

Bathing Water Quality

Does the sewage disposal fall between more than three stools?

- 1.1. To expand this question, there are three main authorities with responsibilities regarding water, sewage and public health:-
 - South West Water (SWW)
 - Cornwall Council (CC)
 - Environment Agency (EA)
- 1.2. However, to date, there are no public documents regarding a joint consultation on the water and sewage in relation to the CEG Planning Application (PA).
- 1.3. As a Member of the European Union, the United Kingdom must work within the Water Framework Directive. Directives are laws that put in place standards that must be complied with. There are requirements that need to be met in certain time frames.
- 1.4. This Planning Application is the creation of an additional town on a beach which is outside the development 'envelope'.
- 1.5. The Council has not designated this area for a town and, as a result, other designated areas of development have already taken place without taking into consideration the building of this new town on this beach.
- 1.6. One very important reason why planning considerations outside the 'envelope' should not be considered in isolation is because the waste from what is built in one area (designated as urban) can then end up outside the 'envelope' on a beach. This is exactly what has happened at Carlyon Bay, because sewage soil waste from St Austell is discharged at Carlyon Bay.
- 1.7. The document 'Bathing Water Profile for the Crinnis Golf Links' details how the: *'urban area of St Austell immediately behind the beach is served by a combined (surface and sewer) system.'* www.environment-agency.gov.uk (See appendix)

It confirms in that document, under 'Emergency/storm overflows':

'There is a storm overflow from Daniels Lane storage tank (CSO) that discharges to the Crinnis Stream three kilometres upstream from the beach. This overflow is designed to prevent local homes from being flooded with sewage after very heavy rainfall. The operation of the overflow can lead to a drop in bathing water quality.'

- 1.8. There is strong evidence available from the EA that it not only "can" but in fact does mean a drop in bathing water quality. Sampling results are available on the EA's web site. The figures support a regular failure of water quality during the mid summer holiday season. The number of 'Total coliforms (colonies/100ml)' recorded on 20/07/2010 was "9900" this is a water quality "Fail". Similar failure figures can be evidenced on regular occasions each year.
- 1.9. If this new Planning Application (PA) is approved, waste from CSOs will continue to discharge and, at the receiving end, will be a new town on a beach.
- 1.10. The new PA has a design feature of a "stilling pool" intended to prevent flow back from the sea flooding further upstream. In certain conditions, raw sewage is discharged from CSOs into Crinnis stream. This discharge will converge at some point with sea water coming in shore. The sewage will inevitably be found at times in the stilling pool in the proposed new town.
- 1.11. This is not simply a question for SWW to overcome. It is a public health risk, which is the responsibility of both the CC and the EA. Ultimately, EU bathing water quality standards must be complied with.
- 1.12. There are higher bathing water standards to come into force in 2015. This PA will be an additional load on the system. On 15th May 2011 the pressure group Surfers Against Sewage will have a water quality alert system. Their web site will publicise real time releases of raw sewage into water courses and the sea.
- 1.13. It will also give the public the information to check if the number and length of time the discharges take place comply with current EU legislation. There is evidence that CSOs are not just discharged under emergency conditions, but in fact discharge more often and for longer than qualify for an emergency. This is because the system is in need of upgrading to cope with the capacity required, so that flood water doesn't enter the foul water system. Theoretically speaking

from May 15th we should be able to know just before the effluent hits the water. You may be in time to delay the swim or picnic on the beach, unless you have already left home without a computer when it happens.

1.14. The potential for the effluent to spread over a wide area is assisted by the permeable nature of the 'stent' (mining waste granular material) that surrounds the river outfall and forms the beach. Sampling results also show effects of these sewage discharges at other locations including Polkerris. This is to be expected with a west east drift of the tidal flow within the bay. The net effect is that the discharge from the Crinnis golf links appears to impact on other beaches. Additionally, there are many old mine workings and tunnels that can carry the effluent.

