

Section 3 - Development Strategy

P24-37

Southern Water is the statutory water and wastewater undertaker for Medway and seeks to work in collaboration with local authorities, developers and other stakeholders to understand the location and timing of development, to ensure the right infrastructure is delivered in the right place at the right time. Strategic infrastructure such as extensions to wastewater treatment works can be funded, planned and delivered through the water industry's 5 yearly price review process and once adopted, the Medway Local Plan will inform Southern Water's investment planning.

However, the ability of local infrastructure, such as a local sewer connection point, to accommodate new development will be assessed on a site by site basis. Where additional capacity is shown to be required, development should be delivered in parallel with the new infrastructure required to service it.

We therefore look to Medway Council to ensure, through planning policies and conditions, that development is coordinated with the provision of infrastructure. This will ensure that levels of service are maintained for both new and existing customers, and that the risk of flooding is not increased to unacceptable levels.

Once Medway Council has made further refinements to its development strategy and determined the location and scale of individual housing sites, Southern Water will carry out capacity assessments on the local sewerage and water infrastructure as outlined above.

Policy NE 1: Sites of international importance for nature conservation P101

Southern Water understands Medway Council's desire to protect the internationally designated wetland habitats within the district. However, we consider that the current wording of Policy NE1 could create a barrier to statutory utility providers, such as Southern Water, from delivering essential infrastructure required to serve existing and planned development.

Although there are no current plans, Southern Water may need to provide new or improved infrastructure at some point during the plan period. Due to the need to connect into existing networks, there may be limited options available for the location of new water or wastewater infrastructure (e.g. a new pumping station). The National Planning Practice Guidance (ref: 34-005-20140306) recognises this scenario and states that *'it will be important to recognise that water and wastewater infrastructure sometimes has particular locational needs'*. In addition, the NPPG (ref: 34-005-20140306) states that the provision of water and wastewater infrastructure *'often consists of engineering works rather than new buildings'*.

Paragraph 118 of the NPPF stipulates that where an adverse effect on the special interest features of a site is likely, an exception can be made when the benefits of the development clearly outweigh the impacts that it is likely to have. Furthermore, the NPPG (ref: 8-011-20140612) links to the 2005 Government Circular: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System, which provides guidance on the application of the law relating to planning and nature conservation. Paragraph 25 of this document states that planning permission can be granted to proposals within internationally designated sites where there are "imperative reasons of overriding public interest". The 2007 Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC (section 1.8.2) cites "human health" as belonging to the most important imperative reasons of overriding public interest, and the provision of water and wastewater services are "essential" for securing public health, as stated on page 8 of the National Policy Statement for Waste Water.

We therefore propose the following amendment to Policy NE1 (new text underlined):

[...] No development will be permitted which may have an adverse effect on the integrity of an SAC, SPA or Ramsar site, alone or in combination with other plans or projects, as it would not be in accordance with the Habitat Regulations 2010 (as amended) and the aims and objectives of this emerging Local Plan, unless it is for the provision of essential water or wastewater infrastructure.

**Policy NE7: Flood and Water Management
P110-111**

Question NE7:

Do you agree with the proposed policy for flood and water management?

Southern Water is the statutory water supplier throughout most of Medway district. As such we support policies that protect groundwater supplies and water quality.

Policy BE1: Promoting High Quality Design

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Question BE1:

Does the proposed policy for high quality design represent the most appropriate approach for the Medway Local Plan?

Southern Water notes the inclusion of a policy criterion requiring new development to respect the amenity of neighbouring uses (bullet point #9). National policy also requires the potential impact of existing development on the amenity of the occupiers of future development to be considered when making planning decisions. Paragraph 109 of the NPPF states that both new and existing development should be prevented from "*contributing to or being put at unacceptable risk from, or being adversely affected by, levels of soil, air, water or noise pollution*". Furthermore, paragraph 120 of the NPPF makes it clear that "*planning policies and decisions should ensure that new development is appropriate to its location. The effects of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.*" Annex 2 of the NPPF establishes that pollution also includes odour.

Where housing or other sensitive land uses are proposed in close proximity to existing wastewater infrastructure (such as wastewater treatment works) Southern Water would seek to ensure, through appropriate design and/or layout, that the amenity of future occupiers of the development would not be unduly affected.

What do you consider would represent a sound alternative approach towards planning for high quality design in the Medway Local Plan?

Accordingly, we propose the following amendment to Policy BE1 (new text underlined, deleted text ~~struck through~~):

- *Respects the amenity of neighbouring uses through consideration of light levels, overshadowing, overlooking, loss of privacy, visual intrusion, appropriately designed car parking and ensuring minimal impact through that development does not result in, or is exposed to, excessive noise, vibration, fumes or light pollution, and other relevant considerations.*

Policy BE2: Sustainable Design

Southern Water supports the inclusion of the higher national water efficiency standard of either 110 litres/person/day or 90 litres/person/day for residential developments.

Southern Water's supply area is designated as an 'area of serious water stress' as advised by the Environment Agency (EA Final Classification 2013), and as a result Southern Water has focussed on a twin track approach of reducing leakage across its network whilst also encouraging greater water efficiency in homes and businesses.

Furthermore, as part of OFWAT's New Connections Services Charging Arrangements implemented from 1 April 2018, Southern Water has opted to waive its water infrastructure charge (formerly £379.62 per property) for new homes constructed to achieve water use of 110 litres or less per person per day in order to encourage the delivery of more water efficient homes. For further information see: <https://www.southernwater.co.uk/media/default/PDFs/new-connection-charging-arrangements-18-19.pdf>)

Policy I5: Utilities

Southern Water supports the spirit of Policy I5 regarding early engagement. We would additionally wish to encourage developers to engage with Southern Water at an early stage in order to ensure phasing of the site is coordinated with the delivery of the required infrastructure.

In addition, we would request the following amendment to Policy I5 (new text underlined):

Significant new development proposals will be assessed to determine the impact on the existing network (water, wastewater, electricity and gas).