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1. INTRODUCTION

This supporting statement has been produced on behalf of Mrs Oakes to support a full planning application for the replacement of the existing septic tank with a Package Treatment Plant (“PTP”) within the wider curtilage of the Annexe adjacent to Moore Cottage at 25 Hill Corner, Clink Road, Berkley, Frome, BA11 5JB (“the site”).

The purpose of the application is to provide a new and more efficient foul drainage system for Moore Cottage and The Annexe with an appropriate level of capacity for the now expanded residential use of the wider site, replacing the existing inadequate and inefficient septic tank system.

1.1 THE APPLICATION PROPOSAL

The application proposal’s description of development comprises:

Installation of a Package Treatment Plant (PTP) to replace the existing septic tank, together with associated below ground works.

1.2 THE APPLICATION PACKAGE

The application package comprises the following information:

- Completed application forms and ownership certificate;
- Supporting Planning Statement, produced by Planning Ventures;
- Site Location Plan (1:1250 @ A4), produced by Kevin Smith;
- Existing Block Plan (1:500 @ A3), produced by Kevin Smith;
- Proposed Block Plan (1:500 @ A3), produced by Kevin Smith;
- Domestic Wastewater Treatment Plant technical literature;
- Domestic Wastewater Treatment Plant Certification Documents; and
- Somerset Biodiversity Checklist.

1.3 STAKEHOLDER CONSULTATION

Due to the small-scale nature of the application proposal it was not considered necessary to undertake any formal consultation. However, the applicant has discussed the application proposal with her neighbours, which is considered sufficient in conjunction with the Council’s formal neighbour notification and statutory consultation process.

2. BACKGROUND INFORMATION

2.1 SITE CONTEXT AND DESCRIPTION

The application site is located within the wider curtilage of Moore Cottage and the Annexe. It is situated in the hamlet of Berkley and lies circa 1½ miles to the east of Frome.

It’s within a rural area but situated in a small hamlet of residential and commercial buildings. The site is bounded to the north by Clink Road; to the north-east by Hill Corner; by open fields and countryside to the east; Moore Cottage and the Annexe to the west; and to the south and south-west Fairwinds Cottage and Puddledock Piggery (Fairwinds Cottage’s holiday let). It’s understood that Moore Cottage has an historic 1679 date stone, but is not

listed. Further to the west along Clink Road are detached houses, Tangiers Farm and an additional commercial business. Beyond this lies the A361, a large arterial route into and around Frome.

While the area of land under control of the applicant includes Moore Cottage, the Moore Cottage Annexe and surrounding land including the adjacent field to the east (as shown by the blue line on the location plan), which extends to 0.7 hectares, the land required for the proposed works (indicated by the red line) covers only 144 sq.m.

Essentially, this red line site area is the location of a new 147mm diameter pipe and Marsh Ensign 8 person Package Treatment Plant, connecting to an existing perforated drainage pipe running along the ditch at the southern edge of the field.

2.2. PLANNING HISTORY

There is a limited planning history associated with the application site. The three applications shown on-line relate to the construction of the double garage, a conservatory and the conversion of the garage into a single residential dwelling. The double garage was granted without conditions in September 1977 (street file reference 071323/001). The conservatory was granted in May 1997 (street file reference 071323/002) and was subject to conditions, however these were unable to be viewed. The change of use of the double garage to form a single residential dwelling was approved on the 10th September 2020 ref 2020/0916/FUL. This permission has now been implemented.

3. PLANNING POLICY CONTEXT

3.1 POLICY BACKGROUND

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning applications must be determined in accordance with the statutory Development Plan, unless material considerations indicate otherwise.

In addition, the National Planning Policy Framework (“NPPF”) (2021) advocates a presumption in favour of sustainable development. It requires Local Planning Authorities to determine planning applications that accord with the Development Plan without delay. Where a Development Plan is absent or silent or relevant policies are out of date planning permission should be assessed against the policies of the NPPF and granted where adverse impacts don’t significantly and demonstrably outweigh the benefits.

3.2 THE STATUTORY DEVELOPMENT PLAN

As of the 1st April 2023 Mendip Council now forms part of the Somerset Council Unitary Authority. However, the adopted Development Plans for the former Local Planning Authorities together with any Supplementary Planning guidance remains relevant. As a result, the principal relevant Development Plan documents are:

- Mendip Local Plan Part I: 2006-2029, adopted 2014 (“MLPP1”);
- Mendip Local Plan Part II: Sites and Policies with post-JR revisions, adopted 2021 (“MLPP2”);
- Mendip Policies Map, adopted 2021; and
- Supplementary Planning Guidance Advice Note – Considering Package Treatment Plants and Septic Tanks as part of nutrients mitigation in Somerset (September 2022)

There is no existing or planned Neighbourhood Plan for Berkley.

