



The Parish Clerk  
Lenham Parish Council

**By Email Only**

Your ref

Our ref

Date  
20 March 2020

██████████  
██

Dear Sir/Madam,

**Lenham Pre Submission Neighbourhood Plan**

Thank you for consulting Southern Water on the Submission version of the Lenham Neighbourhood Plan.

Southern Water is the statutory wastewater undertaker for the area covered by Lenham Parish Council. As such, please find following our comments in respect of specific policies in the Neighbourhood Plan.

We hope that you find our response useful and look forward to being kept informed of progress.

Yours faithfully,

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Tamzyn Janes  
Regional Planning Lead

## Policy LGS1: Local Green Space

Southern Water understands the desire to protect local green spaces. However, we cannot support the current wording of the above policy as it could create a barrier to statutory utility providers, such as Southern Water, from delivering essential infrastructure required to serve existing and planned development.

Policy LGS1 seeks to preserve green spaces they 'will be given long term protection and priority will be given to preserving their openness over other planning considerations.' However this does not take account of the potential requirement for essential utilities infrastructure.

The National Planning Policy Framework (NPPF) (2018) establishes in paragraph 101 that Local Green Space policies should be consistent with those for Green Belts, and Paragraph 143 sets the intention of ruling out inappropriate development '*except in very special circumstances*'. Paragraph 144 explains that special circumstances exist if the potential harm of a development proposal is clearly outweighed by other considerations, whilst Paragraph 146 identifies that '*certain other forms of development are also not inappropriate*' in the Green Belt, including '*engineering operations*'.

Southern Water considers that should the need arise, special circumstances exist in relation to the provision of essential wastewater infrastructure 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

Having regard to the issue set out above, Southern Water propose the following addition (additional text underlined) to **Policy LCS1: Local Green Space**

*Planning applications for development on the Locally Designated Green Spaces will not be permitted unless they perform a supplementary and supporting function to the Green Space or in very special circumstances, for example where it is essential to meet specific necessary utility infrastructure needs and no feasible alternative site is available.*

## Policy - Strategic Housing Site 5 - Land West of Old Ham Lane and North of the Railway

Southern Water is the statutory wastewater undertaker for Lenham. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 360 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

### Proposed amendment

In consideration of the above, we recommend the following criterion is added to Policy- Strategic Housing Site 5

*Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.*

## Policy – Strategic Housing Delivery Site 6 - William Pitt Field

Southern Water is the statutory wastewater undertaker for Lenham. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 50 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has also revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

### Proposed amendment

In consideration of the above, we recommend the following criterion is added to Policy Strategic Housing Site 6

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

## Policy – Strategic Housing Delivery Site 7 - Land West of Loder Close

Southern Water is the statutory wastewater undertaker for Lenham. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

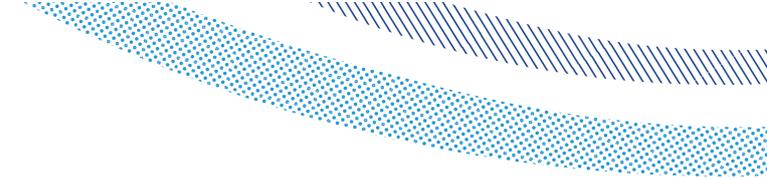
Proposals for 55 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

### Proposed amendment

In consideration of the above, we recommend the following criterion is added to Policy- Strategic Housing Site 7

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.



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

Southern Water is the statutory water undertaker for Lenham 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 therefore important to have policy provision in the Neighbourhood Plan which seeks to ensure that the necessary infrastructure is in place to meet these requirements.

We could find no policies to support the general provision of new or improved utilities infrastructure. The NPPF (2018) paragraph 28 establishes that communities should set out detailed policies for specific areas including *'the provision of infrastructure and community facilities at a local level'*. 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*