



RTPI

mediation of space · making of place

Royal Town Planning Institute
41 Botolph Lane
London EC3R 8DL
Tel +44(0)20 7929 9494
Fax +44(0)20 7929 9490

Email online@rtpi.org.uk
Website: www.rtpi.org.uk

Registered Charity Numbers
England 262865
Scotland SC 037841

Patron HRH The Prince of Wales KG KT PC GCB

22 February 2011

Defra,
Waste Water NPS Consultation,
Water Supply and Regulation,
2A Ergon House,
17 Smith Square,
London
SW1P 3JR

Email response sent to: wastewatermps@defra.gsi.gov.uk

Dear Sir/Madam,

RESPONSE TO CONSULTATION PAPER: Waste Water National Policy Statement

Thank you for the opportunity to respond to the above consultation. The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing over 23,000 spatial planners. The Institute seeks to advance the science and art of spatial planning for the benefit of the public. As well as promoting spatial planning, the RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

This response has been formed drawing on the expertise of the RTPI Environmental Planning and Protection Network's *Water & Marine Spatial Planning* Group.

Enclosed is the RTPI's response to the consultation questions.

In common with other NPSs that have been produced so far (by other government departments), the RTPI considers that clarity of the Waste Water NPS could be improved by better distinguishing between evidence, advice on processes, good practice guidance for applicants, and the actual policy on which proposals will be assessed. The planning policy statements (PPSs) most recently produced by DCLG offer some good examples that move towards policy statements that are less cluttered with background information and in which policies are clearly identifiable.

contd./

In its comments on NPSs produced for other nationally significant infrastructure types – notably the suite of NPSs for energy, the RTPi expressed concern at their general failure to relate national needs to other spatial policy contexts. The RTPi welcomes the Waste Water NPS successfully relating need to policies and proposals for particular areas, but recognises that this process has been assisted by the high threshold set in the 2008 Act as to what constitutes a nationally significant waste water project.

If you require further assistance, have any queries relating to the enclosed or require clarification of any points made, please contact the Policy and Practice Team on 0207 929 9466 or email policy@rtpi.org.uk .

Yours faithfully,

Matt Thomson
Head of Policy and Practice

Enc.

Question 6.1: Do you think this draft Waste Water NPS clearly establishes the need for such infrastructure for those considering nationally significant projects in this area?

Yes. The draft NPS outlines the key drivers of the need for such qualifying projects, considers alternatives and clearly discusses how such demand relates to Government policy objectives. It outlines how need can be demonstrated e.g. via the National Environment Programme (NEP) or the Asset Management Plan (AMP) cycle, and outlines projects for which this has been the case so far, e.g. Deephams STW.

Question 6.2: Do you think the draft Waste Water NPS adequately sets out for the Infrastructure Planning Commission the key assessment principles to inform the assessment of future waste water development applications?

Yes. It sets out the need for relevant waste water projects and includes a robust set of policies for how the IPC should consider potential schemes with reference to the NPS, the Planning Act and how the IPC should take into account environmental, social and economic factors at a local and national scale.

The approach should encourage compliance with required criteria and standards whilst promoting good design which is environmentally beneficial and sustainable and will help to deliver higher environmental standards.

Question 6.3: Do you think the draft Waste Water NPS adequately sets out for the Infrastructure Planning Commission on how they should consider alternatives when it comes to particular projects?

Yes. The draft NPS outlines the potential for alternatives and the parallel development of alternatives alongside necessary infrastructure projects, for example the use of SuDS, separated sewer systems, decentralisation of waste water treatment etc, Implementation of further Government guidance on Floods and Water Management Act 2010 provisions could reduce the need for new infrastructure but the draft NPS does illustrate the challenges of aging infrastructure, climate change and increased demand through growth in population and urbanisation.

Section 5.4 could be strengthened to illustrate the potential for design optimisation and consideration of alternatives through the full design and conceptualisation process running parallel to screening, scoping and EIA, not just the presentation of alternative in the final Environmental Statement. The role of proactive consultation with stakeholder bodies during this process should be strongly encouraged.

Question 6.4: Do you think the draft Waste Water NPS gives appropriate guidance to decision makers on how they should assess the need to consider 'Good Design' for waste water infrastructure?

Yes. The draft NPS gives direction on what constitutes 'good design' including reference to PPS1 and leads the IPC to specifically consider aesthetics and functionality and the ultimate purpose of the development and potential associated constraints in considering whether it achieves 'good design'.

