

**Retrospective application  
for the installation of a  
Dosing Kiosk  
High Leys Service  
Reservoir**

**Planning, Design and Access  
Statement**

**November 2023**

---

<b>Revision No</b>	<b>Date</b>	<b>Description/Amendment</b>	<b>Prepared by (Author)</b>	<b>Checked by</b>	<b>Reviewed by</b>
0	12/09/23	For issue	R. Jones	T. Smith	P. Mck
1	09/11/23	Addressing client comments			

---

## Contents

1.0	Introduction .....	5
2.0	Site and Surroundings .....	5
2.1	General Location .....	5
2.2	Application Site .....	6
3.0	Background to the Development.....	6
4.0	Site Selection .....	7
5.0	Proposed Development.....	7
6.0	Planning Context .....	7
6.1	National Planning Policy .....	8
6.2	Local Planning Policy.....	10
7.0	Environmental Considerations .....	11
7.1	Landscape Character and Visual Impact .....	11
7.2	Flood Risk and Water Resources.....	12
7.3	Trees and Landscaping.....	12
7.4	Ecology and Biodiversity .....	12
7.5	Historic Environment.....	13
7.6	Site Access.....	13
7.7	Ground Conditions and Contaminated Land .....	14
7.8	Public Rights of Way.....	14
7.9	Noise and Odour .....	14

---

---

8.0	Conclusion.....	14
	Appendix 1 – List of Submitted Plans.....	16

---

## 1.0 Introduction

This report has been written by Advance-plus to support United Utilities (UU) in a retrospective planning application to Cumberland Council for the construction of a dosing kiosk at and related to High Leys Service Reservoir (SR) forming a part of the West Cumbria Supply Project (WCSP). The site address for the kiosk is Pasture Road, Frizington, CA26 3XN.

Planning permission is required for a Sodium Hypochlorite Dosing Kiosk. Construction on the kiosk commenced and was completed in February 2022 and September 2022, respectively.

The project forms part of UU's Asset Management Plan (AMP) 7 programme that is a major programme of work to refurbish and upgrade assets across the North-West region as agreed with the Office of Water Trading (OFWAT) and the Drinking Water Inspectorate (DWI).

This statement has been produced to provide Cumberland Council, statutory consultees and any other interested parties with the necessary information required to consider the application. It provides an overview and explanation of what the development involves and why it is required. The statement also sets the context of the planning application and provides an analysis of the planning and environmental aspects associated with the proposed development.

## 2.0 Site and Surroundings

### 2.1 General Location

High Leys SR is sited in an open rural location on elevated land adjacent to the west side of the WCSP pipeline that it serves.

The site is bordered on all sides by vegetation and free fields that are used as pasture and enclosed by dry stone walls. The nearest properties are residential, located approximately half a mile away to the north-east at Asby, to the south-east at Rowrah and to the south-west at Arlecdon.

The National Grid Reference for the kiosk is NY 05663 19492 (6 figure Grid Ref: NY056194).

---

## 2.2 Application Site

The kiosk is located immediately to the east of the High Leys SR on a hardstanding area, formerly grassed.

The site is accessed via a purpose-built junction and access road that leads from the west side of Pasture Road.

The location of the kiosk and the associated infrastructure are shown on the Site Location Plan Drawing Number: 80063041-01-ADP-HIGHL-97-DR-T-00003 Revision P01, and on the Site Layout Plan Drawing Number: 80063041-01-ADP-HIGHL-97-DR-T-00004 Revision P01.

## 3.0 Background to the Development

As a provider of drinking water, United Utilities are obliged to ensure that water supplies are safe and that the quality of drinking water is acceptable to consumers to the standard required by the Water Resources Act 1991.

Planning permission 4/16/2108/0F1 was granted on the 13 December 2016 by Copeland Borough Council for the 'Development of a water supply connection comprising of a new service reservoir, valve house and pumping station, fencing and landscaping; underground pipelines (approx. 15km in length); incorporating the development of valve chambers, excavation and landscaping, temporary vehicular accesses, working areas, compounds, hardstandings and other associated development.' The permission did not include a secondary disinfection dosing system and hence a scheme of works was necessary to house the control panels and pumps associated with a sodium hypochlorite bulk storage and dosing system. The kiosk is sized to allow disinfection over an increased range of flows and applied doses.