3.3 DESIGNATIONS

The application site is situated within the parish of Berkley. It is in open countryside and is not allocated for any specific land use or purpose within the MDLPP1. It is situated in Flood Zone 1, with the nearest Flood Zone 2/3 areas relating to Rodden Brook, more than 1km to the south of the site. In terms of surface water, the site and the surrounding area are at very low risk of flooding from surface water.

Whilst not in a Conservation Area, the nearest one is situated 400m north of the site. It's not in an area of Coal Mining Risk and is not constrained by an Article 4 direction. It falls within the Mells Valley SAC Bat Consultation Zone. The nearest ecological designations are 'Biodiversity and Ecological Networks' (Policy DP5) covering Fishlake Wood (180m east of the site) and Ridge Copse (400m east). There are trees within the wider land ownership, but none of these are in close proximity to the red line application site area / area of works.

4. THE APPLICATION PROPOSAL, KEY PLANNING ISSUES AND POLICY CONTEXT

MLPP1 confirms the positive approach that the Council will take in dealing with applications that reflect a presumption in favour of sustainable development. It is noted that the Council will always work proactively with applicants to find solutions to approve proposals. It is also noted that MLPP1 policy compliant proposals will be approved without delay. This accords with the objectives and requirements of the NPPF.

4.1 THE APPLICATION PROPOSAL

The application proposal for the installation of a PTP to replace the existing septic tank, together with associated works, has been prompted by the need to replace the existing outdated and inadequate septic tank that is no longer operating properly and is not fit for purpose, particularly at times of heavy and prolonged rainfall. None of the properties within the immediate vicinity of the application site, including Moore Cottage and The Annexe are on mains drainage. Consequently it is vital that a new PTP system is installed as quickly as possible.

The application proposal comprises the installation of a Marsh Ensign 8 person PTP with associated new 147 mm diameter pipes. As shown on the submitted Proposed Block Plan Drawing (Ref: 2162/18) the proposed drainage pipes extend diagonally for approximately 60m across the field to the south-east of The Annexe, connecting the existing waste drainage system with the existing foul perforated drainage pipe running along the ditch at the southern edge of the field.

Given that the proposals involve a very limited area of groundworks to install new below ground drainage pipework, and a prefabricated PTP, any associated impacts will be extremely limited. Post-development, the proposal will be imperceptible and there will be no impact on landscape, local character, highways, or neighbour amenity. The scope of construction works is likely to have at worst a negligible impact on the above issues, provided typical responsible construction management practices are followed. Consequently this is considered an acceptable form of development in this location.

4.2 NUTRIENT NEUTRALITY

Due to the very small scale nature of the application proposal, the principal issue is considered to be the requirements of Nutrient Neutrality. The Advice Note was developed in consultation with Natural England and supports the use of small scale PTPs for residential development where they currently do not connect to main

sewerage and with no future option to do so. Section 2 is specifically pertinent to the application proposal and deals with the replacement of existing inefficient septic tanks with improved PTPs.

The application site does not lie within the Somerset Levels and Moors Ramsar Site nor within any other designated ecological sites. The proposed system is on the British Water list as required by Somerset Council. It meets the current relevant British Standards (BS EN 12566) for septic tanks and small sewage treatment plants and the General Binding rules for small sewage discharge to ground (into a drainage field). Consequently the proposed type of PTP accords with the systems advocated by the Advice Note and will pose very little environmental threat. It is therefore considered to meet the Council's requirements.

4.3 ECOLOGICAL IMPACT

The 2020 planning application for the conversion of the garage undertook an assessment of the MAGIC website. This is still considered to be relevant and confirmed the application site does not fall within, contain or abut any statutory or non statutory wildlife sites.

As the proposed PTP system will be located within the open part of the field and connect to an existing drainage system it will not affect existing hedgerows nor nearby trees. Anecdotal evidence provided by the applicant has confirmed that there is no evidence of bats within the immediate area including the hedgerows and trees. Furthermore no other protected species of fauna have been seen within the immediate environs of the application site nor were they detected through the ecological survey undertaken for the 2020 Ecology Report that supported the application for the conversion of the garage into the Annexe. The accompanying Biodiversity Checklist confirms that the proposal contains no activities with the potential to disturb any protected species, if they should be there. It is therefore considered that the proposed PTP and pipework infrastructure will not cause any adverse ecological harm.

5. SUMMARY AND CONCLUSIONS

The application seeks full planning permission for the installation of a PTP to replace the existing septic tank, together with associated works. It will serve both Moore Cottage, and The Annexe, effectively having capacity for up to eight residents.

The proposal utilises policy compliant technology and meets the relevant guidance produced by Somerset Council to ensure nutrient neutrality and avoiding the likelihood of significant effects. The proposals therefore accord with the NPPF, the adopted Mendip Local Plan Part I (2014) and Mendip Local Plan Part II: Sites and Policies (2021).

In conclusion we consider the application proposal is policy compliant and worthy of the grant of full planning permission.