



Colchester Local Plan 2017 - 2033

Section 2 Examination

**MATTER 4a: Generic infrastructure and
mitigation requirements**

Written Statement

Anglian Water Services Ltd

MARCH 2021

Generic Infrastructure and Mitigation Requirements (Policy PP1)

Is the Generic Infrastructure and Mitigation Requirements policy justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?

Does policy PP1 provide clear direction as to how a decision maker should react to a development proposal?

Anglian Water considers that the inclusion of the requirement to demonstrate that adequate wastewater treatment and sewerage and sewage infrastructure enhancement where relevant is justified, effective and consistent with national planning policy. We are also fully supportive of the requirement to incorporate Sustainable Drainage Systems in new developments wherever possible as this will reduce the risk of surface water and sewer flooding and has wider community and environmental benefits.

The requirements in the point (i) of Policy PP1 relating to foul drainage are necessary to ensure that the potential risk of downstream flooding and pollution to the water environment is considered as part of the determination of planning applications.

It is also legitimate to expect proposals to demonstrate that there is, or will be capacity in the sewerage network, since the Council may need to impose planning conditions to ensure that dwellings or other types of development are not occupied until the capacity is available¹. For larger developments we request planning conditions be applied where there is a need to specify the phase(s) of development that can come forward before mitigation within the foul sewerage network is required.

¹ The use of planning conditions for this purpose has been established in the Barratt Homes Vs Welsh Water case which was considered by the Supreme Court. <https://www.supremecourt.uk/cases/docs/uksc-2009-0038-judgment.pdf>