

## Thames Water Network Infrastructure Delivery

### Position Statement

This position statement summarises how the approach to the delivery of water and wastewater infrastructure to support development is changing from the 1<sup>st</sup> April 2018.

#### **Current Approach to Water Supply and Wastewater Network Infrastructure Delivery**

At present, when there are concerns regarding the capacity of existing water supply and/or wastewater/sewerage network infrastructure to meet the demands of new development, Thames Water request that the developer demonstrates that capacity exists, or can be made available. This is done through services Thames offer, such as flow and pressure checks and network modelling, the developer pays for these services and in some instances may be required to pay for an element of network reinforcement. This ensures that there is adequate capacity both on and off site to serve the development and that it would not lead to adverse impacts for existing or future users.

Where there is a capacity constraint Thames Water have sought for the Local Planning Authority to require the developer to provide a detailed water and/or drainage strategy informing what infrastructure is required, where, when and how it will be delivered. Where necessary, Thames Water also seek the inclusion of pre-commencement conditions requiring additional information to be submitted for approval, including information such as such as off-site foul and surface water drainage and arrangements for delivery.

#### **Water and Wastewater Treatment Infrastructure Delivery (no change)**

Upgrades to our water and wastewater/sewage treatment works are funded through water bills which are set every 5 years. Water companies' investment programmes are based on a 5 year cycle known as the Asset Management Plan (AMP) process. AMP7 will cover the period from 1st April 2020 to 31st March 2025 (we are currently consulting on our draft Business Plan for this period (until 29<sup>th</sup> April 2018) and more information can be found at: [www.thameswater.co.uk/yourwaterfuture](http://www.thameswater.co.uk/yourwaterfuture)).

As part of our five year business plan Thames Water advise Ofwat on the funding required to accommodate planned growth. We base our investment programmes on a range of factors, including population projections and development plan allocations, which help to form the clearest picture of the future shape of the community, as set out in the National Planning Policy Framework (paragraph 162) and the Planning Practice Guidance.

Where capacity constraints at our sewage works are predicted, we will invest in our sewage works at the appropriate time to ensure sufficient capacity exists and our treatment consents continue to be met. This approach will not change.

There may be times where we have concerns regarding the ability of treatment works to accommodate the demands of growth. These issues would usually arise at the Local Plan stage and can be addressed through a Water Cycle Study. In some circumstances, such as when a large development site comes forward within the catchment of a small treatment works, we may raise concerns regarding the ability of the works to deal with the flows. In such circumstances developers will need to work with Thames Water to demonstrate that any necessary upgrades to treatment works can be delivered to support development.

### **New Approach to Water Supply and Wastewater Network Infrastructure Delivery**

Our economic regulator Ofwat has published new rules, which say our network infrastructure charges should reflect:

- fairness and affordability
- environmental protection
- stability and predictability
- transparency and customer-focused service

The changes will mean that more of our charges will be fixed and published, rather than provided on application, enabling developers to estimate costs without needing to contact us. The services affected include new water connections, lateral drain connections, water mains and sewers (requisitions), traffic management costs, income offsetting and infrastructure charges.

From the 1<sup>st</sup> April 2018 all network reinforcement work required to support development will be delivered by Thames Water and funded through the Infrastructure Charge applied to each property connected to the water and wastewater networks. The Infrastructure Charge will also cover all modelling and design work required to deliver any necessary upgrades. However, in most circumstances Thames Water will not commit to undertaking detailed modelling and design work until there is certainty of development coming forward. This is because without certainty of development coming forward the modelling and design work may be abortive.

As a result of this change in approach, Thames Water will no longer require developers to fund impact studies or ask them to demonstrate, at the application stage, what infrastructure reinforcement works are required. However, it will still be critical that any necessary upgrades are delivered ahead of the occupation. As Thames Water cannot prevent connection of development to their networks, the planning system will still play a key role in assisting that development does not outpace the delivery of any necessary infrastructure provision. It is therefore important that developers engage with us at an early stage, pre-planning.

