



Cllr. Andrew Brown
Chair
Hurst Green Neighbourhood Plan Steering Group

By Email Only

Date
13 September 2022

Contact
planning.policy@southernwater.co.uk

Dear Mr Brown,

Hurst Green Pre Submission Neighbourhood Plan

Thank you for consulting Southern Water on the Pre-Submission version of the Hurst Green Neighbourhood Plan.

Southern Water is the statutory wastewater undertaker for the area covered by Hurst Green Parish.

We hope that you find our response useful and look forward to being kept informed of progress.

Yours sincerely,

Catherine Adamson

Catherine Adamson
Strategic Planning Lead for Kent and East Sussex

Policy HG10 – Green Infrastructure

Southern Water understands the intention to protect *'irreplaceable habitats (such as ancient woodland and ancient or veteran trees)'* – clause 180.c) National Planning Policy Framework 2021. However, we cannot support the current wording of policy HG10, as it could create barriers to statutory utility providers, such as Southern Water, delivering essential infrastructure required to serve existing and planned development allocated in the District or Neighbourhood Plan.

The National Planning Policy Framework (NPPF) (2021) establishes in paragraph 180.c) that:

development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.*

** For example, infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of habitat*

This paragraph explains that exceptional reasons exist if the potential harm of an infrastructure development proposal is clearly outweighed by other considerations. Southern Water therefore considers the current wording of Policy HG10 may be contrary to National Planning Policy as it does not make allowances for development in 'exceptional reasons'.

We also consider that, should the need arise, exceptional reasons include the provision of essential water or wastewater infrastructure works required to serve new and existing customers. As the infrastructure would need to connect into existing networks, there can be limited options available with regard to location.

Proposed amendments

To ensure consistency with the NPPF we recommend the following change to your Policy HG10 (additional text underlined):

Development proposals should be designed to create, conserve, enhance and manage green spaces and connect chains of green infrastructure, as identified in Figure 5, with the aim of delivering a measurable net environmental benefit²⁵ for local people and wildlife. Development which would result in the loss of ancient woodland, aged trees or veteran trees will not be supported, unless there are wholly exceptional reasons.



New Policy to support the provision of infrastructure

Southern Water may have to provide additional water or wastewater infrastructure to serve new and existing customers or meet stricter environmental standards. It is likely that there would be limited options with regard to location, as the infrastructure would need to connect into existing networks. Planning policies should therefore support proposals that come forward in order to deliver or maintain necessary infrastructure.

Apart from a brief inclusion in policy HG1, we could find no policies to support the general provision of new or improved utilities infrastructure. The NPPF (2021) paragraph 28 establishes that communities should set out detailed policies for specific areas including 'the provision of infrastructure and community facilities at a local level'. Also the National Planning Practice Guidance states that 'Adequate water and wastewater infrastructure is needed to support sustainable development'.

Although the Parish Council is not the planning authority in relation to water or wastewater development proposals, support for essential infrastructure is required at all levels of the planning system.

Proposed amendments

To ensure consistency with the NPPF and facilitate sustainable development, we propose an additional policy as follows:

New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan.