

Chichester District Council

OVERVIEW AND SCRUTINY COMMITTEE

13 September 2016

Southern Water and the Planning Process

1. Contacts

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2. Recommendation

2.1 The committee is requested to consider the information provided by the representatives of Southern Water in answer to questions posed by the committee and to raise any further comments or recommendations in order that the Council continues to achieve positive engagement with Southern Water in relation to plan-making and determining planning applications.

3. Background

3.1 The Overview and Scrutiny Committee has decided to examine the role of Southern Water in the planning process as part of its work programme for 2016/7. Southern Water has been sent a set of questions (attached at Appendix 1) and been asked to attend the Committee meeting to explain its remit and to answer those questions in a presentation to the Committee. To assist the Committee, Southern Water has provided written responses to the questions which will be amplified at the committee meeting.

3.2 This short report outlines how the Council, as local planning authority, engages with Southern Water in relation to the plan-making process and determining planning applications.

4. Planning Policy

4.1 The Council is required to set out planning policies and proposals for the part of the District outside the South Downs National Park in a Local Plan. As part of the evidence base for the Local Plan it needs to identify the infrastructure required to deliver the proposed development in the Infrastructure Delivery Plan (IDP) <http://www.chichester.gov.uk/CHttpHandler.ashx?id=22872&p=0>. Pages 51 – 52 of the IDP set out the situation for wastewater treatment and sewerage.

4.2 The IDP identifies that Southern Water will, for local infrastructure, take account of future income from customers. However, for strategic infrastructure it will

seek authority to fund it through the price review process. This is based around the 5 year investment periods and requires approval of the Business Plan by Ofwat.

- 4.3 For the current Local Plan there was an in-depth study into the options for wastewater treatment to deal with the housing and employment growth identified in the plan. This was commissioned and steered with the agreement of the Chichester Water Quality Group. This group includes representatives from Chichester District Council (planning and environment), Southern Water, Chichester Harbour Conservancy, Natural England and the Environment Agency. The study was titled 'Strategic Growth Study – Wastewater Treatment Options for Chichester District' <http://www.chichester.gov.uk/CHttpHandler.ashx?id=10619&p=0> and was undertaken by MWH.
- 4.4 The MWH study identified that the long sea outfall option offered the highest degree of certainty that implementation would be feasible to free up the required level of development capacity around Chichester. However, this had the highest whole life cost and therefore the option to upgrade the treatment works at Tangmere was subsequently taken forward and included in the Southern Water Business Plan for 2015-20, now approved by Ofwat. This was referenced in the IDP, although far more detail is included in the MWH Study. The IDP sets out that sewerage (i.e. the underground sewer pipes and associated facilities that convey wastewater from individual homes and businesses to the works for treatment), capacity to service individual development sites will need to be assessed on a site by site basis. This is with the exception of the sewer necessary to transfer flows from the West of Chichester and Westhampnett/NE Chichester strategic development sites to the upgraded Tangmere waste water treatment works where high level analysis indicated this is a viable option.
- 4.5 At the time the last Local Plan was being prepared, the South East Plan set out the requirements for development in the District. Strategic planning is now less prescribed by central government and there is a need to engage with other authorities to determine the overall level of development that will need to be accommodated in the Local Plan Review. When the Local Plan Review is prepared and the evidence base produced it is likely that it will need to deal with a range of potential development scenarios with identification of the infrastructure needed to deliver each one. The Southern Water business planning cycle deals with a 5 year investment period which does not necessarily sit comfortably with the longer time periods covered by the Local Plan. However, Ofwat requires planning certainty to allow Southern Water to make the necessary investment to accommodate growth and this is provided through the local plan process.

5. Development Management

- 5.1 There is no statutory obligation for the Council to consult Southern Water on individual planning applications; however it is recognised as good practice to do so in relation to proposals that are likely to have a significant impact on foul water disposal.

- 5.2 As a consequence, Southern Water is consulted on proposals that would result in a net increase of 10 of dwellings on individual sites as this has historically been the benchmark for a likely impact to be considered significant. However, in some areas which are identified as experiencing existing issues within the foul sewerage network, any proposal that results in a net increase in the number of dwellings on any given site is subject to consultation with Southern Water.
- 5.3 At the planning application stage, Southern Water will advise where off site upgrades to the sewerage network may be required to enable the resulting foul flows from new development to be accommodated. Where such upgrade works are identified, these are expected to be funded by the developer and subject to agreement on funding being reached, rarely represent an issue in principle with regard to proposed development. It is however well established in national planning guidance that it would not be reasonable to require the developer to remedy existing deficiencies in the foul sewerage network.

6. Appendices

Appendix 1 – Questions posed to Southern Water by the Committee with their responses received