

Agenda Item	A9
Application Number	22/00284/FUL
Proposal	Installation of sewage treatment plant
Application site	Sunderland Point Mission Heritage Centre The Lane Sunderland Point Morecambe
Applicant	Mission Heritage Centre Trust
Agent	Mr Nigel Atkinson
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Approval (Subject to no objection from Natural England)

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the application was called in by Councillor Gardiner who requested the application to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 Sunderland Point Mission Heritage Centre is a Grade II listed former mission church dating back to 1894. The building was designed by Austin and Paley and illustrates the process of spreading the Church of England mission to remote coastal locations during the late 19th century and early 20th century. The building is rectangular in shape and has been constructed from local Claughton red brick with a Westmorland slate roof. Its use as a Church has recently ceased with the building now under the ownership of the Mission Heritage Centre Trust. The building stands as an independent structure on the south side of 'The Lane' and is bounded by open fields to the south and east. The site forms part of Sunderland Point Conservation Area and is designated as Open Countryside

2.0 Proposal

2.1 This application seeks consent for the installation of a package treatment plant. The plant measures approximately 2.2m x 1.85m with a diameter of 2.45m and is located approximately 3.25m away to the south west of the Church. The cover to the tank will be approximately 0.25m in height with a control panel 0.6m in height. The plant will connect to a new and existing pipe and drain outlet which connects to Morecambe Bay. The treatment plant is required to facilitate the changes and inclusion of the toilets and small kitchen under the 21/01588/LB application.

2.2 There are no proposals to include any landscaping or alterations to the access as part of this application.

3.0 Site History

3.1 Relevant planning history includes:

Application Number	Proposal	Decision
21/01588/LB	Listed Building application for internal alterations to provide kitchen and wc's including new treatment plant, reset floor levels, works to the ceiling, insulation, new partition doors, architraves, skirting and relocation of wall panel	Pending Consideration

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees. The application is currently undergoing a re-consultation due to the submission of amended plans. The new consultation expiration date is the 12 July 2022. Any further representations will be provided to committee members prior to being presented at planning committee.

Consultee	Response
Parish Council	No objection
British Pipeline Agency	No response
Conservation Team	No objection (Officer did seek clarification over the detail of connection with the listed building in terms of waste/soil pipes)
Engineers	No objection (Subject to the inclusion of the details of the foul drainage system)
Natural England	Further information required (NE requested a revised drainage plan in order to provide comments on the application). Comments will be reported verbally to councillors.
Shell	No objection
United Utilities	No response

4.2 Public representations – 2 letters of support and 17 letters of objection have been received as part of this application. The comments are summarised as follows:

4.3 Letters of support:

- Proposal would secure long term viability of the building

4.4 Letters of objection:

- Not clear of intended use/tourism impacts
- Increased demand to deal with waste water
- Lack of/improper consultation
- Inaccurate description/use of building
- Increased vehicular traffic/impact on emergency vehicles/not suitable for numerous vehicles
- Increased vehicular parking
- Lack of parking facilities/no vehicular rights to the site
- Impact on internationally protected sites
- Biodiversity/lack of reports
- Change of use/intensified use of building and potential impacts on residential amenity
- Impact on the grade II listed building/lack of detail within the submitted heritage statement
- Proposal not justified
- Premature application
- Inaccurate plans (double gate indicated rather than a single gate)
- Lack of details of proposal/potential impact on LB
- Lack of details of surface water and general binding rules
- Existing toilets within the area

- Incorrect red edge on location plan
- Incorrect information on application form/no existing parking arrangements
- Application should not be determined prior to the listed building consent

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Impacts on Listed Building and Conservation Area
- Drainage/waste water
- Biodiversity and internationally designated sites
- Other Matters

5.2 **Impacts on Listed Building and Conservation Area (Sections 16 and 72 of the Listed Buildings and Conservation Area Act; Policies SP7 and EN3 of the Strategic Policies and Land Allocations DPD; Policies DM29, DM30, DM37, DM38, DM39 and DM46 of the Development Management DPD, and Sections 12 and 16 of the NPPF:)**

5.2.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal. This is reiterated by the relevant heritage policies in the Development Plan DPD.

5.2.2 The proposed location of the package treatment plant is located to the rear of the building approximately 3.25m away. The plant is relatively minor in scale with the majority of it contained below ground with only a small section visible above. The tank will also be surrounded by small scale shrubs/hedgerows which will provide further screening resulting in it appearing unobtrusive when passing along The Lane. Details of the finished colour have not provided but this can be conditioned to ensure a sensitive and appropriate finish. For these reasons, it is considered that the character of the listed building and wider Conservation Area will be preserved.

5.2.3 The Conservation Officer raised no objection to the principle of the development and foresaw no issues in terms of the setting of the listed building. They did seek clarification over the connection between the plant and listed building, but this is considered to fall outside of the remit of a full planning application but may require a further listed building consent application.

5.3 **Drainage/waste water (Policies DM29, DM35 and DM36 of the Development Management DPD and Section 12 of the NPPF)**

5.3.1 Policy DM35 requires new development to adhere to the National Planning Practice Guidance for sewerage infrastructure, which includes the following prioritised hierarchy:

- A. Connection to the public sewer;
- B. A package sewerage treatment plant; or lastly
- C. The provision of septic tanks.

