

Canterbury City Council

Full response

Date
03 June 2024

Contact
planning.policy@southernwater.co.uk

Your ref

Our ref

Dear Sir/Madam,


Canterbury Regulation 18 Consultation Plan to 2040

Thank you for consulting Southern Water on the Regulation 18 draft of the Canterbury Local Plan. Southern Water is the statutory wastewater undertaker for the district, and the water supplier for parts of the district.

We were unable to submit all of our comments and evidence using the online survey due to the character limit for each question. We therefore attach our full response to this letter, uploaded as additional evidence, for your further reference should you need to see a fuller explanation of our reasons for requesting changes. Each response is numbered as per the policy reference numbering in the draft Plan. Please do not hesitate to contact me further should you have any queries regarding our response.

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

Yours faithfully,


Catherine Adamson
Strategic Planning Lead for Kent and East Sussex

Policy SS1: Environmental Strategy for the district

3. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for the Canterbury area and supplies water to parts of the district. We support the following wording in this policy:

- 7. New developments should provide and sustain a multifunctional and coherent green and, where appropriate, blue infrastructure network, which maximises the ecological potential of existing assets, new open space provision, tree planting and other features of the development such as sustainable drainage systems and landscape buffers.
- 8. Proposals that increase the risk of flooding will be refused. New developments should aim to avoid Flood Zones 2 and 3, and provide appropriate flood risk management and sustainable drainage systems, in line with Policy DS20.

This aligns with our own work to address problems caused by excess surface water in the sewerage network in order to protect water quality in rivers and the sea. Southern Water is working across our region to remove surface water from our networks in key areas, but even as we deliver this work, development continues to increase surface water run-off in those areas. For more information on our work, and the root causes of releases from storm overflows, please see – <https://www.southernwater.co.uk/our-performance/storm-overflows/storm-overflow-task-force> and https://www.southernwater.co.uk/media/7459/stormoverflows_faq.pdf.

In order to be resilient to the evolving impacts of climate change into the future, we need planning policy to help ensure that rainwater is separated from wastewater in the design and layout of our communities. Please see our policy statement on Sustainable Development here: <https://www.southernwater.co.uk/media/ny0nb3qu/our-policy-statement-on-sustainable-development-a4.pdf> and for sustainable urban drainage systems here:

Policy SS2: Sustainable Design Strategy for the district

4. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the water supplier for part of the Canterbury area. We support the following wording in this policy:

1. New residential and commercial development in the district should be designed to achieve net zero operational carbon emissions. Proposals for development should make efficient use of land, should be designed to maximise energy and water efficiency and should integrate sustainable drainage and water management measures.

In line with the National Planning Policy Framework (NPPF) (2023), our aim is to ensure local plans include policies that;

- protect the quality and potential yield of groundwater and surface water sources (NPPF paras 180(e) 189 and 191), and
- require all new development to achieve water efficiencies of 110 l/p/d or lower, or BREEAM Excellent for commercial development (NPPF para 158).

Chapter 2: Canterbury p25

Policy C2: 43 to 45 St George's Place

2. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for Canterbury. Our initial assessment of this site identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, Southern Water proposes the following addition to site policy C2:

2 (f) Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Policy C6: Land at Merton Park

6. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for Canterbury, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.

Proposals for up to 2,250 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, but 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 planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Having regard to the above, Southern Water proposes the following change to site policy C6:

5. Phasing and delivery

~~(a) Waste water treatment works should be delivered at the earliest possible stage in the development.~~ Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.

Southern Water supports the overall intention of policy to protect internationally important habitat sites. However, as per our response to DS17 and, as acknowledged in sections 5.2.3 and 5.2.4 of the latest 2024 draft of the Habitat Regulations Assessment that accompanies this Regulation 18 draft of the Local Plan, the policies within the local plan will be subject to change, particularly where water industry funding is arranged to achieve Technically Achievable Limits (TAL) across all wastewater treatment works. We therefore recommend greater flexibility of policy wording, to allow developers to connect to Southern Water networks and treatment works where TAL facilitates this (rather than restrict policy to new on-site wastewater treatment plant as per the current policy wording C6).

Having regard to the above, Southern Water proposes the following change to the Development Mix section of site policy C6;

~~(vii) Provision of a new high quality waste water treatment works at an appropriate location within the site, or in combination with Site C7;~~ Proposals must ensure high quality wastewater treatment

Policy C7: Land to the North of Hollow Lane

7. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for Canterbury, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.

Proposals for up to 800 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, but 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 planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Having regard to the above, Southern Water proposes the following change to site policy C7;

5. Phasing and delivery

~~(a) Waste water treatment works should be delivered at the earliest possible stage in the development~~ Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.

