, Not Significant for the archaeological assets at Red Well, Barnard Castle and the former culvert, south of Wood Lane and reduce the harm of the proposals.
180. Archaeology officers have considered the application and raise no objection subject to appropriate conditions requiring a written scheme of investigation and that no individual phase of the development shall be commissioned until the post investigation assessment has been completed. Officers noted that trenching carried out during consideration of the application showed that most of the route has no further archaeological interest, though it did also identify a number of places where further works (trenching/archaeological work) would be required.
181. The Friends of the Stockton and Darlington Railway commented that they recommend that appropriate archaeological investigation takes place at the crossing point in order to determine whether any remains of the track exist in this location. As such further archaeological investigation can be secured by a suitably worded planning condition.
182. The proposed works comprising the development of an underground pipeline, whilst running underneath the route of the railway, would not result in the loss of original historic routes, damage the trackbed or prejudice the significance of the heritage

asset. Furthermore, the applicant recognises the importance of the railway's bicentennial in 2025 and has advised that work in the vicinity of the railway is likely to be complete by the end of 2024 or possibly earlier subject to the final construction programme. As such it is also considered that the proposed development would not prejudice the development of the railway as a visitor attraction or education resource.

Assessment of public benefits

183. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The heritage assessment has identified less than substantial harm to a number of heritage assets during the construction phase.
184. The most effective way for heritage harm to be avoided in this case would be for the development not to be located on the proposed site. However, the proposed pipeline route is in a location that seeks to avoid land allocated for development, avoid sensitive landuse designations where possible and cause minimal disruption during construction. Any harm caused to any heritage assets would be temporary in nature and only occur during the construction period. Whilst the harm is negligible, significant weight must nonetheless be afforded to that harm. It is considered that this harm is outweighed by the public benefits of the proposal, securing the future water supply to County Durham and beyond. The public benefits that would arise as a result of the proposed development are considered to be sufficient to outweigh the identified less than substantial heritage harm.
185. Design and Conservation and Archaeology officers have no objection to the proposals and subject to the imposition of appropriate conditions as set out above. However, the applicant and the Council's Design and Conservation officer agree that the proposal would result in less than substantial harm to a number of heritage assets. Paragraph 202 of the NPPF advises that this harm should be weighed against the public benefits of the proposal. As discussed above, there are public benefits that would arise as a result of the proposed development, and these are considered to be sufficient to outweigh the identified less than substantial heritage harm. Public benefits being security of the future water supply to a large part of the County. It is therefore considered that the proposed development would not conflict with CDP Policies 44 and 46 and would accord with Part 16 of the NPPF and Sections 66 and 72 of the Listed Building Act.

Ecology

186. Paragraph 180 of the NPPF sets out the Government's commitment to halt the overall decline in biodiversity by minimising impacts and providing net gains where possible and stating that development should be refused if significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for. CDP Policy 41 reflects this guidance by stating that proposals for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or, as a last resort, compensated for. CDP Policy 43 states that development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts.
187. The presence of protected species is a material consideration in planning decisions as they are a protected species under the Wildlife and Countryside Act 1981 and the

European Union Habitats Directive and the Conservation of Habitats and Species Regulations 2017 (as amended). The Habitats Directive prohibits the deterioration, destruction or disturbance of breeding sites or resting places of protected species. Natural England has the statutory responsibility under the regulations to deal with any licence applications but there is also a duty on planning authorities when deciding whether to grant planning permission for a development which could harm a European Protected Species to apply three tests contained in the Regulations. These state that the activity must be for imperative reasons of overriding public interest or for public health and safety, there must be no satisfactory alternative, and that the favourable conservation status of the species must be maintained. Brexit does not change the Council's responsibilities under the law.

188. A Preliminary Ecological Appraisal (PEA) has been submitted with the application. The PEA concludes that there are 24 statutory designated sites within 2km of the pipeline route including 19 ancient woodlands. The PEA sets out a requirement for further surveys.
189. Ecology has been considered within the submitted Environment Statement. The site does not fall within the boundaries of any Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar Sites, Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR) or Local Nature Reserves (LNR).
190. The North Pennine Moors SPA and SAC and Cotherstone Moor Site of SSSI are 0.7km from the proposed development. Baldersdale Woodlands SSSI and Shipley and Great Woods SSSI are both approximately 1.7km from the proposed route. Shipley Wood Ancient Woodland is located adjacent to the site and three other Ancient Woodlands including Waskey Wood/Spring Wood, Selaby Bases and Gainford Great Wood (which are also designated as Local Wildlife Sites ('LWS')) are within 20m of the proposed development.
191. There are 17 non-statutory designated sites within 2km of the site. One is located within the site (Cotherstone Railway LWS) and a further 3 are located with 20m of the site (Waskey Wood/Spring Wood, Gainford Spa and Gainford Great Wood LWSs).
192. A series of reports and survey work has been submitted by the applicant including badger, barn owl and bat surveys, Cotherstone Railway Local Wildlife Site Botanical Survey, great crested newt, otter and water vole surveys, a Preliminary Ecological Appraisal, a River Physical Habitat Assessment and River Condition Assessment Methodology.
193. In addition, the submitted Environmental Statement concludes that the proposed development would have a potential minor adverse and not significant effect on Shipley Wood replanted and ancient woodland, Waskey Wood/Spring Wood, Selaby Bases and Gainford Great Wood ancient woodlands and Local Wildlife Sites. There is likely to be a moderate adverse and significant effect on the Cotherstone Railway LWS due to the temporary loss of grassland section and a temporary loss of 18% of the LWS. In addition, the proposed development would result in the loss of broad-leaved semi-natural woodland, coniferous/plantation woodland, hedgerows, scattered trees, grassland and the temporary disruption to various watercourses.
194. For species, there would be some disturbance to breeding barn owls and breeding birds, loss of six bat tree roosts, two resting places for Otters, loss of subsidiary and outlier setts for 1-2 groups of badgers and temporary loss of habitats for hedgehogs harvest mouse, great crested newts and toads. There would also be disruption of

breeding behaviour for widespread reptiles and disturbance to fish behaviour at Alwent Beck.

195. However, the proposed development would provide a series of significant and positive mitigation and compensation measures into the design of the development. Full details are provided in the Environmental Statement and can be secured by planning condition. The measures include promoting diversity within grassland, translocation and reinstatement of important hedgerows, flumes in certain watercourses to ensure conditions are similar to that of the current channel, protection zones for barn owls and erection of bird and bat boxes. In addition to these measures, the site is not located within any nationally or locally protected site. As such, in the context of the proposed mitigation which can be secured by planning condition, it is considered that the development accords with CDP Policy 43.
196. In addition, A Biodiversity Net Gain Assessment and Report has been provided with the application. In order to ensure the Biodiversity Net Gain is delivered, details can be secured by planning condition.
197. As provision of the proposed facility would impact species of bat, Great crested newts and otters which would require an EPS licence to be obtained, then it is necessary to consider the three derogation tests contained in the Regulations and referred to above... . Consideration of the need for the development is considered elsewhere in this report. The applicant has considered alternatives in terms of a range of different routes. The start and end points of the pipeline are fixed so as to connect into the existing network. The route to which this application relates was selected as a result of a careful route planning exercise over the last 3 years with care taken to avoid land allocated for development, ecologically sensitive designations, heritage assets where possible and to reduce the impact of construction upon all forms of amenity. Furthermore, it is also the case that the Council can only consider the acceptability or otherwise of the application that has been made to it. It is considered that there would not be a detrimental effect upon the conservation status of the protected species given that appropriate mitigation is proposed to address any impact upon the species and any further mitigation would be identified and secured through a licence from Natural England. It is considered that there are imperative reasons of overriding public interest and for public health and safety given the need to replace an aged water mains in order to provide a safe and secure supply of water for the County and the wider region. It is therefore considered that the tests are met, and it is likely that a licence from Natural England would be granted.
198. Natural England raised no objections to the proposal and considered that the proposed development would not have a significant adverse impact on statutorily protected nature conservation sites. considers that, based on the plans submitted, the proposed development would not have significant adverse impacts on statutorily protected nature conservation sites. With regard to European sites Natural England considers that the proposed development would not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, it advises the Council to record the decision that a likely significant effect can be ruled out. In terms of Sites of Special Scientific Interest, Natural England considers that the proposed development would not have likely significant effects on statutorily protected sites and has no objection to the proposed development. it is noted that the proposed development is for a site within or close to a nationally designated landscape namely North Pennines AONB.
199. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal and assess the application carefully as to whether the proposed development would

