

**North Yorkshire Council**

**Community Development Services**

**Skipton and Ripon Area Constituency Planning Committee**

**5 MARCH 2024**

**ZC23/03155/FUL - PROPOSED SEWAGE PUMPING STATION, MANHOLES, GRAVITY SEWERS, PUMPED SEWAGE RISING MAIN AND ASSOCIATED INFRASTRUCTURE TO LINK WITH EXISTING PUBLIC FOUL SEWER IN NORTON-LE-CLAY. THE CLOSE DISHFORTH AIRFIELD THIRSK NORTH YORKSHIRE YO7 3DE ON BEHALF OF ANNINGTON PROPERTY LTD**

**Report of the Assistant Director – Planning**

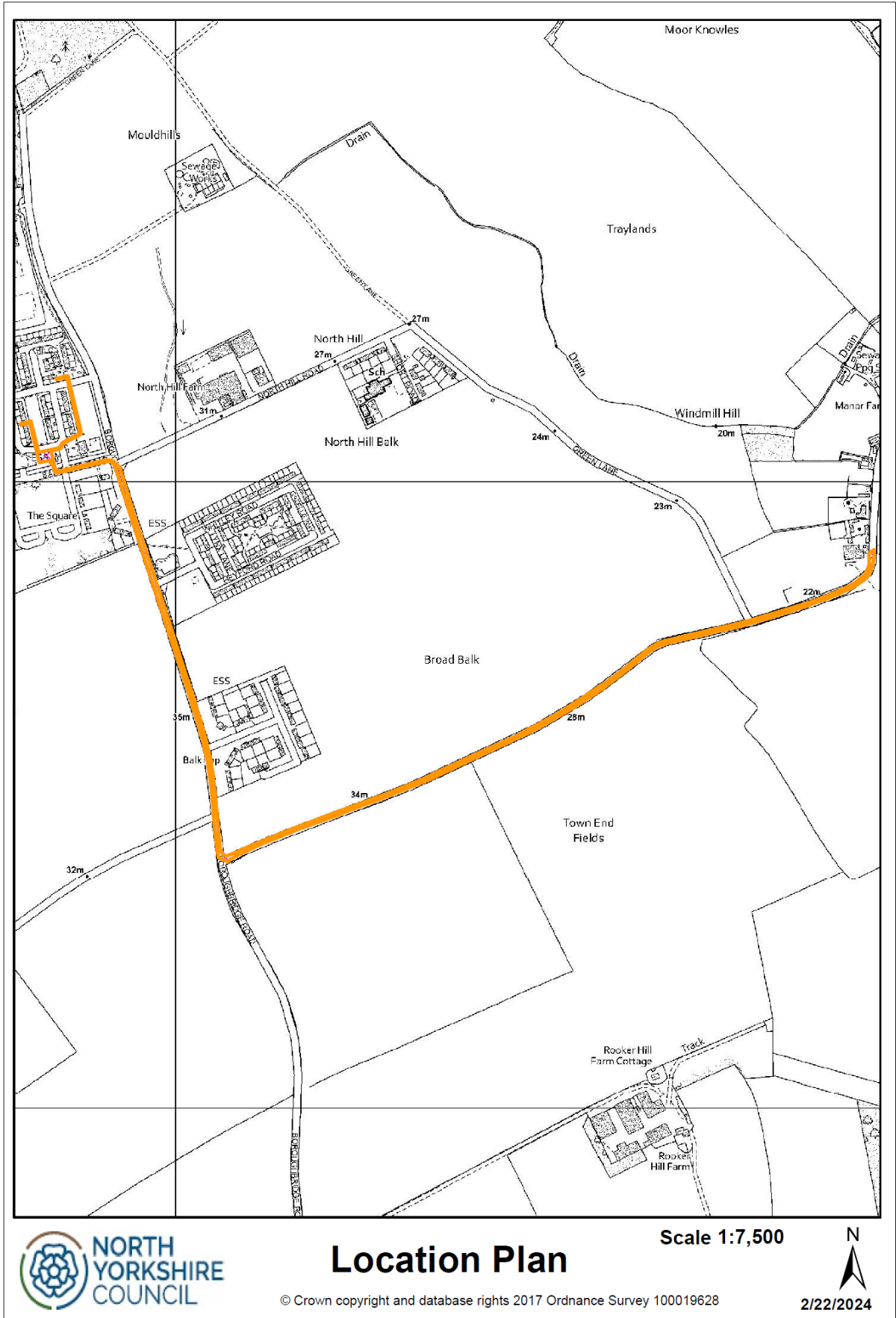
**1.0 Purpose of the Report**

- 1.1 To determine a planning application for Proposed sewage pumping station, manholes, gravity sewers, pumped sewage rising main and associated infrastructure to link with existing public foul sewer in Norton-le-Clay on behalf of Assistant Director – Planning
- 1.2 This application is brought to the Planning Committee at the request of the Division Member