Southern Water supports the overall intention of policy to protect internationally important habitat sites. However, as per our response to DS17 and, as acknowledged in sections 5.2.3 and 5.2.4 of



the latest 2024 draft of the Habitat Regulations Assessment that accompanies this Regulation 18 draft of the Local Plan, the policies within the local plan will be subject to change, particularly where water industry funding is arranged to achieve Technically Achievable Limits (TAL) across all wastewater treatment works. We therefore recommend greater flexibility of policy wording, to allow developers to connect to Southern Water networks and treatment works where TAL facilitates this (rather than restrict policy to new on-site wastewater treatment plant as per the current policy wording C7).

Having regard to the above, Southern Water proposes the following change to the Development Mix section of site policy C7;

~~(iii) Provision of a new high quality waste water treatment works at an appropriate location within the site, or in combination with Site C6;~~ Proposals must ensure high quality wastewater treatment

Policy C11: South West Canterbury Link Road

11. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for Canterbury. In accordance with this, we have undertaken some initial checks over the proximity of our assets to the site boundary shown on the policies map for Policy C11. The assessment showed that a foul sewer runs along both Cocking Road and Hollow Lane (before and after this crosses over the A2).

Policy C12: Land north of the University of Kent

12. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for Canterbury, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.

Proposals for up to 2000 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, but 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 planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Our initial assessment of this site also identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed

development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Southern Water supports the overall intention of policy to protect internationally important habitat sites. However, as per our response to DS17 and, as acknowledged in sections 5.2.3 and 5.2.4 of the latest 2024 draft of the Habitat Regulations Assessment that accompanies this Regulation 18 draft of the Local Plan, the policies within the local plan will be subject to change, particularly where water industry funding is arranged to achieve Technically Achievable Limits (TAL) across all wastewater treatment works. We therefore recommend greater flexibility of policy wording, to allow developers to connect to Southern Water networks and treatment works where TAL facilitates this (rather than restrict policy to new on-site wastewater treatment plant as per the current policy wording C12).

Having regard to all of the above, Southern Water proposes the following changes to site policy C12;

~~5 (a) Waste water treatment works should be delivered at the earliest possible stage in the development.~~ Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.

2g) Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

~~1 (b) (iv) Provision of a new high quality waste water treatment works at an appropriate location within the site;~~ Proposals must ensure high quality wastewater treatment

Policy C15: Land at the Former Chaucer Technology School

15. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for Canterbury. Our initial assessment of this site ascertained that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, Southern Water proposes the following addition to site policy C15: Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Policy C16: Land at Folly Farm

16. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for Canterbury. Our initial assessment of this site ascertained that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, Southern Water proposes the following addition to site policy C16:
Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Policy C17: Land at Canterbury Business Park

17. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for Canterbury, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.

Proposals for up to 35,500m² employment space at this site may generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement would be provided through the New Infrastructure charge, but 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 planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Having regard to the above, Southern Water proposes the following addition to site policy C17;

5. Phasing and delivery

(a) Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.

Southern Water is the statutory wastewater undertaker for Canterbury and is also the water supplier at this location. Our initial assessment also identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, Southern Water proposes the following addition to section 2 of site policy C17:

Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Policy C18: Land at the eastern side of Shelford Landfill

18. Do you have any comments on this policy? Please provide any evidence you have to

support your comments

Initial assessments show this site is within 500m of Canterbury wastewater treatment works.

New development must be adequately separated from a wastewater treatment works, to safeguard the amenity of future occupiers. This approach is endorsed by paragraph 180(e) of the NPPF (2023) which requires the planning system to prevent new development from being put at unacceptable risk from, or being adversely affected, by unacceptable levels of pollution. Sensitive development within 500m of a WTW should have an odour assessment carried out (in consultation with Southern Water) in order to agree the 1.5 OdU contour, within which no sensitive development should be located.

The National Policy Statement for Wastewater (4.3.14) states "*it is important for the decision maker to consider the impact of odour emissions from waste water infrastructure not from the narrow perspective of nuisance but to consider the broader impact on amenity*".

In addition, paragraphs 191 and 193 of the NPPF (2023) makes it clear that:

- "*planning policies and decisions should ensure that new development is appropriate to its location.*"
- "*Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*"

For these reasons, Southern Water would require an odour assessment to be carried out to determine an area of adequate separation between the works and any 'sensitive' development. For further information please refer to "odour assessments" here:

<https://www.southernwater.co.uk/building-and-developing/our-services/planning-your-development/#:~:text=Developers%20will%20need%20to%20employ,identify%20the%201.5%20OdU%20contour.>

Proposed amendments


Accordingly, we propose the following criteria be added to the Design and Layout section of Policy C18:

e. The development layout must provide adequate separation between Canterbury Wastewater Treatment Works and sensitive land uses, such as residential units, on the basis of an odour assessment to be undertaken in consultation with Southern Water.

Policy C19: Wincheap Commercial Area

19. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for Canterbury, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.



