

## **Joint Position Statement on Development in the Horning Water Recycling Centre Catchment**

**Prepared by Anglian Water Services and the Environment Agency.**

This statement has been prepared to support Local Planning Authorities in their decision making on development in Horning, North Norfolk.

### **Background**

Horning Knackers Wood Water Recycling Centre discharges to the River Bure. In doing so, this Water Recycling Centre (WRC) contributes nutrient loads to the downstream watercourses as well as to the Bure Broads and Marshes Site of Special Scientific Interest (SSSI), a component of the Broads Special Area of Conservation (SAC)/ Broadland Special Protection Area (SPA).

Concerns regarding development in the catchment of the WRC (see enclosed) relates to the potential impact of rising nutrient loads on the river and sensitive downstream receptors. At present, the main River Bure achieves 'high status' for water quality (very good quality), and the Bure Broads and Marshes SSSI predominantly meets the water quality thresholds. As a minimum, our objectives are to ensure that there is no deterioration in water quality in the river and that the water quality thresholds set out in the Conservation Objectives for the European protected site continue to be met. Further details on the needs of the European Site are available from Natural England.

A high quality water environment is an integral part of the natural environment, providing a good habitat for plants, animals and quality of life benefits for local people. Water resources and a high quality water environment underpin economic development, by providing water for households, industries, agriculture, recreation and tourism. The 'high status' water quality in the River Bure is atypical for East Anglian rivers, making this a particularly important catchment to safeguard. The 'high status' is due in part to the significant investment that the water company have made since the 1990s to reduce phosphorus concentrations in effluent to protect the Broads as well as ongoing work by the Environment Agency to identify and address poor water quality across the wider catchment. This investment, and the environmental and socio-economic benefits it has delivered, should not be jeopardised by development.

To ensure that there is no increased risk to water quality, there must be no increase in nutrient loading from the Horning WRC above that assessed by the Environment Agency under the 'Review of Consents' project which concluded in 2007. Any development that could increase foul water flows to the WRC could increase the loading from the Centre.

### **Policy Background**

Policy HOR6 of the North Norfolk Site Allocations DPD (February 2011) states that development will be required to 'demonstrate that there is adequate capacity in sewage treatment works and no adverse effect from water quality impacts on European Wildlife Sites.'

Policy HOR1 of the Broads Authority Site Specific Policies DPD adopted 2014 states that:

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'To ensure the protection of designated sites, no new development requiring connection to the public foul drainage system within the Horning Catchment, should take place until it is confirmed capacity is available within the foul sewerage network and at the Water Recycling Centre to serve the proposed development.' Policies HOR2, 5 and 7 support or re-iterate this policy.

## **Local Authority Responsibilities**

The legal framework for the protection, improvement and sustainable use of waters is provided by the Water Framework Directive (WFD) which was enacted into UK law in December 2003.

Under the UK Regulations, local authorities must have regard to the plans developed to deliver the Regulations in exercising their functions. This means that they need to reflect the priorities and objectives (as described above) in local planning policies, infrastructure delivery plans and in the determination of individual planning applications. With regards development in the Horning catchment, the main priorities and objectives are to ensure no deterioration in river water quality and to meet the Conservation Objectives for the Bure Broads and Marshes SSSI/ SAC/ SPA.

Local authorities and other public bodies are also required to provide information and "such assistance as the Environment Agency may reasonably seek in connection with its WFD functions."

Local authorities, along with other public bodies, have a general responsibility not to compromise the achievement of UK compliance with EU Directives, including the WFD. Non-compliance with EU Directives could potentially lead to the European Commission bringing legal proceedings and fines against the UK. The Localism Act 2011 includes a new power for UK Government to potentially require public authorities (including local authorities) to make payments in respect of EU financial sanctions for infraction of EU law if the authority has caused or contributed to that infraction. In theory, this power applies to infractions of WFD requirements, including deterioration of water body status, though in practice, Government and the Environment Agency would seek to work with a local authority to resolve the situation and avoid levying penalty payments.

