



## Report from the Head of Development Management to Development Control Committee

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**Application number:** 7/2026/5112

**Application type:** Full Planning application

**Applicant:** Mr Neil Stephenson

**Location:** Land to the south east of Sunny Bank Cottage, Little Langdale, Ambleside, LA22 9PA

**Grid reference:** 331577, 503292

**Proposal:** Replacement of existing septic tank with sewage treatment plant installation

**Report prepared by:** Chris Kempster, Planner

**Report agreed by:** Neil Henderson, Planning Manager

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### Recommendation: **APPROVE with conditions**

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#### 1 About this report

- 1.1 The case planner has prepared this report, assessment and recommendation taking into account our policies (known as the Development Plan), written representations we have received, and any other material considerations.
- 1.2 Material considerations are things that are relevant to our decision making and which we are able to take into account – for example site specific factors, or Government planning policy (the National Planning

Policy Framework) and Government planning guidance (the National Planning Practice Guidance).

- 1.3 The Development Control Committee will determine the application at its meeting having regard to the provisions of the Development Plan, representations we have received, and all other material considerations, following a verbal and visual summary of the application by the case planner and, where applicable, after hearing any verbal representations made in accordance with our Policy for Public Speaking at Meetings.
- 1.4 Most applications are decided under powers delegated to the Head of Development Management. A small number of significant or more contentious applications are considered by our Development Control Committee as set out in our Scheme of Delegation.

## **2 Background and proposals**

- 2.1 I am reporting this application to Committee because the field where the proposed treatment plant would be located is owned by a close relative of a member of staff of the Lake District National Park Authority. The dwelling to be served by the treatment plant is not owned by the relative.
- 2.2 Planning permission is sought for the replacement of the existing septic tank, serving the dwelling known as Sunny Bank Cottage, with a new package treatment plant. The treatment plant would be installed at the same location within the field, and be connected to the existing foul drain from the dwelling. A new 100mm uPVC discharge drain would connect the treatment plant to the existing culvert, which would then discharge to the nearby watercourse. A construction method statement has been provided with the application.
- 2.3 The proposed field where the treatment plant and discharge drain would be located is within the Wilson Place Meadows Site of Special Scientific Interest (SSSI) and the North Pennine Dales Meadows

Special Area of Conservation (SAC). The site is designated as herb-rich hay meadow and is one of only 4 other hay meadow SSSI's in Cumbria. Hay meadows are significantly impacted by phosphorus (P) and nitrogen (N) which are key nutrients influencing their overall biodiversity, with high levels leading to a decline in plant species.

### **3 Consultations**

3.1 Lakes Parish Council – No objections.

3.2 Natural England

Natural England welcome the removal of this septic tank from the designated site and advise that a robust decommissioning plan is secured through Condition once the licensed contractor for its removal is appointed. This will need to include stringent pollution prevention measures and timing of the works after the final hay-cut and removal in August or September.

Initially Natural England advised that installing a sewage system within the designated site would have a Likely Significant effect (LSE) on this SAC. Therefore, the proposal should first look at an alternative location for the new PTP outside of the SAC boundary.

They also stated that if the new PTP does need to be situated inside the designated site boundary it should be situated at the edge of the field to minimise ground disturbance and allow easier access for routine ongoing maintenance. A higher specification of tank will also be required – a biological system that specifically treats N and P to ensure the discharge of these nutrients into the SAC habitat is reduced'.

Following further discussions with Natural England and the applicant, Natural England agreed that a condition which restricted the treatment plant to a maximum Nitrogen discharge of 10mg/l and a maximum

Phosphorus discharge of 3mg/l would ensure no harm was caused to the SSSI and SAC from the treatment plant discharge.

#### **4 Representations**

4.1 No letters of representation have been received.

#### **5 Development plan policies and other relevant guidance**

5.1 The relevant Development Plan comprises:

- The Lake District National Park Local Plan 2020-2035

5.2 The following Lake District National Park Local Plan policies are relevant to this application:

- Policy 01: National and international significance of the Lake District
- Policy 02: Spatial strategy
- Policy 04: Biodiversity and geodiversity
- Policy 05: Protecting the spectacular landscape
- Policy 06: Design and development

- Design Code Supplementary Planning Document

5.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in the determination of planning applications.