The development increases the security and quality of supply and so enables compliance with drinking water quality standards, as set by OFWAT and the DWI.

---

## 4.0 Site Selection

The kiosk is located immediately to the east of the High Leys SR on a hardstanding area so as to reduce land take and to ensure that it can easily connect to site infrastructure. No infrastructure or vegetation other than grass has been affected or removed to accommodate the kiosk.

It is considered that the type, location and size of the kiosk is necessary, functional and proportionate for its purpose.

## 5.0 Proposed Development

As set out above, the kiosk helps to increase the security and quality of supply of drinking water and so enables compliance with the required drinking water quality standards.

The kiosk measures 13.7m long x 4.05m wide (13.9m x 4.25m including the concrete slab) with a sloping roof of between 3.8m to 3.9m high. The kiosk has a capacity of 213.6 cubic metres, and a footprint of 55.5 square metres that increases to 59.1 square metres when the concrete slab is included. It is constructed of steel and coloured Slate Grey (RAL 7015) with a matt finish. It has double access doors at ground level and a single access door at a raised level to be accessed by galvanised steel stairs and handrails that have a footprint of 3.3m long x 1.24m wide. The kiosk is detailed on Drawing Number: 80063041-01-ADP-HIGHL-97-DR-T-00001 Revision P07.

No vegetation other than grass has been affected in any way to accommodate the kiosk, and hence a landscaping scheme is not required.

## 6.0 Planning Context

The development is for a kiosk that has been constructed adjacent to its associated High Leys SR. The kiosk exceeds 29 cubic metres in capacity and is located above ground level, and so is classed as development not permitted under Part 13, Class A – Water or hydraulic power undertakings, of The Town and Country Planning (General Permitted Development) (England)

---

Order 2015, and hence full planning permission is required for it under the Town and Country Planning Act 1990 (TCPA).

## 6.1 National Planning Policy

The following sections provide an overview of planning policy relevant to the proposed development.

### ***National Planning Policy Framework***

The National Planning Policy Framework (NPPF) 20 July 2021 provides guidance for local planning authorities when making decisions about planning applications.

The NPPF covers many topic areas and provides general guidance to aspects such as promoting good design in new development and safeguarding conservation and enhancement of the natural environment.

The general areas of relevance to this application include:

**Achieving sustainable development** – Section 2 outlines the three overarching objectives of the planning system in achieving sustainable development which are interdependent and need to be pursued in mutually supportive ways:

- an economic objective – to build a strong and competitive economy through expedient land use and identifying and coordinating the provision of infrastructure.
- a social objective – to support strong, vibrant and healthy communities through provision of sufficient housing and fostering a well designed and safe built environment.
- an environmental objective – to protect and enhance our natural, built and historic environment, improve biodiversity, minimise waste and pollution and mitigate and adapt to climate change.

**Achieving well-designed places** – Section 12 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

**Conservation and enhancement of the natural environment** - Section 15 concerns protecting and enhancing landscapes, minimising impacts on biodiversity, including green infrastructure

---



(and providing net gains where possible) and preventing both new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution. This section makes reference to requirements and environmental safeguards such as:

- principles to conserve and enhance biodiversity, including the requirement for adequate mitigation or, as a last resort, compensation if significant harm resulting from a development cannot be avoided. Opportunities to incorporate biodiversity in and around developments are encouraged.
- development should be appropriate for its location, to prevent unacceptable risks from pollution and effects on health, the natural environment or general amenity.
- avoidance and mitigation of noise impacts which may give rise to significant adverse impacts on health and quality of life, and well as the protection of areas of tranquillity which have recreational and amenity value for this reason.
- remediating and mitigating despoiled and contaminated and unstable land.

#### **Planning Practice Guidance**

The Planning Practice Guidance is applicable to all current aspects of town and county planning and specifically addresses the various environmental considerations, including: air quality, climate change, conserving and enhancing the historic environment, design, environmental impact assessment, flood risk and coastal change, health and well-being, land contamination, land stability, light pollution, natural environment, noise, planning obligations, water supply, and waste water and water quality.

Of relevance to the Proposed Scheme, the PPG states:

‘Adequate water and wastewater infrastructure is needed to support sustainable development. A healthy water environment will also deliver multiple benefits, such as helping to enhance the natural environment generally and adapting to climate change.’

