

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/01989
APPLICATION TYPE:	Householder Planning Permission
SITE ADDRESS:	Dollys Cottage, 39 Cholderton, Salisbury, SP4 0DW
DEVELOPMENT DESCRIPTION:	Revamp Your Tank Scheme - replacement of septic tank with a treatment plant
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The application is seeking approval for the replacement of an existing non-mains sewerage system with a new sewage treatment plant. This development would include the installation of associated equipment such as pipes and cables.

SITE DESCRIPTION / CONTEXT

39 Church Lane, Cholderton, otherwise known as Dollys Cottage, is an end-of-terrace, single storey dwelling located on the south-east side of the A338 towards the northern extent of the village. The site lies at the western end of Church Lane, which rises gently eastwards from the A338 and terminates at the Grade II listed St Nicholas Church.

The application site is subject to the following planning policy constraints:

- River Avon SAC
- Cholderton Conservation Area
- Grade II* St Nicholas Church
- Flood Zones 2 and 3

PLANNING HISTORY

Proposal / Summary
S/2003/2051 - Full planning permission Decision - Withdrawn Date: 13/11/2003 – CONSTRUCTION OF NEW 2 STOREY DWELLING AND ACCESS
S/2004/0850 - Full planning permission Decision - Approve with Conditions Date: 23/7/2004 – TWO STOREY REAR EXTENSION (NORTH EAST). VARIATION TO PREVIOUSLY GRANTED PLANNING APPLICATION S/2001/110.
S/2001/0110 - Full planning permission Decision - Approve with Conditions Date: 7/3/2001 – EXTENSION AND RENOVATION OF EXISTING COTTAGE (RESUBMISSION OF PREVIOUSLY GRANTED PLANNING PERMISSION APPLICATION S/95/0812)
S/1995/0812 - Full planning permission Decision - Approve with Conditions Date: 18/7/1995 – EXTENSION AND RENOVATION OF EXISTING COTTAGE

17/01251/FUL - Full planning permission Decision - Approve with Conditions Date: 7/6/2017 – Alterations to roof to include raising height by 1.2m, replace roof tiles for thatch, insertion of 2 dormers within roof scape; Erection of one and half storey rear extension and creation of hardstand parking and turning area.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

The adopted **Wiltshire Core Strategy (WCS)**, with particular regard to:

- Core Policy 1 Settlement Strategy
- Core Policy 2 Delivery Strategy
- Core Policy 4 Amesbury Community Area
- Core Policy 50 Biodiversity and Geodiversity
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 58 Ensuring the Conservation of the Historic Environment
- Core Policy 67 Flood Risk
- Core Policy 68 Water Resources

Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

CONSULTATION RESPONSES

Parish / Town Council: No response received.

Environment Agency:

'We have no comments to make in respect of the proposed development. This consultation is inappropriate, and we did not need to be consulted because: Outside of External consultation checklist.'

REPRESENTATIONS

One representation supporting the proposals was received from a neighbour, the comment is as follows:

'Thank you for the opportunity to comment on the application, which I fully support.'

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

The application proposes the replacement of existing sewerage equipment within a residential property. The nature and scale of the works are considered acceptable in principle, and the proposal will be assessed in further detail throughout the remainder of this report.

Flooding and drainage

Core Policy 67 of the Wiltshire Core Strategy sets out the approach to managing flood risk, supported by paragraph 172 of the NPPF, which requires a sequential, risk-based strategy for locating development. The application site lies within Flood Zone 2 / 3, indicating a medium to high probability of fluvial flooding. In such areas, development must demonstrate that flood risk has been appropriately assessed and mitigated. A Flood Risk Assessment (FRA) has been submitted in support of the application.

Paragraph 176 of the NPPF confirms that householder development under 250m² is exempt from the sequential and exception tests. As such, the proposal is considered acceptable in this regard. The works involve minor upgrades to existing infrastructure, with no significant increase in impermeable surface area. The drainage system is assumed to remain unchanged and appears to function effectively. Therefore, the development is considered to comply with Core Policy 67 and the relevant provisions of the NPPF.

The application outlines, in the accompanying drainage report, that the existing method of discharge is to a ground soakaway. The Design and Access Statement and Site Plan indicate that the proposal would introduce a new method of discharge in the form of a newly established soakaway system within the property curtilage. As such, it is considered that the proposed drainage arrangements would represent a neutral to positive alteration to the existing sewage treatment method and would not give rise to any undue impacts in relation to Core Policy 67.

Core Policy 68: Water Resources, requires that development proposals within a Source Protection Zone, Safeguard Zone, or Water Protection Zone assess potential risks to groundwater resources and quality. Proposals must demonstrate that these resources will be safeguarded throughout both the construction and operational phases. In light of this, it is considered appropriate to include a condition preventing chemical dosing in connection with the development or operation of the proposed system, should planning permission be granted.

Core Policy 50: Biodiversity and Geodiversity requires development to safeguard ecological and geological interests, ensuring long-term protection and functionality. Additionally, Core Policy 69: Protection of the River Avon SAC emphasises the need to avoid pollution and mitigate disturbance to the SAC through appropriate design and operational measures. Any future modification to the proposed system must maintain or enhance phosphorus removal efficiency, and a condition should be imposed to secure this requirement as part of any approval.

Design and impact upon the upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

The development is to replace an underground sewerage system. Although the development works would involve excavation, the completed works would essentially be hidden and would therefore result in no identified harm to the appearance of the site or its locality.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide.

Heritage impact

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess. Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development.

Due to its minimal scale, underground siting and functional design, the proposal is considered to preserve the character and appearance of the conservation area and setting of the Grade II* listed St Nicholas's Church. It would not result in harm to the significance of any heritage assets.

