



Boxgrove Parish Council

Your Ref:

By Email

Our Ref:

Date:  
24 April 2017

Contact:  
01273 663742

Dear Sir/Madam,

**Boxgrove Neighbourhood Plan – pre-submission**

We welcome the opportunity to comment on the Pre-Submission Boxgrove Neighbourhood Plan.

Southern Water is the statutory wastewater undertaker for Boxgrove, with a duty to serve new development, and as such is committed to ensuring the right infrastructure in the right place at the right time in collaboration with Boxgrove Parish Council, developers and the Local Planning Authority. The 'made' Boxgrove Neighbourhood Plan, together with the adopted South Downs National Park and Chichester Local Plans will inform Southern Water's investment planning. Adoption provides the planning certainty required to support investment proposals to Ofwat, the water industry's economic regulator. Investment proposals are prepared every five years through the price review process. The last price review was in 2014. Ofwat's price determination funds the investment programme for the period to 2020. There will be another price review in 2019, covering the investment period 2020 to 2025.

Strategic infrastructure such as extensions to wastewater treatment works can be planned and funded through the price review process, and coordinated with new development. However, Ofwat takes the view that local infrastructure, such as local sewers, should be delivered by the development if this is specifically required to service individual development sites. To this end, the principle is that new development needs to connect to the sewerage systems at the nearest points of adequate capacity. This may require off-site infrastructure if the nearest point is not located within the immediate vicinity of the site.

We look to Boxgrove Parish Council, the South Downs National Park and Chichester District Councils to ensure through planning policies and conditions that development is coordinated with the provision of infrastructure and not permitted to proceed unless it connects to the sewerage system at the nearest points of adequate capacity, as advised by the service provider. This will ensure that levels of service are maintained to both new and existing customers, and that the risk of flooding is not increased to unacceptable levels.

Please find following our response in respect of specific policies. We hope that you will find this useful and that it will be taken into account in the next version of your Neighbourhood Plan. We would be grateful if you could keep us informed of future progress.

Yours faithfully,

*CMayall*

Charlotte Mayall  
Planning Coordinator

**Paragraph 3.3.2 – Flooding and Drainage**  
**Page 14**

We take this opportunity to provide clarification on comments within the above paragraph relating to Southern Water's sewer network, and seek amendments to paragraph 3.3.2 accordingly.

The wastewater system is made up of a network of small pipes from individual properties that drain into larger pipes serving a street or area. These will eventually connect into a large trunk sewer that transfers wastewater to a treatment works where it is cleaned and safely returned to the environment. In common with other areas, Boxgrove is served by a similar network. During periods of heavy rainfall, surface water can inundate the sewerage system and compromise its functioning, as the system is not designed to take large amounts of water that should be dealt with by appropriate land drainage.

Accordingly, we seek the following amendments to paragraph 3.3.2:

*There can be a considerable problem at the south end of The Street. If it rains really hard it runs off the Downs, down Park Lane across the A285, down The Street and collects where the cut-off old road levels out as it 'meets' the A27. There is a lot of surface water run-off into the main drain system and if the water table is high underground water feeds into the system as well. In Boxgrove ~~there is an unusually small underground sewer pipe which frequently gets overloaded in wet weather~~ the foul sewerage system can become inundated with surface water ~~with many houses and road drains, constructed before regulations which now forbid it, adding to the system.~~*

## **Policy SB1: Settlement Boundary**

### **Page 26**

Southern Water understands Boxgrove Parish Council's intention to protect countryside outside the built up area. However, we cannot support the current wording of policy SB1. This is because it could create barriers to statutory utility providers, such as Southern Water, delivering essential infrastructure required to serve existing and planned development allocated in the District or Neighbourhood Plan.

The National Planning Policy Framework (NPPF) identifies that there are 'very special circumstances' in which development would be permitted in such locations. Paragraph 76 of NPPF sets out that neighbourhood plans can identify green areas of particular importance with the intention of ruling out '*new development other than in very special circumstances*'. Paragraph 88 of the NPPF explains that special circumstances exist if the potential harm of a development proposal is clearly outweighed by other considerations.

