**TONBRIDGE & MALLING BOROUGH COUNCIL**

**HOUSING AND PLANNING SCRUTINY SELECT COMMITTEE**

**14 December 2023**

**Report of the Director of Planning, Housing and Environmental Health**

**Part 1- Public**

**Matters for Recommendation to Cabinet – Non-Key Decision (Decision may be taken by the Cabinet Member)**

# 1 UPDATE ON LOCAL PLAN INFRASTRUCTURE EVIDENCE

**This report summarises the latest position in relation to the preparation of the Infrastructure Delivery Plan (IDP), with a specific emphasis on water resources and sewerage capacity and specific engagement with providers.**

## 1.1 Background

1.1.1 Members approved the interim Infrastructure Delivery Plan in February 2022. This was following the withdrawal of the Local Plan and reflected the known infrastructure requirements including some of the key strategic sites relating of the then withdrawn local plan.

1.1.2 Work on identifying the infrastructure requirements to support growth has been progressing alongside the emerging local plan. This report also provides an update on work to date. Members have also raised some localised issues surrounding water resources, therefore this report summarises the relevant evidence in relation to water infrastructure.

## 1.2 Infrastructure Delivery Plan

1.2.1 The IDP covers all forms of infrastructure, including water, wastewater, electricity, gas and telecommunications as well as social and health facilities.

1.2.2 The requirements outlined within the most recent published version of the IDP (February 2022) reflected the anticipated strategic development opportunities which were identified in the now withdrawn Local Plan 2019. However the IDP is a live document and is regularly updated to reflect the council's progressing Local Plan and the revised business, service and delivery plans of infrastructure and service providers. The team has also worked with Sevenoaks District Council to create and update a shared list of contacts for all infrastructure providers. Requirements will be updated in due course to reflect the spatial strategy and strategic allocations which will be defined through the Local Plan process.

1.2.3 The team will be shortly commencing more detailed conversations with service providers to explore the adequacy of existing and proposed infrastructure to

support growth, and identify additional infrastructure where this is required in the borough. At present this will involve broad indications for the potential for growth and locations based on the emerging spatial strategy. Once this is refined further this will be followed with more detailed conversations.

### 1.3 Water resource and sewerage evidence

1.3.1 As set out above, water resources and sewerage capacity are a key part of the IDP process. However, some further scoping work has been undertaken to understand whether there is any need for some more dedicated evidence base work in relation to water. Table 1 below sets out the broad requirements of Water Cycle Strategies and how this is effectively covered within the IDP and other flood risk evidence.

Table 1- Approach to water infrastructure

| **Scoping Stage** - Identifies if the water infrastructure capacity could constrain growth and if there are any gaps in the evidence. | |
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| The area and amount of proposed development. | This is the borough and the housing delivery target (OAN or 'sufficient') |
| Review of existing evidence –<br>○ drainage and wastewater management plans – to identify where there is limited capacity within the sewerage and wastewater treatment infrastructure, and proposals to address these issues.<br>○ river basin management plans – to identify environmentally sensitive waterbodies at risk of not meeting water quality targets, and opportunities to protect and improve them.<br>○ areas of water stress classifications – to identify areas of water stress, accounting for levels of abstraction and anticipated impact of climate change.<br>○ water company water resource management plans – to get information on planned investment by the water company to address water stress and invest in new resources.<br>○ abstraction licensing strategies – to get information on current water availability for abstraction.<br>○ strategic flood risk assessments – to identify areas at risk of flooding from all sources (including surface water) and to account for the impact of climate change. | Reviewed through IDP engagement with South East Water, Southern Water and WRMP responses.<br><br>This is captured in WRMPs and EA catchment management plans.<br><br>EA catchment management plans and review of abstraction licenses.<br><br>Outlined in WRMPs and water company business plans.<br><br>EA can provide this. |

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| ○ flood risk management plans – to find out how risk management authorities will work with communities to manage flood risk from all sources, including surface water.<br>○ catchment flood management plans – to identify measures to manage flood risk across a river catchment | Strategic Flood Risk Assessment Level 1 Underway as part of Local Plan evidence base.<br><br>KCC prepare this as lead local flood authority for Kent. This is also done as part of the emergency Planning role.<br><br>Prepared and led by the EA on a partnership basis e.g. Medway Flood Partnership |
| Identify evidence gaps and constraints on growth- working with partners.<br>○ constraints – for example, flood risk, wastewater and water supply.<br>○ barriers – for example challenges to providing new infrastructure.<br>○ opportunities – for example natural flood risk management, sustainable drainage, or funding sources. | This is identified though the IDP process through liaison with water companies once a draft spatial strategy and strategic sites have been defined. |
| **Detailed Study**- the evidence to inform an integrated water management strategy | |
| It should address the evidence gaps and identify the:<br>○ specific risks and constraints and how these are likely to affect development proposals (for example, will wastewater capacity be exceeded?)<br>○ likely infrastructure you need to accommodate the development proposals and any constraints on increasing capacity.<br>○ opportunities within the water cycle to increase the capacity for a development without new infrastructure.<br>○ key partners needed to make use of any opportunities.<br>○ outstanding concerns about infrastructure provision that need more evidence.<br>○ opportunities to change development locations. | The IDP will identify gaps and the need for new water/wastewater infrastructure to support growth, utility providers typically prepare capacity assessments for site allocations |
| Water supply and efficiency- whether there is enough water to deal with: | The IDP will identify the need for new water/wastewater infrastructure to support growth, |