The development is therefore considered to comply with Core Policy 58 of the Wiltshire Core Strategy and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135, stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

No amenity concerns are identified, as the proposed upgrade would be contained within the property curtilage and would not result in any visual or overbearing impact. The system is appropriately sited, designed, and oriented to avoid any unacceptable effects on neighbouring residential amenity, including outlook, privacy, and access to natural light.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Ecology

Core Policy 50 of the WCS requires development to avoid and minimise disturbance to sensitive habitats and species.

The proposed development involves a like-for-like replacement of residential equipment within existing curtilage, an area already subject to development. It is therefore unlikely to impact sensitive habitats or species. Furthermore, the updated drainage system retains the existing discharge method while improving nutrient filtration, resulting in a neutral to positive environmental outcome. The proposal is considered to comply with Core Policy 50 and is acceptable in this regard.

Biodiversity Net Gain (BNG) became a statutory requirement under Schedule 7A of the Town and Country Planning Act 1990, as amended by Schedule 14 of the Environment Act 2021. However, householder applications are exempt from this requirement under Section 4(2)(a) of Schedule 7A.

CONCLUSION

The proposal is considered to comply with the relevant policies of the Wiltshire Core Strategy and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

- Location plan – date received: 24/03/2026
- Site plan – date received: 24/03/2026
- Contractor survey report – date received: 24/03/2026
- Design and access statement – date received: 24/03/2026
- Flood risk assessment – date received: 24/03/2026
- Klargester BioAir Sewage Treatment Plant technical information sheet – date received: 24/03/2026
- Klargester BioAir plans and cross section (ref: DS1407P) – date received: 24/03/2026

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The sewage treatment plant and drainage field hereby approved shall be installed, maintained and operated for the lifetime of the development without chemical dosing, in accordance with the submitted specification and details hereby approved.

REASON: To enable the development to contribute towards the nutrient neutrality aims of the Council and to accord with the Habitats Regulations, and to ensure that groundwater resources and quality will be protected throughout the construction and operational phases of the development hereby approved in accordance with Core Policy 68.

4. Any future replacement of the system hereby approved, shall have an equivalent treatment efficiency of at least 5 mg/l for Total Phosphorus removal and must meet the requirements of the relevant planning and environmental legislation.

REASON: To enable the development to contribute towards the nutrient neutrality aims of the Council and to accord with the Habitats Regulations, and to accord with Core Policy 50 through the long-term protection of ecological value, and Core Policy 69 through the reduction of potential environmental effects to the SAC [retain this text if the site is with the River Avon SAC.

Informatives:

RYT Informative List:

Non-Mains Drainage: Primary responsibility for ensuring sewage systems for new developments are adequate lies with the Building Control Department. Consent under the Building Regulations is likely to be required in most cases. Further details on the Building Regulations can be obtained from the Wiltshire Council Building Control Service.

An installation of a package treatment plant (PTP) needs to meet the requirements of the General Binding Rules, or if an environmental permit is required, ensure it is in line with any approved permit. Other environmental permissions may be required.

The Applicant should understand whether they could form part of a sewerage undertaker's legal duty (Wessex Water in this instance) to build and pay for a new sewer to connect a number of neighbouring

properties (known as first time sewerage). An asset register will be used to record installations in the catchment.

Any outfall to the Kennet & Avon Canal, regardless of the need for planning permission or otherwise, will require a licence from the Canal & River Trust as well as the Environment Agency.

Pollution Prevention During Construction safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover: the use of plant and machinery; oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds; the control and removal of spoil and waste.

The Environmental Permitting (England & Wales) Regulations 2016 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an environmental permit which the Environment Agency will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.

The discharge of domestic sewage associated with a development may require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The End 2 applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permitcheck-if-you-need-one>.

The discharge of domestic sewage associated with a development may be subject to General Binding Rules under the Environmental Permitting (England & Wales) Regulations 2016 which provide a statutory baseline of good practice. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact the Environment Agency on 03708 506506.

Definitions:

- a) European protected site – means a site listed under the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) (see regulation 8) and a Ramsar Site, meaning given at Section 37A of the Wildlife and Countryside Act 1981
- b) Site of Special Scientific Interest - has the meaning given at Section 52 of the Wildlife and Countryside Act 1981
- c) General Binding Rules means – the standard rules published by the Environment Agency pursuant to the Environmental Permitting Regulations 2016
- d) A phosphorus sensitive catchment area has the same meaning as Section 96C of the Water Industry Act 1991
- e) e)High archaeological and heritage sensitivity – means Registered Parks and Gardens, Scheduled monuments, Registered battlefields, World Heritage Site

- f) Small sewage treatment plant (also known as a 'package treatment plant) – means a system that treats the liquid so it is clean enough to go into the ground or a surface water
- g) Notification to the LPA shall be provided via an electronic or physical letter, sent to developmentmanagement@wiltshire.gov.uk, or Planning Department, Wiltshire Council, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN
- h) Chemical dosing – means the use of chemicals such as a combination of ferric chloride, ferric sulphates, aluminium and a range of metallic salts to remove and capture phosphorus during treatment before the water is released back into the environment.

Private Foul Drainage

We note a private foul treatment plant is proposed. If non-mains foul drainage is the only feasible option an Environmental Permit may be required for the proposed new sewage treatment plant. This must be obtained from the Environment Agency before any discharge occurs and before any development commences. This process can take up to six months to complete and it cannot be guaranteed that a Permit will be granted. The applicant should contact the Environment Agency on 03708 506506 for further details on Environmental Permits or visit:

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>