#### **Circular 17/91 ‘Water Industry Investment: Planning considerations’**

Circular 17/91 gives guidance to Local Planning Authorities (LPAs) on the planning implications of the investment programmes being undertaken by the water industry. Paragraph 15

---

recognises that often the location of schemes is “constrained by the location of the relevant water company’s water sources and trunk mains” and that “the scope for altering the scale, location or elevation or treatment plants is limited.”

The Circular further identifies that where there are planning objections which would normally lead to refusal these considerations may be outweighed by the need for the development by stating:

‘Such considerations may be sufficient to outweigh planning objections which would otherwise give grounds for the refusal of planning permission. But the applicant should first be able to demonstrate that he has taken all necessary steps, in discussion with the local planning authority, to overcome any planning objections to his proposals.’

## 6.2 Local Planning Policy

The development plan for the proposed development comprises the **Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies DPD (Adopted December 2013)** that contains the following policies of relevance to the development:

### Core Strategy Policies

Policy ST1: Strategic Development Principles

Policy ST2: Spatial Development Strategy

Policy ST4: Providing Infrastructure

Policy ENV3: Biodiversity and Geodiversity

Policy ENV5: Protecting and Enhancing the Borough’s Landscapes

### Development Management Policies DPD

Policy DM10: Achieving Quality of Place

Policy DM22: Accessible Developments

Policy DM25: Protecting Nature Conservation Sites, Habitats and Species

Policy DM26: Landscaping

---

The policies of the NPPF and the development plan are supportive to the sustainable provision of water treatment infrastructure. The development would accord with the NPPF, and Policies ST1, ST2, ST4 and DM10 of the Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies DPD (Adopted December 2013).

## 7.0 Environmental Considerations

The potential environmental impacts of the development have been identified and relevant planning policy in relation to those aspects has been considered.

The following stand-alone environmental information has been provided in support with this application:

- High Leys Service Reservoir: Ecological Site Inspection, Hesketh Ecology, 03 May 2021.

### 7.1 Landscape Character and Visual Impact

The kiosk is located immediately to the east of the High Leys SR on a hardstanding area, formerly grassed, so as to reduce land take and to ensure that it can easily connect to site infrastructure. It is of a type and size necessary for its function and coloured Slate Grey (RAL 7015) with a matt finish to help reduce any visual impact. The Service Reservoir and kiosk are located and incorporated into the landscape at a slightly higher level and adjacent to the west side of the WCSP pipeline that they serve.

The landscape character of the site and the surrounding land is defined by elevated open rolling pastoral farmland, bounded by dry stone walls with occasional boundary trees. The largely vegetation free fields and elevation results in expansive long-distance views from the nearest residential properties located approximately half a mile away to the north-east at Asby and to the south-east at Rowrah, and along Pasture Road that connects the two villages, but any visual impact on these locales is either reduced due to the size and distance of the kiosk from them and its siting against the backdrop of the rising topography. There is no visual impact on Arlecdon to the south-west due to the physical barrier of a hill. Therefore, it is considered that the kiosk has a negligible visual impact on residential receptors and does not have any perceptible effects on the landscape character.

---

The proposal accords with the NPPF, and Policies ST1, ENV5, DM10 and DM26 of the Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies DPD (Adopted December 2013).

## 7.2 Flood Risk and Water Resources

The site is located within Flood Zone 1 Low Probability (Land having a less than 1 in 1,000 annual probability of river or sea flooding, and being appropriate for all types of development). Accordingly, a Flood Risk Assessment is not required in support of the application.

## 7.3 Trees and Landscaping

The kiosk is located immediately to the east of the High Leys SR on a hardstanding area, formerly grassed. No infrastructure or vegetation other than grass has been affected or removed to accommodate the kiosk and, as such, an arboricultural survey has not been submitted in support of the application and a landscaping scheme is not required.

## 7.4 Ecology and Biodiversity

The development will not result in any adverse environmental impacts as no vegetation or infrastructure have been affected to accommodate the kiosk due to its location.

An advice note from Hesketh Ecology dated 03 May 2021 is attached that refers to the kiosk that formed a part of proposals for some minor Mechanical, Electrical, Instrumentation, Control and Automation (MEICA) works. The note was informed by a desk-based investigation and site visit in April 2020 and by a further dedicated site visit on 08/04/2021.