Proposals for up to 1,000 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, but 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 planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Our initial assessment also identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, we propose the following additions to C19:

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

and

Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

22. Do you have any other comments on Chapter 2: Canterbury? If so, please write in below.

We make additional comments in two areas, (a) and (b) below.

a) Southern Water supports the overall intention of policy to protect internationally important habitat sites. However, as per our response to DS17 and, as acknowledged in sections 5.2.3 and 5.2.4 of the latest 2024 draft of the Habitat Regulations Assessment that accompanies this Regulation 18 draft of the Local Plan, the policies within the local plan will be subject to change, particularly where water industry funding is arranged to achieve Technically Achievable Limits (TAL) across all wastewater treatment works. We therefore recommend greater flexibility of policy wording, to allow developers to connect to Southern Water networks and treatment works where TAL facilitates this (rather than restrict policy to new on-site wastewater treatment plant as per policy wording C6, C7, C12 and R7 in this Regulation 18 draft of the Local Plan). Having regard to this, Southern Water proposes the following amendments to policies C6, C7, C12 and R7:

Development Mix – Ensure connection to a high quality wastewater treatment works.

Phasing and Delivery – Foul water should be connected to a high quality waste water treatment works.

b) Also, Southern Water supports all wording in policy that requires SuDS. For major development in areas where SuDS are viable, we believe their use should be mandated. Until Schedule 3 of the Flood & Water Management Act is implemented, S106 of the Water Industry Act continues to confer a right to connect surface water to the public sewer network. Therefore, to increase the effectiveness of planning policy, we would encourage the prevention of any connection of

developments' surface water drainage to the foul sewer network. This is to minimise the risk of sewer flooding, and increase available capacity for foul drainage.

Whilst some parts of the wastewater network were originally designed to accommodate surface water, the expansion of towns and cities, in particular of 'urban creep' can exacerbate capacity issues. As stated in Water UK's 21st Century Drainage Programme; "*The country's built environment is constantly changing and "urban creep" – home extensions, conservatories and paving over front gardens for parking – can all add to the amount of water going into our sewers and drains. Green spaces that would absorb rainwater are covered over by concrete and tarmac that will not. In fact, studies show that "urban creep" results in a larger increase in predicted flooding than new housing, because it adds more rainwater to these systems*'.

Better rainwater management through SuDS is the preferred approach to avoid placing added pressure on drainage networks during heavy rainfall. As set out in Defra's Storm Overflows Discharge Reduction Plan "Water companies must remove rainwater from the combined sewer system as part of effectually draining their areas. This should include limiting any new connections of surface water to the combined sewer network, and any new connections should be offset by disconnecting a greater volume of surface water elsewhere within the network".

Even as we invest to remove surface water from the network, development continues to increase surface water run-off. For communities to be resilient to the evolving impacts of climate change into the future, we need planning policy to ensure that development does not increase flood risk elsewhere. Please see our policy statement on Sustainable Development here:

<https://www.southernwater.co.uk/media/ny0nb3qu/our-policy-statement-on-sustainable-development-a4.pdf>

Having regard to the above, Southern Water proposes the following wording is added to relevant sections of site policy;

To minimise the risk of sewer flooding and protect water quality, surface water will not be permitted to discharge to the wastewater network.

Chapter 3: Whitstable

Policy W4: Land at Brooklands Farm

4. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for Whitstable, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.

Proposals for up to 1,400 dwellings at this site will generate a need for reinforcement of the wastewater network. This reinforcement will be provided through the New Infrastructure charge, but Southern Water will need to work with site promoters to understand the development program. Planning policies and conditions help ensure connection of new development is aligned with new infrastructure delivery, and does not contribute to pollution of the environment, in line with paragraph 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Having regard to the above, we propose the following additions to W4:

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

Policy W6: Bodkin Farm

6. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for Whitstable, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.

Proposals for up to 250 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, but 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 planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Having regard to the above, Southern Water proposes the following additions to site policy W6:

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

Policy W7: St Vincent's Centre

7. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for Whitstable. Our initial assessment identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, we propose the following additions to W7:

Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Chapter 4: Herne Bay

Policy HB9: Former metric site

9. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for Herne Bay. Initial assessments show this site may be within 500m of May Street Herne Bay wastewater treatment works.

New development must be adequately separated from a wastewater treatment works, to safeguard the amenity of future occupiers. This approach is endorsed by paragraph 180(e) of the (2023) which requires the planning system to prevent new development from being put at unacceptable risk from, or being adversely affected, by unacceptable levels of pollution. Sensitive development within 500m of a WTW should have an odour assessment carried out (in consultation with Southern Water) in order to agree the 1.5 OdU contour, within which no sensitive development should be located.

The National Policy Statement for Wastewater (4.3.14) states "*it is important for the decision maker to consider the impact of odour emissions from waste water infrastructure not from the narrow perspective of nuisance but to consider the broader impact on amenity*".