have a significant impact on or harm that statutory purpose. The proposed development's impact upon the AONB is considered earlier in this report within the landscape and visual impact section where it is considered that the proposed development would result in temporary, partial alterations to key characteristics of the landscape, however, these changes will occur over a small part of the landscape character area. CDP Policy 38 requires that major developments will only be permitted in the AONB in exceptional circumstances and where it can be demonstrated to be in the public interest in accordance with national policy. Given that the proposed development comprises essential infrastructure to safeguard the future water supply of a large part of the county, it is considered that the proposed development is in the public interest.

200. Advice is also provided on Sites of Special Scientific Interest Impact Risk Zones, landscape, best and most versatile agricultural land and soils, protected species, local sites and priority habitats and species, Ancient woodland, ancient and veteran trees, environmental gains, access and recreation, rights of way, access land, coastal access and national trails and biodiversity duty.
201. The Environment Agency has no objection subject to conditions requiring the development to be carried out in accordance with the submitted Flood Risk Assessment and requirement for the submission of a biosecurity plan which seeks to prevent the spread of invasive non-native species such as signal crayfish, Himalayan Balsam and Japanese Knotweed. Without this condition the Agency advise that it would object to the proposal because it cannot be guaranteed that the development would not result in significant harm to the priority habitats and protected species within the zone of influence. Advice is provided with regard to the need for an Environmental Permit, water quality permit requirements, dewatering and water abstraction requirements, the water environment, biodiversity net gain and it is recommended that a target of at least 'no net loss' is set to reduce impact of the development. Advice is also provided with regard to invasive non-native species, migratory fish and fish passage, concreting and pollution prevention, waterbody improvement, waste and ground water.
202. The issue of nutrient neutrality has been raised by Natural England nationally with guidance published in March 2022 as to what form of development may be affected and where. Whilst some of the application site is within the catchment area defined by Natural England relating to the Teesmouth & Cleveland Coast SPA/Ramsar site. Natural England is of the view that this issue should be considered for developments which comprise overnight accommodation including new homes, student accommodation, care homes, tourism attraction and tourist accommodation and certain forms of permitted development. The proposed development seeks permission for none of these uses and therefore it is unlikely that there would be any nutrient neutrality impacts arising from the proposed development.
203. Durham County Council is the Competent Authority who must decide whether the application requires an Appropriate Assessment under The Conservation of Habitats and Species Regulations 2017 (as amended). The purpose of the Appropriate Assessment would be to determine whether the current proposals would constitute a plan or project under the Regulations which might have a negative, direct or indirect impact, on any European Protected Site on or near the application site or on any species for which the European site is designated. This would be undertaken by the carrying out of a screening exercise on the planning application using the survey data submitted by the applicant.
204. Natural England, the statutory consultee in this process, advises that based on the plans submitted, it considers that the proposed development would not have likely

significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, Natural England advises the Council to record its decision that a likely significant effect can be ruled out. The proposal can therefore be screened out from any requirement for further assessment.

205. Ecology officers have considered the proposals and raise no objection subject to conditions requiring a completed DEFRA metric showing a net gain in Biodiversity Units for habitats, linear features and rivers, with the submission of a Biodiversity Management and Monitoring Plan for all habitats delivering for net gains (both on-site and off-site) for a period of 30 years. Natural England raises no objection and considers that the proposed development would not have significant adverse impacts on statutorily protected nature conservation sites.
206. It is considered that the proposal would not negatively impact upon any nationally or locally protected sites. The proposal is therefore considered not to conflict with CDP Policies 25, 41 and 43 and Part 15 of the NPPF in respect of avoiding and mitigating harm to biodiversity.

Flooding and drainage and the water environment

207. Part 14 of the NPPF directs Local Planning Authorities to guard against flooding and the damage it causes. Protection of the water environment is a material planning consideration and development proposals, including waste development, should ensure that new development does not harm the water environment. Paragraph 174 of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. Development should, wherever possible, help to improve local environmental conditions such as water quality.
208. CDP Policy 35 requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.
209. Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment it can be demonstrated that it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate, and any residual risk can be safely managed.
210. Within the application site are eight main rivers and/or larger watercourses ,one of which in two locations. These being: Percy Beck; Black Beck; Walker Hill downstream crossing; Walker Hill upstream crossing; Alwent Beck; Tributary of the River Gaunless; Dyance Beck; River Tees; and Grise Beck.
211. The application is predominately located in Flood Zone 1, though it passes through Flood Zones 2 and 3 at five places. The proposed pipeline would pass below the watercourse level of four of these watercourses, with the exception of the Alwent Beck crossing which will be crossed using a pipe bridge.

212. The Environmental Statement considers the effects of the proposed development on the Water Environment. The main issues considered are the potential effects arising from the proposed development on the following: Water Framework Directive ('WFD') water bodies – eight surface water bodies and three groundwater bodies; fifty watercourses; ten ponds; four licenced surface water abstractions / discharges are present within the study area; ten aquifer units; twelve springs and ten field drains / discharges; groundwater abstractions and discharges – one licenced abstraction is present within the study area; and water dependent designated sites – one designated site (ancient woodland).
213. A Framework Construction Environmental Management Plan has been submitted with the application and prior to commencement of construction the CEMP would required through condition. Key measures and principles in the Framework CEMP include: suitable site layout arrangements; requirements for the storage of fuel, oil, chemicals and other hazardous substances (including chlorinated water within surface lagoons) to minimise the risk of accidental environmental discharge; a pollution prevention plan, including emergency spill procedures; details of an erosion prevention and sediment management plan; and details of site (including site compounds and pipe laydown areas) drainage showing connections to existing road / mains drainage network, and not directly discharged to the environment.
214. During operation, no impacts are anticipated on the water environment and if a leak develops in the pipe, it would be carrying potable water hence there would be no water quality impacts.
215. During construction and restoration, where the pipeline is beneath the water table it is likely that any groundwater would find its way around the pipeline. As such, it is unlikely that the pipeline will act as barrier to groundwater flow. However, minor impacts are associated with the construction of the pipeline, which could influence groundwater flow. This has been assessed as impacting receptors (springs, ponds, and watercourses) which are located in an area of sensitivity due to the proximity to the pipeline. As such, the effects on low sensitivity receptors would be Minor Adverse and Not Significant; this is the case for all but one receptor. The Tributary of Newsham Beck 1 is a high sensitivity receptor and therefore the effect will be Moderate Adverse and Significant.
216. The land drain south of Backandsides Farm is currently located within one of the proposed pipe laydown areas, and adjacent to a proposed surface water lagoon. It is therefore likely that the watercourse would be lost or substantially impacted by the proposed development. Given that the sensitivity of the receptor is high, the effect would be Moderate Adverse and Significant.
217. Minor impacts are associated with watercourse crossings where additional receptors (watercourses or ponds) are located in an area of sensitivity and are dependent on watercourse flow. Any temporary or permanent changes to flow direction or rate during construction may result in a subsequent impact to these watercourses. As such, the effects on low sensitivity receptors will be Minor Adverse and Not Significant; this is the case for all but one receptor. The Tributary of Newsham Beck 1 is a high sensitivity receptor and therefore the effect will be Moderate Adverse and Significant.
218. It is considered that a CEMP and consent/permit adherence throughout construction should mitigate against any risk to surface or groundwater quality impacts during construction. As such no impacts related to water quality due to the spillage of soils,

sediment, fuels or other construction materials, discharge from surface water lagoons, or through uncontrolled site runoff are predicted.

