

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2524/OF1
2.	Proposed Development:	INSTALL A NEW SEWAGE TREATMENT PLANT
3.	Location:	BURNEY, THE GREEN, MILLOM
4.	Parish:	Millom Without
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to Burney, a detached property located within The Green, Millom. The site falls within Flood Zone 2 and 3. PROPOSAL Planning Permission is sought for the installation of a new sewage treatment plant within the field that lies adjacent to the property. The proposed model will be 'Marsh Ensign Shallow Model 6'. The length will be 2.86 metres and the width will be 1.912 metres and the majority of the treatment plant will be located underground.	

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for:

- The erection of an extension and alterations to the existing bungalow and the erection of a detached garage, carport and domestic studio (ref: 4/13/2422/0F1);
- The erection of an extension and alterations to the existing bungalow and a detached garage (ref: 4/14/2028/0F1);
- The erection of a bedroom, study and diner extension (ref: 4/20/2234/0F1).

CONSULTATION RESPONSES

Millom Without Parish Council

Support the application.

Highway Authority and Lead Local Flood Authority

Standing Advice.

Environment Agency

No objections.

United Utilities

No response received.

Council's Flood Engineer

No objections.

Public Representation

The application has been advertised by way of site notice and neighbour notification letters issued to 2 no. properties.

No objections have been received as a result of this consultation.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM24 – Development Proposals and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on residential amenity and flood risk.

Principle of Development

The proposed application relates to a residential dwelling within The Green and it will provide a new sewage treatment plant. Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM18 and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposed treatment plant will be modest in scale and appropriately sited within the adjacent field. It will not be excessively prominent within the locality or overbearing for the neighbouring properties as the majority of the treatment plant will be located underground.

On this basis, the proposal is considered to meet Policies DM10 and DM18 and the NPPF guidance.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The proposal will be appropriately located within the adjacent field and as the majority of the treatment plant will be located underground, it is not considered to adversely impact on nearby residential properties. The development is also screened by an existing boundary hedge, which will limit its impact within the locality.

On this basis, the proposal is considered to comply with Policy DM18 and the NPPF guidance.

Flood Risk

The NPPF and Policy DM24 requires proposed developments in Flood Zones 2 and 3 to be accompanied by a Flood Risk Assessment (FRA). Policy DM24 seeks to protect developments against risks of flooding.

The proposed development site is located within Flood Zone 2 and 3, which is defined as having a 'high probability of flooding'. The application is supported by a Flood Risk Assessment (FRA) and the package sewage treatment plant specifications.

The supporting documents submitted with the application note that there is no record of flooding at this location or from the beck nearby. Notwithstanding this, due to the location within flood zone 3, the applicant is aware of the potential flood risk and flood resilience and mitigation measures are proposed in the Flood Risk Assessment. These measures satisfy that the impact of flooding will not adversely affect the proposal. The Environment Agency and the Council's Flood Engineer raised no objections to the development. The measures are considered to be suitable to protect the development against flooding and they can be secured by the use of a planning condition.

The proposed plans show the treatment plant will discharge into the watercourse and the treatment plant specifications outline the proposed treatment plant is a suitable option where this is the preferred discharge method. The design therefore is appropriate but as the applicant is proposing to connect their sewage to an ordinary watercourse, the Lead Local Flood Authority have provided an informative note to ensure the applicants contact the LFRM Consent Team for the relevant permission.

On balance, the proposal is considered to be acceptable and therefore it will comply with Policy DM24 and the NPPG guidance.

Planning Balance and Conclusion

The proposed new sewage treatment plant is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties or flood risk. It therefore represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.

8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: <ol style="list-style-type: none"> <p>The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -</p> <p>Site Location Plan, scale 1:2500, received 26th November 2021; Site Plan – Appendix 1, scale 1:1250, received 26th November 2021; Site Plan, scale 1:500, received 26th November 2021; Marsh Ensign Shallow Package Sewage Treatment Plant Specifications, received 26th November 2021; Flood Risk Assessment, received 26th November 2021; Environment Agency Supporting Letter, received 26th November 2021.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>The flood resilience and mitigation measures must be implemented as part of the development hereby permitted in accordance with the details set out in the Flood Risk Assessment received by the Local Planning Authority on 26th November 2021. The flood resilience and mitigation measures must be maintained thereafter.</p> <p>Reason</p> <p>To protect the property against flood damage in accordance with Policy DM24 of the Copeland Local Plan.</p>

	<p>Informative</p> <p>Please note as the applicant is proposing to connect their new sewage treatment plant to an ordinary watercourse, they should contact the LFRM Consent Team on LFRM.consent@cumbria.gov.uk to gain the relevant permission for the works.</p> <p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>
<p>Case Officer: C. Unsworth</p>	<p>Date : 19/01/2022</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date :</p>
<p>Dedicated responses to:- N/A</p>	