5.4 There is no community plan in this area.

#### **6 Main issues and assessment**

6.1 The main issues in this assessment are:

- Principle
- Character and appearance of the area

- Impact on biodiversity

### **Principle**

- 6.2 The proposed site is located within the open countryside. Local Plan Policy 02 states that we will only support proposals for development in the open countryside where the application demonstrates, among other things an essential need for a rural location.
- 6.3 in this case the plant is required to serve an existing house in the open countryside and therefore the proposed development would comply with Local Plan Policy 02 in principle.

### **Character and appearance of the local area**

- 6.4 The existing septic tank would be removed, and the new treatment plant would be located underground in the same position. The new discharge drain would also be installed underground connecting the treatment plant to the existing culvert. In the construction method statement, it states that the soil and grass would be removed to install the treatment plant and drain, and then put back on top. The only element of the treatment plant which would be visible above ground would be the access hatch.
- 6.5 The proposed treatment plant would be located approximately 14 metres from public viewpoints from the nearby road, and therefore any views of the access hatch of the treatment plant would be minimal. In the National Park it is not uncommon for septic tanks or package treatment plants to be installed in fields adjacent to dwellings.
- 6.6 The proposed treatment plant would therefore cause no harm to the character and appearance of the local area, and would comply with Local Plan Policy 05 and 06.

### **Impact on biodiversity**

- 6.7 The existing septic tank, and therefore the new package treatment plant, would be within the Wilson Place Meadows Site of Special Scientific Interest (SSSI), which is part of the North Pennine Dales Meadows Special Area of Conservation (SAC).
- 6.8 The existing septic tank discharges to a surface water culvert within the site, and as such, is operating outside of the Environment Agency's permitting regulations which came into force in 2020. These require septic tanks discharging to surface water to be upgraded to package treatment plants or to discharge to ground instead. Therefore, the septic tank needs to be removed and replaced with the less polluting package treatment plant.
- 6.9 Natural England were consulted as part of the application and stated that they support the replacement of the existing septic tank with the package treatment plant, but that as the existing system is not operating legally, then the proposed package treatment plant should be considered as a new discharge. Under the Habitats Regulations, Natural England advise that installing a sewage system within the designated site would have a likely significant effect on this SAC. Alternative locations outside the designated site should therefore be considered first. The applicant has confirmed that due to the steep relief of the back garden, there would be no other suitable location for the package treatment plant other than within the proposed field where the existing septic tank would be located. I have no reason to disagree with this conclusion.
- 6.10 Natural England also initially stated that if the new package treatment plant must be situated inside the designated site boundary, it should be placed at the edge of the field to minimise ground disturbance and allow easier access for routine ongoing maintenance.
- 6.11 While I understand the reasons for this advice, placing the treatment plant in the same location as the existing tank would ensure a lower level

of excavation and disturbance, compared to a new location. In addition, the proposed treatment plant would be connected to the existing foul drain from the house, avoiding the need to dig a new trench for a new foul pipe. The location selected is only 14 metres away from the road, and therefore easily accessible for maintenance. I therefore consider that the proposed location is the best available location. Natural England are now content with this approach.

6.12 Natural England also stated that a higher specification of tank than initially proposed would be required to minimise impact on the protected site. They suggest a biological system that specifically treats Nitrogen and Phosphorus to ensure the discharge of these nutrients into the SAC habitat is reduced. They are content that this can be controlled by condition, as am I.

6.13 To conclude, the proposed septic tank requires replacing as it fails to adhere to the Environment Agency standards and is at risk of significantly polluting the SAC. Its replacement with a treatment plant which specifically reduces Nitrogen and Phosphorus discharge levels, would be a significant betterment to the existing situation. The location proposed would minimise the excavation required and would require less disturbance within the SSSI and SAC.

6.14 Subject to the suggested condition, I consider that the proposed development would not harm the protected sites and would comply with Local Plan Policy 04.

## **7 Conclusion**

7.1 Having regard to the provisions of the Development Plan, in particular Lake District National Park Local Plan policies 01, 02, 04, 05 and 06, and other material considerations (including the provisions of the NPPF and the Conservation of Habitats & Species Regulations 2017) the

development is considered to be acceptable, subject to the conditions recommended.

