

Mr James Kirkham
Cherwell District Council
Planning & Development Services
Bodicote House White Post Road
Bodicote
Banbury
OX15 4AA

Our ref: WA/2020/127869/02-L01
Your ref: 20/01010/F
Date: 02 July 2020

Dear Mr Kirkham

Variation of Condition 2 (plans) and 19 (waste water network) of 19/00617/F to allow for an onsite treatment plant for wastewater and associated connections rather than connections to mains drainage

Land Adj To Warriner Game Court, The Warriner School, Banbury Road, Bloxham

Thank you for re-consulting us on the above application on 26 June 2020, following the submission of formal response letter, prepared by Edgeplan Limited, reference EP991, dated 25 June 2020.

The document does not satisfactorily address our earlier concerns. We therefore **do not** consider that this is sufficient to allow for the variation of condition 19.

Private effluent treatment plants are much more likely to breach the conditions in their environmental permits than wastewater treatment plants owned and operated by sewerage undertakers so where the connection to foul is available we recommend this option.

The discharge itself would not be environmentally acceptable as it does not meet the criteria of the Standard Binding rules where a discharge of between 5-20 metres cubed per day must be to a flowing waterbody (permit conditions are attached).

We expect developments to connect to the public sewerage system wherever it is reasonable to do so. As a rule of thumb we expect that it will usually be reasonable for a development to connect to the public sewer if the distance from the boundary of the site to the sewer is less than the number of houses planned within the development multiplied by 30m. Where the number of houses is not given, the number of users is used instead. With the figures given of 100 pupils and 60 full time staff this equates to 160 people using the facilities and an occupancy rate of 2.4. This results in this development being the equivalent of roughly 67 houses where we would expect connection if the distance to the foul network was within 2000m of the site boundary. In this case the location of the Thames Water foul network is much closer than this figure.

Final comments

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Cont/d..

Yours sincerely

Mr Samuel Pocock
Planning Advisor

Direct dial 0208 474 5075

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



Standard rules SR2010No3 – discharge to surface water: secondary treated domestic sewage with a maximum daily volume between 5 and 20 cubic metres per day

Introductory note

This introductory note does not form a part of these standard rules

When referred to in an environmental permit, these rules will allow the operator to discharge domestic sewage with a maximum daily volume between 5 and 20 cubic metres per day to inland freshwaters, coastal waters or relevant territorial waters (as defined in Section 104 of the Water Resources Act 1991).

The sewage must be domestic sewage containing no trade effluent (as defined in Section 221 of the Water Resources Act 1991) and it must be treated by a secondary treatment plant. The plant must be designed and constructed according to BS 12566; sized in accordance with “Flows and Loads” and managed, operated and maintained in accordance with the manufacturer’s recommendations. The discharge must only be made to a watercourse that normally contains water throughout the year.

The discharge must not be made into ponds or lakes or freshwater within 1 kilometre upstream from an identified bathing water, a designated shellfish water, European Site, Ramsar site, Site of Special Scientific Interest (SSSI), Local Nature Reserve or any body of water identified as containing a Protected Species or within 100 metres from a Local Wildlife site. For a site in tidal water ‘1 kilometre upstream’ means within 1 kilometre by the shortest distance over water in any direction from the nearest boundary of any of these sites.

This restriction only applies to conservation sites that are water-based and linked to the receiving water downstream of the discharge point.

End of introductory note

Rules

1 Management

1.1 General management

1.1.1 The operator shall manage and operate the activity:

- (a) in accordance with a written management system that identifies and minimises risks of pollution so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
- (b) using sufficient competent persons and resources.