**2.0 SUMMARY**

**RECOMMENDATION: That planning permission be granted subject to the conditions given below**

- 2.1. The proposal seeks to provide a foul drainage system for thirty privately owned dwellings within the Dishforth Airfield married quarters. This is separate to the existing private MOD foul sewerage network and treatment works
- 2.2. The works involve the provision of a pumping station and a discharge toward the waste treatment plant that is situated to the north of Norton-le-Clay.
- 2.3. The proposal has been amended to mitigate the impact on the existing sewerage system in Norton-le-Clay and the pumping station, accepting of its utilitarian nature, is appropriate with no undue harm being caused on neighbouring residents by any part of the proposal.



**3.0 Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found [here:-](#)
- 3.2 The proposal has been modified with regard to the location of the connection of the proposed foul sewer within the Yorkshire Water network.

#### **4.0 Site and Surroundings**

- 4.1. The application concerns various sections of land and roadways at Dishforth Airfield and along Broad Balk Lane to Norton-le-Clay.
- 4.2. Amongst the married quarters thirty of dwellings are privately owned. All are served by the existing private MOD foul sewerage network and treatment works.

#### **5.0 Description of Proposal**

- 5.1 It is stated that “Due to the properties no longer being used by the MOD and therefore being privately owned, there is a legal obligation to remove these properties from the private MOD foul sewerage network and provide a connection to the public Yorkshire Water foul sewer network.”
- 5.2 The proposal therefore, is to provide new underground gravity sewers and manholes to separate the 30 properties from the existing private network. The sewerage will be piped at 1.39 litres/second to a new pumping station compound situated above ground, on land to the south of dwellings, east of a playground, and surrounded by a 1.8m high green steel palisade fence. The actual peak flows are stated to be around 0.58 litres/second.
- 5.3 The sewerage will then be pumped by underground pipe to connect into the Yorkshire Water system in Norton-le-Clay. That originally was shown as being linked at the southern end of the village but now is to be extended to link at the point of divergence of the existing sewerage system from Broad Balk Lane to the wastewater treatment works to the north of the village.

#### **6.0 Planning Policy and Guidance**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

##### Adopted Development Plan

- 6.2. The relevant Adopted Development Plan for this site is:
- The Harrogate District Local Plan 2014-2035
  - Emerging Development Plan – Material Consideration

6.3. The Emerging Development Plan for this site is listed below.

- The North Yorkshire Local Plan. No weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

6.4. Relevant guidance for this application is:

- National Planning Policy Framework 2021
- National Planning Practice Guidance

**7.0 Consultation Responses**

7.1. The following consultation responses have been received and have been summarised below.

7.2. **Norton-le-Clay Parish Council:** Object.

Norton le Clay has a combined top water and foul drain, not a full sewerage drain. At present, only septic tank discharges are put into the combined sewer. This still results in very bad smells from the road gullies, especially in summer.

The combined sewer adjacent to Norton House Farm where the connection from the Airfield is planned to be made, is very flat and needs regular jetting to keep flowing. That section only ever carries rainwater as no septic tanks join the system until further down the village. If untreated sewerage is added at the proposed starting point, the drain will block, as it is so flat and the road in Norton le Clay will become an open sewer. The height differential between the Airfield and the Village will only make this worse.

Members of the Parish Council are very concerned that if this system is constructed, many more houses in the future will be connected to it from the Airfield. The Councillors also wonder how the Ministry of Defence can sell houses and then disconnect them from their own very good sewerage works.

7.3. **Yorkshire Water Services Limited:** Do not object.

7.4. Consider in principal the scheme to be acceptable and can be appropriately modified by conditions attached to a permission. They require the peak pumped rate of foul water discharge into their sewer not to exceed 4.75 litres per second.

7.5. Separately have advised the receiving wastewater treatment works does have capacity to accept the additional foul water. State the connection is not online

within any combined water outfalls to watercourse or the sea, so should not have any impact on the duration of sewage discharges to those locations.

