



Pre-Submission Surrey Heath Local
Plan (2019 – 2038)

STATEMENT of COMMON
GROUND SCG08

with Thames Water



July 2024

Surrey Heath Borough Council
Knoll Road, Camberley GU15 3HD
Planning.consultation@surreyheath.gov.uk





Contents

- STATEMENT of COMMON GROUND SCG08 1
- Contents.....2
- 1. Introduction.....3
- 2. Background.....4
- 3. Summary of key issues5
- 4. Outcomes 11
- Annex 1: Summary of key points raised at the meeting with Thames Water on the 27th of November 2023 12



1. Introduction

- 1.1. This Statement of Common Ground (SCG) has been prepared jointly between **Surrey Heath Borough Council (SHBC)** and **Thames Water (TW)**. It sets out the agreed position as at July 2024 in relation to a range of strategic planning matters related to Thames Water. It has been prepared to support the Pre-Submission Surrey Heath Local Plan (2019 – 2038) (Local Plan) and has been agreed by both SHBC and Thames Water and demonstrates ongoing co-operation between the two Parties.
- 1.2. Under Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by Section 110 of the Localism Act 2011) and in accordance with paras. 24-27 of the National Planning Policy Framework (NPPF 2023), it is a requirement under the duty to cooperate for a local planning authority to engage constructively, actively and on an ongoing basis in the preparation of development plan documents and other documents. This is a test that local authorities need to satisfy prior to the local plan examination stage and is an additional requirement to the test of soundness.
- 1.3. The duty to cooperate applies to strategic cross boundary matters (those that might apply are set out in para. 20 of the NPPF). The statutory requirements of the duty to co-operate are a legal obligation although it is not a duty to agree. Co-operation should produce effective and deliverable policies on strategic cross boundary matters in accordance with national planning policy, as further explained in National Planning Practice Guidance (NPPG).
- 1.4. The Surrey Heath Duty to Co-operate Scoping Statement, 2020 identifies that whilst utility providers are not subject to the duty-to-cooperate, the Council will need to work collaboratively with such bodies in preparing the Local Plan.
- 1.5. This SCG has been prepared to support the Pre-Submission version (Reg 19) of the Local Plan and is in line with paragraph 27 of the NPPF which encourages SCG to be made publicly available throughout the plan-making process. The SCG may be updated following the Pre-submission Local Plan consultation if it is considered helpful to add other matters prior to Submission which will support the Local Plan Examination.
- 1.6. Nothing in this SCG fetters any comments that Thames Water may make on the Pre-Submission Surrey Heath Local Plan consultation due to run from August to September 2024.



2. Background

- 2.1. Thames Water is the wastewater undertaker for Surrey Heath Borough, which accommodates three Wastewater Treatment Works. These are located at Camberley, Lightwater and Chobham.
- 2.2. Thames Water made representations on the Draft Surrey Heath Local Plan: Preferred Options (2019 – 2038) in Spring 2022, and on the Further Gypsy, Traveller and Travelling Showpeople Consultation in Summer 2022, which notably proposed a site allocation at Broadford Lane, Chobham, located adjacent to Chobham Wastewater Treatment Works. The purpose of this SCG is to set out the matters raised and indicate how these matters have been progressed and agreed.
- 2.3. Thames Water were also consulted on a draft Spatial Strategy in December 2021 with a request for any impact on infrastructure provision, although no response was received. The Council has also consulted Thames Water on a draft Infrastructure Delivery Plan in April 2024.



3. Summary of key issues

- 3.1. As set out above, Thames Water made a number of comments on the Regulation 18 Draft Local Plan. Thames Water also made comments on the Further Gypsy, Traveller and Travelling Showpeople Allocations Aug – September 2022 consultation. Responses to the comments made have been agreed through the preparation of this Statement of Common Ground and are set out below.

Comments on Draft Local Plan Consultation, March 2022

Policy HA1 Housing Allocations

Summary of Thames Water representation

- 3.2. Thames Water has undertaken a high-level review of the potential impacts of the proposed site allocations based on the information available.
- 3.3. On the information available to date, Thames Water do not envisage infrastructure concerns regarding wastewater network or wastewater treatment infrastructure capability in relation to a majority of the proposed site allocations. However, the following sites are of a scale that are likely to require upgrades to the wastewater network:
- HA1/09 – Sir William Siemens Square, Chobham Road, Frimley
 - HA1/10 – Land West of Sturt Road (Approved)
- 3.4. **SHBC Response**
- 3.5. Comments have been noted. Site HA1/10 – Land West of Sturt Road has gained planning permission for the erection of 160 dwellings since the publication of the Regulation 18 consultation. Wastewater considerations were assessed through the application process.
- 3.6. Site HA1/09 – Sir Williams Siemens Square would be required to consult with Thames Water through the planning application process in order to address wastewater network considerations. It is considered to be appropriate for detailed site-specific consultation to be undertaken at the planning application stage.