In addition, paragraphs 191 and 193 of the NPPF (2023) makes it clear that:

- "*planning policies and decisions should ensure that new development is appropriate to its location.*"
- "*Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*"

For these reasons, Southern Water would require an odour assessment to be carried out to determine an area of adequate separation between the works and any 'sensitive' development. For further information please refer to "odour assessments" here:

<https://www.southernwater.co.uk/building-and-developing/our-services/planning-your-development/#:~:text=Developers%20will%20need%20to%20employ,identify%20the%201.5%20OdU%20contour.>

Accordingly, we propose the following criteria be added to the Design and Layout section of Policy HB9:

d. The development layout must provide adequate separation between May Street Herne Bay Wastewater Treatment Works and sensitive land uses, such as residential units, on the basis of an odour assessment to be undertaken in consultation with Southern Water.

Policy HB10: Eddington Business Park

10. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for Herne Bay, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.

Proposals for up to 25,280m² of employment space at this site may generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement would be provided through the New Infrastructure charge, but 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 planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Our initial assessment also identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, we propose the following additions to HB10:

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

and

Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Chapter 5: Rural Areas

Policy R4: Land at Ashford Road (West)

4. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for the Canterbury district. Our initial assessment identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, we propose the following additions to R4:

Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Policy R5: Bread and Cheese Field p145

5. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for the Canterbury district. In accordance with this, we have undertaken an assessment of the proximity of sites in the Local Plan to our existing assets, in particular wastewater treatment works and pumping stations. Our initial assessment showed the site boundary of Policy R5 was approximately 100m from Westbere Wastewater Treatment Works (WTW), which is located south of the site boundary for Policy R5.

The National Policy Statement for Wastewater (4.3.14) states "*it is important for the decision maker to consider the impact of odour emissions from waste water infrastructure not from the narrow perspective of nuisance but to consider the broader impact on amenity*".

In addition, paragraphs 191 and 193 of the NPPF (2023) makes it clear that:

- “planning policies and decisions should ensure that new development is appropriate to its location.”
- “Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

For these reasons, Southern Water would require an odour assessment to be carried out to determine an area of adequate separation between the works and any 'sensitive' development. Sensitive development includes residential and recreational areas, schools etc. For further information please refer to “odour assessments” here: <https://www.southernwater.co.uk/building-and-developing/our-services/planning-your-development/#:~:text=Developers%20will%20need%20to%20employ,identify%20the%201.5%20OdU%20countour>.

Accordingly, we propose the following amendments be made to the Design and layout section of Policy R5 (f):

f. Provide an Odour Assessment, undertaken in consultation with Southern Water, to ensure that no sensitive land uses such as residential units and recreational areas are located in areas that may at times be subject to odour from the adjacent Westbere Wastewater Treatment Works.

Policy R7: The Hill, Littlebourne

5. Do you have any comments on this policy? Please provide any evidence you have to support your comments

As the statutory wastewater undertaker for the Canterbury district, Southern Water has undertaken an assessment of the existing capacity of our infrastructure and its ability to meet the forecast demand for this proposal should the development connect to our network in future. The assessment reveals that local sewerage infrastructure in closest proximity 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 wastewater infrastructure.

Proposals for up to 300 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, but 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 planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023).

Southern Water supports the overall intention of policy to protect internationally important habitat sites. However, as per our response to DS17 and, as acknowledged in sections 5.2.3 and 5.2.4 of the latest 2024 draft of the Habitat Regulations Assessment that accompanies this Regulation 18

draft of the Local Plan, the policies within the local plan will be subject to change, particularly where water industry funding is arranged to achieve Technically Achievable Limits (TAL) across all wastewater treatment works. We therefore recommend greater flexibility of policy wording, to allow developers to connect to Southern Water networks and treatment works where TAL facilitates this (rather than restrict policy to new on-site wastewater treatment plant as per the current policy wording R7).

Having regard to all of the above, Southern Water proposes the following changes to site policy R7;

5. Phasing and delivery

~~(a) Waste water treatment works should be delivered at the earliest possible stage in the development.~~ Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.

Development Mix

(ii) Ensure connection to a high quality wastewater treatment works.

Policy R10: Land at the Paddocks, Shalloak Road

10. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for the Canterbury district. Our initial assessment identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, we propose the following additions to R10:

Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Policy R12: Land west of Cooting Lane and south of Station Road

Southern Water is the statutory water supplier for this part of the Canterbury district. Our initial assessment identified that this site is located within an SPZ2 (an 'outer source protection zone' that requires special consideration to ensure the groundwater is protected to drinking water quality standards). Drinking water standards are more stringent than the environmental standards more often referred to in guidance for the protection of groundwater from sustainable urban drainage systems (SuDS). For this reason, Southern Water has developed additional guidance for the design of SuDS within source protection zones - please see this link for information here <https://www.southernwater.co.uk/media/ooibtggs/suds-in-spz-guidance.pdf>. This guidance explains that for SPZ2, we ask developers to consider information provided by a full hydrogeological risk assessment of the site in their SuDS design proposals.

