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**To:** DMS\_MyEmails@eastherts.gov.uk

**Cc:**

**Subject:** FW: 3rd Party Planning Application - 3/23/1447/OUT - AMENDED RESPONSE

**Attachments:**

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East Hertfordshire District Council Our DTS Ref: 71251 Wallfields Your Ref: 3/23/1447/OUT - AMENDED RESPONSE  
Pegs Lane Hertford Herts SG13 8EQ 7 September 2023 Dear Sir/Madam Re: LAND EAST OF THE A10, PEASMEAD, -, BUNTINGFORD, HERTFORDSHIRE , SG9 9SF Waste Comments Following initial investigations, Thames Water has identified an inability of the existing FOUL WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree a position for foul water networks but has been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "The development shall not be occupied until confirmation has been provided that either:- 1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)) prior to the planning application approval. Thames Water has contacted the developer in an attempt to discuss potential impacts on amenity from Buntingford Sewage Treatment Works including (but not limited to) ODOUR, NOISE, LIGHTING and FLIES, but has been unable to do so in the time available and as such we request the following condition be added to any planning permission. Our response reflects our concern the applicant has failed to demonstrate future occupiers of the proposed development will have adequate amenity including (but not limited to) ODOUR, NOISE, LIGHTING and FLIES. Given the proposed development's proximity to the Sewage Asset, we object to the planning application. Background - The amenity of those who will occupy new development must be a consideration in deciding whether or not to grant permission for new developments. This is underlined in the 2019 National Planning Policy Framework (paragraph 170) which states: "170. Planning policies and decisions should contribute to and enhance the natural and local environment by: e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans". Amenity - The applicant must therefore include an assessment of potential impacts on amenity for future occupiers of the proposed development. This should include an appraisal of existing odour, noise, flies and lighting from the Sewage Asset and its potential impact on future occupiers of the proposed development. The Local Planning Authority (LPA) must ensure they are satisfied with the applicant's assessment that the amenity of future occupiers of the proposed development will be acceptable. If amenity is considered acceptable by the LPA, we would request any proposed mitigation set out in the assessment is controlled via a planning condition. Odour - Odour can be a particular issue at our sewage assets. It's important to ensure development which might be sensitive to the odour environment in the vicinity of existing assets is not permitted to take place unless: (a) it can be established it will be located or designed in such a manner as not actually to be sensitive to such odour; (b) funding is made available by the applicant for the installation of odour treatment apparatus sufficient to overcome any conflict between the development and uses proposed. To address odour as an environmental impact, the applicant should submit an odour assessment to demonstrate there will be no adverse impact in relation to odour. The odour assessment should be based on assessing onsite odour emissions. The assessment should also include an outline of an odour mitigation measures strategy. If the odour assessment is considered acceptable by the LPA and TW, we would request any proposed mitigation set out in the odour assessment is controlled via a planning condition. A suggested planning condition is set out below. "No development shall commence until an odour modelling assessment has been submitted to and approved by the Local Planning Authority (LPA) in consultation with Thames Water (TW). The odour assessment should be based on assessing on-site odour emissions. The assessment should include an odour mitigation measures strategy. Where the odour modelling assessment identifies a need for mitigation there should be no occupation of the development until the recommendations of the odour mitigation strategy are agreed by the LPA in consultation with TW and have been implemented and are operational." Conclusion - We will maintain our objection until the amenity of potential future occupiers of the proposed development is adequately addressed by the applicant. To address our objection, the applicant should submit an

appropriate appraisal of amenity whereby the conclusions and recommendations satisfy the LPA. The applicant should within its submission include a detailed odour assessment, which should be prepared in consultation with TW. The developer can request information to support the discharge of this condition by visiting the TW website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the LPA consider the above is inappropriate, it is important that the LPA liaises with TW Development Planning Department (e-mail: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)) Following initial investigations, Thames Water has identified an inability of the existing SEWAGE TREATMENT WORKS infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree an infrastructure and phasing strategy for sewage treatment but has been unable to do so in the time available and as such Thames Water request the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason " Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents." The developer can request information to support the discharge of this condition by visiting the Thames Water website at Development Planning Department (telephone 0203 577 9998) prior to the planning application approval. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)) prior to the planning application approval. Following initial investigations, Thames Water has identified an inability of the existing SURFACE WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree a position for foul water networks but has been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "The development shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)) prior to the planning application approval. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section. Water Comments With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333. Yours faithfully Development Planning Department Development Planning, Thames Water, Maple Lodge STW, Denham Way, Rickmansworth, WD3 9SQ Tel:020 3577 9998 Email: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk) This is an automated email, please do not reply to the sender. 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