Link to pre application enquiry form.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

## Working with Local Planning Authorities and Developers

In order to ensure that any necessary upgrades are delivered ahead of the occupation of development, Thames Water are keen to work closely with Local Planning Authorities and Developers to understand the scale of development and the likely timescales for delivery. In this respect we would request that Local Planning Authorities encourage developers to contact Thames Water at an early stage [i.e. pre application submission] to provide details of their proposed development. Developers can make a pre-planning enquiry to Thames Water Developer Services at no cost to confirm whether or not there are capacity concerns. Previously there was a charge for this service but this is being removed to encourage its use.

Where there are significant capacity concerns or developers have rapid programmes for delivery following the approval of planning permission, they may wish to underwrite Thames Waters costs for modelling and solution design work in advance of submitting planning applications. This would help ensure that any necessary infrastructure can be delivered more swiftly, following the grant of consent. **Adopting this approach would provide developers and local authorities with greater certainty that any necessary infrastructure reinforcement can be delivered in line with proposed development programmes.** In the event that permission is not granted Thames Water may seek to recoup aborted expenditure from developers.

## Consideration of Planning Applications

Thames Water would request that the information set out below is provided in support of any application for major development and for minor developments in areas with known water supply or sewerage network issues.

### Where pre-application discussions have taken place with Thames Water:

- written confirmation from Thames Water that capacity exists or can be provided in line with the proposed development phasing

Note: As set out above, where pre-application discussions identify capacity concerns developers have an option to underwrite Thames Waters costs for further modelling and design work to be progressed ahead of the submission of a planning application.

### Where no pre-application discussions have taken place with Thames Water:

Where Thames Water are the statutory water undertaker

- The proposed point of connection to the water network;
- Existing and anticipated peak water demands; and
- An indication of the likely timing of delivery/phasing of development.

Where Thames Water are the statutory sewerage undertaker

- The proposed point of connection to surface water and wastewater networks and whether connections will be gravity fed or pumped;
- Existing and anticipated peak surface water discharge rates and details of any discussions with the LLFA;
- Existing and anticipated peak foul water discharge rates;
- An indication of the likely timing of delivery/phasing of development.

The above information will enable a desk based assessment to be undertaken to establish whether there is sufficient capacity within the Thames Water infrastructure to accommodate the development.

We would request that the above information requirements are included for major development proposals on any future revision to the Local Planning Authorities' planning application Local Validation Checklist.

### Use of Planning Conditions

We are keen to minimise requests for planning conditions in relation to water and wastewater infrastructure delivery. However, in order to prevent adverse impacts such as sewer flooding, pollution of land or watercourses or issues with low/no water pressure Thames Water may request phasing conditions in circumstances such as:

- where no pre-commencement discussions have taken place and there are concerns regarding the capacity of existing networks to meet the requirements for new development; and
- where pre-application discussions have taken place highlighting capacity concerns and it is not considered these could be addressed within the proposed development timetable.

In order to minimise the need to seek planning conditions we would encourage developers to engage at an early stage with us to discuss their development proposals including the scale of development and proposed delivery programme. Developers can contact Thames Water Developer Services by email at: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

Such a condition may require development to be phased in such a way as to ensure that any necessary network reinforcement works are delivered ahead of the occupation of development. An example of a planning condition which may be sought is provided below:

*"[No properties/No more than X properties] shall be occupied until confirmation has been provided to the Local Planning Authority that either:*

- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or*
- a housing and wastewater infrastructure phasing plan has been agreed with Thames Water.*

*Where a housing and wastewater infrastructure phasing plan is agreed development shall take place in accordance with the plan unless otherwise agreed in writing by the Local Planning Authority.*

*Reason - Network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to serve the development. Failure to deliver reinforcement works ahead of the occupation of development could lead to sewer flooding and/or potential pollution incidents."*

## Monitoring Delivery of Development

To assist with the monitoring of delivery of development and anticipated trajectories of development over coming years we would encourage Local Planning Authorities to provide us with the following information as soon as it is available:

- Housing delivery and forecast trajectory updates (including details of specific sites)
- Contacts for developers of sites identified in Local Plans
- Copies of decision notices for all major planning applications.
- Confirmation of when all pre-commencement conditions have been discharged for major development sites
- Any information suggesting likely implementation of development such as CIL Commencement Notices

Provision of the above information will assist with ensuring that both network reinforcement works and upgrades to water and wastewater treatment works are delivered when they are required and will help to minimise the need for requests of planning conditions to phase development in order to enable necessary infrastructure to be delivered.