219. The impact to aquifers from excavation, and/or the creation of impermeable surfaces including haul roads and construction compounds and pipe laydown areas is considered minimal as the areas intersected by the proposed development are small compared to the aquifer extents in all cases, except for the Devensian Till. Therefore, it is anticipated there would be a minor impact to flows as much of the proposed development and several compounds / pipe laydown areas intersect the Devensian Till deposits. As such, the effect would be Minor Adverse and Not Significant.
220. No impact to Winston Bridge Wood Ancient Woodland, which has been assessed as potentially groundwater dependent, is predicted. It is separated from the proposed development by a major road (A67) and is therefore considered to be isolated from any potential impacts during construction or operation by the existing infrastructure.
221. The Environmental Statement includes mitigation measures such as the installation of clay stanks along the length of the pipeline to prevent flow of groundwater, a detailed method statement describing the proposed water house / field drain crossings and reinstatement and ensuring that the extent of pipe laydown areas and lagoons are such that they do not result in the partial or complete loss of the land drain south of Backandsides Farm.
222. It is considered that as a result of mitigation measures, all effects have been reduced and are considered to be either negligible or minor adverse and not significant in terms of the effects on the Water Environment.
223. The application is also accompanied by a flood risk assessment (FRA) which states that the pipeline would predominantly be located in Flood Zone 1, though at five locations it passes through a watercourse passing through Flood Zones 2 and 3. The NPPF requires a sequential test to steer new developments to locations in Flood Zone 1, where flood risk is lowest.
224. The submitted FRA concludes that it is not feasible to avoid passing through some of the watercourses, and therefore it is not feasible for the proposed scheme to be entirely in Flood Zone 1.
225. The proposed development comprises essential new water infrastructure to supply part of the County Durham area. As set out in more detail below, the benefits of the proposed infrastructure works are considered to outweigh the negative impacts created during construction.
226. In addition to the pipeline, a range of temporary works are included within the application, including site compounds, pipe laydown areas and temporary lagoons. The FRA states that there are operational constraints associated with these temporary works including reasonable access to welfare facilities, limiting the environmental impact, transporting materials and topography for the temporary lagoons. The FRA concludes that there are no practical alternative sites for the proposed works given the operational requirements of the pipeline, the need to avoid land allocated for development and sensitive land use designations and as such it can be considered that the Sequential Test has been satisfied.
227. An outline framework Surface Water Management Plan (SWMP) was submitted with the planning application. The SWMP sets out the proposed management and monitoring of surface water for the application site, including the use of slope

breakers, surface water ditches, lagoons, silt fences and straw bale barriers alongside watercourse and flood risk management.

228. The Environment Agency raised no objection to the planning application subject to the inclusion of conditions relating to the development being carried out in accordance with the submitted FRA and the submission of a biosecurity plan.
229. Drainage and Coastal Protection officers have considered the proposals and raise no objections and offer advice in relation to major infrastructure construction works in greenfield locations and expect this to be covered in the drainage strategy for the development. Should planning permission be granted then the development would be required to be carried out in accordance with the submitted flood risk assessment and a surface water drainage strategy to be required through condition.
230. Subject to the proposed conditions being adhered to, the proposed development would not lead to increased flood risk, both on and off site. The proposal is, therefore, considered to not conflict with CDP Policy 35 and Part 14 of the NPPF with regards to flood risk.

Recreational amenity

231. Part 8 of the NPPF seeks to promote healthy communities with a key reference being towards the protection and enhancement of public rights of way and access. CDP Policy 26 states that development will be expected to maintain or improve the permeability of the built environment and access to the countryside for pedestrians, cyclists and horse riders. Proposals that would result in the loss of, or deterioration in the quality of, existing Public Rights of Way (PROWs) will not be permitted unless equivalent alternative provision of a suitable standard is made. Where diversions are required, new routes should be direct, convenient and attractive, and must not have a detrimental impact on environmental or heritage assets. Paragraph 100 of Part 8 of the NPPF states that planning decision should protect and enhance public rights of way and access, including takin opportunities to provide better facilities for users, for example by adding links to existing rights of way.
232. The proposed development would intersect a number of public rights of way (PROW) as set out below.

Route Section	Public Rights of Way
1 Lartington WTW to Whorley SR	Footpath 87 at the B6277 north of Waskey Wood (Cotherstone Parish); Footpath 82 north- east of Spring Wood (Cotherstone Parish); Bridleway 83 north -east of Spring Wood (working corridor) multiple intersections (Cotherstone Parish); Footpath 81 south of Lance Beck (Cotherstone Parish); Bridleway 91 north- east of Spring Wood (Cotherstone Parish); Footpath 78 south of Lance Beck (Cotherstone Parish); Footpath 77 south of Lance Beck (Cotherstone Parish); Footpath 77 south of Towerhill Plantation (Cotherstone Parish);

		Bridleway 92 north of Pecknell Farm (Cotherstone Parish); Footpath 16 east of the River Tees (Marwood Parish); Footpath 02 east of Towlerhill Plantation (Marwood Parish); Footpath 01 east of Towlerhill Plantation (Marwood Parish); Footpath 10 west of Ford Dyke Lane (Gainford Parish); Footpath 06 east of Ford Dyke Lane (Hedlam Parish); Footpath 03 north of Towler Hill (multiple intersections) (Marwood Parish); Footpath 04 at Quarry Grange (Stretlam and Stainton Parish); Bridleway 13 north of Black Bull Farm (Whalton Parish);
2	Whorley SR to Gainford Great Wood	Bridleway 09 north of Winston (Winston Parish);
3	Gainford Great Wood to County Durham / Darlington Borough Council Boundary	Footpath 10 east of Gainford Great Wood (Gainford Parish); Footpath 06 east of Gainford Great Wood (Hedlam Parish); Footpath 16 south of Dyance Plantation (Gainford Parish); Bridleway 17 south of Dyance Plantation (Gainford Parish);
4	Gainford Great Wood to Shildon SR	Footpath 02 at Langton Bank Wood (Langton Parish); Footpath 01 west of Ingleton (Ingleton Parish); Footpath 17 south of Hilton Close (Ingleton Parish); Footpath 09 at Hilton Plantation (Hilton Parish); Footpath 07 at Leaside Wood (Hilton Parish); Footpath 11 at East Leaside (Hilton Parish); Bridleway 23 at Sharpley Plantation (Etherley Parish); Bridleway 21 at Lutterington Beck and along Lutterington Lane (Etherley Parish); Footpath 19 south of Hummerbeck (Etherley Parish); Footpath 08 south of Hummerbeck (Etherley Parish); Bridleway 04 west of Brusselton Wood (Etherley Parish); Footpath 10 west of Brusselton Wood (Etherley Parish); Bridleway 11 north of Brusselton Wood (Etherley Parish); Footpath 55 north of Brusselton Wood (Shildon Parish); Footpath 74 north of A6072 West Auckland Road (Shildon Parish); Footpath 71/72 at Shildon, west of B6282 Auckland Terrace (Shildon Parish); and