Policies HA2: London Road Block/HA3: Land East of Knoll Road

Summary of Thames Water Representation



- 3.7. On the basis of the available information, the scale of development is likely to require upgrades to the wastewater network. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to agree a housing and infrastructure phasing plan.

SHBC Response

- 3.8. Response has been noted. It is considered that consultation between the developer, the local authority, and Thames Water, would be most appropriately undertaken in the preparation of the planning proposal for the site.

Policies HA4: Mindenhurst

Summary of Thames Water representation

- 3.9. On the basis of the available information, the scale of development is likely to require upgrades to the wastewater network. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to agree a housing and infrastructure phasing plan.

SHBC Response

This development is already under construction. Changes proposed elsewhere in the Plan under Policy IN1: Infrastructure require developers to liaise with Thames Water where applicable.

Policy IN1: Infrastructure Delivery

Summary of Thames Water representation

- 3.10. Support the requirements of IN1 with some suggested amendments to help ensure the use of phasing conditions are also supported by the Policy. Amendment suggested to criterion b to add 'Where necessary phasing of development shall be secured by planning conditions'. Additional supporting text is also proposed as below:

“Developers are encouraged to contact Thames Water as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”

SHBC Response



- 3.11. It is agreed that some further clarity over phasing could be added to the supporting text. In response to this representation and to representations from the Environment Agency, additional wording on engagement is added in to the Policy. It is not considered necessary to add additional wording on phasing in to the Policy as reference is already made in Criterion b to the need for phasing to be agreed with the Council and relevant partners.

Policy E4: Pollution

Summary of Thames Water representation

- 3.12. Thames Water support the requirements of Policy E4. It is important to ensure that new development is not permitted in locations where future occupants may be adversely affected by existing sources of odour, noise or light pollution unless any necessary mitigation measures have been agreed and secured.

SHBC Response

- 3.13. Response is noted.

Policy E6: Flood Risk & Sustainable Drainage

Summary of Thames Water representation

- 3.14. The proposed policy is supported subject to some amendments. With regard to surface water drainage, we support part 4 of Policy E6 however, in relation to part 4(c) it should be made clear that discharges of surface water to a public sewer will only be allowed where all alternative options have been justifiably discounted. As such it is suggested that Part 4(c) of the policy is revised as follows:

“where appropriate, discharge of surface water to a watercourse or sewer system is not to exceed pre-development (greenfield) runoff rates. Connection to a public sewer will only be accepted where all alternatives have been justifiably discounted;”

Basement development is becoming increasingly popular. However, new basement development that is connected to the sewerage network can be at risk from sewer flooding should the sewer surcharge. In order to protect basement development from sewer flooding any new basement development connected to the sewerage network should be fitted with a positive pumped device. To address this issue the following text is proposed to be added to Policy E6:

“New basement development connected to the sewerage network shall be fitted with a positive pumped device. The installation of such a device will be secured where necessary by planning conditions.”

SHBC Response

- 3.15. Comments are noted. Policy wording amended to reflect the suggested revisions.



Policy DH4: Sustainable Water Use

Summary of Thames Water representation

- 3.16. We support the requirement for all new homes to meet the water efficiency standard of 110 litres per day although it is suggested that the policy could be amended to state that this level should be considered as a maximum level.
- 3.17. It should be noted that the optional water efficiency standard only needs to be applied through the Building Regulations where there is a planning condition requiring the standard to be met included on any planning approval.
- 3.18. Within Part G of Building Regulations, the 110 litres/person/day level can be achieved through either the 'Calculation Method' or the 'Fittings Approach'. The Fittings Approach provides clear flow-rate and volume performance metrics for each water using device / fitting in new dwellings. Thames Water considers the Fittings Approach, as outlined in Table 2.2 of Part G, increases the confidence that water efficient devices will be installed in the new dwelling. Insight from our smart water metering programme shows that household built to the 110 litres/person/day level using the Calculation Method, did not achieve the intended water performance level.
- 3.19. Given the above, it is considered that a standard water efficiency condition should be applied to all new residential development and it is suggested that additional supporting text is added to Policy DH4 on sustainable water use to this effect.