Southern Water has limited powers to influence the design of SuDS. Planning policies and planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023):

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local

environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

Having regard to the above, we propose the following additions to the Landscape and Green Infrastructure section of R12:

(a) Provide sustainable urban drainage measures designed in consultation with the statutory water supplier and ensuring the protection of drinking water as appropriate to the SPZ2 (outer source protection zone) that this site overlies;

Policy R14: Land at Goose Farm, Shalloak Road

14. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for the Canterbury district. Our initial assessment identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, we propose the following additions to R14:

Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Policy R15: Land at Shalloak Road

15. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for the Canterbury district. Our initial assessment identified that Southern Water's infrastructure crosses the site, which needs to be taken into account when designing the layout of any proposed development. An easement width of 6 metres or more, depending on pipe size and depth, would be required, which may affect site layout or require diversion. This easement should be clear of all proposed buildings and substantial tree planting.

Having regard to the above, we propose the following additions to R15:

Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.

Policy R18: Land at Church Farm

18. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for the Canterbury district. In accordance with this, we have undertaken an assessment of the proximity of sites in the Local Plan to our existing assets, in particular wastewater treatment works and pumping stations. Our initial assessment showed this is within 500m of Hoath Wastewater Treatment Works (WTW).

The National Policy Statement for Wastewater (4.3.14) states "*it is important for the decision maker to consider the impact of odour emissions from waste water infrastructure not from the narrow perspective of nuisance but to consider the broader impact on amenity*".

In addition, paragraphs 191 and 193 of the NPPF (2023) make it clear that:

- “planning policies and decisions should ensure that new development is appropriate to its location.”
- “Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

For these reasons, Southern Water would require an odour assessment to be carried out to determine an area of adequate separation between the works and any 'sensitive' development. Sensitive development includes residential and recreational areas, schools etc. For further information please refer to “odour assessments” here: <https://www.southernwater.co.uk/building-and-developing/our-services/planning-your-development/#:~:text=Developers%20will%20need%20to%20employ,identify%20the%201.5%20OdU%20countour>.

Accordingly, we propose the following amendments be made to the Design and layout section of Policy R18:

f. Provide an Odour Assessment, undertaken in consultation with Southern Water, to ensure that no sensitive land uses such as residential units and recreational areas are located in areas that may at times be subject to odour from the adjacent Hoath Wastewater Treatment Works.

Chapter 6: District-wide Strategic Policies

Policy DS6: Sustainable design

6. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water supplies water to parts of the district, and approximately 75% of this is from groundwater sources. Southern Water fully supports this policy as it aligns with our water efficiency drive which aims to help our existing customers to reduce their water consumption to 100 litres per person per day, whilst we work to reduce network leakage by 40% by 2040. Establishing a 90l/p/d target for new development will contribute to a more comprehensive approach to driving down water consumption, without which it will be harder to achieve meaningful savings.

In line with the National Planning Policy Framework (NPPF) (2023) our aim is to ensure local plans include policies that;

- protect the quality and potential yield of groundwater and surface water sources (NPPF (2023) paras 180(e) 189 and 191), and
- require all new development to achieve water efficiencies of 110 l/p/d or lower, or BREEAM Excellent for commercial development (NPPF para 158).


In addition, we would like to see policies and strategies on water management that protect the yield and quality of groundwater resources. New sources of supply are challenging and costly to establish, it is therefore particularly critical in water scarce areas that existing sources are protected. We therefore propose the following wording amendment to Policy DS6:

(c) set out strategies for

(vi) Energy, the protection of water resources, waste and recycling;

Policy DS17: Habitats of international importance

17. Do you have any comments on this policy? Please provide any evidence you have to support your comments



Southern Water supports the overall intention of policy to protect internationally important habitat sites. However, as acknowledged in sections 5.2.3 and 5.2.4 of the latest 2024 draft of the Habitat Regulations Assessment that accompanies this Regulation 18 draft of the Local Plan, the policies within the local plan will be subject to change, particularly where water industry funding is arranged to achieve Technically Achievable Limits (TAL) across all wastewater treatment works. We therefore recommend greater flexibility of policy wording, to allow developers to connect to Southern Water networks and treatment works where TAL facilitates this (rather than restrict policy to new on-site wastewater treatment plant as per policy wording C6, C7, C12 and R7 in this Regulation 18 draft of the Local Plan).

Having regard to the above, Southern Water proposes the following amendment to policy DS17: 7(a) *Proposals for more than 300 homes must ensure high quality wastewater treatment*

Policy DS20: Flood risk and sustainable drainage

20. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water supports the overall intention of this policy to manage flood risk, in particular the priority given to natural flood management and drainage approaches in SuDS design. However, for major development in areas where SuDS are viable, we believe their use should be mandated. Until Schedule 3 of the Flood & Water Management Act is implemented, S106 of the Water Industry Act continues to confer a right to connect surface water to the public sewer network. Therefore, to increase the effectiveness of this policy we would encourage the prevention of any connection of developments' surface water drainage to the foul sewer network. This is to minimise the risk of sewer flooding, and increase available capacity for foul drainage.