## **8 Conditions**

- 8.1 A standard time limit of three years within which the development must begin is imposed by section 91 of the Town and Country Planning Act 1990.
- 8.2 I recommend a condition requiring the development to be carried out in accordance with the plans and details which form part of the planning application submission.
- 8.3 I also recommend a condition ensuring that the package treatment plant approved has a maximum Nitrogen discharge of 10mg/l and a maximum Phosphorus discharge of 3mg/l. This is due to the location of the plant within the Site of Special Scientific Interest and Special Area of Conservation.

## **Recommendation: APPROVE with conditions**

### **Conditions/Reasons**

- 1 The development hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

REASON: Imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details:
- Location Plan drawing number 6213-01A
  - Proposed Site Plans drawing number 6213-02A
  - Construction Method Statement prepared by Envirotech, ref.

AWG/9966, dated 06 October 2025

REASON: For the avoidance of doubt.

- 3 The package treatment plant, hereby permitted, shall have a maximum discharge of 10mg/l for Nitrogen and 3mg/l for Phosphorus.

REASON: To prevent an excess of Nitrogen and Phosphorous being discharged into the Site of Special Scientific Interest and Special Area of Conservation.

### **NPPF decision notice requirements**

Town and Country Planning (Development Management Procedure) (England) Order 2015 Article 35(2) statement.

The Local Planning Authority have worked with the applicant in a positive and proactive manner by seeking solutions to problems arising in relation to dealing with the application by selecting a suitable treatment plant to cause no harm to the SSSI and SAC.

### **Background papers**

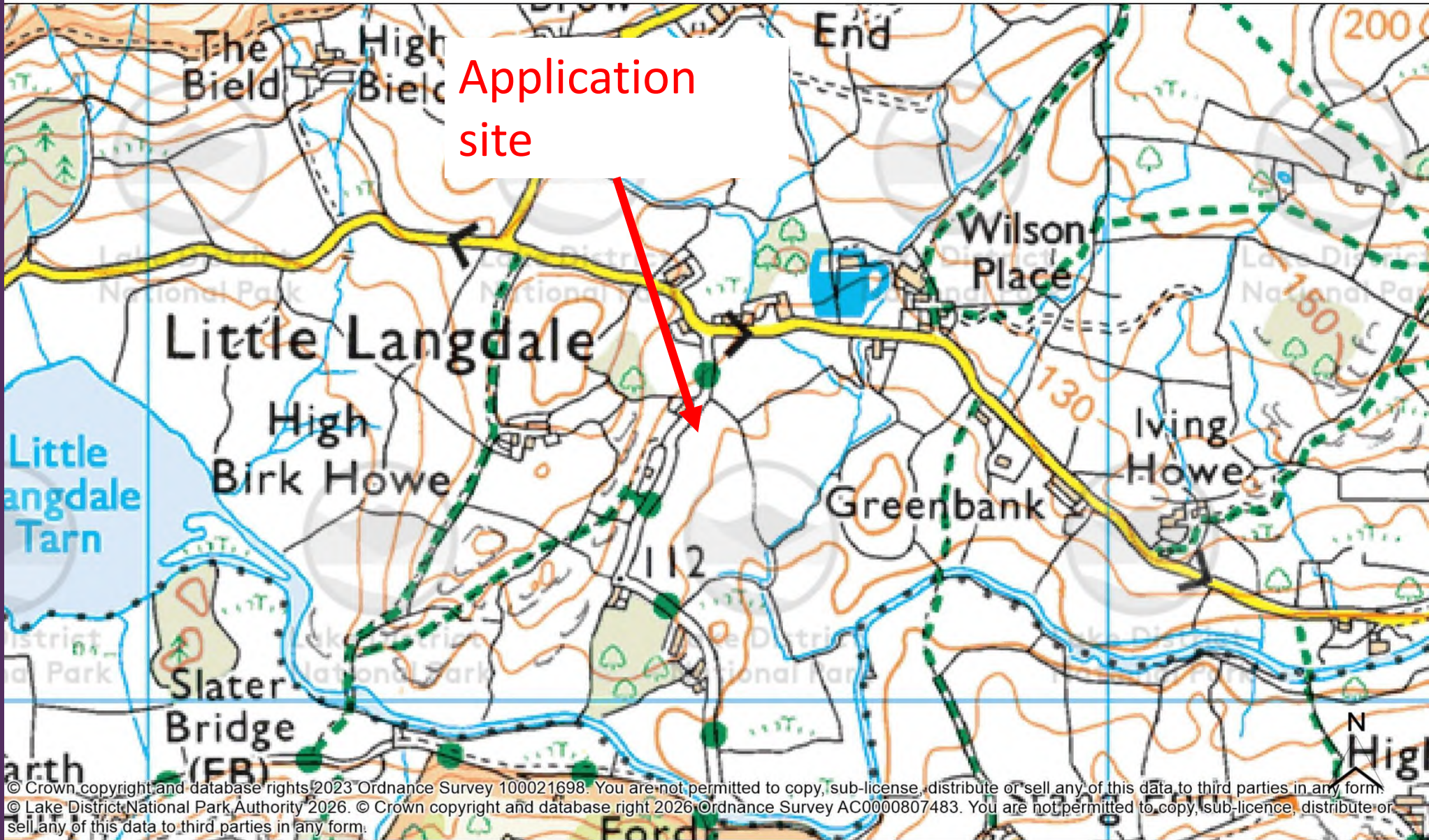
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2026/5112