1.1.2 Records demonstrating compliance with rule 1.1.1 shall be maintained.

1.1.3 Any person having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of the standard rules.

2 Operations

2.1 Permitted activities

2.1.1 The only activity authorised by the permit is the activity specified in table 2.1 below.

| Table 2.1 Activities | |
|--|---|
| Description of activity | Limits of activity |
| The discharge of secondary treated domestic sewage with a maximum daily volume between 5 and 20 cubic metres per day to inland freshwaters, coastal waters or relevant territorial waters as defined in Section 104 of the Water Resources Act 1991. | <ul style="list-style-type: none">• The maximum daily volume shall be greater than 5 but not greater than 20 cubic metres per day as calculated by the method specified in "Flows and Loads"• The discharge shall only be made to a watercourse that normally contains water throughout the year• The sewage shall be solely domestic sewage and contain no trade effluent (as defined in Section 221 of the Water Resources Act 1991)• The sewage shall not contain a significant proportion of rainwater or groundwater• Prior to the discharge, the sewage must have received secondary treatment at a treatment plant designed and constructed to meet the requirements of BS 12566 (or equivalent); or for discharges over 9m³/day an equivalent standard, and sized in accordance with "Flows and Loads"• The discharge cannot reasonably, at the time it is first made, be made to an existing foul sewer |

2.2 The site

2.2.1 The discharge activity shall take place at the discharge point marked on the site plan attached to the permit.

2.2.2 The discharge shall not be made into ponds or lakes or freshwater within:

- (a) 1 kilometre upstream from the nearest boundary of an identified bathing water, a designated shellfish water, European Site, Site of Special Scientific Interest (SSSI), Local Nature Reserve or any body of water identified as containing a Protected Species;
- (b) 100 metres from a Local Wildlife site. For a site in tidal water, '1 kilometre upstream' shall mean within 1 kilometre by the shortest distance over water in any direction from the nearest boundary of any of these sites. Only European Sites, Sites of Special Scientific Interest (SSSI), Local Nature Reserves and Local Wildlife sites that are water-based and linked to the receiving water downstream of the discharge point are included in this rule.

3 Emissions and monitoring

3.1 Emissions to water

3.1.1 The limits given in table S3.1 shall not be exceeded.

| Emission point and source | Parameter | Limit (including unit) | Monitoring frequency and standard or method |
|--|---|--|--|
| Discharge point for secondary treated sewage | Visual appearance and other environmental effects | The discharge must so far as is reasonably practicable have no significant adverse visible effect on the receiving water, the bed of the watercourse or any plants or animals within the watercourse | See table 3.3 |
| | ATU-BOD | 40 milligrams per litre maximum concentration | Monitoring only by the Environment Agency, as it considers necessary |

3.2 Monitoring

3.2.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake monitoring for the parameters, at the locations and at not less than the frequencies specified in table 3.3.

3.2.2 The operator shall maintain records of all monitoring required by these standard rules.

3.2.3

| Table S3.3 Activities – monitoring requirements | | | | |
|--|---|-----------------------------|--------------------------|--|
| Monitoring point | Parameter | Monitoring frequency | Monitoring method | Other specifications |
| Discharge point for secondary treated sewage | Visual appearance and other environmental effects | Weekly | Visual examination | The discharge must so far as is reasonably practicable have no significant adverse visible effect on the receiving water, the bed of the watercourse or any plants or animals within the watercourse |

4 Information

4.1 Records

4.1.1 All records required to be made by conditions 3.3.2 and 4.3.2 shall:

- (a) be legible;
- (b) be made as soon as reasonably practicable;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
- (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.

4.1.2 The operator shall maintain convenient access, in either electronic or hard copy, to the records, plan and management system required to be maintained by these standard rules.

4.2 Reporting

4.2.1 The operator shall send all reports and notifications required by these standard rules to the Environment Agency using the contact details supplied in writing by the Environment Agency.

4.3 Notifications

4.3.1 The Environment Agency shall be notified as soon as reasonably practicable following detection, within the site of the regulated facility of:

- (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution; and any breach of a limit specified in these standard rules. Any other significant adverse environmental effects, which may have been caused by the activity, shall also be notified to the Environment Agency as soon as reasonably practicable following detection.