233. In addition to PRoWs, there are a number of footways within the highway boundary that are present along roads intersecting with the site. Footways are present on the A688 Stainton Bank, Town Pasture Lane, the A68 at Bildershaw and the A6072 West Auckland Road. The existing footways identified may be affected by the proposed development, depending on the construction technique used in each location.
234. The application site also intersects National Cycle Network (NCN) routes in two locations. NCN route 70 runs in the vicinity of the site through Lartington Green. The route joins the B6277 north-east of Lartington, and an on-road route not on the NCN continues along the B6277. At Barnard Castle, this on-road route heads north to travel along the B6278 Harmire Road and Dent Gate Lane. The proposed development will intersect with this on-road route on Dent Gate Lane, approximately 200m north-east of the junction with the B6278 Harmire Road. NCN route 715 joins Whorlton and Willington via Bishop Auckland and is part of the Walney to Wear and Whitby (W2W) route. In the vicinity of Section 2 of the site, NCN route 715 is on-road and crosses the A67 Darlington Road along an unnamed road north of Whorlton. The proposed development will intersect with NCN route 715 on-road route along the unnamed road, approximately 150m north of the junction with the A67 Darlington Road. Further intersections of NCN route 715 by the proposed development will occur in Section 4 with on-road sections on Selaby Lane and Hulam Lane to the west of Langton.
235. The submitted Framework Construction Environmental Management Plan (CEMP) states that during construction, the following hierarchy would be used where there are interfaces with PRoWs, or a combination thereof, to minimise disruption to the public:
- Maintain the PRoW with appropriate surfacing across the working width except for short manned closures with associated health and safety protection;
 - Divert the PRoW within the working width with associated health and safety protection and footpath surfacing; and
 - Agree and install a diversion route for the PRoW with the Highway Authority, with associated signage and surfacing works when neither of the first two actions are viable.
236. The Environment Statement considers the amenity of pedestrians. It concludes that the amenity of pedestrians using PROWs that cross the pipeline route or the working area would be affected by diversions or short manned closures. These would only be temporary while construction and remediation works are taking place in an area that would affect specific PROWs. Whilst precise details as to whether it will be necessary to either divert or temporarily close any PROW's are not yet known, it is considered that the mitigation hierarchy detailed above is an acceptable approach to deal with the interface of the development with PROW's.
237. Access and Rights of Way officers raise no objection but advise as a major construction project this would impact upon the public rights of way network along the route. Officers agree that proposals to manage the situation during construction and set out in the Environmental Statement are the best way forward. Timescales for temporary closure orders are provided.
238. It is therefore considered that the proposal would not conflict with CDP Policy 26 and Part 8 of the NPPF.

239. CDP Policy 28 requires that within safeguarded areas development will be subject to consultation with the relevant authority and will be permitted where it can be demonstrated that it would not unacceptably adversely affect public safety, air traffic safety, the operation of High Moorsley Meteorological Officer radar. Of relevance to this development is criteria a) within the defined consultation zones of the Major Hazard Sites and Major Hazard Pipelines, where it can be demonstrated that it would not prejudice current or future public safety.
240. In relation to this planning application part of the application site falls within a Health and Safety Executive (HSE) Major Hazard Sites Consultation Zone at Lartington Water Treatment Works which is owned and operated by the applicant.
241. The very nature of the proposed development requires the pipeline to be within this zone given it will transport water from the existing works. Following construction, the majority of the proposed development is below ground, therefore, during operation, the proposed development would not prejudice current or future public safety.
242. HSE Officers considered the proposals and do not advise on safety grounds, against the granting of planning permission for the proposed development.
243. Policy 56 advises that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area or which will sterilise an identified 'relic' natural building and roofing stone quarry as shown on Map C of the policies map document unless one of the following apply: a) it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value as it does not represent an economically viable and therefore exploitable resource; b) provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact on the environment, human health or the amenity of local communities and within a reasonable timescale; c) the non-minerals development is of a temporary nature that does not inhibit extraction within the timescale the mineral is likely to be needed; d) there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral; or e) it constitutes exempt development as set out in appendix C of the Plan.
244. Given the size of the site it lies within a number of mineral safeguarding areas.

Route Section		Resource	Approximate Location	Approximate route length passing through the resource
1	Lartington WTW to Whorley SR	River sands & gravel	North of Barnard Castle Golf Course	100m
		River sands & gravel Glacial sands & gravel	River Tees West of River Tees	50m 500m
2	Whorley SR to Gainford Great Wood	Glacial sands & gravel River sands & gravel	East of Winston East of Winston	1,430m 250m
3	Gainford Great Wood to Shildon SR	Lower magnesian limestone River sands & gravel River sands & gravel Coal Resource Area	South of Langton Northeast of Ingleton Northeast of Ingleton Lutterington Hall to West Auckland Road	550m 150m 150m 150m

		Coal Resource Area	West Auckland Road to Auckland Terrace	5,200m
4	Gainford Great Wood to DCC County Boundary	Glacial sands & gravels River sands & gravel	Hillhouse Hill Dyance Beck	400m 50m

245. A Minerals Safeguarding Assessment has been submitted by the applicant and considers whether the proposed development would sterilise mineral resources of local and national importance or will sterilise identified ‘relic’ resources. The Assessment explains that the development is limited in its impact on the mineral resource areas due to the dimensions and depth of the installation.
246. The majority of resource areas intersected by the site are small pockets of superficial deposits which would not viably be developed as a commercial excavation. A large section of River Sands and Gravels occur at the intersection of the village of Winston, which is unlikely to be excavated due to the proximity to the village. The area through which the largest section of the route passes through is a Coal Resource Area, which occurs not as one mass but as seams within a wide area.
247. It is, however, considered that the proposed development would bisect some of the mineral resources identified. The siting of infrastructure within a resource asset may limit the opportunity for development in a way which may be more indirectly impactful than direct sterilisation.
248. The proposed development passes close to or through Westwick Moor – Stainmore Formation relic quarry. No information is available as to the spatial extent of the quarry as the County Durham Plan provides only point data. The current site of the relic quarry, as determined from aerial mapping, is in an agricultural field with crops present.
249. It is considered likely that the relic quarry may be partially impacted by the proposed scheme if the quarry is of significant size. However, the applicant confirms it is not within the scope of the scheme to excavate bedrock geology in order to embed the mains pipeline in bedrock, and it is considered that any valuable bedrock geology will remain in-situ.
250. There is a need for the safe delivery of new infrastructure to deliver a clean water supply to the County Durham area, and therefore an overriding need for this non-minerals development. Furthermore, Westwick Moor relic stone quarry, which intersects the scheme, is not currently used as a resource and no relic stone quarry permissions have been sought in County Durham.
251. It is considered that the proposal does not conflict with CDP Policies 28 and 56 and Part 17 of the NPPF.

Agricultural Land

252. Paragraph 174 of the NPPF seeks to protect best and most versatile land. CDP Policy 14 states that development of the best and most versatile agricultural land will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits.
253. CDP Policy 14 relates to the Best and Most Versatile Agricultural Land and Soil Resources and states that development of the best and most versatile agricultural

land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. Development proposals relating to previously undeveloped land must demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice.

