
From: LN Planning <LNplanning@environment-agency.gov.uk>
Sent: 12 February 2024 14:13
To: _planningadvice
Subject: EA response: H17-1097-23, Land East Of Surfleet Bank And West Of Woad Farm
Attachments: EA response AN.2023.135169.02.pdf

Caution: This message originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. If you believe it is suspicious please forward to Suspicious.Emails@pspsl.co.uk and delete the email.

Dear Planning Officer

Please find attached a copy of the Environment Agency's response to the above application.

If I can be of any further assistance please do not hesitate to contact me using the details below.

Kind regards

Amelia Crawford
Planning Advisor

Environment Agency | Sustainable Places | Lincolnshire and Northamptonshire Area

✉ Nene House, Pytchley Lodge Road, Kettering, Northants, NN15 6JQ

☎ 07387 134115 (mobile)

✉ amelia.crawford@environment-agency.gov.uk

💻 www.gov.uk/environment-agency

I am doing the [Chartered Town Planner Apprenticeship](#) -if you would like to find out more, please ask
(Please note I am out of office on Wednesdays)

This message has been sent using TLS 1.2 Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.

Mark Niland
South Holland District Council
Planning & Development
Council Offices Priory Road
Spalding
Lincolnshire
PE11 2XE

Our ref: AN/2023/135169/02-L01
Your ref: H17-1097-23
Date: 12 February 2024

Dear Mark

**Proposed plant based protein extraction facility and anaerobic digester plant
Land East Of Surfleet Bank And West Of Woad Farm**

Thank you for re-consulting us on the above application on 02 February 2024, following the submission of amended plans.

Environment Agency position

The 'Statement on Odour Control' compiled by Waste Powers, uploaded on 01 February 2024 does not satisfactorily address our earlier concerns on foul drainage.

We therefore **maintain** our objection set out in our response dated 10 January 2024.

Reason

Private sewage treatment facilities should only be used where it is not reasonable for a development to be connected to a public sewer, because of the greater risk of failures leading to pollution of the water environment posed by private sewerage systems compared to public sewerage systems.

This objection is supported by planning practice guidance on non-mains drainage which advises that the first presumption must be to provide a system of foul drainage discharging into a public sewer (ref ID 34-020-20140306).

Only where, having taken into account the cost and/or practicability, it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

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

Overcoming our objection

To overcome our objection the applicant should thoroughly investigate the possibility of connecting to the public foul sewer, and either revise their application to propose a mains connection or submit evidence that demonstrates that this is not feasible.

Factors we assess when considering whether it's reasonable to connect to the public

sewer are:

- Economic – the comparative costs for connecting to the public sewer vs installing a package treatment plant.
- Practicality – whether there are any physical barriers preventing the connection
- Environmental – whether there is environmental benefit from installing a package treatment plant.

If the applicant is able to provide evidence that connecting to the foul sewer is not feasible please submit a fully completed FDA1 Foul Drainage Assessment form. The form can be downloaded from: <https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a development to install a private sewerage system. In such cases the developer should explore how a lack of capacity may be overcome so that their development can be connected to a public foul sewer. In these cases, if an applicant decides to apply for a water discharge permit for private treatment facilities, we are likely to refuse to grant the permit.

Should our objection be overcome, we will make further comments in relation to flood risk, waste and permitting.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations. Should our objection be removed, it is likely we will recommend the inclusion of a condition(s) on any subsequent approval.

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

Yours sincerely

Amelia Crawford

Sustainable Places Planning Advisor

☎ 07387 134115 (mobile)

✉ amelia.crawford@environment-agency.gov.uk

💻 www.gov.uk/environment-agency