The Localism Act also sets out the duty to cooperate, which requires local planning authorities to co-operate on cross-boundary planning issues, including, as stated in the National Planning Policy Framework, the provision of infrastructure for water supply and water quality, as well as climate change adaptation and conservation and enhancement of the natural environment.

## **Horning Water Recycling Centre**

Both Anglian Water and the Environment Agency agree that the Horning Knackers Wood Water Recycling Centre (WRC) does not currently have capacity to accommodate further foul flows. This means that measures need to be taken to reduce the flows the Centre receives from across the catchment. Some work has already been done, and further work is planned. These are detailed below. If the flows continue to rise there is a risk of increased

nutrient loading to the river and therefore deterioration in water quality. There is also increased risk of sewer flooding.

Anglian Water Services (AWS) have undertaken investigations to identify why the WRC is receiving excessive flows. They found that due to its location and proximity to the Broads, the sewerage system in Horning has long had an issue with the ingress of water, either from groundwater infiltration, where water seeps into underground pipework, or from surface water from street drainage and similar, or from fluvial water, when the Broads over tops into the streets of Horning and subsequently floods via manholes into the sewerage system.

In an attempt to alleviate flows getting into the sewerage system, in 2014/15 Anglian Water carried out camera surveys of all of its owned sewers and any that had shown to have groundwater ingress have been replaced or relined.

Out of the entire network of 9.5km, a total of 1.5km has been repaired and six manholes have been rebuilt and/or sealed against infiltration. While this work was successful in reducing the groundwater ingress into the sewerage network, this has not totally resolved the flow issues.

The Highways Authority (Norfolk County Council) have been working with Anglian Water, and are progressing the removal of two surface water drainage gullies from the Anglian water sewerage system.

Anglian Water are progressing the building of a hydraulic model to better understand the flow and capacity within the system. This is due for completion at the end of the 2016-17 financial year.

This scheme is ongoing and will inform further remedial works upon the network. A subsequent period of 12 months of monitoring of flows to assess the efficacy of the scheme and whether there is capacity to accept additional flows will be required by the Environment Agency.

### **Implications for Development in Horning**

Whilst flows to the Water Recycling Centre remain high, measures to reduce existing flows and prevent additional flows to the catchment need to be taken. Development that could increase the flows to the Water Recycling Centres therefore needs to be avoided. All opportunities to prevent and reduce clean surface, ground or fluvial water entering the sewage system also need to be taken.

New developments or changes to existing properties (commercial or domestic) that could increase foul water flows to the Horning WRC will not be looked upon favourably by the EA, Anglian Water or the undersigned until the excessive flows to the Centre have been addressed with confidence. It is considered that 12 months-worth of the continuously collected flow monitoring data from the WRC, will provide enough evidence to determine the effectiveness of each tranche of works upon the system, and allow review of the acceptability of development.

This means that there will be a presumption against developments that increase flows to the WRC in the short term. Similarly, there will be a presumption against developments that rely upon stand alone foul water treatment solutions as they too have the potential to adversely affect water quality.

This position statement will be reviewed after each tranche of works on the system, and again after the collection of 12 months post-works data.

The capacity that the infiltration scheme will free up at the WRC is difficult to predict and so the quantum of development that will be able to come forward in the future is currently unknown.

We are keen to ensure the water infrastructure is adequately considered upfront without unduly blocking development, whilst continuing to safeguard Habitats Directive sites, and meet the objectives of the Water Framework Directive. Developers will need to engage with relevant parties in order to identify and progress solutions, indeed AWS and EA actively encourage pre-application discussions. We are committed to work with all parties to progress solutions to enable development in Horning.



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Legend

- Parish Boundaries
- Wastewater Catchment

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**Horning - Knackers Wood Wastewater Catchment**

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