

Fylde Borough Council  
Development Control  
Town Hall  
Lytham St. Annes  
Lancashire  
FY8 1LW

**Our ref:** NO/2013/105854/01-L01  
**Your ref:** 13/0655  
**Date:** 28 November 2013

Dear Sir/Madam

**HYBRID PLANNING APPLICATION (PART FULL / PART OUTLINE) FULL PLANNING APPLICATION 6,000 CAPACITY FOOTBALL STADIUM, 11,431M2 WAREHOUSE AND DISTRIBUTION CENTRE (CLASS B8), 1,518M2 NEIGHBOURHOOD RETAIL STORE (CLASS A1), INTERNAL SPINE ROAD WITH ACCESS FROM A585 ROUNDABOUT, ASSOCIATED PARKING, LANDSCAPING, DRAINAGE AND INFRASTRUCTURE; OUTLINE PLANNING APPLICATION (ACCESS, LAYOUT AND SCALE SOUGHT WITH OTHER MATTERS RESERVED), 6,015M2 SPORTS SCIENCE BUILDING WITH MULTI-USE INDOOR SPORTS, 5 X OUTDOOR FLOODLIT PITCHES, PETROL FILLING STATION, 785M2 NON-FOOD BULKY GOODS RETAIL UNIT (CLASS A1), HOTEL (CLASS C1), PUB / RESTAURANT (CLASS A4), DRIVE THRU RESTAURANT (CLASS A3/A5) MILL FARM, FLEETWOOD ROAD, MEDLAR WITH WESHAM**

Thank you for consulting us on the above application.

#### **Environment Agency position**

We object to the grant of planning permission and recommend refusal on this basis for the following reasons:-

#### **FLOOD RISK**

##### **Reason**

The application is accompanied by a Drainage Strategy (DS) by PSA Design Ltd (D1659-R-D01; 1 October 2013; Revision A) and Flood Risk Assessment (FRA) by PSA design Ltd (D1659-R-F01; 14 October 2013; Revision A). Both reports appear to be based on the assumption that this is an Outline application. However, part of the proposal is a detailed application for Full permission.

We do not consider that the FRA and DS submitted with this application comply with the requirements set out in paragraph 9 the Technical Guide to the National Planning Policy

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Framework. The submitted documents do not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted report fail to:-

1. Identify the proposed surface water discharge rates from the part of the site subject to the Outline application and the part of the site subject to the Full application.
2. Demonstrate how the run off generated by the part of the site being considered under the detailed application will reach the watercourse.
3. Drawing number D1659-D-03 states that the outflow in to Bradkirk Brook (which is a designated Main River) will be restricted to a maximum flow of 134 litres/second, which differs from the rates identified in the DS.
4. The DS does not consider the run off generated from the whole site - run off from the Greenfield part of the site should also be considered.
5. The existing run off rates for Mill Farm only considers the run off generated from the impermeable section of the farm.
6. The DS concludes that the proposed method of surface water disposal is a sustainable drainage solution, however the use of a cellular tank is not a sustainable drainage system.
7. The DS does not consider the potential flows generated by any proposed sewage treatment (should it be demonstrated that on-site treatment is the only viable option)

If the applicants or agents wish to discuss this position with us, they should contact Pippa Hodgkins on 01772 714229.

### **Overcoming our objection**

Our objection may be overcome by submitting a FRA & DS which address the deficiencies highlighted above and demonstrate that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until an adequate FRA has been submitted.

### **FOUL DISPOSAL**

#### **Reason**

The disposal of foul drainage is considered in the DS and it identifies a range of options, including the disposal of foul drainage on site to a private sewage treatment plant. It goes on to state that the disposal of foul drainage will be agreed at the detailed design stage.

Given that part of the application is a detailed proposal for Full planning permission, the proposed method of foul drainage should be identified and any proposals for the use of non-mains drainage should follow the hierarchy set out in DETR Circular 03/99 'Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development'.

Based on the information submitted, it has not been demonstrated that the connection

of foul drainage to the public sewer is not practicable in this instance. The use of a non-mains drainage system should only be considered where it has been shown that it is not possible to connect to the public sewer network.

The DS makes reference to a private foul sewer that crosses the site and which may need to be diverted to accommodate the development. Under the Transfer of Private Sewer Regulations 2011, it is possible that responsibility for this sewer has been passed to United Utilities and so a foul sewer connection on site may be possible. Even if this is not the case, the applicant should demonstrate why a connection to the foul sewer on Fleetwood Road is not a viable option before considering the use of a non-mains sewage treatment system.

The discharge of treated sewage effluent in to surface water or to ground will require an Environmental Permit from us, unless an exemption applies. The granting of planning permission does not guarantee the granting of a permit under the Environmental Permitting Regulations 2010. A permit will only be granted where the risk to the environment is acceptable and where it can be demonstrated that it is not reasonable practicable to connect to the public foul/combined system in an area served by a public sewer.

To qualify for a registered exemption the rate of sewage effluent discharge must be 2 cubic metres a day or less to ground or 5 cubic metres a day or less to watercourse and must also satisfy a number of specific criteria. A Standard Rules Permit is available for discharges of secondary treated sewage (to surface water only) of between 5 cubic metres a day and 20 cubic metres a day. Discharges of treated sewage greater than 2 cubic metres a day to ground and greater than 20 cubic metres a day to surface water require a Bespoke Permit.

### **Overcoming our objection**

The DS should be updated to identify the proposed method of foul disposal from the site and any reference to the use of a private sewage treatment system on site should be supported by evidence justifying why a connection to the foul sewer is not possible.

The applicant/agent should also contact United Utilities to discuss this application and, in particular, establish whether or not the private sewer referred to in the DS is one that has been transferred to them under the 2011 Regulations.

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

Yours faithfully

**Philip Carter**  
**Planning Officer - Sustainable Places**

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cc PWA Planning

End