Whilst some parts of the wastewater network were originally designed to accommodate surface water, the expansion of towns and cities, in particular of 'urban creep' can exacerbate capacity issues. As stated in Water UK's 21st Century Drainage Programme; *"The country's built environment is constantly changing and "urban creep" – home extensions, conservatories and paving over front gardens for parking – can all add to the amount of water going into our sewers and drains. Green spaces that would absorb rainwater are covered over by concrete and tarmac that will not. In fact, studies show that "urban creep" results in a larger increase in predicted flooding than new housing, because it adds more rainwater to these systems'*

In terms of future flood risk, better rainwater management through SuDS is the preferred approach to avoid placing added pressure on drainage networks during heavy rainfall. As set out in Defra's Storm Overflows Discharge Reduction Plan "Water companies must remove rainwater from the combined sewer system as part of effectually draining their areas. This should include limiting any new connections of surface water to the combined sewer network, and any new connections should be offset by disconnecting a greater volume of surface water elsewhere within the network". All development proposals should therefore include adequate drainage provision and seek to reduce flood risk and contribute to flood alleviation.

Southern Water therefore supports all policy requirements that seek to ensure surface water is appropriately managed as close to source as possible. This aligns with our own work to address problems caused by excess surface water in our sewerage network in order to protect water quality in rivers and sea. For more information please see –

<https://www.southernwater.co.uk/our-performance/storm-overflows/storm-overflow-task-force> and https://www.southernwater.co.uk/media/7459/stormoverflows_faq.pdf

Even as we deliver this work, development continues to increase surface water run-off. For communities to be resilient to the evolving impacts of climate change into the future, we need

planning policy to ensure that development does not increase flood risk elsewhere. Please see our policy statement on Sustainable Development here: <https://www.southernwater.co.uk/media/ny0nb3qu/our-policy-statement-on-sustainable-development-a4.pdf>

As drinking water standards are more stringent than the environmental standards more often referred to in guidance for the protection of groundwater from SuDS, Southern Water has developed additional guidance for the design of SuDS within source protection zones. - please see this link for information here <https://www.southernwater.co.uk/media/ooubtggs/suds-in-spz-guidance.pdf>. This guidance explains the circumstances in which we ask developers to consider information provided by a full hydrogeological risk assessment of the site in their SuDS design proposals.

Southern Water has limited powers to influence the design of SuDS. Planning policies and planning 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 180(e) of the revised National Planning Policy Framework (NPPF) (2023):

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

Having regard to all of the above, Southern Water proposes the following wording is amended/added to relevant sections of DS20:

- Section 4

~~(c) or other drainage system;~~

~~(d) Discharge to a combined sewer where there are absolutely no other options, and only where agreed in advance with the relevant sewage undertaker~~ To minimise the risk of sewer flooding and protect water quality, surface water will not be permitted to discharge to the wastewater network.

SuDs provision within open spaces provided as part of development ~~will only be acceptable~~ must be considered as a priority, ensuring their design where the open space continues to meet the open space quality standards set out in Policy DS24.

- Section 5

Where necessary, thorough hydrogeological and contamination risk assessments of the impact of proposals on surface and groundwater systems should be undertaken, considering appropriate avoidance measures and consulting with the statutory water supplier before incorporating appropriate mitigation measures where required.

Policy DS24: Publicly accessible open space and sports

24. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water supports the intention of this policy, and strongly support the need to ensure the resilience of communities to the impacts of climate change (as per policy DS24 11(g)). However, keeping in mind that SuDS measures include a variety of designs (from infiltration to attenuation of surface water flow) we request the following wording change to ensure flexibility in the range of

SuDS measures incorporated as appropriate to the nature of the space. We make this request in order to support the most comprehensive inclusion of SuDS features possible in each case.

- 5(a) wildlife as well as providing multi-functional benefits such as addressing surface water management priorities (~~only appropriate for semi-natural~~);

Chapter 7: Development Management Policies

Policy DM5: Parking design

5. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water supports the inclusion of permeable paving in the policy. Southern Water supports all policy requirements which seek to ensure that surface water is appropriately managed, as close to source as possible. This aligns with our own work to address problems caused by excess surface water in our sewerage network in order to protect water quality in rivers and sea. For more information please see –

<https://www.southernwater.co.uk/our-performance/storm-overflows/storm-overflow-task-force> and https://www.southernwater.co.uk/media/7459/stormoverflows_faq.pdf

Policy DM11: Residential design

11. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water supports the inclusion of permeable paving in the policy. Southern Water supports all policy requirements which seek to ensure that surface water is appropriately managed, as close to source as possible. This aligns with our own work to address problems caused by excess surface water in our sewerage network in order to protect water quality in rivers and sea. For more information please see –

<https://www.southernwater.co.uk/our-performance/storm-overflows/storm-overflow-task-force> and https://www.southernwater.co.uk/media/7459/stormoverflows_faq.pdf

Policy DM12: Non-residential design

12. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water supports the inclusion of permeable paving in this policy. Southern Water supports all policy requirements which seek to ensure that surface water is appropriately managed, as close to source as possible. This aligns with our own work to address problems caused by excess surface water in our sewerage network in order to protect water quality in rivers and sea. For more information please see –

<https://www.southernwater.co.uk/our-performance/storm-overflows/storm-overflow-task-force> and https://www.southernwater.co.uk/media/7459/stormoverflows_faq.pdf

Policy DM14: Flood risk

14. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water supports all policy requirements which seek to ensure that surface water is appropriately managed, as close to source as possible. This aligns with our own work to address problems caused by excess surface water in our sewerage network in order to protect water quality in rivers and sea. For more information please see –

<https://www.southernwater.co.uk/our-performance/storm-overflows/storm-overflow-task-force> and https://www.southernwater.co.uk/media/7459/stormoverflows_faq.pdf

Please also see our additional comments on this chapter in response to Question 20, as Southern Water sees the content of policy DM14 to warrant its inclusion within strategic policy in order to ensure developments comply with it.

Policy DM15: Sustainable drainage

15. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water is the statutory wastewater undertaker for the Canterbury district, and the water supplier for parts of the district. We support the protection of water sources as part of this DM15 SUDS policy, although we request additional wording to ensure the protection of source protection zones to drinking water standards. Alongside this, we advocate for sufficient flexibility in SuDS design to ensure the most effective measures remain viable to as many sites and types of developments as possible.

Most UK sewers were designed for the communities when the houses were built. Climate change and development is placing huge pressure on these systems, and the in-built pressure release valves known as storm overflows are discharging more often. We need to tackle the problem, not by digging up the roads everywhere and replacing all the pipes, but by tackling the issue at source in a more sustainable and affordable way. Working in partnership, we need to separate rainwater from wastewater.

During heavy rain, local sewer networks' drainage capability can be exceeded by the amount of rainwater entering pipes and storage tanks connected via roads, roofs and paved areas. When these fill up, storm overflows release excess water through outfalls into rivers and the sea to prevent flooding of homes and businesses. Storm overflows are part of the network's original design and are regulated by the Environment Agency. Over time, the expansion of urban settlements as well as 'urban creep' (home extensions, conservatories and paving over front gardens for parking) have incrementally added to the amount of rainwater entering sewers, increasing reliance on network pressure release via storm overflows. As stated in Water UK's 21st Century Drainage Programme;

"The country's built environment is constantly changing and "urban creep" – home extensions, conservatories and paving over front gardens for parking – can all add to the amount of water going into our sewers and drains. Green spaces that would absorb rainwater are covered over by concrete and tarmac that will not. In fact, studies show that "urban creep" results in a larger increase in predicted flooding than new housing, because it adds more rainwater to these systems'.

Given the amount of work water companies are undertaking to reduce CSO spills and the level of investment necessary to remove surface water from the network, we need to ensure the fullest range of SuDS options remain viable to developments, in appropriate locations, to:

- secure the resilience of our communities into the future by enhancing surface water management in the most sustainable way whilst protecting the natural water cycle, and
- minimise future connections of surface water to foul/combined sewers.

The SuDS measures encouraged by planning policy should therefore support surface water infiltration into the ground wherever possible. Southern Water has produced the <https://www.southernwater.co.uk/media/ooibtggs/suds-in-spz-guidance.pdf> to support developers and policy makers when considering SuDS design, to ensure the fullest range of SuDS options remain viable to each development, as appropriate to the location of the site and underlying hydrogeology.

Southern Water is investing heavily in work to reduce their use across its region, in part by removing existing connections of surface water to the combined and foul networks in order to address problems caused by excess surface water in the sewage network and protect water quality in rivers and seas. For more information please see – <https://www.southernwater.co.uk/our-performance/storm-overflows/storm-overflow-task-force> and https://www.southernwater.co.uk/media/7459/stormoverflows_faq.pdf

Having regard to the above, Southern Water proposes the following amendment to policy DM15:

(g) Ensured protection of groundwater. This may include undertaking a Groundwater Hydrogeological Risk Assessment

Please also see our additional comments on this chapter in response to Question 20, as Southern Water sees the content of policy DM15 to warrant its inclusion within strategic policy in order to ensure developments comply with it.

Policy DM16: Water pollution p256

16. Do you have any comments on this policy? Please provide any evidence you have to support your comments

Southern Water supplies water to parts of the Canterbury district. We support all policy requirements which seek to protect water quality and the water environment.

As drinking water standards are more stringent than the environmental standards more often referred to in guidance for the protection of groundwater, Southern Water has developed additional guidance for the design of SuDS within source protection zones. - please see this link for information here <https://www.southernwater.co.uk/media/oooubtggs/suds-in-spz-guidance.pdf>. This guidance explains the circumstances in which we ask developers to ensure a full hydrogeological risk assessment is completed for the site.