254. The application site comprises approximately 317 ha of land. A Soils Resources Survey and Management Plan was submitted by the applicant and sets out soil management guidance for the purpose of limiting impacts to overall soil quality, during and after construction including guidance on soil handling, stripping, stockpiling, soil reinstatement and re-use. Soil along the route of the pipeline is generally either grade 2 or 3 with small pockets being grade 4, some is therefore Best and Most Versatile Agricultural Land.
255. The Soils Resources Survey includes four Agricultural Land Classification Reports which intersect with the 250m buffer surrounding the proposed development. Due to the nature of the development, it is not expected that there will be any permanent land-take, and instead all stripped soils will be reinstated following construction. In this context it is considered the requirements of CDP Policy 14 are met in that all soil removed for the development will be reinstated and restored to its pre-development condition. Through condition a soil handling, storage and replacement scheme can be secured. As such no negative impact upon the quality of the soils is expected and the proposal does not conflict with CDP Policy 14.
256. Whilst the development would temporarily remove a significant portion of land from arable use however, it would be reinstated following completion of the construction phase. The proposal would not conflict with CDP Policy 14 or Part 15 of the NPPF in this respect.

Cumulative impact

257. Paragraph 185 of the NPPF advises that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. CDP Policy 31 sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment.
258. Whilst the application site covers a large area and is approximately 30km in length the proposed pipeline would not run close to or under any new development sites. In addition, given that the proposed development comprises a pipeline that is almost entirely underground, once constructed the development would not be visible and its operation would not be noticeable. As such there would be no greater cumulative impacts of the proposed development.
259. In addition, a cumulative assessment has been undertaken as part of the EIA process. This considered if additional potential cumulative effects from the proposed development would be created by it interacting with other developments in order to ascertain whether there are any inter-project cumulative effects. Seven schemes located in the surrounding area of the proposed development were identified as:
 - The future extension of the pipeline to the main reservoir at Long Newton;
 - Residential development for up to 100 units at land to the north of Darlington Road, Barnard Castle;
 - 72 dwellings at land to the west of Grice Court, Staindrop;

- Mixed use development of retail, restaurants, cinema and other leisure uses at Fieldon Bridge, Bishop Auckland;
 - Residential development for 162 dwellings at land east of Deerbolt HMYOI and north of Bowes Road, Startforth;
 - A retail unit at Addison Auctioneers, Barnard Castle; and
 - The construction of a new sports pavilion at Barnard Castle School.
260. It was concluded that there is no potential for significant cumulative effects arising from the proposed development and the seven identified schemes and therefore no further mitigation or monitoring measures are required to address inter-project cumulative effects. A number of technical assessments submitted in support of the application have considered matter such as noise and dust.
261. As such it is considered that the proposal would not result in any adverse cumulative impact exceeding that of a single development proposal in accordance with CDP Policy 31 and Part 15 of the NPPF.

Other Matters

262. The section considers the responses received following the public consultation exercise undertaken, detailed earlier in this report. As set out above, the proposed pipeline will extend to over 30km in length and once constructed the existing Victorian era pipeline will be abandoned below ground. The new pipeline will be constructed from either steel or ductile iron, either of which are considered appropriate.
263. The applicant advises that throughout the design stage, the route of the proposed pipeline has continued to evolve. The proposed route was carefully considered to ensure it is the most suitable and sustainable route in terms of avoiding any land allocated for development or sensitive land use designations.
264. The applicant undertook various community consultation exercises prior to the submission of the application including four in person consultation events, held at various locations along the route of the pipeline in November 2021 which in total were attended by approximately 120 people. The applicant submitted a Community Consultation Statement which sets out what consultation was undertaken prior to the submission of the planning application. A number of press releases were also issued, as well as a dedicated website, to advertise the proposed development and consultation events, encouraging members of the public to provide their views of the proposals. In addition, 12,000 leaflets were distributed by the applicant to households and businesses along the route of the proposed pipeline, which provided details of the proposals and advertised the dates and locations of the public exhibitions.
265. Pre-application discussions were also held with landowners along the route of the pipeline in order to seek their views on the proposed development and to discuss what works would be taking place on their land. These discussions have been taking place over the last 2-3 years and landowners were given the opportunity to provide comment on the proposals and were advised of the community consultation events. The route of the proposed pipeline has been carefully considered against alternative routes, however, the applicant concluded that the proposed route is the most suitable in terms of technical and operational efficiency.

Public Sector Equality Duty

266. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of

opportunity between persons who share a relevant protected characteristic and persons who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic.

267. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

CONCLUSION

268. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.
269. The proposed development would provide additional water capacity and resilience to the existing water network serving County Durham and Teesside. It will replace Victoria era essential infrastructure necessary to support the growing population of County Durham and beyond. The works involve the replacement of a strategic trunk mains pipeline which will be set within a below ground trench. The pipeline will run from Lartington Water Treatment Works to Shildon Service Reservoir.
270. Consideration has been given to the principle of the development the principle of the development, residential amenity (noise and vibration, air quality and dust, lighting, contamination, health impact and visual impact), access and highway safety, landscape and visual impact, cultural heritage, ecology, flooding and drainage, recreational amenity, safeguarding within safeguarding areas and minerals development, agricultural land, cumulative impact, agricultural land and cumulative impact, and subject to appropriate conditions where appropriate, the impacts are considered to be acceptable.
271. In relation to the proposal's impact upon the North Pennines AONB it is considered that effects of the development would be temporary for varying durations over the course of the construction period. The embedded mitigation would ensure that effects reduce over time and assimilate the development into the environment such that no significant landscape and visual effects will remain. In addition, in Areas of Higher Landscape Value, the quality of the landscape would be maintained following completion of the development. With regard to cultural heritage, there would be less than substantial harm upon the setting of a number of designated heritage assets during the construction phase, but it is considered that the public benefits of the proposal are sufficient to outweigh the heritage harm that would result from the development being approved.
272. The proposal has generated limited public interest with representations reflecting the issues and concerns of those making representations. These have been weighed along with other responses including those of statutory consultees that have raised no objections to the scheme based on the submitted details and assessments and subject to conditions were appropriate. They have also so been carefully balanced against the benefits of the scheme in terms of the security of water supply to the county. Whilst mindful of the public representations it is considered that these are not sufficient to outweigh the planning judgement in favour of the proposed development and carefully balanced against the benefits of the scheme in terms of the security of water supply to the county
273. It is considered that the proposed development accords with relevant policies of the County Durham Plan and relevant sections of the NPPF.

RECOMMENDATION

274. That the application made to Durham County Council be **APPROVED** subject to the following conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which places a time limit on when any permitted development may start by as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Drawing Title	Drawing Reference
ES Ph1 Red Line Boundary Sheet 1 of 8	Figure C.3 8
ES Ph1 Red Line Boundary Sheet 2 of 8	Figure C.3 8
ES Ph1 Red Line Boundary Sheet 3 of 8	Figure C.3 8
ES Ph1 Red Line Boundary Sheet 4 of 8	Figure C.3 8
ES Ph1 Red Line Boundary Sheet 5 of 8	Figure C.3 8
ES Ph1 Red Line Boundary Sheet 6 of 8	Figure C.3 8
ES Ph1 Red Line Boundary Sheet 7 of 8	Figure C.3 8
ES Ph1 Red Line Boundary Sheet 8 of 8	Figure C.3 8
Re-connections detail sheet 1 of 5	WN019-0205-MMB-01-ZZ-DR-T-0007
Re-connections detail sheet 2 of 5	WN019-0205-MMB-01-ZZ-DR-T-0008
Re-connections detail sheet 3 of 5	WN019-0205-MMB-01-ZZ-DR-T-0009
Re-connections detail sheet 4 of 5	WN019-0205-MMB-01-ZZ-DR-T-0010
Re-connections detail sheet 5 of 5	WN019-0205-MMB-01-ZZ-DR-T-0012
Stainton Booster Mains General Arrangement	WN019-0205-MMB-01-ZZ-DR-T-0013
Stainton Booster Station	WN019-0205-MMB-01-ZZ-DR-T-0014
Proposed Longitudinal Section Sheet 1 of 13	WN019-0205-MMB-01-ZZ-DR-T-0020
Proposed Longitudinal Section Sheet 2 of 13	WN019-0205-MMB-01-ZZ-DR-T-0021
Proposed Longitudinal Section Sheet 3 of 13	WN019-0205-MMB-01-ZZ-DR-T-0022

Proposed Longitudinal Section Sheet 4 of 13	WN019-0205-MMB-01-ZZ-DR-T-0023
Proposed Longitudinal Section Sheet 5 of 13	WN019-0205-MMB-01-ZZ-DR-T-0024
Proposed Longitudinal Section Sheet 6 of 13	WN019-0205-MMB-01-ZZ-DR-T-0025
Proposed Longitudinal Section Sheet 7 of 13	WN019-0205-MMB-01-ZZ-DR-T-0026
Proposed Longitudinal Section Sheet 8 of 13	WN019-0205-MMB-01-ZZ-DR-T-0027
Proposed Longitudinal Section Sheet 9 of 13	WN019-0205-MMB-01-ZZ-DR-T-0028
Proposed Longitudinal Section Sheet 10 of 13	WN019-0205-MMB-01-ZZ-DR-T-0029
Proposed Longitudinal Section Sheet 11 of 13	WN019-0205-MMB-01-ZZ-DR-T-0030
Proposed Longitudinal Section Sheet 12 of 13	WN019-0205-MMB-01-ZZ-DR-T-0031
Proposed Longitudinal Section Sheet 13 of 13	WN019-0205-MMB-01-ZZ-DR-T-0032
Shaft and valve chamber details	WN019-0205-MMB-01-ZZ-DR-T-0035
Existing Longitudinal Section Sheet 1 of 13	WN019-0205-MMB-01-ZZ-DR-T-0040
Existing Longitudinal Section Sheet 2 of 13	WN019-0205-MMB-01-ZZ-DR-T-0041
Existing Longitudinal Section Sheet 3 of 13	WN019-0205-MMB-01-ZZ-DR-T-0042
Existing Longitudinal Section Sheet 4 of 13	WN019-0205-MMB-01-ZZ-DR-T-0043
Existing Longitudinal Section Sheet 5 of 13	WN019-0205-MMB-01-ZZ-DR-T-0044
Existing Longitudinal Section Sheet 6 of 13	WN019-0205-MMB-01-ZZ-DR-T-0045
Existing Longitudinal Section Sheet 7 of 13	WN019-0205-MMB-01-ZZ-DR-T-0046
Existing Longitudinal Section Sheet 8 of 13	WN019-0205-MMB-01-ZZ-DR-T-0047
Existing Longitudinal Section Sheet 9 of 13	WN019-0205-MMB-01-ZZ-DR-T-0048
Existing Longitudinal Section Sheet 10 of 13	WN019-0205-MMB-01-ZZ-DR-T-0049
Existing Longitudinal Section Sheet 11 of 13	WN019-0205-MMB-01-ZZ-DR-T-0050
Existing Longitudinal Section Sheet 12 of 13	WN019-0205-MMB-01-ZZ-DR-T-0051
Existing Longitudinal Section Sheet 13 of 13	WN019-0205-MMB-01-ZZ-DR-T-0052
Compound, lagoons & pipe laydown locations Sheet 1 of 2	WN019-0205-MMB-01-ZZ-DR-T-0080
Compound, lagoons 7 pipe laydown locations Sheet 2 of 2	WN019-0205-MMB-01-ZZ-DR-T-0081
Typical Ditch and Stream crossing	WN019-0205-MMB-01-ZZ-DR-T-0082
Typical Site compound and Logistics Area	WN019-0205-MMB-01-ZZ-DR-T-0083

Planning Proposed Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0031
Chainage 9000m - 10000m	
Planning Existing Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0032
Chainage 10000m - 11000m	
Planning Proposed Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0033
Chainage 10000m - 11000m	
Planning Existing Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0034
Chainage 11000m - 12000m	
Planning Proposed Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0035
Chainage 11000m - 12000m	
Planning Existing Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0036
Chainage 12000m - 13000m	
Planning Proposed Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0037
Chainage 12000m - 13000m	
Planning Existing Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0038
Chainage 13000m - 14000m	
Planning Proposed Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0039
Chainage 13000m - 14000m	
Planning Existing Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0040
Chainage 14000m - 15000m	
Planning Proposed Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0041
Chainage 14000m - 15000m	
Planning Existing Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0042
Chainage 15000m - 16000m	
Planning Proposed Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0043
Chainage 15000m - 16000m	
Planning Existing Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0044
Chainage 16000m - 16517m	
Planning Proposed Plan and Profile	WN019-0205-STN-02-ZZ-DR-T-0045
Chainage 16000m - 16517m	
Planning Overall Route Key Plan	WN019-0205-STN-03-ZZ-DR-T-0001
Planning Existing Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0002
Chainage 0m - 1000m	
Planning Proposed Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0003
Chainage 0m - 1000m	
Planning Existing Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0004
Chainage 1000m - 2000m	
Planning Proposed Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0005
Chainage 1000m - 2000m	
Planning Existing Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0006
Chainage 2000m - 3000m	
Planning Proposed Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0007
Chainage 2000m - 3000m	
Planning Existing Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0008
Chainage 3000m - 4000m	
Planning Proposed Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0009
Chainage 3000m - 4000m	
Planning Existing Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0010
Chainage 4000m - 5000m	
Planning Proposed Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0011
Chainage 4000m - 5000m	
Planning Existing Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0012
Chainage 5000m - 5390m	
Planning Proposed Plan and Profile	WN019-0205-STN-03-ZZ-DR-T-0013
Chainage 5000m - 5390m	

Planning Existing Plan and Profile WN019-0205-STN-03-ZZ-DR-T-0014
Chainage 5390m - 6400m
Planning Proposed Plan and Profile WN019-0205-STN-03-ZZ-DR-T-0015
Chainage 5390m - 6400m
Planning Existing Plan and Profile WN019-0205-STN-03-ZZ-DR-T-0016
Chainage 6400m - 7400m
Planning Proposed Plan and Profile WN019-0205-STN-03-ZZ-DR-T-0017
Chainage 6400m - 7400m
Planning Existing Plan and Profile WN019-0205-STN-03-ZZ-DR-T-0018
Chainage 7400m - 8400m
Planning Proposed Plan and Profile WN019-0205-STN-03-ZZ-DR-T-0019
Chainage 7400m - 8400m
Planning Existing Plan and Profile WN019-0205-STN-03-ZZ-DR-T-0020
Chainage 8400m - 8890m
Planning Proposed Plan and Profile WN019-0205-STN-03-ZZ-DR-T-0021
Chainage 8400m - 8890m

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 10, 14, 21, 26, 28, 29, 31, 32, 33, 35, 38, 39, 40, 41, 42, 43, 44, 46 and 56 of the County Durham Plan and Parts 2, 4, 6, 8, 9, 12, 14, 15, 16 and 17 of the National Planning Policy Framework.

3. Prior to any development taking place a phasing plan for the development shall be submitted to and approved in writing with the Local Planning Authority.

Reason: To ensure the development is carried out in accordance with the approved documents and to allow for the development to be carried out in phases. Required to be a pre-commencement condition as the phasing details must be agreed before works on site commence.

