

Cabinet Member for Finance, Development Management and Strategic Planning
Cllr Nick Botterill

Planning

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REFERENCE: FDMSP-03-24

Adoption of the Local Development Order - Upgrading Septic Tanks and Small Treatment Plants

Purpose of Report

1. The purpose of the report is to:
 - I) To report on the outcome of the consultation of the draft Local Development Order – Upgrading Septic Tanks and Small Treatment Plants and resulting amendments.
 - II) To seek approval to formally adopt the Local Development Order by resolution by the Local Planning Authority.

Consultation

2. Nutrient pollution is a major environmental issue for many of our most important places for nature in England. In rivers and estuaries, increased levels of nutrients (especially nitrogen and phosphorus) can harm wildlife. These nutrients are affecting the condition of internationally protected rivers, such as the River Avon Special Area of Conservation (SAC).
3. In February 2024, [Cabinet approved delegated authority](#) for the Corporate Director of Place in consultation with the Cabinet Member for Finance, Development Management and Strategic Planning, to oversee and approve the preparation and public consultation of a Local Development Order (LDO) to replace septic tanks with package treatment plants for the River Avon SAC catchment.
4. The draft LDO, map of the LDO area, Statement of Reasons and Environmental Statement was [issued for public consultation from 20 May 2024 until 17 June 2024](#).
5. In summary, 18 consultation responses were received. 11 were from members of the public and expressed support for the initiative given the environmental and water quality benefits.
6. Statutory bodies and advisory bodies, and infrastructure providers also submitted representations. There were no objections.

7. National Highways recommended the insertion of a further constraint. If development is within 5m of the strategic highway network, then the LDO will not apply and a separate planning application with consultation with National Highways will be necessary. This change has been made.
8. Additional informatives were recommended by the Environment Agency and the Canal and Rivers Trust. These changes have been made.

Options Considered

9. The 'do nothing' option was considered but this would require the Council to register, assess and determine individual planning applications rather than undertaking the work to progress an LDO. This option was rejected due to the time saving and efficiencies achieved on the medium and longer term. The constraints, conditions and informatives set out in the LDO were defined through consultation with planning colleagues and statutory consultees. The LDO will also have an environmental benefit over the longer term.

Reason for Decision

10. The LDO will help to improve the water quality of the River Avon Special Area of Conservation (SAC) catchment. It also streamlines the planning system for these types of development and helps the Council to deliver nutrient intervention projects for sustainable development.

DECISION MADE

I approve the adoption of the Local Development Order as set out in the report.

This decision was published on 1 October 2024 and will come into effect on 9 October 2024.

The following report and appendices are attached:

- Decision Report
- Appendix 1 – Final LDO for adoption and the catchment map.
- Appendix 2 – Consultation Response Document

The following supporting documents are available from the officer named above:

[Cabinet 06/02/24 Revised Nutrient Neutrality Strategy](#)

.....signed.....

Cllr Nick Botterill

Cabinet Member for Finance, Development Management and Strategic Planning

Date:.....1 October 2024.....