

1 October 2013
Brentwood Local Plan

The Savills logo consists of the word "savills" in a lowercase, sans-serif font, positioned to the right of a grey square.

Planning Policy Team

By email: planning.policy@brentwood.gov.uk

Dear Sir/Madam

LOCAL PLAN 2015-2030 PREFERRED OPTIONS CONSULTATION – COMMENTS ON BEHALF OF THAMES WATER

Thames Water Utilities Ltd (Thames Water) Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.

Thames Water are the statutory sewerage undertaker for the western areas of the Borough and are hence a "specific consultation body" in accordance with the Town & Country Planning (Local Planning) Regulations 2012. In particular Thames Water serve the following sites allocated within the Local Plan Preferred Options:

- Baytree Centre, Brentwood
- Chatham Way/Crown Street Car Park, Brentwood
- Garage courts adjacent 49 Lavender Avenue, Pilgrims Hatch
- Garages adjacent 25 Kings George's Road, Pilgrims Hatch
- Land at Hunter House, Western Road, Brentwood
- Land north of Highwood Close, Brentwood
- Land rear of 10-20 Orchard Lane, Pilgrims Hatch
- Sow & Grow Nursery, Ongar Road, Pilgrims Hatch
- Warley Training Centre, Essex Way, Warley
- Wates Way Industrial Estate, Ongar Road, Brentwood
- Westbury Road Car Park, Westbury Road, Brentwood
- Woodlands, School Road, Kelvedon Hatch

General Comments

Thames Water would welcome the opportunity to work closely with the council and developers to ensure that infrastructure is delivered in time. In some circumstances developer funded capacity studies may be required.

Waste Water Treatment

Waste water is treated at Brentwood STW and Thames Water do not anticipate any issues with regard to the capacity at the works to serve the growth as set out in the plan document.

Waste Water Network

The key wastewater network issue will be to ensure that there is sufficient hydraulic capacity of the network to cater for the growth being proposed. Failure to align the delivery of development with the waste water network infrastructure required to support it could result in adverse impacts such as the sewer flooding or pollution of watercourses.

The need for any upgrades should be determined through drainage strategies and detailed discussions with the developer, where the point of connection to the existing network is appraised against the scale of development and its potential phasing.

Through appropriate infrastructure development plan policies, and if necessary through the use of Grampian style planning conditions, drainage strategies and any subsequent necessary infrastructure network upgrades should be provided by either the developer or Thames Water. This will ensure that sufficient hydraulic capacity is provided ahead of occupation of new development, and in so doing, avoiding any increased risk of sewer flooding. The timescales for providing network upgrades should not be underestimated with local upgrades taking 18 months to 3 years to deliver and strategic upgrades taking 3 to 5 years.

Generally speaking those development sites of 20 units or more lying within the area served by Thames Water would require further developer funded investigations to ensure network capacity exists to serve those developments without detriment to existing customers. Should there be insufficient capacity within the network then developers would need to demonstrate how the necessary upgrades to the network would be delivered ahead of the occupation of development.

Where it is shown that sewerage network upgrades are required Thames Water would welcome the support of the local planning authority in attaching appropriately worded Grampian planning conditions to any approvals to ensure that upgrades are completed ahead of occupation of the development.

A typical Grampian condition would be:

"No development shall commence until full details of a drainage scheme, for the provision of mains foul water drainage, including any off site drainage infrastructure, has been submitted to and approved in writing by the local planning authority. The drainage scheme shall include details of phasing of the occupation of the development and be implemented in full prior to the occupation of any buildings within the relevant phase(s) of the development."

Specific Comments

Policy DM35

Thames Water support the requirement for applicants to contact sewerage providers to assess the capacity of the foul sewer network. However, the policy as worded would not be effective in ensuring that developments do not increase the risk of sewer flooding. This is because the requirement only applies within functional flood plains whereas provision of development in any area could result in sewer flooding if there is insufficient capacity within the network to support the development.

It is suggested that item d of the policy is revised as follows:

"The Council will work in partnership with the Environment Agency to manage and mitigate flood risk.

All development proposals in areas at risk of flooding will need to submit a Flood Risk Assessment (FRA) in accordance with Sustainable Drainage Policy DM36, commensurate with the scale of the flood risk and recognising all likely sources of flooding.

In areas designated as functional flood plains, development will only be permitted in wholly exceptional circumstances, and then, only if:

- a. Proposals are located in the lowest appropriate flood risk zone with regard to guidance set in the Brentwood Strategic Flood Risk Assessment as part of the sequential test*
- b. The development would not constrain the natural function of the flood plain, either by impeding flow or reducing storage capacity*
- c. The development is constructed so as to remain operational even at times of flood through resistant and resilient design*
- d. ~~The applicant has contacted the sewerage provider to assess the capacity of the receiving foul sewer network and the need to contribute to any additional off-site connections for the development~~*

Developers will be required to demonstrate that the sewerage network has adequate capacity both on and off site to serve the development. Where there is a capacity problem and improvements in off-site infrastructure are not programmed, planning permission will only be granted where the developer can demonstrate that the necessary improvements will be completed prior to occupation of the development.

Where development is permitted within flood risk areas it must demonstrate that, where required, it will reduce fluvial and surface water flood risk and manage residual risks through appropriate flood mitigation measures."

The additional supporting text should also be provided in support of the policy:

"The Council will seek to ensure that there is adequate foul drainage capacity to serve all new developments. Developers will be required to demonstrate that there is adequate capacity both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing infrastructure. Where there is a capacity problem and no improvements are programmed by the water company, the Council will require the developer to fund appropriate improvements which must be completed prior to occupation of the development."

Policy DM36

Thames Water have concerns regarding the wording of Policy DM36 which does not require developers to follow the sequential approach for the disposal of surface water. The policy should set out a clear hierarchy for the management of surface water to be followed by developers if it is to be effective rather than setting out a preferred hierarchy.

I trust that the above comments are of use. However, should you wish to discuss the comments please do not hesitate to contact me.

Yours sincerely