SHBC Response

- 3.20. Support noted and agreed that the 110 litres per person per day should be considered as a maximum level. Policy text has been amended to require all homes to meet a water efficiency standard of a maximum of 110 litres a day and that a fittings based approach should be used to achieve the standard of 110 litres a day requirement. Supporting text has also been updated to confirm that the specified water efficiency standards will be required by condition.

General Comments & Suggestions

Summary of Thames Water representation

- 3.21. It is important for new development to be aligned with any necessary sewerage infrastructure required to support growth and avoid adverse impacts such as sewer flooding or pollution of land or water courses. Where there is insufficient capacity in the existing network, upgrades may be required ahead of the occupation of development.



- 3.22. The timescales for delivering upgrades should not be underestimated and can take 18 months to 3 years to complete from the point of certainty that development is going to progress. As such developers are encouraged to discuss their proposals with us at an early stage prior to submission of any planning applications to allow the requirement for infrastructure upgrades to be assessed.

SHBC Response

- 3.23. Comments noted. Some additional wording relating to engagement with Thames Water has been added to INI: Infrastructure Delivery Policy.

Comments on Further Gypsy, Traveller and Travelling Showpeople Allocations consultation August 2022

Policy HA12/03 Land South of Broadford Lane, Chobham

Summary of Thames Water Representation

- 3.24. The site is located directly adjacent to Chobham Sewage Treatment Works. Should the site be allocated it would be necessary for any development of the site to demonstrate that the future occupiers would not be subjected to unacceptable levels of odour. This would require an assessment of the existing odour exposure at the site and in the event that this demonstrates there would be an unacceptable impact on the amenity of future occupiers it would be necessary to demonstrate how the impacts would be mitigated and how any mitigation measures would be secured. Consideration would also need to be given to any exposure of residents to unacceptable levels of noise, vibration or light. Again, any unacceptable adverse impacts on amenity of future occupiers will need to be mitigated with any necessary mitigation secured ahead of development coming forward.
- 3.25. Any necessary mitigation would need to be delivered by the applicants.
- 3.26. Notwithstanding the existing situation, introducing additional sensitive receptors adjacent to the existing sewage treatment works will potentially impact on the delivery of future upgrades to the works to ensure that there will be no impacts on sensitive receptors which could increase the costs of delivery of essential infrastructure.
- 3.27. Given the above, the suitability of the site for residential uses should be considered carefully taking into consideration the potential for mitigation measures to ensure that there will be no adverse impacts on amenity of future residents.



- 3.28. It is noted that the proposed allocation makes reference to providing suitable access from Broadford Lane. Any development of the site would potentially require upgrades to the access road to ensure that there are no highway safety risks as a result of conflicts between vehicle movements associated with the residential use and operational vehicles of Thames Water which are required to visit the existing STW site in association with ongoing operation and maintenance activities.

SHBC Response

- 3.29. Following the close of consultation on the Additional Site Allocations Paper, further feasibility work was undertaken in respect of Land South of Broadford Lane, including the preparation of an Odour Assessment and Transport Appraisal.
- 3.30. The Odour Assessment undertaken indicated that predicted odour concentrations were above the relevant benchmark across the site for all modelling years and made recommendations to further investigate conditions at the site, in order to better understand potential odour impacts upon future occupants of proposed pitches. Recommendations also included engagement and potential collaboration with Thames Water.
- 3.31. Surrey Heath met with Thames Water on the 27th November 2023 to discuss the findings of the study, in addition to the potential for future collaboration and the likely mitigation required to make the scheme acceptable on odour grounds. A meeting note is attached at Annex I. At the meeting, the outcomes of the Odour Assessment were noted. It was indicated that potential options for mitigation would need to be informed by a site audit and on-site sampling undertaken by consultants appointed by Thames Water. Both the additional works and mitigation would need to be funded by the Council, and potential mitigation is likely to involve covering odour sources and updating filtration, which is likely to carry a significant cost. The other issues raised within the consultation response from Thames Water were also discussed, although it was noted that odour remained Thames Water's leading concern.
- 3.32. Following the meeting with Thames Water, and the completion of other evidence relating to the site, in addition to engagement with Surrey County Council, it was determined that the challenges associated with Land South of Broadford Lane, including odour, represent significant barriers to the deliverability of the site. As a result, this site is not being taken forward as an allocation in the Reg 19 Local Plan.




4. Outcomes

4.1. Engagement to date with Thames Water has led to the following key outcomes:

- Comments from Thames Water on the Regulation 18 Draft Local Plan and Further Gypsy, Traveller and Travelling Showpeople consultation have led to refined policies and have fed into the consideration of the deliverability of a proposed site allocation for Gypsies and Travellers at Land South of Broadford Lane, Chobham.