There are no public sewers in Sunderland Point, so this remains an unviable option. As such, the proposal conforms to the waste water treatment hierarchy outlined above. The plant will connect to a new 100mm pipe which will connect to the existing 100mm field drain, approximately 120m to the south. This existing drain extends 150m to the east and connects to Morecambe Bay/River Lune.

The plant is relatively minor in scale and the utilities statement anticipates that usage will equate to less than a single dwelling (6 persons). No details have been provided of the proposed outfall to the existing watercourse, but it is not expected to be significant given the small scale of both the building and plant. The plant's location away from neighbouring properties will ensure that any noise and odour will not be detrimental to the amenity of the area or surrounding properties. The Council's Engineers department raised no objection to the scheme but requested the inclusion of a condition requiring a foul water drainage layout plan, details of the proposed outfall to the existing watercourse

and details of any works required to ensure adequate discharge of treated foul water without causing flooding or pollution. Officers are in agreement with such a condition to be imposed.

As reasoned above, the proposal follows the prioritised hierarchy outlined in DM35 and with the inclusion of the condition listed above, the Council can be reasonably satisfied that the proposal will result in an effective and efficient disposal of wastewater and will not have a detrimental impact on water run-off into nearby waterways.

5.4 **Biodiversity and internationally designated sites (Policy SP8 of the Strategic Policies and Land Allocations DPD; Policies DM36 and DM44 of the Development Management DPD and Section 15 of the NPPF)**

5.4.1 The application site lies approximately 150m away from the European designated sites of Morecambe Bay and the Lune Estuary which is designated as a Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar site and Site of Special Scientific Interest (SSSI). As a result of the proximity of the application site to these designated sites, a proportionate Habitats Regulations Assessment (HRA) is required to assess any impacts from the proposal on these protected sites, this report is contained within a separate document and has been sent to Natural England for comment.

5.4.2 The report concluded given the small scale of the development and building that it serves, it is unlikely to have any significant impacts on these protected sites even when considering the in combination effects. As the proposal would not result in any significant impacts on these protected sites, it is considered that likely significant affects can be ruled out and as such, an Appropriate Assessment is not required.

5.4.3 The site is within 60m of two ponds and as per the Council's Validation Guide a Great Crested Newt (GCN) Survey is required. This is proportionate to the scale and scope of the development. The survey concluded that given the below average pond suitability, landscape fragmentation and poor terrestrial habitat adjacent to the pond, the risk of the use of ponds by GCN is very low.

5.4.4 Nevertheless, the survey included a rapid risk assessment tool issued by Natural England which assumes that GCN are present in both ponds. Even in the unlikely event that GCN were present in both ponds, the assessment concluded that the likelihood of committing an offence is highly unlikely. Even though the risk assessment states an offence is highly unlikely, the report included a number of mitigation measures to reduce the risk even further. By conditioning these measures the LPA can be reasonably satisfied that the proposal will not have an adverse effect on this protected species and therefore complies with policy DM44.

5.4.5 Natural England requested further information in the form of drainage details and have been consulted on amended plans. A written update will be provided once the response from Natural England has been provided. It is considered that these details would be covered by the condition requested by the Council's Engineers department and Natural England would be able to be consulted as part of any discharge of condition submission.

5.5 **Other matters**

5.5.1 A number of comments have been received by the LPA relating to the listed building and conservation area, residential amenity drainage and biodiversity and these have been considered in the paragraphs above.

5.5.2 In relation to the other comments, it should be noted that this application simply relates to the installation of a package treatment plant and not any perceived future use. Many of the comments relating to parking, highway safety, the use of the building, existing toilet facilities in the vicinity are not material considerations in the determination of this planning application.

5.5.3 Comments relating to improper information on the form and plans have been noted and this has been corrected through the course of the planning application. Once this became clear, the application was made 'invalid' and consultee and neighbours were reconsulted once the additional information was provided. The agent has also confirmed that notice has also been served on the relevant land owners. Comments relating to the gate are again not particularly relevant to this

planning application. The application does not mention any alterations to the access or parking arrangements, nor is it mentioned in the description of the works.

- 5.5.4 The application has been submitted with the associated listed building application (21/01588/LB) in order to facilitate the internal changes. Consequently, comments relating to the prematurity and lack of justification of this application are considered to be unfounded. Finally, any increase from surface water run-off is considered to be de-minimus and as such will not have any significant impacts on the surrounding area.

6.0 Conclusion and Planning Balance

- 6.1 In conclusion, the proposal will have a neutral impact on the character of the listed building and wider conservation area. The proposal also follows the prioritised drainage hierarchy and will help facilitate the conversion and long term future of the listed building. Finally, subject to the conditions outlined in the report, the proposal will not have any significant impacts on the European designated sites. Consequently, the proposal is considered to comply with the local plan and national policies when read as a whole and is therefore recommended that the committee members approve the application.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescales	Control
2	Development to accord with plans	Control
3	Prior to installation details of finish/colour	Pre-commencement
4	Prior to installation details of foul drainage system	Pre-commencement
5	Protected species mitigation measures	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None