

Mr Peter Cleveland
Waverley Borough Council
Development Control
The Burys
Godalming
Surrey
GU7 1HR

Our ref: WA/2016/121910/03-L01
Your ref: WA/2015/2395
Date: 06 December 2016

Dear Sir/Madam

Hybrid Planning Application; Part Outline Proposal For A New Settlement With Residential Development Comprising 1,800 Units (Use Class C3), Plus 7,500sqm Care Accommodation (Use Class C2); A Local Centre To Comprise Retail, Financial And Professional, Cafes/Restaurant/Takeaway And/Or Public House Up To A Total Of 2,150sqm (Use Classes A1, A2, A3, A4, A5); New Business Uses Including Offices, And Research And Development Industry (Use Class B1a And B1b) Up To A Maximum Of 3,700sqm; Light And General Industry (Use Class B1c And B2) Up To A Maximum Of 7,500sqm; Storage And Distribution (Use Class B8) Up To A Maximum Of 11,000sqm; A Further 9,966sqm Of Flexible Commercial Space (B1(B), B21(C), B2 And/Or B8); Non-Residential Institutions Including Health Centre, Relocation Of Existing Jigsaw School Into New Premises And Provision Of New Community Centre (Use Class D1) Up To A Maximum Of 9,750sqm; A Two-Form Entry Primary School; Open Space Including Water Bodies, Outdoor Sports, Recreational Facilities, Canal Basin And Nature Conservation Areas; Public Transport Routes, Footpaths And Cycleways; Landscaping; The Removal Of Three Runways; All Related Infrastructure Including Roads, Car And Cycle Parking, Energy Plant And Associated Equipment, Water Supply, Telecommunications, Drainage Systems And Waste Water Treatment Facilities; Part Full Application For The Demolition Of 8,029sqm Of Existing Buildings And The Retention Of 36,692sqm Of Existing Buildings, For Their Future Use For A Specified Purpose As Defined By The Use Classes As Specified In The Schedule Of Buildings And Their Uses; And The Temporary Use Of Building 132 For A Construction Headquarters. This Application Is Accompanied By An Environmental Statement.

Dunsfold Park, Stovolds Hill, Cranleigh

Thank you for consulting on 30 November 2016 on the additional information submitted relating to the proposed development noted above. We have reviewed the information submitted with regards to our remit. This includes the 'Dunsfold Park: Risk assessment for treated sewage disposal', report reference 65550TN1D1, dated November 2016, prepared by ESI Ltd Environmental Specialists. Within this response this will be referred to as the water quality assessment (WQA) report.

Environment Agency Position

In accordance with paragraph 109 of the National Planning Policy Framework (NPPF) and the associated National Planning Practice Guidance (NPPG) we **object** to the proposed development as submitted for the reasons outlined below and on the basis that it may have a significant adverse impact on water quality.

Cont/d..



Reasons 01

The submitted WQA report fails to satisfactorily demonstrate and provide sufficient reassurance that the proposed development will not adversely affect water quality. Negatively impacting water quality is contrary to paragraph 109 of the NPPF and the objectives of the Water Framework Directive (WFD) as set out in the Thames River Basin Management Plan (RBMP).

Further Explanation

The submitted documents including EIA appendix 5.4 (Drainage Strategy) indicate that the proposed foul drainage is to be passed through a non-mains drainage system and potentially discharged to ground via soakaway or to one of the adjacent watercourses (EIA appendix 5.4, paragraph 5.1.11).

We acknowledge that this hybrid planning application is only seeking outline planning permission with regards to the principle of the scheme and the sewerage network. However, for the principle of this scheme to be acceptable at this site, it is vital that appropriate assessment and reassurance is clearly demonstrated within the application documents. This includes satisfactory assessment and evidence demonstrating that the proposed development will not contribute to water pollution or result in the deterioration of water quality. To do so would be contrary to paragraph 109 of the NPPF and the objectives of the WFD as set out in the Thames River Basin Management Plan (RBMP). This issue was raised in our scoping opinion for scheme on 21 July 2015 and identified in our previous letter to the council dated 28 October 2016, our reference WA/2016/121910/02.

We have engaged with the applicant's consultants on this matter and a WQA was completed and submitted as part of this application. Section 2.4 of the WQA notes that an assessment has only been carried out for Loxwood Stream (individual comments on this assessment are noted below). Previously the application documents indicated that the proposed new Sewage Treatment Works would discharge treated effluent to the Wey & Arun canal which will subsequently discharge into Cranleigh Waters (waterbody ID GB106039017810). However, we noted previously that discharging to a canal is not recommended due to the waters being slower flowing/still waters. Furthermore, the increased phosphate, ammonia and biological oxygen demand could cause eutrophication and pollution and that this pollution may then be transported into the connected Cranleigh Waters (GB106039017810) water body. However, this did not mean that Cranleigh Waters was not a potential solution rather, that further evidence was required to support this approach.