### Local Representations

- 7.6. A letter of representation was received from one author, reiterating the Parish Council comments and noting the sewer is totally blocked.

## **8.0 Environment Impact Assessment (EIA)**

- 8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

## **9.0 Main Issues**

- 9.1. The key considerations in the assessment of this application are:
- Principle of development
  - Amenity
  - Design

## **10.0 ASSESSMENT**

### Principle of Development

- 10.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.2. The Harrogate District Local Plan 2014-2035 was adopted by the former Harrogate Borough Council in March 2020.
- 10.3. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions

### Amenity

- 10.4. Local Plan Policy HP4 'Protecting Amenity' notes development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours. It notes that such

considerations will include odour. The NPPF, at para 135, requires a high standard of amenity for existing and future users.

- 10.5. Local Plan Policy CC1 'Flood Risk and Sustainable Drainage' advises development proposal will not be permitted where, amongst another matter, they increase the risk of flooding elsewhere.
- 10.6. This application has clearly raised local concern in Norton-le-Clay due to issues with the existing sewerage system. The applicant, in discussion with Yorkshire Water agreed to relocate the point of discharge, so that the only section of the existing Yorkshire Water system to be used is the c.100m length from Broad Balk Lane to the wastewater treatment works, rather than also a section of around 1.9km under Broad Balk Lane.
- 10.7. The added outfall into that wastewater treatment works has been confirmed as being acceptable by Yorkshire Water, subject to the precise details being confirmed by way of a condition.
- 10.8. The new foul sewer would potentially allow for future improvements to be made to the local sewerage system in the village.
- 10.9. Given the dwellings to be served are existing, it is not considered necessary to include the Yorkshire Water conditions that requires no buildings to be occupied or brought into use prior to completion of the approved foul drainage works.
- 10.10. The proposed pumping station has been confirmed by the applicant's agent as not expected to produce any odours at all. A dosing unit would dose sodium nitrate, or calcium nitrate, to the sewage at source in the pumping station wet well; both chemicals do not produce odours. That chemical dosing unit is a standard arrangement for pumping stations, with long rising mains to prevent septicity.
- 10.11. The wet well itself is sealed but will have a small (75mm diameter) vent pipe fitted with a charcoal-filled odour control cylinder, to allow air in and out for incoming sewage flows that displace air and to replace air when the wet well is vacated by the pumps. The latter is not a standard Sewers for Adoption requirement, but at the agent specifies these on all pumping stations for which they design and manage the construction of to ensure the pumping stations are as odour free as they possibly can be.
- 10.12. It is therefore considered no undue harm to amenity will arise from the proposal.

### Design

10.13. Local Plan Policies HP3 'Local Distinctiveness' and NE5 'Blue and Green Infrastructure' amongst their requirements require high quality building respecting spatial qualities to a high standard. The NPPF encourage good design (para 131) and that is ensured that developments function well and add to the overall quality of the area (para 135).

10.14. The most noticeable element of the proposal is the pumping station with two kiosks and a cylindrical, curved top dosing unit just slightly higher the palisade fence that would surround it, along with a 4m high floodlight, for emergency use.

10.15. In terms of a utilitarian installation, the proposal is relatively neat.

## **11.0 PLANNING BALANCE AND CONCLUSION**

11.1. The proposal has been amended to mitigate the impact on the existing sewerage system in Norton-le-Clay and the pumping station, accepting of its utilitarian nature, is appropriate with no undue harm being caused on neighbouring residents by any part of the proposal.

## **12.0 RECOMMENDATION**

12.1 That permission be granted subject to the conditions below

### **Recommended conditions:**

#### **Time Limit**

1 The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **Approved Plans**

2 Development shall be carried in strict accordance with the following drawings as modified by the further conditions of this permission:

P156-02-3001 Rev P2 Location Plan 1 of 3 dated 18/01/24

P156-02-3002 Rev P2 Location Plan 2 of 3 dated 18/01/24

P156-02-3003 Rev P2 Location Plan 3 of 3 dated 18/01/24

P156-02-3005 Rev P1 Proposed Plan & Elevations dated 23/08/23

P156-02-3006 Rev P1 Proposed Compound Plan dated 23/08/23

Reason: For the avoidance of doubt.

**Yorkshire Water required condition**

- 3 No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the Local Planning Authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul water discharges take place until proper provision has been made for their disposal.

**INFORMATIVE**

In respect of condition 3 Yorkshire Water Services Limited require the connection point to be shown on a mapped section of public sewer and the rate of discharge indicated.