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Miss Sarah Green  
Sustainable Places – Planning Advisor  
Environment Agency  
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6th December 2020

Dear Miss Green,

I am writing to you regarding the Environment Agency's (EA) position on the planning application **20/02446/F** for a marina to be located at Claydon in Oxfordshire, to which you were the respondent in a letter dated 16.11.2020 (Ref: **WA/2020/128350/01-L01**) addressed to Shona King (the Case Officer for Planning at Cherwell District Council). My reason for corresponding with you is to establish what substantive grounds exist for the apparent change of stance from that previously held by the EA, formerly indicating an objection and maintained thuswise at least until 30.07.2020 (see Hydraulic Modelling Report - Revision C, Appendix 18: HEC-RAS REVIEW, Aug 2020) but which is now an assent upon the satisfaction of two remedial conditions. In particular, my concern lies with the seemingly glossed over matter regarding the Applicant's proposed private sewage treatment plant (PSTP) for which particular undertakings were stipulated in the EA's letter dated 12.09.2019 (Ref: **WA/2019/12560/03-L01**) and which undertakings have not been made documentarily evident. The EA requested that, on the basis that sewage would not be pumped from boats into the PSTP<sup>1</sup>, details be provided surrounding the particular model of apparatus intended for use and that to be supplemented with bona fide validations in its capabilities for 50% - 75% patron usage during peak times. In the absence of these details' availability for public scrutiny, one may conclude that those details have not been addressed by the Applicant and nor have they been sought by the EA in continued estimation of relevance. Why is that so?

Methane, as most people already know, is a volatile gas. It is also a product in the conversion by digestion process of sewage sludge. From my basic understanding, that process renders the sludge free from pathogenic organisms and reduces solid matter by about 30% in weight for its onward disposal. Disposal options are now mainly limited to land spreading or incineration. Where land spreading is concerned, analysis of heavy metal content (Zinc, Copper, Nickel, Cadmium, Lead and Chromium) is necessary to ensure that excessive quantities do not accumulate to such toxic levels as to thereby limit its usage on any one piece of land to that of only once in about thirty years. Incineration requires the combustion temperature to be at 850°C to destroy any toxic compounds present, and for the incinerator, fuelled by methane, to be on-site.

Although not a scatologist [although some may argue contrarily], my understanding is that the principal purpose of sewage treatment is for the reduction of organic loading that raw sewage would otherwise impose on discharges into water-courses. This is achieved by oxidation of the sewage (exposure to air) through a variety of systems which allow aerobic bacteria to grow, resulting in low biochemical oxygen demand – unless, of course, the selected treatment plant in use is itself overloaded and not operating efficiently. Such malfunction, i.e. by way of too much suspended solids, would increase harmful levels of nitrate which may enter the water-course as a result. That is, as far as I was concerned, the implied logic behind the EA's stated preference that the Applicant connects to what is known to be a generally reliable mains sewerage system (see EA letter dated 13.07.2018, Ref: **WA/2018/125260/01-L01**). Certainly, I have noted that the EA has throughout this and the previous planning application (formerly App No: 18/00904/F) maintained its caution to the Applicant that a permit for discharge, as per requirement in the **Environmental Permitting Regulations 2010**, may not be issued. It strikes me that were planning to be granted for a development of this scale and which is without an assured solution for dealing with effluent (foul water) generated, that would be ridiculous. That decision, however, falls upon the appointed Committee, who can follow your [EA's] advice on this matter if forthcoming. It remains, I believe, for the Applicant a sticky issue.

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<sup>1</sup> There is no supporting evidence in the planning documents demonstrating that effluent will definitely be pumped from boats into a separate holding tank or tanks for collection by a licenced Hazardous Waste Disposal contractor. (Further discussions on environmental concerns regarding waste disposal management criteria within the **Environmental Protection Act 1990** and other current regulatory controls, would require another letter.) Describing what is a usual process for such marina developments is not synonymous with a guarantee the same will occur at this proposed marina.

## Summary questions

1. What substantive change/s has/have occurred in mitigation of the proposals and submissions for planning application 20/02446/F which reflect the change of indicated position held by the EA from that of objection to a conditional assent?
2. Why has the EA –
  - (a) not openly pursued the Applicant of this planning proposal to respond to outstanding information and confirmation requested by the EA concerning the intended private sewage treatment plant; and
  - (b) not sought from the Applicant a full method statement for the disposal of hazardous waste derived from boats, where raw sewage is normally chemically treated at source?
3. What is the EA's current position over the decision to grant or deny the Applicant the requisite permit for foul water discharge regarding this proposed marina development?

I look forward to and thank you in anticipation of a reply to my enquiry.

Yours sincerely,

Iain Kirkpatrick

CC Councillor Shona King  
Councillor Phil Chapman