

Cumberland Council
Development Control
The Copeland Centre Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Our ref: NO/2023/115551/02-L01
Your ref: 4/23/2249/OF1
Date: 1 May 2024

Dear Sir/Madam

ERECTION OF WELCOME BUILDING WITH CAFÉ, RETAIL SPACE, STAFF FACILITIES AND CAR PARK, INSTALLATION OF AIR SOURCE HEAT PUMPS, REPAIR AND STABILISATION WORKS AND INSTALLATION OF SUSPENDED PERISCOPE MIRRORS AT HODBARROW BEACON, REPAIR AND STABILISATION WORKS AND INSTALLATION OF CAMERA OBSCURA STRUCTURE AT TOWSEY HOLE WINDMILL, INSTALLATION OF CLADDING AND NEW LIVING ROOF TO EXISTING BIRD HIDE, ERECTION OF NEW BIRD HIDES AND VIEWING PLATFORMS, CREATION OF NEW MULTI-USE PATHWAYS WITH SIGNAGE, GATEWAY FEATURES AND STREET FURNITURE, MAKING GOOD OF EXISTING BYWAY (BOAT) ALONG SEA WALL, ENHANCEMENT OF WILDLIFE HABITATS, AND ASSOCIATED ACCESS, LANDSCAPING AND DRAINAGE INFRASTRUCTURE

LAND AT HODBARROW NATURE RESERVE, MILLOM

I refer to the above application, to which we previously provided our advice on 27 September 2023.

It is understood that there are concerns regarding the proposed method of foul drainage and the associated permitting requirements. On the basis that the proposed package treatment plant will involve the discharge of over 5m³ of treated effluent per day, an environmental permit would be required. We have not received a permit application for any discharge associated with the proposals and we cannot say whether or not a permit would be granted.

There is nothing to indicate that an acceptable foul drainage solution cannot be identified. If the concerns with the proposed arrangements remain, any subsequent approval could be conditioned as follows to ensure that an acceptable solution is identified prior to the commencement of development.

Condition The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

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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Reason(s) To ensure the proposed development does not pose an unacceptable risk of pollution to controlled waters.

Advice to applicant

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24-hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Further advice is available at [Septic tanks and treatment plants: permits and general binding rules](#)

The comments in our previous response dated 27 September 2023 still apply.

Yours faithfully

Philip Carter
Planning Officer - Sustainable Places

Direct dial
Direct e-mail