

Ribble Valley Borough Council
Development Control
Council Offices Church Walk
Clitheroe
Lancashire
BB7 2RA

Our ref: NO/2017/110107/01-L01
Your ref: 3/2017/0602
Date: 24 August 2017

Dear Sir/Madam

**APPLICATION FOR OUTLINE PLANNING PERMISSION FOR INDUSTRIAL UNITS
(USE CLASSES B1, B2, B8) AND ASSOCIATED ACCESS, PARKING,
LANDSCAPING AND SERVICES INFRASTRUCTURE WITH ALL MATTERS
RESERVED EXCEPT ACCESS AND CHANGE OF USE OF FARMHOUSE TO
OFFICE (B1)**

HIGHER COLLEGE FARM, LOWER ROAD, HOTHERSALL

Thank you for consulting us on the above application.

Environment Agency position

We object to the proposed development as submitted because it appears to involve the use of a non-mains foul drainage system in a publicly sewered area but no justification has been provided for this method of foul sewage disposal. We recommend that the application should be refused on this basis.

Reasons

The application form indicates that foul drainage will go to both mains sewer and septic tank. We are aware that the red-edge boundary of the site is within 30 metres of a new public sewer associated with the Taylor Wimpey "Tootle Green" development off Dilworth Lane. The installation of private sewage treatment facilities within publicly sewered areas is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems.

This objection is supported by government guidance on non-mains drainage within the National Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) which states that the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be

Environment Agency
PO Box 519, South Preston, Lancashire, PR5 8GD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
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demonstrated that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

In this instance there is no justification provided by the applicant for non-connection to the mains sewerage system.

Overcoming our objection

To overcome our objection, the applicant should provide written confirmation that the proposed development will connect to the existing foul sewer. Where practicable, foul flows from any existing private treatment systems on the development site will be diverted to the new on-site infrastructure and connect to the public foul sewer.

Where the applicant continues to propose the use of a non-mains sewerage system in a publicly sewered area, they should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps:

1. Formally approach the sewerage undertaker or serve notice regarding a connection under section 98, section 104 or section 106 of the Water Industry Act 1991, as appropriate.
2. Provide details of the terms upon which the sewerage undertaker is willing to enter into an agreement under section 104.
3. Provide details of the undertakings, security and payment required by the sewerage undertaker under section 98 of the Water Industry Act 1991. They must provide these together with confirmation that the applicant considers these to be reasonable and does not intend to appeal against them; OR
4. Provide details of the reasons given by the sewerage undertaker if it has refused connection under section 106 of the WIA 1991 and confirmation that they have appealed against this decision; OR
5. Demonstrate that it is not reasonable to connect to the public foul sewer, demonstrate that they have considered requesting that the sewerage undertaker adopt their proposed system.

Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991. In these cases, if an applicant decides to apply for an Environmental Permit for private treatment facilities, in such circumstances we may refuse to issue the permit.

Advice to applicant

We understand that you may require further planning advice from us following our response to this application. We are not funded to give additional planning advice once we have provided our statutory consultation response to a local planning authority. However, we may be able to provide you with further detailed planning advice through our voluntary charged for service, which allows us to recover our costs for this work.

Any request for further planning advice should be submitted to clplanning@environment-agency.gov.uk. Your request should specify the additional services that you require from us. We will review your request and provide you with a written offer based on our planning advice charges of £84 per person per hour. We will not undertake any additional work until an offer has been accepted.

Please be aware that our charged advice service is voluntary and that we may be unable to provide charged advice where other operational activities and issues prevent

us from doing so.

A copy of this letter has been sent to the applicant / agent.

Yours faithfully

Philip Carter
Planning Officer - Sustainable Places

Direct dial 02030251396

Direct e-mail clplanning@environment-agency.gov.uk

cc Judith Douglas Town Planning Ltd