Land to the south east of Sunny Bank Cottage,  
Little Langdale, Ambleside, LA22 9PA

Replacement of existing septic tank with  
sewage treatment plant installation

## Location Plan



Produced by Chris Kempster for Development Control Committee planning presentation only.

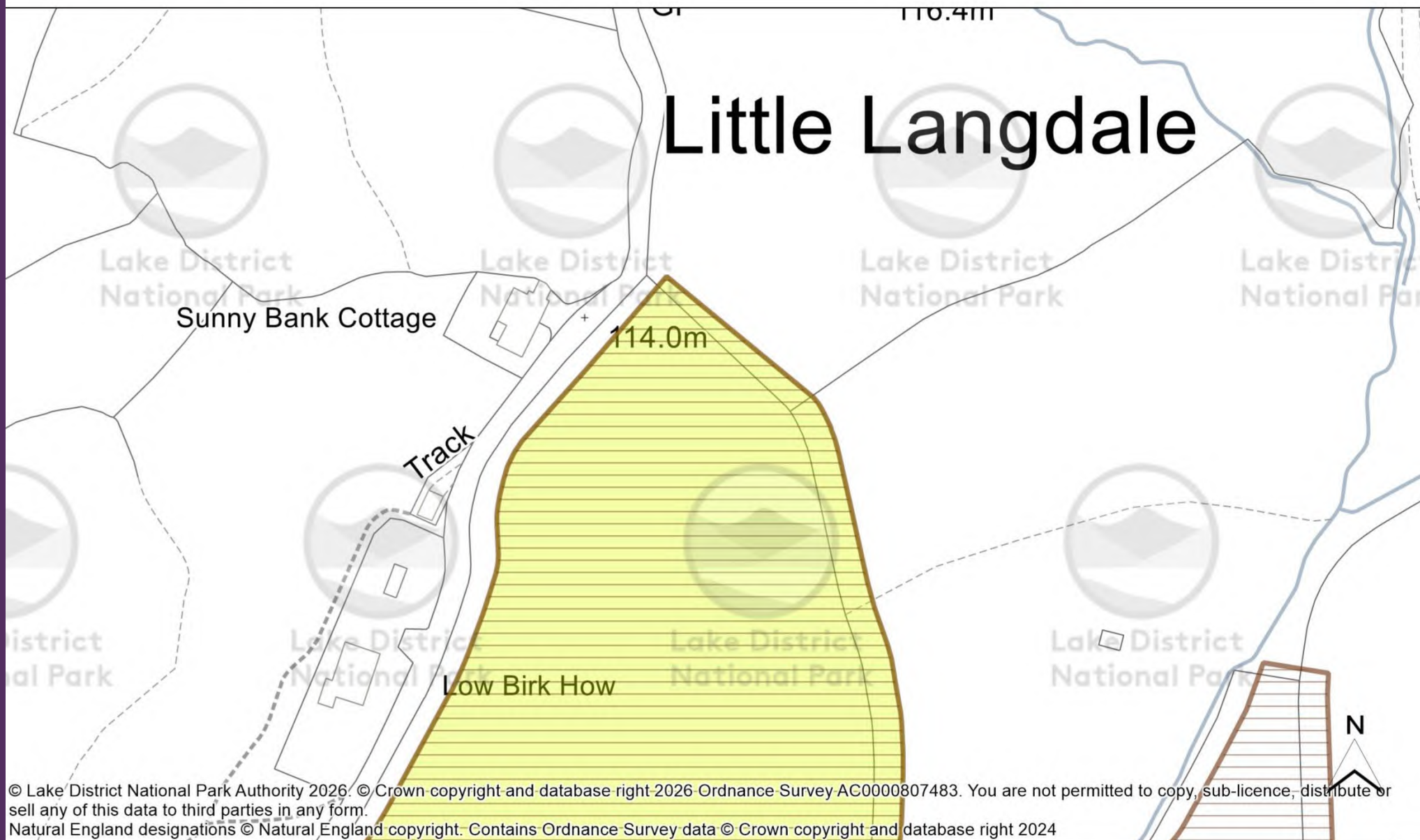
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**Lake District**  
National Park Authority