4.3.2 Written confirmation of actual or potential pollution incidents and breaches of emission limits shall be submitted within 24 hours.

4.3.3 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

4.3.4 Where the operator proposes to make a change in the nature of the activity by increasing the concentration of, or the addition of, or allowing the introduction of, a substance to the activity to an extent that the operator considers could have a significant adverse environmental effect on the receiving waters, and the change is not the subject of an application for approval under the EP Regulations or under the terms of this permit:

- (a) the Environment Agency shall be notified in writing at least 14 days before the increase or addition or allowing the introduction; and
- (b) the notification shall contain a description of the proposed change.

4.4 Interpretation

4.4.1 In these standard rules the expressions listed below shall have the meaning given.

4.4.2 In these standard rules references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "as soon as reasonably practicable", in which case it may be provided by telephone.

"accident" means an accident that may result in pollution.

“ATU-BOD” means biochemical oxygen demand with nitrification suppressed by the addition of allylthiourea.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the permitted activities, which are not controlled by an emission limit.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“BS 12566” means BS EN 12566-3:2005 “Small wastewater treatment systems for up to 50 PT. Packaged and/or site assembled domestic wastewater treatment plants” (ISBN: 0 580 47444 5 Publication Date: 15th Feb 2006).

“domestic sewage” means waste water from residential settlements and services which originates predominantly from the human metabolism and from household activities. See our website for further details.

“European Site” means a European site within the meaning of Regulation 8 of the Conservation of Habitats and Species Regulations 2017.

“Flows and Loads” means the version of “Flows and Loads - Sizing Criteria, Treatment Capacity for Small Wastewater Treatment Systems (Package Plants)” published by British Water (ISBN: 978-1-903481-10-3) applicable at the date of issue of this permit.

“Local Nature Reserve” means an area designated by a local authority under the National Parks and Access to the Countryside Act 1949.

“Local Wildlife site” is a non-statutory designation by a local authority of sites with a high value for wildlife. They are designated according to selection criteria that follow Natural England or the Countryside Council for Wales guidelines.

“pollution” means the direct or indirect introduction, as a result of human activity, of substances or heat into the air, water or land which may—

- be harmful to human health or the quality of aquatic ecosystems or terrestrial ecosystems directly
- depending on aquatic ecosystems;
- result in damage to material property; or
- impair or interfere with amenities and other legitimate uses of the environment.

“ponds and lakes” for the purposes of these standard rules mean those relevant lakes or ponds as defined by the Water Resources Act 1991, which would require an environmental permit but of a small size or have water which is not flowing so that the lake or pond would not provide adequate dilution or flow in the receiving watercourse for the discharge that would be covered by this permit. Note: Such proposals must be discussed with your local Environment Agency officer prior to making any permit application.

“Protected Species” means species of plants or animals that are protected under the Conservation of Habitats Regulations 2017 or Wildlife and Countryside Act 1981 and that could be affected by the activities.

“Ramsar site” means a wetland of international importance, designated under the Ramsar Convention (an international agreement signed in Ramsar, Iran, in 1971). It is government policy to treat Ramsar sites the same as European sites.

"secondary treatment" means treatment of the domestic sewage by a process generally involving biological treatment with a secondary settlement or other process to achieve the discharge quality requirements set out in Schedule 3, Table 1 of the Urban Waste Water Treatment (England and Wales) Regulations 1994. Note that “secondary treatment” under these rules is “appropriate treatment” for the purposes of the Regulations.

“significant adverse visible effect” means dead or distressed fish, other animals or plants in the vicinity of the discharge, appreciable deposit of solid material; significant growth of sewage fungus; appreciable discolouration.

“significant pollution” means a category 1 or category 2 incident indicated by the Common Incident Classification Scheme (CICS).

“SSSI” means Site of Special Scientific Interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

“year” means calendar year commencing on 1st January.

End of standard rules