

Sandra Mitcham
Higham Ferrers Town Council
Town Hall
Market Square
Higham Ferrers
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Our ref: AN/2015/121282/01-L01

Your ref:

Date: 02 April 2015

Dear Sandra

Application for the designation of a Neighbourhood Plan for Higham Ferrers

Thank you for the opportunity to provide representation on the Neighbourhood Plan for Higham Ferrers, which was received on 13 February 2015.

A key principle of the planning system is to promote sustainable development. Sustainable development meets our needs for housing, employment and recreation while improving the environment. It ensures that the right development is built in the right place at the right time. To assist in the preparation of any document and sustainable development we have identified the following information to help you maximize environmental gain from future development and to reduce its environmental impact.

The focus our response is on the following environmental topics for which we are responsible:

1. Flood risk management;
2. Water quality and water resources;
3. Waste management;
4. Land contamination and soil.

1.0 Flood Risk Management

The River Nene and Chelveston Brook are the main rivers and floodplains within the Neighbourhood Plan area of Higham Ferrers. The River Nene floodplain covers the Upper Nene Valley Gravel Pits. Floodplains comprise land where water has to flow or be stored in times of flood. Development within them should be avoided. We are therefore pleased that the Neighbourhood Plan recommends that development is avoided within the floodplain. The importance of floodplains could be further emphasised in the Neighbourhood Plan by referencing them in Section 1.2 – Higham Ferrers Neighbourhood Plan Boundary, of the Neighbourhood Plan.

Surface Water Drainage

We commend the emphasis the Neighbourhood Plan places on the use of Sustainable Drainage Systems (SuDS). This emphasis could be enhanced by the inclusion of above ground SuDS options such as ponds and swales.

Flood Defence Consent

Improvements to the green infrastructure may require flood defence consent. Under the terms of the Water Resources Act 1991, and the Anglian local land drainage byelaw, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within nine metres of the top of the bank a watercourse name designated as a 'main river'.

2.0 Water Quality and water resources

Water Quality

It is essential that sufficient water infrastructure is in place to serve any proposed development to prevent the increased risk of pollution and sewage flooding. Sewage is one of the most common sources of pollution. The Neighbourhood Plan should be informed by the Water Cycle Study (WCS) regarding water supply and waste water capacity. Development should 'involve promoting the highest level of environmental importance, not only in the design of new buildings but also in master planning and managing development'.

Higham Ferrers is within the area of East Northamptonshire Council covered by the North Northamptonshire WCS. Further information on this is available on the Joint Planning Unit Website at:

<http://www.nnjpu.org.uk/publications/docdetail.asp?docid=168>

The Water Framework Directive (WFD) came into force in December 2000 and was transposed into UK law in December 2003. The first principle of the WFD is to prevent deterioration in aquatic ecosystems. No deterioration requires that a water body does not deteriorate from its current ecological or chemical classification and applies to individual pollutants within a water body.

The Neighbourhood Area of Higham Ferrers is within the waterbody of the River Nene which is at 'moderate' ecological status. The sewage treatment works (STW) that serves Higham Ferrers is Broadholme STW. Anglian Water Services Limited need to be consulted by developers at the earliest opportunity to establish whether there is capacity at Broadholme STW for additional foul water flows.

The installation of new Combined Sewer Overflows (CSO) is unsustainable and should not be considered for new developments. Surface water separation in combined sewerage catchments is an option for reducing the frequency of CSO spills which should be considered when redeveloping sites. If development leads to an increase in wastewater of 10% or more upstream of a CSO, the impact of growth should be assessed using Urban Pollution Management techniques to design a mitigation solution.

Water resources

The Neighbourhood Plan should take into account the availability of potable water supply when assessing new development in the area. Advice should be sought from Anglian Water Services Limited to find out whether additional water can be supplied using existing sources or whether new sources will be needed in the future. We may not be able to recommend a new or increased abstraction license where water resources are fully committed to existing abstraction and the environment. Our [Nene Abstraction Licensing Strategy](#) sets out how water resources are managed in the Nene catchment.

Any future development must not cause impacts on water features (i.e. spring, wells, boreholes, ponds and reservoirs) in the area.

Every opportunity should be taken to build water efficiency into new developments and innovative approaches should be encouraged.

Any proposed development should consider setting high standards regarding water use and other indicators to deliver sustainable development. As such, it is advised that any new and upgraded developments should consider applying water efficiency and water saving methods to minimise potential impacts on water resources within the area. The Code for Sustainable Homes is currently being superseded. Whilst new standards have not been finalised, we would recommend reviewing the document below:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/291796/140313_Building_Regulations.pdf

3.0 Waste management

The waste hierarchy – reduce, re-use, recycle – should be implemented when developing proposals within the Parish. Community composting schemes and the necessary waste handling facilities could be developed as part of the essential infrastructure within the Parish.

4.0 Land contamination and soil

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

It is not clear whether the preferred development areas in the Neighbourhood Plan involve development on any potential brownfield land. If brownfield land is to be developed, development policies must reference appropriate investigation of contamination prior to development for the protection of the groundwater environment.

We recommend that developers

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the Anglian River Basin Management Plan.
4. Refer to our website at www.environment-agency.gov.uk for more information.

The Neighbourhood Plan should be based on a robust long term vision and a clear enough structure for development and change to help make it happen even with changes in political and economic conditions. We look forward to continued engagement with you to tackle issues and achieve exemplar development wherever possible.

We cannot over-emphasise the importance of early pre-application discussion on all proposals to ensure that any initial issues can be resolved and subsequent planning applications run smoothly. As sites or more detailed area plans come forward, we will provide more detailed comments. Early liaison will achieve our aim of ensuring that schemes are enabled in a joined up way and avoid issues arising unexpectedly at advanced stages in the process.

Please note that this advice is given in good faith on the basis of the information supplied at the time of writing. This advice is given without prejudice to matters that may arise from further information, consultation or examination and is therefore not binding on any formal consultation reply or decision that may be made by the Environment Agency.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours faithfully

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The Government Standard

Awarded to the Environment, Planning & Engagement
Department, Lincolnshire and Northamptonshire Area