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| ○ projected growth levels and needs for existing development.<br>○ the needs of the environment.<br>○ changes in water availability due to climate change.<br>Consider if you can harvest rainwater to improve water efficiency. | utility providers typically prepare capacity assessments for site allocations |
| Sewerage and drainage- Examine whether the existing sewerage and wastewater treatment networks can cope with the increased load. Also look at whether the environment can cope with the resulting increased flow and pollutant loads from the treated effluent. If you will use non-mains drainage, make sure it will discharge at locations that will not:<br>○ adversely affect water quality or groundwater quality<br>○ compromise meeting water or groundwater quality targets and legislation<br>Look at whether there is a risk of overloading sewerage systems. An increase in impermeable surfaces due to development, and supporting infrastructure such as new roads, could cause overloading due to an increase in surface run off. This can result in adverse water quality impact. For example, this could be due to spills from combined sewers. Can sustainable drainage systems be used to manage the risk of overloading sewerage systems? | The IDP will identify the need for new water/wastewater infrastructure to support growth in liaison with utility providers.<br><br>Water company new site connection teams can model demand upon wastewater services infrastructure (capacity assessments, on a site-by-site basis).<br><br>If required local plan policies can address any mitigation measures required to support growth. |
| Flood risk- Is there enough land for your development with a low risk of flooding. If land in flood risk areas will be needed, identify if the flood risk can be managed at the catchment scale through natural flood risk management. Also check whether increased discharge from wastewater treatment works will increase flood risk.<br><br>Location-specific environmental risks<br>Assess whether there are other location-specific environmental risks that you need to consider. For example biodiversity or conservation requirements, or historic activities such as mining. | This will be covered through the SFRA process and the sequential and exceptions test assessment of sites.<br><br>Biodiversity would be covered by the Green Infrastructure Strategy.<br><br>This matter will be discussed/assessed through |

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| Check if development and infrastructure proposals will directly modify water bodies. If so, identify how this is likely to affect Water Framework Directive objectives and flood risk. | detailed IDP discussions with water and wastewater companies. |
| Climate change - the impact of climate change on your development. Will it be resilient to changes in the water cycle due to climate change?<br>Look at whether there are opportunities to contribute to climate change mitigation, for example through planting woodland. | We have commissioned AECOM to produce some further climate change evidence which will cover this.<br><br>We have commissioned Kent Wildlife Trust to produce a Green Infrastructure Strategy which will look at opportunities. |

### 1.4 Other engagement with water providers

1.4.1 In relation to water resources, the team also regularly attends engagement meetings organised by South East Water and Southern Water. The Council is also a member of the Southern Water Local Authority Stakeholder Group. Over the past year these have related to the preparation of Water Resource Management Plans (WRMPs) that are being prepared by both companies.

- South East Water Consulted upon their draft WRMP from November 2022 - February 2023. The policy team responded to this consultation. Further details can be found on the company's website.
- Southern Water consulted upon their draft WRMP from November 2022 – January 2023. The policy team responded to this consultation Further details can be found on the company's website.

1.4.2 The above documents and the Thames Water WRMP have also been reviewed by the consultants for the purposes of producing the Strategic Flood Risk Assessment.

1.4.3 The team also attend other related group meetings, such as the below:

- Medway Flood Partnership
- Medway Estuary and Swale (MEAS)

### 1.5 Next steps

1.5.1 As identified above the next steps in preparation of the IDP are to conduct a series of meeting with infrastructure providers, to update the IDP with the output of these discussions and the spatial strategy as it emerges. These meetings will take place in late November. The water resource and capacity matters are considered to be adequately covered as set out within Table 1.

## 1.6 Financial and Value for Money Considerations

1.6.1 There will not be any direct financial and value for money considerations associated with this matter.

## 1.7 Legal Implications

1.7.1 Local Planning Authorities are required to prepare and keep an up-to-date development plan for their area. The preparation of evidence is key to the preparation of the local plan, and the Planning and Compulsory Purchase 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the requirements and the statutory process for the preparation of a Local Plan.

## 1.8 Risk Assessment

1.8.1 The planning policy team maintains and updates a risk register which includes risks associated with the development of evidence base documents. There are no specific risks associated with the preparation of the IDP or water evidence.

## 1.9 Equality Impact Assessment

1.9.1 There are no equalities issues associated with this report.

## 1.10 Recommendations

HPSSC is asked to recommend to the Cabinet Member for Planning to:

(1) NOTE the contents of the report; and

(2) APPROVE the approach to infrastructure matters as set out in the report.

Background papers:

None

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