Section 5.5 illustrates potential constraints in relation to achieving this but focus appears to be on the site its-self. It is of note that 'good design' and functionality of waste water infrastructure may significantly improve aesthetic and environmental quality over an area far greater than the actual site its-self e.g. by reducing visual pollution associated with CSO discharge/ misconnections etc within catchments.

Question 6.5: It is a requirement of the Planning Act that an NPS must include an explanation of how the policy set out in the statement takes account of Government policy relating to the mitigation of, and adaptation to, climate change. Do you think the draft Waste Water NPS adequately fulfils this requirement?

The draft NPS outlines Government policy on climate change. There is also discussion of key issues relating to climate change which may affect infrastructure and the effects of which may need to be mitigated/ adapted to e.g. flood risk, changing nature of storm events, coastal change, water resources etc.

However, the draft NPS is less clear on how projects may potentially contribute to climate change and how this must be addressed, for example in line with governmental policy objectives to reduce emissions.

It should be strengthened to encourage applicants to avoid areas of flood risk and coastal change and should be clearer on how proposed developments will contribute towards reducing greenhouse gas emissions, in line with Defra's Departmental Climate Change Plan, including generating renewable energy from methane.

Question 6.6: Have all the potential environmental impacts of waste water development, and options for their mitigation, been identified in the Assessment Principles and Generic Impacts chapter of the draft Waste Water National Policy Statement?

As the draft NPS states, the potential impacts section is 'not comprehensive' but it does appear to cover the most significant and frequently occurring impacts for such projects. With reference to 6.5 above, the draft NPS does not seem to specifically present impacts on climate section.

Question 6.7: Do you think the draft Waste Water National Policy Statement considers all the significant potential impacts of waste water development?

No.

Question 6.8: Do you think that the two schemes outlined by the draft Waste Water National Policy Statement capture the level of need for nationally significant infrastructure in this area? If not, what further schemes should be included?

We would welcome the inclusion of the Planning Act's definition of waste water that includes industrial waste water.

The NPS could be clearer that local planning authorities should give considerable weight to the waste water NPS.

Question 6.9: Do you think that the Government should formally approve (“Designate”) the draft National Policy Statement for Waste Water?

Yes, after taking account of representations received during the consultation period.

Question 6.10: Do you believe that the appraisal identified the likely significant sustainability effects associated with the draft Waste Water NPS? If not, what effects do you feel are not correctly identified and why?

A significant proportion of the effects, especially for the two specific projects were classified as uncertain. As a result no conclusions can be drawn as to the potential sustainability effects associated with them. It is important that defined conclusions are drawn, or if insufficient data exists to make sensible findings that this issue is discussed and where appropriate it is recommended that further data is obtained and subsequently assessed, for example in a document review/ refresh or as part of the monitoring of the implementation of the plan.

Question 6.11: Do you believe that the appraisal identified the reasonable alternatives to the policy contained within the draft Waste Water NPS? If not, what others should have been considered and why?

Yes. The appraisal explored a reasonable range of alternatives and clearly presents the level of assessment of them undertaken.

Question 6.12: Do you believe that any further measures are necessary to prevent, reduce or offset likely significant effects of the NPS? If so, what further mitigation do you think is necessary?

The appraisal identifies only a limited range of negative effects. The number of uncertain effects identified, particularly for the two specific schemes, is significant and as a result the overall findings must be viewed in this context.

Question 6.13: Do you believe that any further monitoring measures are necessary to monitor the significant effects of implementing the draft Waste Water NPS? If so, what measures do you propose should be adopted?

Potentially – for those areas for which the effect is currently classified as uncertain.

Question 6.14: Do you agree with the conclusions and recommendations of the Report of the Appraisal of Sustainability of the draft Waste Water NPS?

Yes.

Question 6.15: Do you have any further comments on the AoS Report or the appraisal described therein?

No.

Question 6.16: Do you feel the preferred option, to produce an Waste Water NPS containing

specific projects is supported by the IA?

Yes.

Question 6.17: Do you have any comments on the Habitats Regulations Assessment Report for the draft Waste Water NPS?

It is noted that the HRA for the Plan is at a strategic high level. The HRA for the two specific projects provides more detail but it is noted that a full site specific HRA will be required for both projects.

Question 6.18: Do you have any comments on the Equalities Impact Assessment Report for the draft Waste Water NPS?

No.