WQA – Individual comments

We welcome that an assessment has been undertaken to consider the impacts of the proposed development including the new sewage treatment works on water quality. We acknowledge that generally the submitted document shows a good understanding of the expected outcomes of a WQA. However, we have some concerns that the information provided does not appropriately demonstrate that 'a treatment works is feasible in providing a sewage discharge to the chosen watercourse **that is acceptable under the WFD**' (emphasis added) as set out in conclusion 4.1 of the 'Scope of Works' document.

In our engagement with the applicant on the 'scope of works' document relating to the WQA, we recommended that water quality modelling tools such as RQP and SIMCAT should be used to calculate the permit limits required to meet WFD requirements and that these new limits would assist the consultant/applicant in establishing the outcomes of the WQA. Section 3.2 of the submitted WQA report sets out the equation to be used to calculate the limits. Although this equation is employed within the water quality tools noted above, the tools go further and provide a more reliable output and therefore, would assist with providing further reassurance that a new STW in this location would not adversely

impact water quality.

Section 3.1 of the WQA report states that *“Cranleigh Waters and Loxwood Stream are at high status for ammonia. The highest limit for high status is 2.0 mg/l, and it is assumed that the representative background value is 0.5mg/l (milligrams per litre).”* However, WFD Ammonia standards for the 90 percentile set the lowest limit for ‘high status’ to be **0.3mg/l**. Therefore, we believe that incorporating this lower figure into the assessment will have an impact on the outputs shown in table 3.1 of the WQA.

Furthermore, it is likely that the outputs noted in table 3.1 of the WQA may need to be reviewed for BOD and ammonia as we believe the sediment level inputs may be incorrect. We accept the methodology to calculate the permit level for Phosphate is correct although acknowledge that all of the figures in table 3.1 will need to be reviewed when ‘actual/real’ water quality data is inputted.

We acknowledge that in a ‘high level’ report some assumptions are required. The WQA report states that a *“conservative representation”* and *“conservative assessment”* has been considered. However as noted above, we believe that some incorrect assumptions/calculations have been made and therefore, we are not fully reassured that a conservative enough assessment has been undertaken. Therefore, further work is required within this WQA report to provide appropriate reassurance that the proposed development including a new STW will not adversely impact water quality.

Additionally section 4.0 of the WQA report notes that *“two key uncertainties remain...[including] the background water quality to be used”*. This is a vital part of the evidence required to demonstrate (even at a ‘high level’) that the principle of the scheme is acceptable. Without this, we lack the reassurance that the proposed development will not adversely impact water quality.

Currently the WQA report concludes that although it would be *“quite challenging”* the proposed development would be able to meet the target requirements and therefore comply with NPPF paragraph 109 and the WFD. However, this is based on the submitted calculations and not on the revisions we have noted above. Therefore, without further evidence it is uncertain at this time whether the targets, requirements and/or mitigation measures required to ensure the protection of water quality would be viable or possible to implement. As stated in previous correspondence an appropriate level of evidence and reassurance is required before the application is determined. This is because a planning condition incorporating a detailed design foul sewerage scheme cannot address and/or ‘fix’ a proposed development that the evidence may suggest is unacceptable and unable to comply with local and national planning policies. Alternatively if it can be demonstrated that there will be no deterioration in water quality, etc... a planning condition may be a suitable mechanism to agree to the principle of the proposed development and to seek the finer details of the sewerage scheme.

Overcoming Our Objection

The applicant may be able to overcome our objection by providing further clarification and evidence to address the points noted above.

Flood Risk

As noted in our letter dated 28 October 2016 we have reviewed the additional flood risk information including the Flood Risk Assessment addendum - compensatory storage, dated May 2016, prepared by Mott MacDonald. Providing no other/new material considerations impact this constraint, we are now satisfied that the flood water storage compensation measures could be secured by an appropriate planning condition. If the applicant can successfully overcome our water quality objection noted above, we will provide a flood risk planning condition in future correspondence.

Advice Note 1

If you wish to discharge treated sewage effluent into a surface water or to ground you may require an Environmental Permit from us. In some cases you may be able to register an exemption. You should apply online at <http://www.environment-agency.gov.uk/business/topics/permitting> or contact us for an Environmental Permit application form and further details.

The granting of planning permission does not guarantee the granting of a permit under the Environmental Permitting Regulations 2010. A permit will be granted where the risk to the environment is acceptable.

To qualify for a registered exemption the rate of sewage effluent discharge must be 2 cubic metres a day or less to ground or 5 cubic metres a day or less to watercourse. You must also be able to satisfy a number of specific criteria.

A Standard Rules Permit is available for discharges of secondary treated sewage (to surface water only) of between 5 cubic metres a day and 20 cubic metres a day. Discharges of treated sewage greater than 2 cubic metres a day to ground and greater than 20 cubic metres a day to a surface water require a Bespoke Permit.

The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.

Advice Note 2

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. **An environmental permit is in addition to and a separate process from obtaining planning permission.** Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

Final Comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us. Please quote our reference number in any future correspondence.

If you are minded to approve this planning application contrary to our advice please contact us prior to doing so.

If you have any queries please contact me.

Yours faithfully

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Sustainable Places | Planning Specialist

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Cc: Mr Gareth Owen (ESI Ltd)
Mr. David Gwilliam (Jubb - consultant)