

Breckland Local Plan Examination Note

1. Further consideration of the requirement in residential allocation policies to undertake a pre-application enquiry with Anglian Water Services to demonstrate that sufficient capacity is available to transfer wastewater for treatment

- 1.1. The Council justified in the Hearing Statement for Matter 18 Infrastructure (CS.18) and in the hearing session held 17th May 2018, the rationale and evidence used to support this policy clause. It is not considered necessary to repeat the reasoning in this note.
- 1.2. During the Matter 18 hearing session, the Council was provided the opportunity to further consider the policy clause and whether it constituted a planning matter and to submit a further statement regarding the issue.
- 1.3. Upon further consideration, the Council do not consider the policy clause to be required for the following reasons:
- 1.4. Anglian Water Services Limited is the statutory water and sewerage undertaker for the Anglian Region. The company's statutory duties include the provision of essential water supplies and the collection, treatment and disposal of used water. The Councils Water Cycle Study recommends that for certain allocations where there are known capacity issues, a pre-application enquiry is undertaken to demonstrate that sufficient capacity is available to transfer wastewater for treatment. However, it is ultimately the responsibility of Anglian Water as statutory undertaker to collect, treat and dispose of used water from the development, if permitted. Planning conditions can be recommended by Anglian Water and imposed by the Local Planning Authority to ensure that existing customers are protected from the impact of the development site on the public network. It is therefore not justified to require developers to undertake a pre-application enquiry, where Anglian Water Services Ltd. is already obligated to consider the impact of development on the waste water network in the role of statutory undertaker.
- 1.5. Under the Council's Local List for the purpose of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Breckland District Council advises that a Utilities Statement accompanies certain applications. This Statement ensures that connections to, and the resulting impact on the network, should be considered by developers from the earliest point.
- 1.6. The Local List notes that it can be helpful for planning applications to include a Utilities Statement where:
 - - large scale major development is proposed; or
 - - there are known deficiencies in existing infrastructure systems that may be exacerbated by proposed development.
- 1.7. Utilities Statements should explain how a proposed development will be linked to existing utility infrastructure systems, and demonstrate that the existing services and infrastructure

have sufficient capacity to accommodate the supply/service demands which would arise from the completed development; and the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains.

- 1.8. It is therefore recommended that all clauses requiring a pre-application enquiry with Anglian Water Services are removed from the Local Plan and noted in the table of main modifications which will be subject to consultation.
- 1.9. For those settlements where the Water Cycle Study has identified acute capacity issues with regard to the Waste Water Treatment Works, the Council propose main modifications to draw attention to the evidence in the supporting text for those settlements. This applies to: Dereham, Watton, Garboldisham.
- 1.10. Attleborough WwTW is also noted as constrained but the wording has been agreed through a Statement of Common Ground (SoCG) with Anglian Water. Whilst Bawdeswell is not noted as acutely constrained in the Water Cycle Study, wording for this allocation was also subject to agreement in the Councils SoCG with Anglian Water to make it consistent with other allocations. In honour of the agreement made, changes have not been proposed to the wording for Attleborough or Bawdeswell as agreed in the Statement, either through this Examination Note or in the Main Modifications table. Should the Inspector consider such modifications necessary to make the plan sound, the Council will consult with Anglian Water in response.
- 1.11. For all other settlements which are subject to a policy clause requiring a pre-application enquiry with Anglian Water Services, it is proposed that this is replaced with alternate wording drawing attention to the findings of the Water Cycle Study. This applies to all individual site allocations which were marked as amber on the RAG assessment in the Water Cycle Study LP/E/5 (chapter 5.4).

2. Dereham

- 2.1. Supporting text
- 2.2. Used water from properties in Dereham feeds into Dereham Waste water Treatment Works (WwTW). There are known capacity issues with Dereham WwTW and the Water Cycle Study notes a variety of solutions are required to manage the impact of predicted and planned growth for the town. As a result of known capacity issues, all development proposals should be supported by a Utilities Statement to explain how the proposed development will be linked to existing utility infrastructure systems, and demonstrate that the existing services and infrastructure have sufficient capacity to accommodate the supply/service demands which would arise from the completed development. It should also address whether the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains.

2.3. Policy clause (to be included in all proposed housing allocation policies in Dereham)

Development proposals in Dereham should have regard to the findings of the Water Cycle Study which indicates capacity limitations at Dereham Waste Water Treatment Works. A Utilities Statement will be required to support the planning application.

3. Watton

3.1. Supporting text

Used water from properties in Watton feeds into Watton Waste water Treatment Works (WwTW). The growth proposed in the Watton WwTW catchment is given an Amber status on the basis that some upgrades are required, but are within the limit of conventional treatment. Upon application of the revised discharge permit, AWS should determine potential impact of the additional discharge on flood risk.

3.2. Policy clause (to be included in all proposed housing allocation policies in Watton)

Development proposals in Watton should have regard to the findings of the Water Cycle Study which indicates potential capacity limitations at Watton Waste Water Treatment Works. A Utilities Statement will be required to support the planning application.

4. Garboldisham

4.1. Supporting text

Used water from properties in Garboldisham feeds into Elm Grove Waste water Treatment Works (WwTW). The Water Cycle Study (2017) indicates that the WwTW is at capacity and there is no available headroom in the discharge permit. Solutions are readily achievable within the limits of conventional treatment methods and would not present a barrier to growth, nor affect phasing of development in this location. However due to the acute issue with capacity identified in the Water Cycle Study, it is recommended a Utilities Statement is submitted to support the planning application.

4.2. Policy clause (Garboldisham Housing Allocation 1)

Development proposals in Garboldisham should have regard to the findings of the Water Cycle Study which indicates potential capacity limitations at Watton Waste Water Treatment Works. A Utilities Statement will be required to support the planning application.

5. Sites with Amber RAG status

- 5.1. Replacement policy text for sites with clauses requiring a pre-application enquiry with Anglian Water Services

Development proposals should have regard to the findings of the Water Cycle Study which indicates potential issues with the wastewater network capacity.