1.15. Questions put to the Environment Agency, by e-mail, reveal that:-

"Local Environment Agency investigations have shown that Daniels Lane emergency overflow often spills after heavy rainfall and can impact the water quality at Crinnis Golf Links Beach. Most sewage treatment facilities are designed to protect coastal bathing waters for 95% of the time because to provide protection for 100% of the time under all scenarios would be too costly for the water bill and tax payers. The rainfall in Cornwall during the summers of 2007, 2008 and 2009 was unusually high which resulted in more than the expected number of failing beaches, we do not expect to see this as a long term trend.

'We have been consulted by Cornwall Council on the hybrid planning application at Carlyon Bay and are due to respond on this application to the Council in the next couple of weeks. Within the Environmental Statement there is a chapter on Water Resources and the potential effects of the development on water resources. SWW have confirmed that they have the capacity to accept and treat the foul flows arising from the development and they have responsibility to ensure that they comply with the terms of their Consent to Discharge. '

'As stated above our investigations have shown that the water quality at Crinnis Golf Links can be affected by the spilling of the Daniels Lane emergency overflow. The foul flows from the development will be entering the sewerage network downstream of the Daniels Lane CSO, and therefore would not contribute to the tripping of this emergency overflow.'

If an emergency overflow is spilling too often then this is usually due to either a system failure on site and the operator (South West Water) is visited to correct the problem or the system is simply overloaded and the Environment Agency will advise the operator to invest in improvements.

Some improvements were made to the Daniels Lane emergency overflow about 5 - 6 years ago; we believe to provide better screens at this emergency overflow. Please see attached our Standard Notice which tells you how you can use our information.

Kind regards

Maggie Summerfield: Communications Officer, Environment Agency

*Devon & Cornwall Area, Sir John Moore House, Victoria Sq., Bodmin, Cornwall
PL31 1EB*

Tel: (int) 724 5086 Tel: (ext): 01208 265086

Email: swcornwall@environment-agency.gov.uk

To summarise

- 1.16. It would appear that despite the improvements made to the CSO at Daniels Lane sometime ago, whenever it rains heavily, the bathing water fails the EU standards.
- 1.17. The EA consider the cost too great to prevent this happening, therefore it will continue.
- 1.18. The findings of the consultation between the EA and the CC are not available for the public at the time when objections are received. Therefore, as the public have not been informed, they cannot make an informed decision to make comment on them.
- 1.19. The only information available is that found by research and individual requests. The answers are limited by the time constraints placed between the availability of the Planning Application and the closure of objection period.
- 1.20. What is now available for comment is contained within the submission by CEG:
"The CEG water/waste evidence in regard to the PA"

Water

2.7. The updated estimate of the potable water demand for the development is 7.1 m³/hr. This estimate incorporates the Code for Sustainable Homes Level 3 requirements.

- 1.21. A direct quote below from CEG PA Utilities Statement, Water, page 9, starts at 2.8 (Avlin Ludwig, Buro Happold Ltd) :

2.8 'Formal confirmation has been received from South West Water (SWW) which states that the waters supply requisitions and foul drainage requisitions that were previously entered into in the form of a Section 98 agreement will be honoured. This includes the previous commitment to the development proposals in terms of providing potable water and foul water services.'

2.9. 'It is understood via Buro Happold that pipes / pipe sleeves for new water and sewage mains were installed to the railway bridge as part of the upgrade of Cypress Avenue. It is anticipated that the water and drainage pipes would be extended across the golf course to the cliff-top car park to provide the connections for the development.'

2.10. 'Concerns have been raised in the past with regards to the capacity of Par Sewage Treatment Works. However, SWW remain committed to providing the infrastructure required to service the proposed development and there will be no objection to the planning application from SWW on those grounds. We are continuing to try to establish whether any upgrade works have been carried out or are about to be carried out to the Par Sewage Treatment Works.'

- 1.22. The last part of 2.10 states:

'We are continuing to try to establish whether any upgrade works have been carried out or are about to be carried out to the Par Sewage Treatment Works.'