4. Prior to the commencement of any part of the development or any works of demolition within a particular phase as identified under Condition 3, a Construction Environmental Management Plan for that phase shall be submitted to and approved in writing by the local planning authority. The Construction Environmental Management Plan shall be prepared by a competent person and shall consider the potential environmental impacts (noise, vibration, dust and light) that the development may have upon any nearby sensitive receptors and shall detail mitigation proposed and include the following:

1. A Dust Action Plan including measures to control the emission of dust and dirt during construction taking into account relevant guidance such as the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014.
2. A Noise Management Plan and details of methods and means of noise reduction including details of a noise barrier designed to limit the effects on the receptors exceeding the SOAEL 75dB LAeq threshold, to be implemented between the proposed development and the following receptors: Station Farm; Cooper House Farm; Auckland Terrace; Westlea; Rosemead and Council Farm. The Noise Management Plan shall also include the exact locations of noise monitoring points and proposed monitoring frequency.
3. Where construction involves penetrative piling and/or drilling, details of methods for piling of foundations and drilling including measures to suppress any associated noise and vibration;
4. --Construction, Noise and Vibration Management Plan (CNVMP);

5. Confirmation of working hours, which shall not exceed 07:00 – 18:00 hours Monday to Friday, 07:00 – 14:00 on Saturdays with no working on Sundays, Bank or Public Holidays. Only tunnelling works may take place outwith these hours.
6. Details of measures to prevent and manage pollution and to prevent mud and other such material migrating onto the highway;
7. Designation, layout and design of construction access and egress points;
8. Details for the provision of directional signage (on and off site);
9. Details of contractors' compounds and parking, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure and their removal upon completion of the construction phase of development;
10. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials
11. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;
12. Details of delivery arrangements including details of construction hours, number of construction workers, methodology of vehicle movements between the compound and various site accesses, details of operation of banksmen, measures to minimise traffic generation (particularly at peak hours), measures to control timings and routings of deliveries and construction traffic (including abnormal loads) and pedestrian routes to the site;
13. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
14. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works including a Site Waste Management Plan;
15. A soil handling, storage and replacement strategy;
16. Measures for liaison with the local community and procedures to deal with any complaints received;
17. A Pollution Prevention Plan;
18. An Erosion Prevention and Sediment Management Plan, and
19. An Invasive Species Management Plan

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Environmental Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works in each Phase.

Reason: In the interests of protecting the amenity of neighbouring site occupiers and users from the impacts of the construction phases of the development having regards to Policies 21 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be a pre-commencement condition and the details of the construction environmental management plan must be agreed before works on site commence.

5. No development within a specific phase as identified under Condition 3, shall take place until details of the working corridor within the application site for that phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity and highway safety in accordance with County Durham Plan Policies 21 Delivering Sustainable Transport and Parts 9 and 15 of the National Planning Policy Framework. Required to be a pre-commencement condition as the details of the working corridor must be agreed before works on site commence.

6. No development within a specific phase as identified under Condition 3 shall take place until details of any temporary works in that phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of residential amenity and highway safety in accordance with County Durham Plan Policies 21 Delivering Sustainable Transport and Parts 9 and 15 of the National Planning Policy Framework. Required to be a pre-commencement condition as the details of the temporary works must be agreed before works on site commence.

7. No construction work shall take place, nor any site cabins, materials or machinery be brought on site within a specific phase as defined by Condition 3 until all trees and hedges to be retained within that phase, are protected in accordance with the details contained within an approved Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan Report relating to that phase.

Reason: In the interests of the visual amenity of the area and to comply with Policies 39 and 40 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be a pre-commencement condition to ensure existing planting is protected.

8. No development shall commence within a specific phase as identified by Condition 3 until:
 - i) a scheme of further intrusive investigations has been carried out in relation to that phase to establish the risks posed to the development by past coal mining activity, and;
 - ii) any remediation works and/or mitigation measures within a specific phase to address land instability arising from coal mining legacy, as may be necessary, have been implemented within that phase in full in order to ensure that the site is safe and stable for the development proposed.

The details shall be submitted to the Local Planning Authority for approval in writing. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance and the approved details.

Reason: The undertaking of intrusive site investigations, prior to the commencement of demolition works, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Paragraphs 183 and 184 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

9. Prior to the development being brought into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: The undertaking of intrusive site investigations, prior to the commencement of demolition works, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Paragraphs 183 and 184 of the National Planning Policy Framework.

10. The development shall be carried out in accordance with the submitted flood risk assessment (Tees and Central Strategic Transfer Mains Flood Risk Assessment – Phase 1, dated October 2021, prepared by Mott MacDonald) and the following mitigation measures it details:
 - a. The pipe bridge crossing the Alwent Beck shall be set no lower than 77.55 metres above Ordnance Datum (AOD);
 - b. Level for level compensatory storage shall be provided for the loss of floodplain caused by Alwent Beck pipe bridge abutments.

These mitigation measures shall be fully implemented prior to beneficial use of the pipeline and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To prevent flooding elsewhere by reducing the risk of debris becoming trapped on pipe bridge and by ensuring that compensatory storage of flood water is provided.

11. No development shall take place within a specific phase as identified under Condition 3 until a Biosecurity Plan for that phase has been submitted to, and agreed in writing by, the local planning authority and implemented as approved. The biosecurity plan shall include the following elements:
 - c. biosecurity and INNS management best practice, utilising the check-clean-dry procedure across the site;
 - d. identify specific actions and mitigation for known INNS, and methods to ensure no INNS are brought on to site;
 - e. a procedure should be outlined in the event of new INNS being discovered whilst on site; in the event of which a strategy for containment and removal should be enacted.

Reason: To prevent the spread of invasive non-native species, such as signal crayfish, Himalayan balsam, American skunk cabbage, rhododendron, giant hogweed, and Japanese knotweed.

12. Prior to development commencing within a specific phase as identified under Condition 3, a Landscape and Ecology Maintenance and Management Plan (LEMP) for that phase shall be submitted to and approved in writing by the local planning authority. The LEMP shall follow the principles set out in table L2.2 of the Environmental Statement and include an appropriate planting and maintenance schedule. The development shall be carried out in accordance with the approved LEMP.

Reason: In the interests of the visual amenity of the area and to comply with Policies 39 and 41 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be a pre-commencement condition to ensure planting and habitat creation take place as soon as practicable.

13. Prior to development commencing within a specific phase as identified under Condition 3 full engineering details of any new site accesses to be formed serving that phase shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework. Required to be pre commencement to ensure satisfactory accesses to the site are provided.

14. Prior to development commencing within a specific phase as identified under Condition 3 a detailed method statement describing the proposed watercourse / field drain crossings and reinstatement within that phase shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure suitable crossings are put in place that do not result in damage to the watercourses in accordance with County Durham Plan Policy 35 and Parts 14 and 15 of the National Planning Policy Framework. Required to be pre commencement to ensure satisfactory accesses to the site are provided.

15. Prior to the set-up of any specific site compounds, pipe laydown areas, lagoons or watercourse crossings, details of those specific compounds, pipe laydown areas, lagoons and watercourse crossings shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of protecting the amenity of neighbouring site occupiers and users from the impacts of the construction phases of the development having regards to Policies 21 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

16. Details of any external lighting proposed within a specific phase shall be submitted to and approved in writing by the Local Planning Authority prior to its installation within that phase. The lighting shall be installed in accordance with the approved details.

Reason: In order to minimise light spillage and glare and minimise impact upon ecological interests, in accordance with Policies 31 and 41 of the County Durham Plan and Local Plan and Part 15 of the National Planning Policy Framework.

17. Prior to development commencing within a specific phase as identified in Condition 3, an Archaeological Management Plan for that phase shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard any Archaeological Interest in the site, and to comply with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

18. No development shall commence within a specific phase as identified in Condition 3, until a written scheme of investigation for that phase setting out a phased programme of archaeological work in accordance with 'Standards For All Archaeological Work In County Durham And Darlington' has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

Reason: To safeguard any Archaeological Interest in the site, and to comply with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

19. No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be commissioned until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To comply with Paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

20. No development shall commence until a DEFRA metric and biodiversity net gain strategy for the entirety of the development, that shows a biodiversity net gain, has been submitted to and approved in writing by the local planning authority. The biodiversity gain strategy shall demonstrate how and where biodiversity gain will be achieved and provide summary information on target habitat descriptions and conditions, habitat creation, restoration, management details and monitoring and review periods.

