

8. FULL APPLICATION – INSTALLATION OF NEW PACKAGE TREATMENT PLANT AND SOAKAWAY AT THE NAZE, MAYNESTONE ROAD, CHINLEY (NP/HPK/0420/0333 AM)

APPLICANT: MR CHRIS SMITH

Summary

1. The application site is a field located in open countryside on Maynestone Road north of Chinley.
2. This application proposes to install a package treatment plant and soakaway to serve the existing property.
3. Evidence submitted with the application demonstrates that the development can be accommodated without harm to the local environment or the amenity of neighbouring properties.
4. We recommend that the application is granted subject to conditions.

Site and Surroundings

5. The Naze Farm is located in open countryside on Maynestone Road north of Chinley. The property is a historic farmstead consisting of a traditional farmhouse and adjacent barns. One barn has been converted to three holiday lets and is currently being renovated.
6. The application site includes land to the south of the properties. This field slopes up from the level of Maynestone Road to the west. Access to the property is from Maynestone Road.
7. The nearest neighbouring residential properties are on the east side of Maynestone Road facing the application site. There are also properties to the south of the site.

Proposal

8. The installation of a package treatment plant and soakaway within the field.
9. The amended plans show that drainage from the house and holiday lets would be piped to a proposed package treatment plant located in the east of the field adjacent to the highway and access track. Outfall from the treatment plant would be pumped to a soakaway on the field above.

RECOMMENDATION

That the application be APPROVED subject to the following conditions or modifications.

- 1. Statutory three year time limit for implementation.**
- 2. In accordance with amended plans and specifications.**

Key Issues

- Whether the design and location of the proposed package treatment plant and soakaway is appropriate.
- The environmental impact of the development and whether the development would harm the amenity of neighbouring properties.

Relevant Planning History

10. 2013: NP/HPK/0713/0593: Planning permission granted for installation of septic tank. Notwithstanding the description, the planning permission was for a package treatment plant and soakaway just north of the current application site. This planning permission was not implemented and has lapsed.

Consultations

11. Parish Council: No objection in principle provided all the necessary technical requirements are met. The Parish Council also query if there is a better position within the land further from other local dwellings, to better protect the neighbours' amenity.
12. Borough Council: No response to date.
13. Highway Authority: No response to date.

Representations

14. Five representations have been received to date. Four object to the application while one makes comments. The reasons given are summarised below:

Objections:

- Inaccuracies in submitted application.
- Lack of information provided with application.
- There are better alternative locations available.
- In period of persistent rain water flows down the field giving rise to flooding of the cellars of Alderside and Greystead. The additional discharge would increase the risk and frequency of flooding.
- It is unlikely that the water table requirements for the treatment plant is being met at times of heavy rain. It may be that soakaway percolation test results are also affected.
- The maintenance schedule of the system is demanding and may not be undertaken.
- Noxious smells and flies caused by the development would harm the amenity of neighbouring properties.
- The pump to deliver treated sewage to the soakaway may fail leading to overflowing of the plant.

Comments:

- Even with moderate rainfall surface water comes down the drive and across the road. Concern that additional water from a soakaway will add to this problem.

Main Policies

15. Relevant Core Strategy policies: GSP1, GSP3, DS1 and L1
16. Relevant Development Management Plan policies: DMC1, DMC3 and DMC14

National Planning Policy Framework

17. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.

18. The latest version of the National Planning Policy Framework (NPPF) was published on 19 February 2019. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies of the Development Management Policies document 2019. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.
19. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF. Our development plan policies should therefore be afforded full weight in the determination of this application.
20. Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage should also be given great weight in National Parks.

Core strategy policies

21. GSP1 sets out the broad strategy for achieving our objectives having regard to the Sandford Principle. GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential.
22. GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
23. L1 states that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan and other valued characteristics. Development will not be permitted in the Natural Zone other than in exceptional circumstances.

Development management policies

24. DMC3 sets out that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage assets. Particular attention will be paid to siting, scale, form, mass, landscape setting and the valued character and appearance of the area.
25. DMC14 says that development that presents a risk of pollution or disturbance will not be permitted unless adequate control measures are put in place to bring pollution within acceptable limits.

Assessment

Principle

26. Information submitted with the application demonstrates that it is not practicable for the property to connect to a main sewer due to the distance from the property to the mains. Therefore Authority policies and Government guidance allow for the installation of a private package treatment plant in principle provided that the development meets standing advice from the Environment Agency to ensure that adequate control measures are put in place to deal with pollution and adequate drainage is installed.

27. The treatment of foul water from the development would provide an environmental benefit by reducing pollution to the water environment.

Impact of development

28. A number of concerns have been raised about the proposed siting of the package treatment plant and the potential impact of development on the residential amenity of the local area and on drainage.
29. During the course of the application we have requested additional information from the applicant, including a completed foul drainage assessment form and percolation test results. This information has been provided and demonstrates that the proposed siting and soakaway shown on the amended plans is in accordance with standing advice from the Environment Agency.
30. We therefore are satisfied that the package treatment plant can be operated without harm to the residential amenity of neighbouring properties. If properly maintained, the operation of the plant would treat foul sewage from the property without causing a noise or odour nuisance or pollute ground water. Package treatment plants are an established technology and there is no evidence that the plant could or would not be maintained in the long term and this would be subject to separate legislation.
31. The proposed soakaway would be a sufficient size based upon the submitted percolation test results and therefore drainage would not harm the amenity of neighbouring properties or materially increase the risk of flooding.
32. Representations have suggested alternative sites on other parts of the property. These have been discussed with the applicant but discounted. Moving the plant up to the level of the soakaway would require an additional pump and macerator while the proposed system would be gravity fed to the plant. The application must be determined on its own merits and the evidence submitted with the application demonstrates that the development can be accommodated in the proposed location.
33. The plant and soakaway would be underground and therefore have a very limited visual and landscape impact.

Conclusion

34. The application has demonstrated that the development can be accommodated on the site without harm to the local environment or the amenity of neighbouring properties.
35. Therefore having taken into account all matters raised we consider that the development is in accordance with the development plan subject to planning conditions to ensure that the development is carried out in accordance with the amended plans and specifications. The application is therefore recommended for approval subject to conditions.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

None

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