

Hastings Borough Council

Examination of the Council's Development Management Plan Proposed and Revised Proposed Submission Versions

Statement from Southern Water

MATTER 6 IMPLEMENTATION AND MONITORING

Issue 6: Whether, bearing in mind the content of the Hastings Planning Strategy, the Plan provides satisfactorily for the delivery of development, particularly its required infrastructure for public transport and other services, and convincingly demonstrates adequate monitoring of its provision and measures designed to rectify any shortcomings

6.1 Has there been an adequate assessment of the quality and capacity of infrastructure for transport, water supply etc as required by the Framework paragraph 162?

- 6.1.1 Southern Water carried out sewerage and water supply capacity checks on residential development sites allocated in Hastings' Development Management Plan, in line with paragraph 162 of the Framework. Whilst we found that there is currently inadequate capacity in the network(s) adjacent to some of the sites, this should not be seen as a showstopper to development. This is because additional capacity can be delivered in parallel with the development, provided planning policies support this approach.
- 6.1.2 Where our checks showed that the sewerage and/or water supply networks, closest to each allocated site, would be insufficient for the proposed development we alerted the planning authority via our submitted representations. We requested additional text in the respective policies to ensure that these proposed developments each connect at locations of the network where capacity exists. This will ensure that planning policies co-ordinate development with provision of necessary infrastructure.
- 6.1.3 The planning authority made these requested amendments in the Revised Proposed Submission version of the Development Management Plan and we strongly support this approach.
- 6.1.4 However, there is one exception: Policy HN6 – Former Convent of Holy Child Jesus, Magdalen Road (formerly Policy CLBx in the Proposed Submission version of the plan). Whilst policy HN6 itself does not allocate a specific number of dwellings, the supporting text states that “*the Council considers that the Priory, the Gothic Building,*

the Gate Lodge and the former Convent Building could be converted so as to provide approximately 32 dwellings". On this basis we carried out the aforementioned capacity checks in line with the National Planning Policy Framework paragraph 162 which showed that there is currently insufficient sewerage capacity available to serve an additional 32 dwellings at this site.

6.1.5 This is not a constraint to development provided connection is made to the nearest point with adequate capacity.

6.1.6 It is worth noting that Southern Water also carried out this check and made representations in response to Hastings Development Management Plan consultations in spring 2012 and spring 2013 as well as in response to the Revised Proposed Submission consultation.

6.1.7 We propose the following additional text to policy HN6 to make it sound and consistent with paragraph 109 of the National Planning Policy Framework:

i) provides a connection to the sewerage systems at the nearest point of adequate capacity, as advised by the service provider.

6.1.8 This amendment would overcome the issues raised. It would ensure that development at the site would not proceed before the infrastructure required to serve it is available. We consider that without this provision, foul water pollution could occur and the Plan would fail to conform to paragraph 109 of the National Planning Policy Framework, which states that the planning system should prevent new development from contributing to unacceptable risk from pollution.

6.2 Is there a reasonable prospect of the required infrastructure being in place throughout the plan period to provide for the proposed development?

6.2.1 Southern Water considers that there is reasonable prospect of the required water supply and wastewater infrastructure being in place to provide for the proposed development, subject to the amendment proposed in paragraph 6.1.7 above, and minor amendments to policies HN9 (Areas of Landscape Value) and HN10 (Amenity Green Spaces).

6.2.2 As an infrastructure provider, we are concerned that these policies could restrict development of essential water and wastewater infrastructure.

6.2.3 This is contrary to the National Planning Policy Framework, which recognises the principle that the benefit of development could outweigh any harm to the natural environment in some circumstances (e.g. paragraph 118).

6.2.4 It is also contrary to National Planning Practice Guidance. Paragraph 5 of the section on Water supply, wastewater and water quality states that: *'it will be important to recognise that water and wastewater infrastructure sometimes has locational needs (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered'*. Therefore, utility infrastructure is considered to constitute the 'very special circumstances' envisaged by paragraph 76 of the Framework.

6.2.5 Southern Water fully understands the planning authority's intention to protect Areas of Landscape Value and Amenity Green Space. However, it is important that policies do not unduly restrict provision of essential water supply and wastewater infrastructure should the need arise. The policy text should recognise that essential utility development will be permitted if the benefit of the development outweighs the harm, and no reasonable alternative site is available.

6.2.6 We propose the following additional text to policy HN9 (new text is underlined):

Development will only be permitted that is not detrimental to the character, scenic quality or visual benefit of these areas, unless it is clearly demonstrated that the benefit of the development outweighs any harm.

6.2.7 We propose the following additional text to policy HN10 (new text is underlined):

c) If the proposal is for essential utility infrastructure, and the benefit of the development outweighs any harm.