Reason: In order to deliver Biodiversity Net Gain in accordance County Durham Plan Policy 41 and Part 15 of the National Planning Policy Framework.

21. Prior to any development commencing within a specific phase as identified under Condition 3 the DEFRA metric will be updated and a Biodiversity Management and Maintenance Plan for that phase that is in accordance with an approved biodiversity gain strategy, which includes target habitat descriptions and conditions, habitat creation, restoration and management details, appropriate monitoring and review periods shall be submitted to and approved in writing by the local planning authority. The Plan should also contain those elements of ecological mitigation and compensation detailed within the EIA accompanying the planning permission. The Biodiversity Management and Maintenance Plan for a specific phase shall also demonstrate how net gain of biodiversity will be achieved and maintained and monitored for a minimum period of 30 years. The development shall be carried out in accordance with the approved details.

Reason: In order to deliver Biodiversity Net Gain in accordance County Durham Plan Policy 41 and Part 15 of the National Planning Policy Framework.

22. No development within a specific phase as identified under Condition 3 shall take place until details of water discharge to ensure no scouring takes place within that phase have been submitted to and approved in writing by the local planning authority. The

development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that surface is adequately disposed of, in accordance with Policy 35 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework. Required to be a pre-commencement condition to reduce the risk of flooding to the proposed development and future occupants and to ensure there is no increase of flood risk elsewhere as a result of this development.

23. All identified reptile hibernacula and refugia shall be dismantled and rebuilt in retained habitat, to reduce the impact on breeding and hibernating reptiles as per the recommendations in Section D7.18 of the Environmental Statement and as identified in Appendix I, Tees and Central Strategic Transfer Mains Preliminary Ecological Appraisal Report (WN019-0205-MMB-ZZ-ZZ-RP-EN-0004).

Reason: In order to protect the ecological value of the site in accordance with County Durham Plan Policy 41 Biodiversity and Geodiversity.

24. No development within a specific phase as identified under Condition 3 shall take place until details of any stanks including their positions within that phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In order prevent flooding elsewhere by reducing the ability of water to migrate along the pipe trench.

25. In the event that the spring feeding the Red Well (MM1040) is disturbed, it shall be reinstated to its original condition.

Reason: To safeguard any Archaeological Interest in the site, and to comply with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework.

26. The Tees Valley Railway (MM1042) embankment within the application site (Section 3) shall be reinstated after the pipeline construction in accordance with details which will have first been submitted to and approved in writing by the local planning authority.

Reason: To safeguard any Archaeological Interest in the site, and to comply with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework.

27. In the event that the former culvert, south of Wood Lane (MM2065) is still operational, the culvert will be reinstated following installation of the pipe in accordance with details which will have first been submitted to and approved in writing by the local planning authority.

Reason: To safeguard any Archaeological Interest in the site, and to comply with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework.

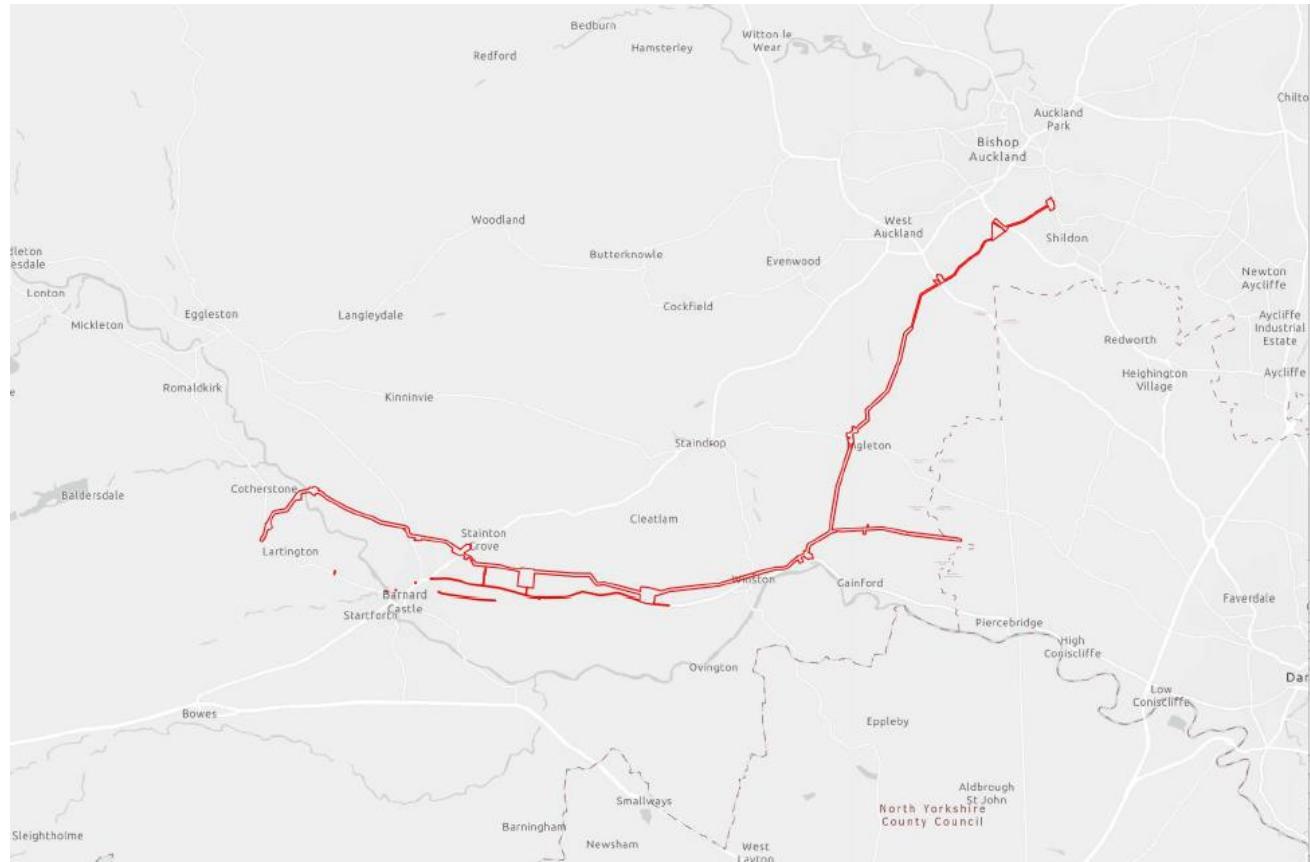
STATEMENT OF PROACTIVE ENGAGEMENT

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner

with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

BACKGROUND PAPERS

- Submitted application form, plans, supporting documents and subsequent information provided by the applicant.
- The National Planning Policy Framework (2021)
- National Planning Practice Guidance notes
- County Durham Plan (2020)
- County Durham Landscape Strategy (2008)
- Statutory, internal and public consultation responses



 Planning Services	DM/21/04293/FPA <p>Installation of below ground pipeline from Lartington Water Treatment Works to Shildon Service Reservoir and associated works, including temporary construction compounds, pipe bridge, lagoons, pipe laydown areas, vehicular accesses and above ground ancillary structures</p> <p>Lartington Water Treatment Works, Cotherstone, Barnard Castle, DL12 9DP</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005</p>		Comments
Date July 2022		Scale Not to Scale