1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.

**Lake District**  
National Park Authority





SUNNY  
BANK  
COTTAGE

highway

culvert

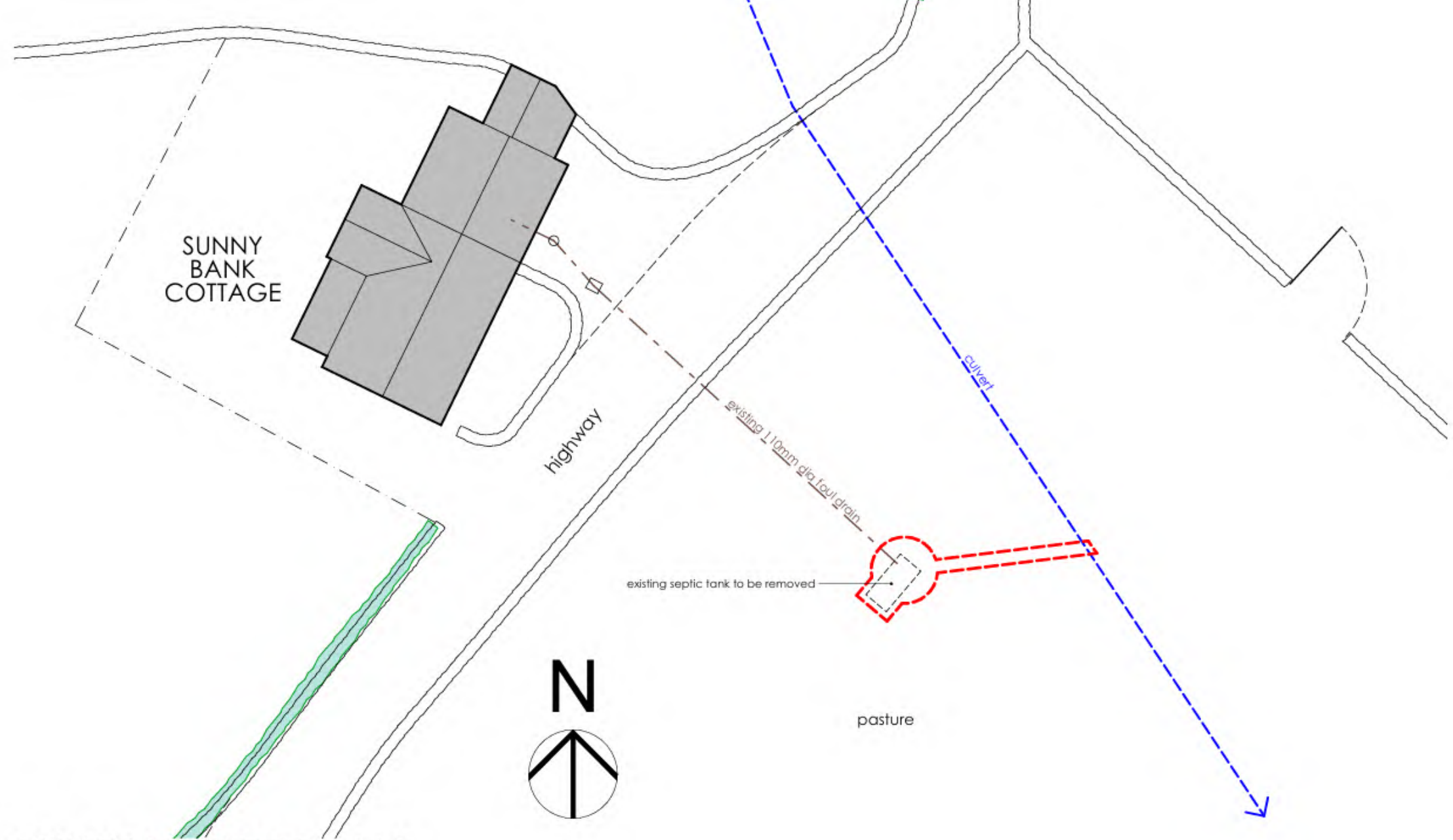
existing 110mm dia foul drain

