**APPENDIX B: Summary of responses to previous consultations:**

Southern Water has provided the following explanation of their approach to commenting on Local Plan allocations:

When consulted on a Local Plan, if that Plan includes allocated sites for housing development, Southern Water will send the Plan out to its modellers for a ‘capacity check’.  This assessment looks at local infrastructure capacity only– ie; is the pipe size at the nearest connection point to the new development large enough to accommodate the additional flow.  If not, Southern Water will need to carry out ‘network reinforcement’ before the development is occupied, to ensure that the network can carry the extra flow and avoid any increased risk of sewer surcharging, which could pollute the environment.  This information is site specific hence policy provision on individual site allocations is requested as required in accordance with the results of the capacity check. Any subsequent planning application on the allocated site should make reference to the policy provision and be aware of the need for network reinforcement in advance.

We do not comment on wastewater treatment capacity with regard to specific site allocations in the local plan, unless the allocation is significant in relation to the existing population, and it is known that this development will be delivered within the first 5 years of the plan. Instead we look for policies that support the provision of infrastructure and that coordinate development with its provision.  We are currently satisfied that this is covered by Policy S12 of the Preferred Options Local Plan (Dec 2019).  Due to the cumulative impact of new development on WTW capacity, and the timing of development delivery, which is usually unknown at the point at which a local plan is produced, such policy provision cannot be site specific, and may not be required if new infrastructure can be delivered before development comes forward.

**Regulation 18 Consultation – The Local Plan Review Preferred Approach**

Regulation 18 consultation on the Local Plan Review Preferred Approach took place from 13 December 2018 to 7th of February 2019.

At that stage it was proposed that the Local Plan Review would deliver a total of 12,350 homes over the period 2016-2035. Taking account of existing commitments and a windfall allowance strategic allocations and parish housing numbers were proposed to deliver 4,900 homes.

**Summarised Response from Southern Water**

Southern Water has invested in solutions to address water quality issues. It is important to ensure that new development does not cause detriment to the existing situation.

Support for higher water efficiency measures and ensuring surface water doesn’t discharge to foul network.

Support requirement in policy S12 that development is phased to align with the delivery of new or improved infrastructure.

Note that development at Land West of Chichester (AL1), Land at Shopwhyke (AL2), Land East of Chichester (AL3), and Land at Westhampnett/North East Chichester (AL4), Tangmere (AL14) will connect to Tangmere and proposed wording changes to reflect OFWAT changes to connections charging.

Land South West of Chichester (AL6) – dwellings here would require reinforcement of the wastewater network to provide additional capacity. This would be provided through the new infrastructure charge. As for the other sites, SW would need to work with site promoters to understand the delivery programme to align such reinforcement with occupation. Concern raised about amenity impact of proximity to Apuldram WWTW.

Highgrove Farm Bosham (AL7) – SW advise that local sewerage infrastructure close to the site has limited capacity and would require reinforcement of the network. Note that limited capacity is not a constraint to development provided policy and subsequent conditions require appropriate phasing to align with delivery of waste water infrastructure.

Fishbourne (AL9), Southbourne (AL13) – detailed comment is dependent on location

Selsey (AL12) - SW advise that local sewerage infrastructure close to the site has limited capacity and would require reinforcement of the network. Note that limited capacity is not a constraint to development provided policy and subsequent conditions require appropriate phasing to align with delivery of waste water infrastructure.

Southern Water made no specific comments in relation to AL5,8,9 and 10.

**Summarised comments from the Environment Agency (in relation to waste water):**

Recommend that Policy S31 Wastewater management and water quality is amended to ensure issues with Apuldram WWTW are addressed.

AL13 Southbourne – the reference to ensuring there is sufficient capacity at the relevant WWTW prior to commencement could be expanded to include sewer network capacity. Liaison with SW re phasing of development is encouraged.

AL6 South West Chichester – concerns about wastewater treatment.

AL9 Fishbourne – the policy should set out some issues the parish will need to consider when identifying sites for the neighbourhood plan including wastewater treatment given the location in Apuldram catchment, and refer to the Source Protection Zone (SPZ) this that covers part of the parish – in order to protect groundwater and drinking water.

**Comments from other respondents**:

That the existing evidence on waste water capacity was not sufficient. Particular concerns were raised about capacity at Thornham.