Southern Water considers that should the need arise, special circumstances exist in relation to the provision of essential wastewater or sewerage infrastructure (e.g a new pumping station) required to serve new and existing customers. This is because there are limited options available with regard to location, as the infrastructure would need to connect into existing networks. The draft National Planning Practice Guidance recognises this scenario and states that '*it will be important to recognise that water and wastewater infrastructure sometimes has needs particular to the location (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered*'.

### **Proposed amendment**

Accordingly, we propose the following additional text to Policy SB1 (new text underlined):

*Outside of the settlement boundary at Boxgrove and the recognised village envelope at Halnaker (see Maps F and G) development will not be acceptable other than for the purposes of :*

- *Agriculture;*
- *Forestry;*
- *Recreation,*
- *Essential wastewater utility infrastructure, or*
- *where other policies within this Plan indicate otherwise*

## **Policy H4 - Land at Halnaker Crossing**

### **Page 39**

The Neighbourhood Plan identifies that the above site could provide around 25 residential units if a revised housing requirement is allocated by Chichester District Council. In line with paragraph 162 of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance, we have undertaken a preliminary assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal. Our assessment reveals that the local sewerage system currently has limited capacity to accommodate additional development at this scale. This is not a constraint to development however, provided planning policy for this site ensures that proposed development makes a connection to the sewerage network at the nearest point of adequate capacity.

If development is permitted to proceed without such policy provision where there is inadequate capacity in the sewerage network, Southern Water has limited powers to prevent connection and the system could become overloaded, leading to pollution of the environment. This situation would be contrary to paragraph 109 of the NPPF, which requires the planning system to prevent both new and existing development from contributing to pollution.

Furthermore, there could be a risk that the necessary local sewerage infrastructure will not be delivered in time to service the proposed development, unless delivery is supported by planning policies and subsequently in planning conditions. This is supported by the core planning principles identified in the NPPF, notably to: *'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'* and ensure that plans *'provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency'*. Our approach is also supported by paragraph 21 of the NPPF, which requires that planning policies should recognise and seek to address any lack of infrastructure. The National Planning Practice Guidance specifies that *'Adequate water and wastewater infrastructure is needed to support sustainable development'*.

We also take this opportunity to point out that Southern Water's infrastructure crosses the proposed site at Halnaker Crossing, which needs to be taken into account when designing any proposed development. An easement width of 6 metres would be required, which may affect the site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

### **Proposed amendment**

To ensure consistency with the NPPF and Planning Practice Guidance, we propose the following additional bullet points at the end of policy H4 :

*Any development of the site must provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider, and site layout must be planned to ensure future access to the existing sewerage infrastructure for maintenance and upsizing purposes.*

### **Additional policy on the provision of water and wastewater infrastructure**

Southern Water is the statutory water and wastewater undertaker for Boxgrove and as such has a statutory duty to serve new development within the parish.

Although there are no current plans, over the life of the Neighbourhood Plan, it may be that we will need to provide new or improved infrastructure either to serve new development and/or to meet stricter environmental standards.

It is important to have policy provision in the Neighbourhood Plan which seeks to ensure that the necessary infrastructure is in place to meet these requirements.

Whilst we welcome the inclusion of Policy D1 Infrastructure Delivery, supporting the provision of site specific infrastructure through various financial mechanisms, we could find no policies to support the provision of new or improved infrastructure in a more general sense. One of the core planning principles contained in paragraph 17 of the NPPF is to '*proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs*'. Also the National Planning Practice Guidance states that '*Adequate water and wastewater infrastructure is needed to support sustainable development*'.

Although the Parish Council is not the planning authority in relation to wastewater development proposals, support for essential infrastructure is required at all levels of the planning system.

### **Proposed amendment**

To ensure consistency with the NPPF and facilitate sustainable development, we propose an additional policy as follows:

*New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan*