

Chichester District Council



**Position Statement on
Wastewater and Delivering Development in the
Local Plan**

January 2014

1. This background paper/position statement is a continuation of the background paper (Water Quality and Strategic Growth for Chichester District) written in November 2012 to inform the Local Plan Key Policies Preferred Approach.
2. It sets out the Council's position with regard to future planned growth and existing capacity at wastewater treatment works in the District. The Housing Implementation Strategy (HIS) highlights that an obstacle to housing delivery early in the Plan period is the limited wastewater treatment capacity, prior to the proposed upgrade of the Tangmere WwTW in 2019. The proposed large strategic allocations are therefore not expected to be deliverable until after 2019, with the exception of Shopwyke where the majority of the proposed allocation now has outline planning permission.
3. This places importance on delivering housing on smaller sites in areas where wastewater capacity is available, particularly focusing on the settlement hubs of Southbourne, Selsey and East Wittering/Bracklesham and parish housing sites.
4. It was agreed by the Water Quality Group (WQG) to update Table 3 from the MWH study (Strategic Growth Study – Wastewater Treatment options for Chichester District) to have a more robust evidence base for the Local Plan Pre-submission and justification for the planned growth.
5. The WQG agreed to use the certified (MCERTS) measured flows averaged for all the 7 years available for the WwTW in the District, except this will be taken from 2009 for Apuldram, which only has MCERTS data for four years. This was agreed to be the best way forward for estimating the Dry Weather Flow (DWF) headroom at each wastewater treatment works. It is then possible for the headroom for new development to be calculated and used as evidence for the Local Plan. Owing to the particular infiltration issues at Apuldram the DWF headroom is irrelevant.
6. The tables below have been updated using the methodology agreed above to July 2012 and takes account of those sites that have received planning consent to 31st March 2013.
7. To ensure that the Council's Local Plan is sound it is required to meet four tests, those being "positively prepared", "justified", "effective" and "consistent with national policy". The Council consider that progressing with this paper/position statement is appropriate, when considering any reasonable alternatives.
8. The Wastewater Position Statement estimated remaining headroom figures will not match those in the Housing Implementation Strategy. This is owing to the Position Statement calculating housing numbers based only on those sites with planning permission since 1st April 2006 – 31st March 2013 that have not been built or commenced but are committed.

9. The Housing Implementation Strategy looks at potential sites within the settlement boundary (SHLAA) that could come forward and planning applications that are waiting determination.

Apuldram (Chichester) WwTW

10. The Environment Agency has withdrawn its position statement “Wastewater treatment capacity constraints on new development in Chichester city” dated August 2010 and its addendum dated September 2011. This will release the headroom at Apuldram, although it may be necessary to restrict the commencement of development until such time as the UV has been installed (post March 2014). This letter is appended below.
11. Apuldram WwTW is constrained by its need to discharge to Chichester Harbour and as highlighted in the Environment Agency letter, development beyond the remaining headroom could have a significant impact on the nitrogen loads and weed growth in the Harbour and therefore the release of the remaining headroom has been limited.
12. The Council would expect the following proposals for development in the Local Plan Key Policies – Pre-submission document to connect to Apuldram:
 - development at Fishbourne Parish (50)
 - development at Chichester City North (approximately 130)
 - Chichester City allocation (150)
 - allocations through the Chichester City Area Action Plan/windfall sites
13. This will reduce the headroom capacity at Apuldram and the release of the remaining headroom for further strategic sites would leave the Council in a position of being unable to deliver further growth. Therefore there will be a presumption that the strategic sites will connect to Tangmere.
14. To ensure that Southern Water has certainty to plan for future housing growth and to support to the 5 year Business Plan bid to Ofwat, strategic growth should be directed towards Tangmere WwTW as set out in the Pre-submission Chichester Local Plan: Key Policies.

Table 1

WwTW Catchment	A - Estimated existing permit headroom (households) at April 2006 (MWH Study)	B - Estimated existing headroom (households) at July 2012¹	C - Estimated remaining headroom (households) at 31st March 2013 (B-D- 330 (commitment in the Local Plan) =C)	D - Number of dwellings committed at 31st March 2013
Chichester (see appended Environment Agency letter)	3000	770	170	270

¹ Estimated existing permit headroom based on assumed flow returned to sewer per new household of 500 litres/property/day. Headroom is calculated in terms of households but any additional flows, including from commercial development, will erode the headroom.

