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**Our ref:** UT/2006/000217/CS-04/  
EW1-L01  
**Your ref:**  
**Date:** 04 September 2014

Dear Sir

## **BIRMINGHAM DEVELOPMENT PLAN - EXAMINATION**

### **HEARING STATEMENT**

#### **Matter C:**

#### **The Plan's approach to minerals and waste (BDP policies TP13-14)**

Please find below the Environment Agency's responses to the questions raised for discussion by the Inspector in relation to Matter C.

*Question 8) Does the Plan need to make more specific provision for hazardous waste, low-level radioactive waste, agricultural waste or waste water?*

The Environment Agency is concerned that the plan does not give adequate consideration to the provision of waste water infrastructure. Although the Infrastructure Delivery Plan assesses the ability of the sewage treatment works to handle additional flows resulting from growth there is no consideration of the transmission infrastructure and how much growth it can accommodate before it needs upgrading.

We have raised this as an issue consistently through the plan-making process in our consultation responses of 18 March 2011 (Preferred Options) 14 January 2013 (Planning for Birmingham's Growing Population) and 03 March 2014 (Pre-Submission draft). This was further discussed in meetings during the summer of 2011 and May 2014. In these responses we urged for the evidence base to be expanded, potentially through the undertaking of a Water Cycle Study to consider this issue. Overloading this system would risk pollution of the water environment resulting in failure to comply with Water Framework Directive objectives as set out in the Humber River Basin Management Plan.

The Environment Agency considers that the impact of growth on infrastructure should be assessed across the city, taking into consideration cumulative impact of smaller sites through the strategic planning process. Where mitigation measures are available at the strategic level these should be implemented through the Local Plan, rather than being considered on an individual basis through planning applications. In line with national planning guidance (particularly Paragraph: 005 Reference ID:

34-005-20140306), we consider that the timing and phasing of development should be controlled through the strategic plans in order to ensure that adequate waste water infrastructure is in place prior to occupation.

In the absence of any further assessment of this issue, our most recent response provided some potential policy wording to attempt to mitigate this risk, however this has not been included in the modifications to date. This was also a recommendation of the sewerage provider, Severn Trent Water Limited in their response to the Pre-Submission draft.

We continue to recommend that as a mitigation measure, wording is added to the plan to encourage early liaison between the developer and the sewerage undertaker. This would ascertain where upgrading works may be required, and to inform on how this may impact on the timing of development. This could be backed up by a policy to ensure that where there is concern regarding the network capacity hydraulic modelling of the impact on the sewer is undertaken in conjunction with the sewerage provider, and that the results of this are submitted in support of the planning application. This will allow for the occupation of the development to be delayed until upgrade works have been completed, if necessary. We recommend that the following wording is added into Policy TP6, potentially under the Enhancement of Water Resources heading:

*'Evidence should be submitted demonstrating that the sewerage provider considers there to be sufficient capacity within the foul network to accommodate additional flows, and that a reduction in water quality will not result due to overloading the existing system. Should additional infrastructure improvements be required, occupation of the development shall be delayed until these works are complete'*

The addition of this wording will ensure that all development adding loading onto the transmission network would be adequately assessed prior to the development, and as such essential works to improve the foul drainage network would be undertaken in a timely fashion, protecting against the overflow of the system into rivers and streams.

We do not consider it necessary to attend the hearing to discuss this matter further. We do however direct you to Severn Trent Water's statement which we understand raises similar concerns with regards to the plan.

Yours faithfully

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