Signatories

Thames Water	
Name	Chris Colloff
Position	Planner
Date Agreed	17/07/2024
Signature	

Name	Gavin Chinniah
Position	Head of Planning
Date Agreed	17/07/2024
Signature	<i>G. Chinniah</i>



Annex I: Summary of key points raised at the meeting with Thames Water on the 27th of November 2023

Present at the meeting:

- Gavin Chinniah SHBC
- Jane Reeves SHBC
- Kate Galloway SHBC
- Gavin Mcintosh SHBC
- Keiran Bartlett SHBC
- Chris Colloff Thames Water
- Mark Dickinson Thames Water

Following introductions and a brief overview from Jane, Chris noted that:

- Thames Water fully appreciated position that SHBC is in with regards to constraints.
- Responded to consultation Regulation 18 consultation, with the main concern relating to sensitive uses next to site and potential increases pressures to improve the site if a Gypsy and Traveller allocation was identified at the Broadford Lane site. Odour assessments would be key to this and Thames Water will be looking to protect their business interests and consider any cost implications at the outset.

Mark noted that:

- Agreed with Chris' points, provided a link to their policy on odour with corresponding document at bottom of the page relating to odour encroachment - <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

Kate then summarised the information SHBC had received on odour considerations for the site, noting levels were above the benchmark, in some cases significantly. The following discussion points were then raised:

- Gavin M – asked if sludge tanks and grit skips were the likely main source of odour, which would have to be the main focus for assessments (notwithstanding other sources of odour).
- Kate – noted that we can consider doing onsite monitoring to refine modelling inputs, plus field odour surveys etc and consider potential mitigation works that might be required. Noted that the monitoring on site may show higher levels than the modelling odour assessment completed to date.
- Gavin M – noted it was likely mitigation would be required on the sewage treatment works.
- Kate – asked what the sort of options are for moving forward, including joint working to refine the odour assessment and consider mitigation.
- Mark D - Would like to understand more about the odour assessment, including sniff testing. SHBC Noted that assessments based on library records, rather than any onsite data carried out by SHBC consultants.
- Mark D – noted that the first step would be to do a site audit to make sure the site is being operated as it should be. Then it would be encouraged to do on site sampling to get a clear



picture on what the potential odours, carried out by Thames Water consultants. This sets out most odorous assets and potential mitigation, which may involve covering sources and filtration which is very costly. Noted that based on a similar site, this could be in the region at least £1 million. As a comparison, it was later noted that the Chobham works has a 12000 pe, whilst the mitigation that cost £1million was 8000 pe, so likely to be more costly.

- Gavin C - asked who paid costs, and Thames Water that the developer would be expected to meet the costs.
- Gavin C – asked how does the onsite monitoring generally compare to library data, Gavin M confirmed that although there are usually some differences, they generally align.
- Gavin C – noted that timings of the survey are important, with the survey window not opening till April and during a period of two days without rainfall. Also noted that SHBC would be expected to meet the costs of the work, which is usually in the region of £10,000, but depends on size and any existing data. There may be the option for a smaller survey if recent data is available, but Mark to take this away and get back to us. Agreed that an odour assessment in summer likely to show a worst case scenario.
- Gavin M – asks in relation to mitigation, is the site likely to be upgraded. Thames Water noted that any improvements would only be required to maintain current odour levels, and not lead to an increase (odour neutrality).
- Thames Water noted that some odour issues have been addressed in other locations where there are significant local complaints, and this is on a cost benefit basis.
- Noted that odour unlikely to be included as part of future permitting for this site.
- Currently some correspondence with SCC about the potential to improve the site. Chris to get an update on this, plus any operational update. Noted that it would be helpful to know more about the screening opinion, but Chris noted that improvements likely to be specific.
- Gavin M – asked about any potential for offsite mitigation. Thames Water noted that there is some research suggesting that what you don't see, you don't smell. But this approach can make it worse, as it might lead to an odour concentration due to odour movements. No clear mitigating factor off-site, developer suggestions to date unworkable in other locations.
- Thames Water noted that the Institute of Air Quality Management provide guidance on distance from sewers, work Thames Water have done has followed this guidance.

Kate – noted other considerations raise by Thames Water, including noise, light pollution and flies. Chris noted that odour is the most significant, others a bit easier to mitigate but still needs to be understood e.g. noise and lighting assessments would be best. Access road considerations also an issue.

SHBC to share the odour assessment with Thames Water, Kate asked if there was any further information to add into this. Also requested that Thames Water relay any information on records of complaints regarding the sewer.