Tangmere and other WwTW in the District

15. The Council's Pre-submission Local Plan directs strategic growth to connect to Tangmere WwTW. The upgrade of this works is subject to Ofwat approval (December 2014) with the works being operational in 2019.
16. As shown in Table 2 below, the approval of the Shopwyke Lakes planning application, Westhampnett and other sites in Tangmere up to 31st March 2013, has taken up the majority of the remaining headroom at the works. Although these sites are anticipated to have phased delivery, the Council acknowledges that these are committed to connect to Tangmere WwTW unless there is any material change in circumstances.

Table 2

WwTW Catchment	A - Estimated existing permit headroom (households) at April 2006 (MWH Study)	B - Estimated existing headroom (households) at July 2012² Southern Water	C - Estimated remaining headroom (households) at 31st March 2013 (B-D=C)	D - Number of dwellings committed at 31st March 2013
Bosham	297	400	397	3
Kirdford	Not assessed	60	60	
Loxwood ³	Not assessed	80	80	
Pagham ⁴	233	700	663	37
Sidlesham	1208	1,000	894	106
Tangmere	843	800	21 (up to 3,000 following Ofwat approval for upgrade to works post 2019)	779
Thornham ⁵	554	1,700	1678	22
Wisborough Green	Not assessed	200	200	0
Lavant	1,397	1,900	1,900	0

² Estimated existing permit headroom based on assumed flow returned to sewer per new household of 500 litres/property/day. Headroom is calculated in terms of households but any additional flows, including from commercial development, will erode the headroom.

³ Part of the catchment falls within Waverley. Development in this area will also take up headroom.

⁴ Part of the catchment falls within Arun. Development in this area will also take up headroom.

⁵ Part of the catchment falls within Havant. Development in this area will also take up headroom.

Steve Carvell and Amanda Jobling
Chichester District Council
East Pallant House
1 East Pallant
Chichester
West Sussex
PO19 1TY

Our ref: Chichester PS

Date: 16th September 2013

Dear Steve and Amanda,

Environment Agency Position Statement – Planning and Wastewater Treatment

Further to conversations with your officers I am writing to confirm that we wish to withdraw our position statement “Wastewater treatment capacity constraints on new development in Chichester city” dated August 2010 and its addendum dated September 2011.

Our Position Statement was published due to concerns with storm discharges from Apuldram Wastewater Treatment Works (WwTW). As you will be aware through the Chichester Water Quality Group we have been working with yourselves and other partners to address this. One of the outcomes will be the installation of ultra-violet (UV) treatment on the storm overflow to mitigate its impact on the Harbour. It is expected that this will be operational from spring 2014.

The main discharge from the Apuldram WwTW is already subject to UV treatment. Installing this type of treatment on the storm overflow will reduce the bacteria levels entering the Harbour but will not address the nitrogen load.

It is accepted by both the Environment Agency and Natural England that the total discharge from the storm overflow is likely to be having a significant effect on the European designated site at certain times.

We are continuing to work with our partners through the Chichester Water Quality Group to address this and have issued Southern Water with an enforcement notice under the Environmental Permitting Regulations. The enforcement notice introduced a requirement for Southern Water to implement the proposed UV treatment plant on the storm overflow, imposed a schedule for reporting on progress of the sewer investigation programme and required the company to investigate the environmental impact of the storm discharge.

The Apuldram WwTW has some remaining headroom within its current permit. We have undertaken modelling work to understand the impact of releasing some of this headroom following installation of the UV treatment. This modelling has solely looked at the impact the extra headroom flow would have on the volume and frequency of discharges from the storm overflow and its impact on the nitrogen loading and subsequent weed growth in the Harbour.

The modelling demonstrated that the additional nitrogen discharged through the storm overflow when a flow of 385 m³/day is added to the WwTW would have an insignificant impact on weed growth. In discussion with Natural England we have agreed that this headroom could be made available for development that would be occupied once the UV treatment is operational.

A volumetric headroom of 385 m³/day equates to approximately 700 dwellings. We would recommend that you have discussions with Southern Water as to how you monitor any planning permission granted.

Any development beyond this headroom, under current catchment conditions, would have a significant impact on the nitrogen loads and weed growth in the Harbour. Once this headroom is reached we would therefore revisit our position and may reinstate our current advice to refuse development that results in a significant increase in the net flow to the sewer network.

We would advise any planning permission granted within this catchment to be conditioned for occupancy following the operation of the UV treatment on the storm overflow. We will work with your officers to agree consultation arrangements and specific wording for conditions.

I trust that the above sets out clearly our current position regarding development in the Apuldram WwTW catchment. If you would like to discuss anything in more detail please do contact me.

Yours sincerely,

Hannah Hyland
Sustainable Places – Planning Specialist