Statement of Common Ground between East Suffolk Council, The Environment Agency and Anglian Water

Matters relating to phasing of development and the wastewater network.

Local Plan covering the former Suffolk Coastal area

August 2019
Purpose of Statement

1 This statement has been produced to inform the Inspector of the areas of agreement identified between the Council, the Environment Agency and Anglian Water in order to address Anglian Water’s representation.

2 Anglian Water and the Environment Agency made a number of representations to the Regulation 19 Final Draft Local Plan consultation, around which discussion between the two parties has led to a proposed modification to the following Local Plan Policy:

3 Link to representations and policies:

- SCLP3.5 Infrastructure Provision (Rep ID: 710).

Agreed Position

4 The parties consider, with the following modification below, the plan is sound in respect of matter 2. Insertions are shown in underline and deletions are shown in strikethrough.

Policy SCLP3.5: Infrastructure Provision

Anglian Water (Rep ID: 710) raises concerns with the requirement to provide improvements to Water Recycling Centres before occupation of proposed dwellings where capacity is currently unavailable as Water Recycling Centre upgrades will not be most appropriate solution in all cases. The representation suggests deletion of the final sentence in the 6th paragraph of the policy. However, the Environment Agency raised concerns with the deletion of this sentence with respect to the need to avoid a breach of environmental legislations and the need to phase development.

The Council, the Environment Agency and Anglian Water agree that the modifications set out below would address this matter and that the Plan is therefore sound in respect of this matter.

Changes to supporting text

The following additional paragraph to be inserted after paragraph 3.67:

“The Habitats Regulation Assessment of this Local Plan recommends that clarity is provided in the Local Plan regarding the timely delivery of required infrastructure and treatment capabilities for phosphate, ammonia and nitrogen in order to ensure that there are no significant effects on European sites. The Cross Boundary Water Cycle Study identifies water recycling centres where treatment measures are expected to be needed to ensure that the
objectives of the Water Framework Directive and the Habitats Regulation Directive are not compromised. This may also include improvements to the wider wastewater network. Anglian Water, in their role as a water company, and the Environment Agency, in their environmental oversight capacity, advise that phasing of development should be provided for in this respect. However, this should only be required where the size and type of development allows for phasing and where improvement works are identified. The cumulative impact of development should also be considered when determining the need for phasing.

**Changes to policy**

“Development will be expected to follow the principles of Holistic Water Management as set out in Policy SCLP9.7 and will not be permitted where it would have a significant effect on the capacity of existing water infrastructure and follow the principles of Holistic Water Management. Specifically, developers should provide evidence to ensure there is capacity in the water recycling centre and wastewater network in time to serve the development. Where there is no insufficient capacity in the water recycling centre Anglian Water will review the requirements for investment and development may will need to be phased, where necessary, in order to allow time for improvement works to take place, if required. The improvements shall ensure there is no breach of environmental legislations particularly in relation to the Water Framework Directive and Habitats Regulations Directive or subsequent replacements. The agreed improvements should be in place before occupation of proposed dwellings in order to avoid a breach of environmental legislations.”
Signatures

Signature: 
Print name: Philip Ridley 
Position: Head of Planning and Coastal Management 
Authority: East Suffolk Council 

Signature: 
Print name: Stewart Patience 
Position: Spatial Planning Manager 
Authority: Anglian Water Services Ltd 

Signature: 
Print name: Jo Firth 
Position: Sustainable Places Team Leader 
Authority: Environment Agency