**Regulation 18 consultation – Revised Development Strategy for testing December 2020**

Further to the responses received in relation to the Preferred Approach, and in light of additional evidence, including a change to the housing need, a potential revised development strategy was prepared in late 2020 for testing with infrastructure providers. Information about this was sent to Southern Water and The Environment Agency in early December 2020 seeking information about the infrastructure needed to support such a strategy and for an early indication of any showstoppers. This was followed up by a meeting, and the provision of additional information in late January.

In response to the consultation **Southern Water** advised that any constraints would be linked to environmental constraints because they can always increase capacity at a Waste Water Treatment Works provided the EA does not have concerns about the capacity of the receiving water. On this basis they provided a standard response as below:

Environmental bodies such as the Environment Agency and Natural England set and safeguard water quality objectives. The Environment Agency is the water industry's environmental regulator and define the environmental permits that water companies are required to meet. These permits are designed to protect the environment and ensure that water quality objectives are met.

Southern Water therefore operates its WTWs in accordance with environmental permits issued and enforced by the Environment Agency. The permits set the maximum volume of treated wastewater that the company is permitted to recycle to the environment (in terms of Dry Weather Flow, DWF). They also define the standards of treatment that must be met in order to protect water quality objectives.

If the future release of treated wastewater at a WTW is anticipated to exceed the maximum allowed by the environmental permit (as a result of new development), Southern Water could apply to the Environment Agency for a new or amended permit. This would increase the volumetric permit headroom above that which is currently available. The Environment Agency would normally permit increased flows provided the treatment standards are tightened so that the total load to the environment is not increased. This is in line with the "no deterioration" principle.

It would therefore be inappropriate to use existing wastewater treatment capacity to determine the spatial strategy, because additional capacity beyond existing permits could be provided that would mitigate the impact of new development. An amended permit might require investment at WTWs, but this is business-as-usual for Southern Water and not a "showstopper" to new development.

It is possible that future permit conditions become so tight that they cannot be achieved by conventional technology. This is likely to trigger the need for significant and expensive investment. The WTWs most likely to be affected in this way could be identified by looking at the sensitivity of the water bodies receiving treated wastewater and/or environmental designations such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Sites of Special Scientific Interest (SSSIs).

Fundamentally wastewater treatment capacity is not a constraint to future new development even if investment requirements are significant. Southern Water has a statutory obligation to find solutions and provide infrastructure to serve new development. The planning period for the Chichester Local Plan runs from 2019 to 2037 so there are repeated opportunities through the water industry's five yearly price review process to investigate and implement solutions. Possible options where conventional technology could not achieve the required standards include:

a) Reducing infiltration into the sewerage system

b) Reducing consumption of water by existing and future residents

c) Transfer flow to an alternative discharge location (where the environmental capacity of the receiving water is sufficient to accommodate the discharge)

d) Treat wastewater to a higher standard using non-conventional technology.

The implementation of one or a combination of these options would mitigate the impact of increased volumes of wastewater arising from new development and population growth, so that it would not have an unacceptable adverse effect on the integrity of protected sites such as SPAs, SACs and SSSIs.

No specific new infrastructure schemes were proposed for inclusion in the IDP were proposed although it was noted that an Infiltration Reduction Plan for the Chichester ( Apuldram) catchment would commence in 2021.

At the follow up meetings in Jan and Feb they advised on the approach covered under Joint Working above.

**The Environment Agency** response stated:

In terms of housing distribution we would generally support development within the Eastern side of the district due to the waste water treatment capacity issues within the Apuldram Catchment in the west. New development should ideally look for connection to Tangmere Waste Water Treatment Works.

We are also pleased to see that proposed housing has been reduced on the Manhood Peninsula due to potential increased flooding from sea level rise. We feel that this is a sensible approach and will hopefully lead to development being more sustainable.

We support the recognition that it is likely to be appropriate to phase development so that it aligns with the future provision of infrastructure this is particularly important for flood risk and to ensure that sufficient capacity is available at the relevant WWTW prior to the delivery of development. This could be expanded to include sewer network capacity. Liaison with Southern Water regarding any necessary phasing of development should continue.

Additional comments were also made on specific sites.