

Planning Officer's Report - LDCA NOVEMBER 2023

APPLICATION	2023/51 – Change of Use from One Dwelling to Two Dwelling Units & Retention of Septic Tank & Soakaway
PERMISSION SOUGHT	Full Permission
REGISTERED	28 th September 2023
APPLICANT	Theo Meij
PARCEL	SCOT0670
LOCALITY	Upper Cleughs Plain, St Pauls
ZONE	Intermediate Zone
CONSERVATION AREA	None
CURRENT USE	House in Construction
PUBLICITY	The application was advertised as follows: <ul style="list-style-type: none">▪ Independent Newspaper on 29th September 2023▪ A site notice displayed in accordance with Regulations.
EXPIRY	13 th October 2023
REPRESENTATIONS	One Received
DECISION ROUTE	Delegated / LDCA / EXCO

A. CONSULTATION FEEDBACK

1. Sewage & Water Division	No Response
2. Energy Division	No Response
3. Fire & Rescue	No Response
4. Roads Section	No Objection
5. Property Division	No Objection - Comments
6. Environmental Management	No Response
7. Public Health	No Response
8. Agriculture & Natural Resources	No Response
9. St Helena Police Services	Not Consulted
10. Aerodrome Safe Guarding	Not Consulted
11. Economic Development	No Objection

12. National Trust	No Objection
13. Sure SA Ltd	No Objection
14. Heritage Society	No Response
15. Maritime Authority	Not Applicable

B. PLANNING OFFICER'S APPRAISAL

LOCALITY & ZONING

This plot is located within the Upper Cleughs Plain, St Pauls, where it is designated within the Intermediate Zone and has no conservation area restrictions.

Diagram 1: Location Plan



PLANNING HISTORY

Development permission was granted on 10th August 2021 for construction of a three bedroom split level dwelling referenced 2021/52 in the name of Theo & Sone Meij. This property is currently in the construction phase and is nearing completion.

PROPOSED

The developer proposes to alter the ground floor layout from a storage area and change the use to a separate dwelling, where it will comprise a kitchen, dining area, bedroom, bathroom, wardrobe and separate office space. There is no intention to increase the footprint to accommodate the proposal. Sewage will be connected into

the septic tank and soakaway to be retained. The second part of the proposal is to retain the installation of the septic tank and soakaway. It is noted that the relocation of the septic tank and soakaway was carried out without first obtaining consent, hence the reason a new application has been requested for its consideration. In terms of what has changed in comparison to the approved application referenced 2021/52, the septic tank has been constructed approximately 6 metres to the east and soakaway constructed 4 metres north of their approved locations. A proposed fence will be constructed along the northern, eastern and southern boundary lines.