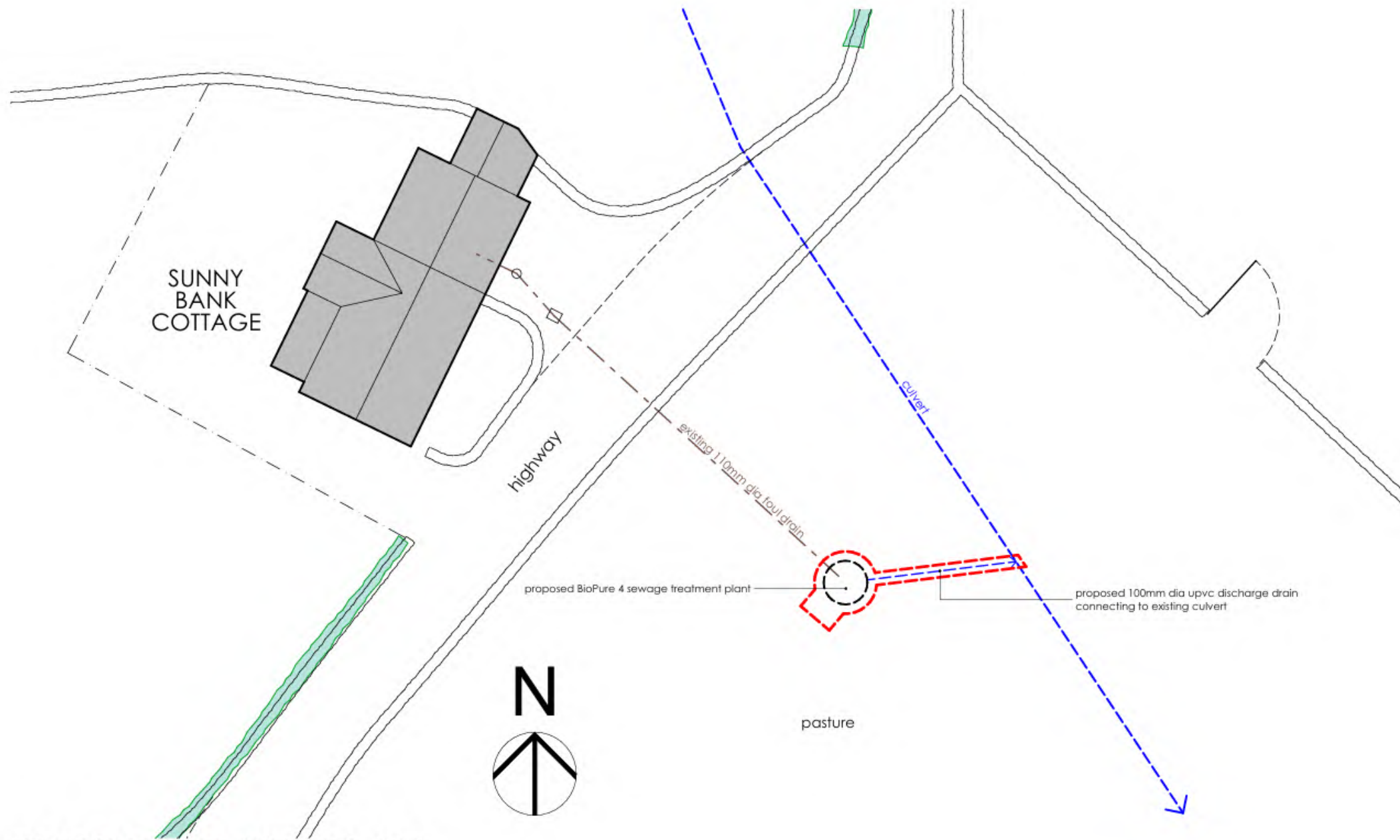
existing septic tank to be removed

pasture



EXISTING SITE PLAN





PROPOSED SITE PLAN

Existing  
septic  
tank

Sunny Bank Cottage



Location of existing septic tank

Existing culvert