The note also informs that the High Leys SR site was subject to a full Ecological Scoping Survey in 2018 immediately prior to commencement of construction so as to inform the construction site management plan. Hesketh Ecology were employed on the site since that time to oversee works and ensure compliance with the site management plan and conditions imposed on its construction as part of the West Cumbria Supply Project. Hesketh Ecology conducted a minimum of one visit per week since November 2018.

---

The note summarises that the risk of bats, Great Crested Newts, badger, reptiles, red squirrels and invasive non-native species affected by the MEICA works is considered to be 'nil', and that the risk of otters, breeding birds and other mammals affected by the works is 'negligible'.

In relation to ecology and biodiversity issues, the development accords with the NPPF, and Policies ENV3 and DM25 of the Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies DPD (Adopted December 2013).

## 7.5 Historic Environment

There are no Listed Buildings, Conservation Areas, Registered Parks/Gardens/Battlefields, World Heritage Sites or Scheduled Monuments in proximity to the application site.

The application site comprises land previously used as pasture.

An archaeological evaluation was carried out by CFA Archaeology on land at High Leys, Cumbria as part of the West Cumbria Water Supplies Project during August 2017. Seven trenches were excavated across the proposed site of the High Leys service reservoir and pumping station in order to evaluate any potential surviving archaeological remains. The trenches contained no evidence for possible surviving archaeology with geophysical anomalies targeted by the evaluation proving to be changes in natural geology and land drains. It was subsequently agreed with the Historic Environment Officer for Cumbria County Council that no further archaeological work was required in this area, and hence there are no archaeological implications relating to the development.

## 7.6 Site Access

Permanent vehicular access will continue to be taken to the site from the purpose-built junction and access road that leads from the west side of Pasture Road to the High Leys Service Reservoir. No alterations to the access are required because it is deemed to be adequate to accommodate the operational traffic.

In relation to transport and accessibility, the development accords with the NPPF, and Policy DM22 of the Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies DPD (Adopted December 2013).

---

## 7.7 Ground Conditions and Contaminated Land

No contaminated land was identified at the site.

## 7.8 Public Rights of Way

There are no Public Rights of Way affected by the development.

## 7.9 Noise and Odour

The kiosk contains control panels and electrical circuits that will not produce any noise and odour impacts.

## 8.0 Conclusion

The Sodium Hypochlorite Dosing Kiosk is related to the constructed High Leys Service Reservoir that forms a part of the West Cumbria Supply Project to build a freshwater pipeline. The works form a part of UU's AMP 7 programme, which is a major programme of work to refurbish and upgrade assets across the North-West region, as agreed with OFWAT and the DWI.

Construction of the kiosk commenced and was completed in February 2022 and September 2022, respectively, and hence this planning application is retrospective.

The kiosk houses the control panels and pumps associated with a sodium hypochlorite bulk storage and dosing system so as to allow disinfection of water to be suitable for drinking. The development increases the security of safe water supplies and to ensure that the quality of drinking water is acceptable to consumers to the standard required by the Water Resources Act 1991.

The kiosk is small and proportionate in size for its necessary purpose, and located on a hardstanding area, formerly grassed, immediately to the east of the High Leys Service Reservoir so as to reduce land take and to ensure that it can easily connect to site infrastructure..

The development is in accordance with the NPPF and the policies of the development plan consisting of the Copeland Local Plan 2013-2028 Core Strategy and Development

---

---

Management Policies DPD (Adopted December 2013). On this basis, it is considered that this application for retrospective planning permission should be granted.

---

## Appendix 1 – List of Submitted Plans

- Drawing Number: 80063041-01-ADP-HIGHL-97-DR-T-00003 Revision P01: WCSP ENHANCED ENABLING WORKS, HIGH LEYS SR DOSING KIOSK, PLANNING DRAWING, SITE LOCATION PLAN
  - Drawing Number: 80063041-01-ADP-HIGHL-97-DR-T-00004 Revision P01: WCSP ENHANCED ENABLING WORKS, HIGH LEYS SR DOSING KIOSK, PLANNING DRAWING, SITE LAYOUT PLAN
  - Drawing Number: 80063041-01-ADP-HIGHL-97-DR-T-00001 Revision P07: WCSP ENHANCED ENABLING WORKS, HIGH LEYS SR, AS-BUILT DOSING KIOSK, PLANNING APPLICATION
-