Diagram 2: Proposed Ground Floor Layout

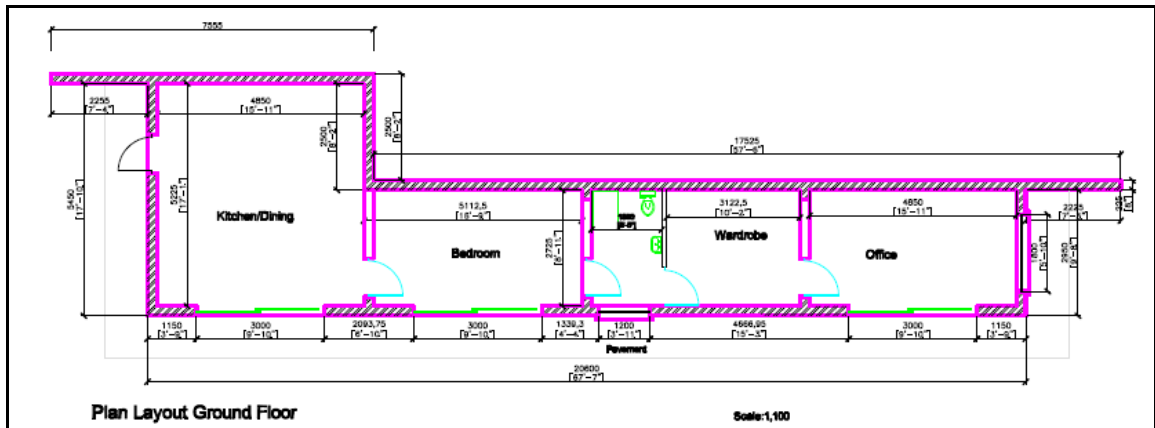


Diagram 3: Proposed Septic Tank & Soakaway

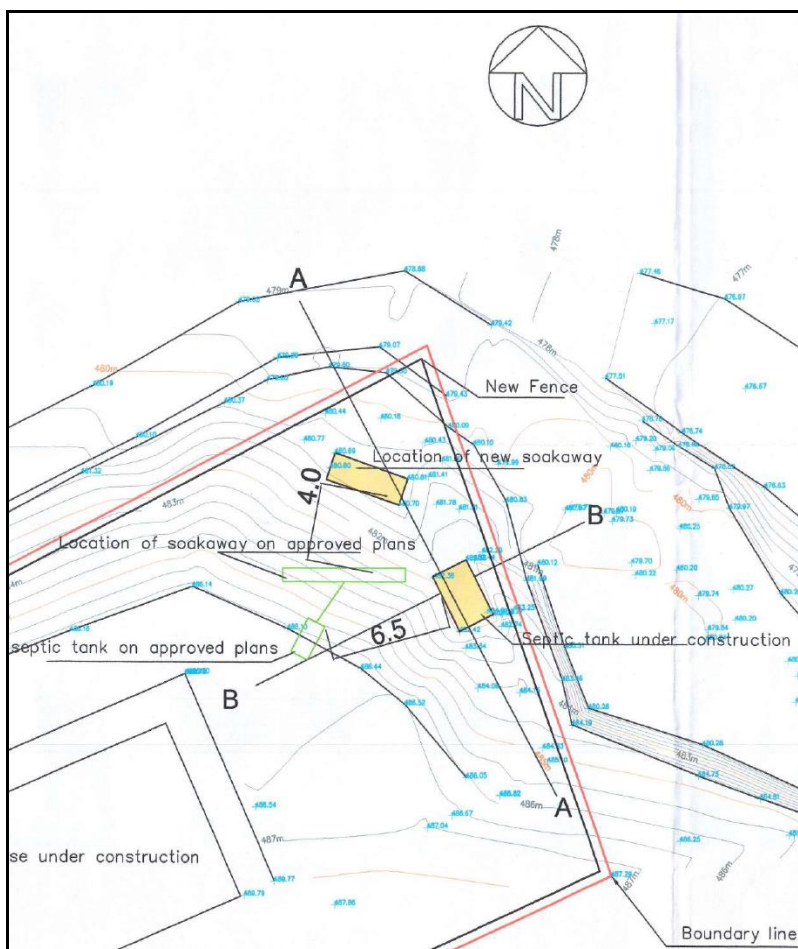


Diagram 4: Section BB

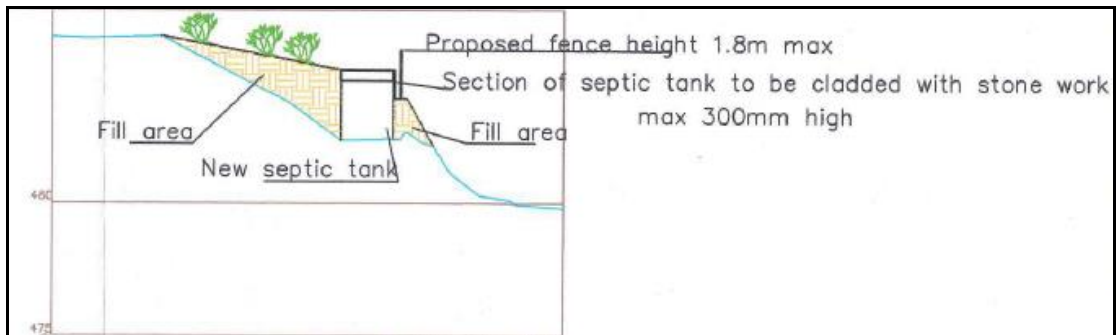
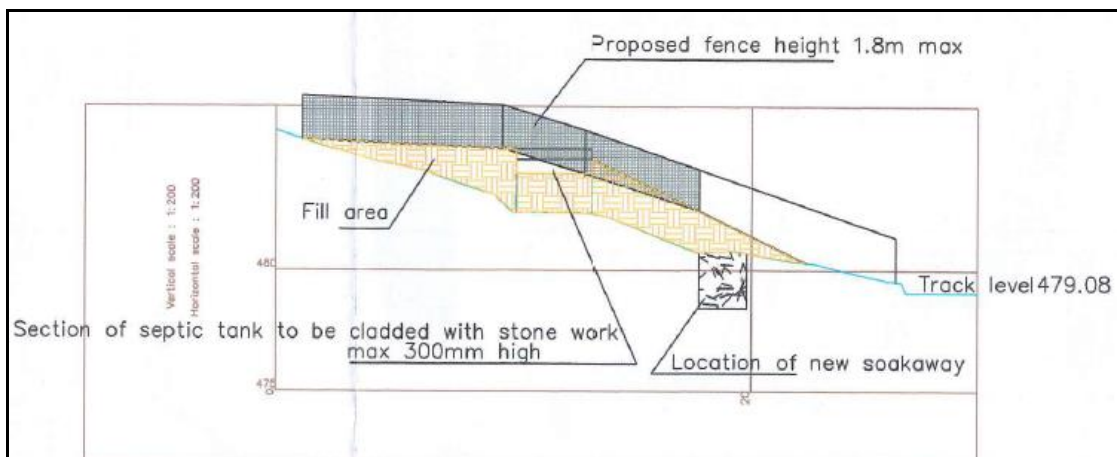


