

REPORT SUMMARY
27 June 2019

REFERENCE NO - 18/506223/FULL			
APPLICATION PROPOSAL Installation of sewerage package treatment plant and associated drainage field, pipework and equipment.			
ADDRESS Parkwood House West Street Harrietsham Maidstone Kent ME17 1JZ			
RECOMMENDATION Grant Planning Permission subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION The treatment plant is sited unobtrusively as it is largely below ground. It is not viable for the property to be connected to the mains sewerage system. A permit has been issued from the Environment agency for this development.			
REASON FOR REFERRAL TO COMMITTEE Cllr Sams objected due to the following; potential water course contamination into the highly sensitive chalk stream, affecting businesses including the Parkwood Trout Farm and Leeds Castle, high risk of pollution to the surrounding eco system, visual impact to the surrounding area due to the site location, and contravention of Government guidelines regarding discharge of waste water.			
WARD Harrietsham And Lenham	PARISH/TOWN COUNCIL Harrietsham	APPLICANT Caretech Community Services	
DECISION DUE DATE 04/02/19		PUBLICITY EXPIRY DATE 01/01/19	

Planning History

15/509197/FULL	Conversion of swimming pool into activities room and residential accommodation, and activities room and staff into residential accommodation within existing care home, to include alterations to fenestration.	Approved	06.01.2016
18/502504/FULL	Alterations to provide new entrances to ground floor self-contained units.	Approved	23.08.2018
18/502864/LAWPRO	Lawful Development Certificate (Proposed) for change of use of the building to create 10 No self-contained units for supported living of service users with 24hr support from non-resident carers.	Approved	09.08.2018

MAIN REPORT

1.0 BACKGROUND

- 1.1 This application was deferred at the Committee meeting on the 29 April 2019 (adjourned from the 25th April 2015). This report should be read in association with the original committee report that is included as an appendix. As recorded in the committee minutes the decision was deferred for the following reasons:

- Point 1: Ask the applicant to agree to the removal of the existing septic tank from the site and any associated pollution;
- Point 2: Ask the Environment Agency to consider the specific biomedical contamination impacts of a care home (the potential for effluent to contain a high proportion of medicines);
- Point 3: Investigate how the generator backup system is managed to maintain connections to the pump house because of the sensitivity of the chalk streams and the River Len;
- Point 4: Ask Natural England whether it has any concerns regarding the potential impact of the development on watercourses and ecology;
- Point 5: Ascertain distances to watercourses/bodies (ponds and streams) (Condition 2.3.1 of the Environment Agency Permit EPR/LB3798VP) and seek further clarification from various consultees as to whether any adverse impacts arise from that proximity, including the potential impact on white-clawed crayfish and the Desmoulin's whorl snail; and
- Point 6: Seek the advice of Building Control regarding the management of the drainage field.

2.0 CONSULTATIONS

2.1 Following the decision by members for deferral of this application on the 29 April 2019 additional consultation was carried out. The responses to this consultation are set out below:

2.2 Building Control

On receipt of an application we request full details of the drainage system including porosity details to determine the extent of the drainage field and what type of sewerage treatment plant to be installed in accordance with the usage of the property.

2.3 Natural England

No comment.

2.4 Environment Agency

- There are no records of Whorl Snails and White Clawed Crayfish in the lake, or the stream below it.
- The discharge is to land not the watercourse.
- The detailed assessment carried out as part of the discharge permitting process included consideration of the watercourse.
- The facility is for the provision of assisted living quarters.
- The Environment Agency do not quantify what can and cannot go into a sewage treatment facility during the permitting process.
- Should the discharge fail to meet the specifications in the permit or cause environmental pollution the impact would be addressed at that time.
- There is no requirement for the removal of the septic tank.

2.5 Southern Water

Request informative for applicant to contact Southern Water to ensure that any public sewers which may be in the vicinity of the development are not damaged during the construction process.

2.6 KCC Ecology (verbal advice)

No knowledge of protected species is present in this area.

- 2.7 Helen Whately (MP)
Wrote referring to a letter from Tom Ormesher, Environment and Land Use Advisor at NFU SouthEast, expressing his concerns at the risk of discharge both above and adjacent to the lakes, in addition to the high levels of ammonia being discharged into the drainage basin. Alison Davies (the neighbour at Parkwood Trout Farm) has stated that they pose an unacceptable environmental risk to the water due to the cumulative impact with two other existing sewerage treatment plants. There is concern that the environment agency has not addressed these issues in full in order to avoid needless pollution in future years.
- 2.8 The Environment Agency's response to the points raised confirmed that the national Permitting Team received a letter from the National Farmers Union (NFU) on 16 January 2019 and the points raised were given due consideration at the permitting stage. The decision to grant the permit was relayed on 22 February 2019.

3.0 APPRAISAL

- 3.1 This appraisal section is structured using the 6 points that were outlined in the committee minutes for the meeting on the 29 April 2019.

Point 1: Ask the applicant to agree to the removal of the existing septic tank from the site and any associated pollution;

- 3.2 The agent has stated that, if approved, all foul drainage would now flow to the new treatment plant and the existing drainage run to the septic tank as well as the tank itself would become redundant. For safety reasons the existing tank would be pumped clear and infilled with spoil, thus taking it out of use. This is the common, acceptable and safe solution, especially in light of potential difficulties and contamination risk linked to the removal of the underground tank from the steep slope of the site.