Policy DM17: Noise, odour and dust pollution p267

Do you have any comments on this policy? Please provide any evidence you have to support your comments

Paragraph 193 of the NPPF (2023) seeks to ensure that '*existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established,*' while paragraph 185 states that development should be appropriate for its location, and that living conditions of future occupants needs to be taken into account.

Having regard to this, we propose that policy DM17 should be amended to act as a strategic policy within the local plan, and that the following wording is added to that DS policy;

6. Developments which produce significant odour or are in close proximity to existing uses which produce significant odour, will provide an Odour Management Plan informed by odour modelling completed in consultation with the existing business (eg statutory wastewater utility). Where odour effects are assessed as significant, details of appropriate mitigation measures will be required.

20: “Do you have any other comments on Chapter 7: Development Management Policies?”

Southern Water is strongly supportive of policies DM14 and DM15 on flood risk and sustainable drainage respectively. Our understanding is that, as these policies are 'non-strategic', they can be replaced by policy introduced by Neighbourhood Plans. Whilst we appreciate there may be a need

for some flexibility, Southern Water considers the following content essential for all development and asks if this content should instead be included with policy DS20:

DM14


- (c) It will be safe for the lifetime of the development, taking into consideration the implications of climate change, and will not increase flood risk elsewhere or result in a loss of floodplain storage capacity or impede flow paths. Off-site flood risk will not be created or exacerbated by new development and where possible the development will reduce the overall flood risk within and beyond the site boundary and will be effectively maintained over the lifetime of the development;
- (f) The area of impermeable surface is minimised and porous and/or permeable surfaces are used wherever reasonably practicable;
- Where necessary, planning permission will be conditional upon flood protection and/or runoff control measures being operational before other site works or occupation

DM15

- proposals must demonstrate, as a minimum, how they have:
 - (a) Achieved to the City Council's stipulated greenfield runoff rates, mimic natural flows and drainage pathways and ensure that surface water run-off is managed as close to its source as possible. In exceptional circumstances, evidence will be required to justify why the stipulated greenfield runoff rates cannot be achieved and that appropriate measures have been undertaken to achieve as close as possible;

Southern Water believes planning policy should ensure the above content is retained through to Neighbourhood Plan interpretations for the following reasons:

- Over time, the expansion of urban settlements as well as 'urban creep' (home extensions, conservatories and paving over front gardens for parking) have incrementally added to the amount of rainwater entering sewers, increasing reliance on network pressure release via storm overflows. As stated in Water UK's 21st Century Drainage Programme; *"The country's built environment is constantly changing and "urban creep" – home extensions, conservatories and paving over front gardens for parking – can all add to the amount of water going into our sewers and drains. Green spaces that would absorb rainwater are covered over by concrete and tarmac that will not. In fact, studies show that "urban creep" results in a larger increase in predicted flooding than new housing, because it adds more rainwater to these systems'.*
- Southern Water is working across our region to remove surface water from our networks in key areas. Even as we deliver this work, development continues to increase surface water run-off. For more information on our work, and the root causes of releases from storm overflows, please see – <https://www.southernwater.co.uk/our-performance/storm-overflows/storm-overflow-task-force> and https://www.southernwater.co.uk/media/7459/stormoverflows_faq.pdf.
- It is therefore important to consider now the measures called for in response to the climate crisis. Measures should support the attenuation of flows of surface water run-off from rainfall, as well as surface water infiltration into the ground wherever possible in the local environment. Retrofitting sustainable drainage solutions is challenging. By showing the way with new development we can reduce the implementation costs of these measures whilst securing truly sustainable development. Please see our policy statement on Sustainable Development here: <https://www.southernwater.co.uk/media/ny0nb3qu/our-policy-statement-on-sustainable-development-a4.pdf>
- We need planning policy to go further as climate change now demands we re-think and re-design communities. More resilient and efficient homes are essential – conserving both energy and water. However, we also need to ensure that design will not mean that



rainwater continues to run off homes and surfaces so fast that it causes flooding and storm discharges into rivers and seas. By controlling the rate and volume of surface water entering the combined sewer network, SuDS can improve existing flood risk and water quality

- SuDS methodologies are evolving and scope is increasing, but we are not yet at a stage where SuDS have been made a legal requirement for new development. Until the implementation of Schedule 3 of the Flood and Water Management Act 2010 (expected by late 2024), surface water drainage/SuDS continues to be delivered through the planning system/building regulations and our involvement with the local authorities in that process. In particular, Building Regulations H3 provides a drainage hierarchy whereby surface water should first discharge to a soakaway or other infiltration system where practicable, with discharge to the combined sewerage system a last resort. Development will not be allowed to drain surface water to the foul sewer, and Southern Water will resist new connections of surface water to the combined sewer.