Diagram 5: Section AA



STAKEHOLDER FEEDBACK & REPRESENTATIONS

One representation was received from the neighbouring land owner, and one comment received from a stakeholder.

Neighbours Representation - Concerned about the close proximity of the sewage tank, which is located adjacent to the front of my house and next to the proposed outside cooking space and the risks associated with density of the ground and the leakage from the soakaway onto my property. The associated odour with a sewage tank will not be masked by the proposed solution.

Property Division – ‘No Objection but applicant to be mindful that if the effluent ever soaks out into the crown land directly below then it would be at the applicants cost to rectify or relocate, if relocation is required then permission from the proprietor would be needed, which will include conditions.’

LEGAL AND POLICY FRAMEWORK

The relevant policies of the Land Development Control Plan (LDCP 2012 - 2022) that are applicable in the assessment of the proposed development are set out below:

- Intermediate Zone: Policies
- Housing Policy

- Water: Policy W2
- Sewage, storm and Drainage: Policies SD1 (b, c), SD3, SD.4 and SD7
- Road and Transport Policies: RT1 (c and d), RT3 and RT7

OFFICER'S ASSESSMENT

In assessing the proposal, advice was sought from the Building Inspectors as well as the Civil Engineer.

Septic Tank

The initial scheme was presented prior to the application being submitted, where the Building Inspectors provided the following advice – “In reviewing the plans submitted on Theo’s behalf by Melvyn we don’t feel this satisfies the regulation of being underground, we would however compromise to say that 300mm maximum exposed would be satisfactory providing it meets all other requirements of the regulation.’

Building Regulation H.3 (2) states that “Any septic tank shall be under ground on its completion”

Following this advice from the Building Inspectors, the agent was advised accordingly and has agreed to comply with this requirement with compacting the fill on the eastern side of the tank to a height, where only a maximum of 300mm is exposed above ground. Concern has been raised regarding the material to be backfilled as Section BB does not show any form of retainment. Assurance has been given by the agent that this will not be an issue. A methodology has been requested, and at the time of writing the report has not been received, however will be brought to the attention of members at the meeting once received. Visually the septic tank will be hidden behind the fence from the eastern side.

A well-functioning septic tank should not give of odour unless there is an issue with the system. The regulation requires the septic tank to be vented at least 7m from any habitable part of a building, this means a septic tank could potentially be built next to a building provided the vent is located a minimum 7m away from any habitable room.

Soakaway

Comments from the civil engineer concerning the soakaway -‘After reviewing the proposal, I feel if the percolation test results are a true reflection of the ground conditions I see the revise location of the soakaway not being a major issue. In fact the trench invert level is lower the road level therefore in theory water would percolation in a downwards direction. It also could be argued that original soakaway location pose a risk of horizontal seepage due to its higher invert level in comparison to the road, i.e. the water can be seen to percolation through the embankment, a

common occurrence if water does not percolate quick enough. I am not advising this is how the system will ultimately perform therefore I suggest some reasonable planning safeguards are conditioned in the event the system do not perform as intended.'

At the time permission was granted for this development, there was no proposal for an access road beneath this property. As mentioned by the engineer the original location might have posed a risk in terms of horizontal seepage due to its higher invert level in comparison to the road, however due to more land mass between the soakaway and the road, this might help with overall dispersing of effluent. The new location of the soakaway has been constructed closer to the access road, however at a depth beneath the road level. Based upon this information and the test results provided by the developer, the likelihood of seepage onto the access road in theory is considered low and therefore can be supported on this basis. As highlighted by Property Division, in the event a problem occurs, it is the responsibility of the developer to rectify or relocate the soakaway.

Overall, the proposed alterations can be supported as this will not have any visual impact or adverse impact on the amenity of existing or surrounding development. The septic tank should not have an adverse impact on the amenity of the neighbouring development in terms of odour provided it complies with the building regulations, and based on the information pertaining to the soakaway, this should not pose a risk in terms of seepage on to the access road.