Point 2: Ask the Environment Agency to consider the specific biomedical contamination impacts of a care home (the potential for effluent to contain a high proportion of medicines);

- 3.3 The Environment Agency have confirmed that the use of Parkwood House is as an assisted living facility, not a care home. The Environment Agency have confirmed that the permit is conditional with these conditions designed to avoid any pollution. There is no indication that the use cannot and the applicant would not adhere to the conditions in the permit and in the event that the discharge fails to meet the specifications in the permit, or causes an environmental pollution, the impact would be addressed and action taken as necessary.

Point 3: Investigate how the generator backup system is managed to maintain connections to the pump house because of the sensitivity of the chalk streams and the River Len;

- 3.4 The applicant has submitted an email from the Technical Sales Director of the equipment manufacturer stating the following:

'In accordance with UK Building Regulations part H2 all sewage treatment plant are required to continue to treat the waste for up to 6 hours in the event of a power failure'.

- 3.5 At the committee on the 29 April 2019, an individual member expressed concern that a power cut could lead to unsightly material floating in a lake/river as had happened elsewhere. The applicant has clarified that this wouldn't be the case in terms of the current proposal as the outflow would discharge onto the drainage field and not a watercourse. Should there be a power cut, all solids would be retained in the tank in any case.

- 3.6 Notwithstanding this information, the applicant would also like to confirm that the power supply to the site as a whole will be upgraded as part of the conversion of the property which would make a power supply failure less likely.

Point 4: Ask Natural England whether it has any concerns regarding the potential impact of the development on watercourses and ecology;

- 3.7 Following deferral Natural England were asked for additional comments and they referred to standing advice which included advice to contact KCC Ecology for their views. The response from KCC Ecology is that they have no knowledge of protected species in this area, which is in line with the separate Environment Agency response.

Point 5: Ascertain distances to watercourses/bodies (ponds and streams) (Condition 2.3.1 of the Environment Agency Permit EPR/LB3798VP) and seek further clarification from various consultees as to whether any adverse impacts arise from that proximity, including the potential impact on white-clawed crayfish and the Desmoulin's whorl snail;

- 3.8 It should be noted that the discharge from the treatment plant is to land and not to the watercourse.
- 3.9 The Environment Agency have confirmed that the separation distance (in excess of 100 metres) is a sufficient distance from watercourses to make it unlikely that the proposal would create any issues. This relationship was assessed before issuing a permit on 20.02.2019 (referenced EPR/LB3798VP/A001).
- 3.10 The permit issued by the Environment Agency is conditional with condition 2.31 stating, 'The infiltration system specified in table 51.1 shall be constructed to comply with the following:...The infiltration system shall not be situated within 10 metres of any watercourse (including any ditch that runs dry for any part of the year) or any other surface water. With the condition on the permit, the advice from the Environment Agency is that 10 metres separation is sufficient to avoid future issues, with the actual proposed separation distance of over 100 metres.
- 3.11 The Environment Agency have confirmed that there are no records of Whorl Snails and White Clawed Crayfish in the lake or the stream below the application site. If these species are found the Environment Agency request that this is reported to the Kent and Medway Biological Records Centre (KMBRC). This information would then be collected and made available for planning and development purposes.

Point 6: Seek the advice of Building Control regarding the management of the drainage field.

- 3.12 The Building Control Section have explained that in a similar manner to other development such as a new house, if planning permission is approved a separate future application would be required in relation to the Building Acts. This application is made either to the council or an approved contractor.
- 3.13 Building Control have advised that the assessment already carried out by the Environment Agency and the issuing of the permit can provide members with reassurance and in these circumstances, the chances of the development proposal not being acceptable under the Building Acts were minimal. Should the drainage field fail, the Environment Agency would take the appropriate action to ensure that the owner of the property takes responsibility.

4.0 CONCLUSION

- 4.1 The proposal would not result in any unacceptable environmental issues to warrant refusal of the application.

4.2 The site specific impacts have been assessed and there are no issues that would suggest the site either would not be suitable for the development or that the site cannot accommodate the proposed development. The proposal has been considered by the Environment Agency, Natural England and KCC Ecology and no objections raised.

4.3 The proposal accords with the development plan and other material considerations weigh in favour of the development. It is recommended that permission is granted subject to the imposition of the appropriate planning conditions.

5.0 **RECOMMENDATION**

GRANT PLANNING PERMISSION Subject to the following planning conditions:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the planning and Compulsory Purchase Act 2004.

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

05 Dec 2018 07 Rev 2 Location Plan

29 Mar 2019 Arboricultural Report

29 Mar 2019 190012-2 B Arboricultural Impact Plan

29 Mar 2019 Environment Agency Permit

14 Jun 2019 Site plan

Reason: To clarify which plans have been approved.

3) The use of the water treatment plant hereby permitted shall not commence until the groundworks have been completed, including backfilling of any excavations and restoration to previous levels, and finished with seeding or turfing similar to the remaining garden area has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of the property, or use of the land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

4) The developer shall arrange for a watching brief to be undertaken by an archaeologist approved by the local planning authority so that the excavation is observed and items of interest and finds are recorded. No works shall start on site until a written programme and specification for the work has been submitted to and approved by the local planning authority;

Reason: To enable the recording of any items of historical or archaeological interest.

5) The use of the treatment plant shall be in accordance with a maintenance schedule that has been submitted to and approved in writing by the local planning authority prior to first use.

Reason: To ensure no harm to the natural environment as a result of faulty equipment

INFORMATIVES

1) The applicant is advised to contact Southern Water if any infrastructure is found during the course of development works at Sparrowgrove House Sparrowgrove,

Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or
www.southernwater.co.uk".

- 2) Applicant is advised to comply with the Mid Kent Code of Development Practice

Case Officer: Jocelyn Miller