This raises serious questions over capacity at Par Sewage Works with no answers available to date regarding upgrading.

Reading further down the page of CEG PA Utilities Statement, page 9, there is a note regarding a phone call and e-mail from Mr Martyn Dunn of SWW as quoted

"Appendix A: Record of Correspondence, Utility company Name of contact, Title/Department, Date of enquiry and format Date and details of response Received' South West Water (Potable Water and Sewerage)

Martyn Dunn SWW Planning Development Coordinator 01392 443702 Phone call 17/08/2010

Email received 12:12 17/08/10 confirming that as both water and sewer requisitions were entered into, planning permission was obviously obtained as

SWW would not accept these otherwise. Therefore SWW will honour the previous commitment to the development proposals in terms of providing clean and foul water services.'

- 1.24. The wording '*planning permission was obviously obtained*' is hard to comprehend. What exactly was obtained and where is the documentation to which this statement refers. It is far from obvious because whatever "*planning permission*" is being referred to has no reference or date of being obtained and does not appear to be included with the CEG PA anywhere. Therefore, impossible for a lay person to find and see it. To be obvious something must be visible or apparent in some shape or form.
- 1.25. The absence of evidence of documentation, in the written statement compiled by Aylin Ludwig, Buro Happold Limited could indicate that SWW have no record of whatever planning permission, to which this refers, actually having being obtained.
- 1.26. So this statement is far from obvious, because all it tells us is that Martyn Dunn (MD) confirmed that water and sewer requisitions were entered into, but there are no dates, copy requisitions or reference numbers, to verify this as a fact. From this the reader could conclude that MD deduced that planning permission was obviously obtained, rather than held evidence on file. There are no facts to say which planning permission and why this was an obvious conclusion.
- 1.27. It raises two questions. Firstly which planning permission is being referred to as obviously obtained? Secondly, was it obtained and, if so, when?
- 1.28. These questions about the information in the CEG Utilities Statement are important:-
2.10 Above states it cannot be established as to the 'upgrade' of the Par Sewage Works.
- 1.29. Why cannot this simply be established under the Freedom of Information Act (F of I)? These facts should be in the public domain when considering a development. It raises the question as to how long and how hard has this information been requested. Under the F of I there is a time constraint to reply. It is a very simple question. Would a negative answer be detrimental to the application?

- 1.30. Aylin Ludwig Buro Happold Limited and or CEG it would appear have not been able to obtain an answer to a simple question, why? As this has only recently been put in the public domain time now precludes the public obtaining these answers under the F of I Act.
 - 1.31. This is a new PA, but has not been considered as one by CEG with regard to Waste and Water supply. SWW have not considered it as a new PA., despite the very different profile now proposed with upto 511 permanent dwellings and 100,000 square feet of 'commercial space'. CC and EA have not publicised their consultation findings.
 - 1.32. There is evidence that CSOs releasing raw sewage into the water courses and the bay and beyond. To do otherwise is considered by the EA to be too costly.
 - 1.33. Although the EA's correspondence states '*most sewage treatment facilities are designed to protect coastal bathing waters for 95% of the time*' it does not say that the one for Carlyon Bay being Par Moor Plant does. In the light of the absence of information regarding this Plant as per CEG Aylin Ludwig Buro Happold Limited lack of findings on this question, it can safely be assumed that Par doesn't qualify as 'most'.
 - 1.34. There is evidenced by the fact that no information is available as to the capacity status of the Par Moor Sewage Treatment Plant.
 - 1.35. Therefore, this PA should be re considered as a totally new application by all the authorities involved.
 - 1.36. In conclusion, it is readily apparent that the sewage issue certainly falls between more than three stools. In fact it spreads for miles.
 - 1.37. The PA should be referred to the National Planning Case Unit in Birmingham and in turn to the Secretary of State. Compliance with EU legislation is paramount, particularly in relation to planning for public health and clean water.
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