

Preamble

Residents of our district are deeply concerned about water quality and the impact of regular wastewater discharge, which includes untreated sewage, into our local rivers and seas and the impact on wildlife and on human health.

We know that there were 288 sewage storm overflow spills into our rivers, including the Stour, in 2021 for a total duration of 1,861 hours. That was from just the 18 storm overflows that are monitored. Another 17 storm overflows are not monitored.

The Stour is widely used for swimming, boating and fishing.

As the district's population rises with new housing, releasing sewage into rivers is no longer an emergency-only situation occurring as a result of severe storms, but an everyday occurrence even in 'normal' rainfall.

Local and national planning policy requires a robust approach to both water quality and pollution. The National Planning Policy Framework* makes clear that it is Babergh Council's responsibility to prevent developments causing unacceptable levels of water pollution.

A recent legal opinion from the Environmental Law Firm clarifies that a local authority can consider the cumulative impact of developments on pollution and does not have to accept the view of the sewerage company.

Yet it has not been the practice for Babergh planners to ask Anglian Water to report on cumulative impact i.e. whether or not development may lead to any potential increase in 'emergency' discharge into rivers and seas.

Motion

This Council resolves to:

1. Recognise the Council's obligation to protect its rivers and seas, including from the cumulative impacts of pollution, in line with the National Planning Policy Framework*
2. Recognise that nationally there is growing concern that deterioration of water quality due to cumulative impact of multiple sewage discharge events or 'sewage overload' needs consideration and that the Council should gather evidence on this issue in Babergh.
3. Ensure that in gathering evidence for future iterations of the local plan the council consider the cumulative impact of sewage when deciding the overall level of housing and other development. The council notes that decisions about allocations in the Joint Local Plan will be guided by an updated Water Cycle Study which will take into account the impact of sewage on water courses.
4. The council will join the relevant Catchment Partnership (such as Essex and East Suffolk) and work with other agencies to tackle this issue.

5. Ask the chair of the scrutiny committee to invite senior Anglian Water representatives plus senior representatives from the Environment Agency and Natural England to attend a meeting to answer questions about plans for tackling levels of sewage discharge.
6. Ask Anglian Water, from this date onwards, in its planning consultation responses for major development, to clarify which treatment works will be managing the sewage; whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).

*NPPF relevant policies

174 e states: "Planning policies and decisions should contribute to and enhance the natural and local environment by:

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."

185 notes that: "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development";

(iii) Paragraph 186 provides that "*Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas*" (emphasis added).

Core strategy relevant policies 2011-2031

**Policy CS15

xiii) minimise the demand for potable water in line with, or improving on government targets, and **ensure there is no deterioration of the status of the water environment in terms of water quality, water quantity and physical characteristics;**

3.3.7.7 Opportunities to improve water quality in all watercourses and water bodies will be taken where possible and measures will be taken to prevent the deterioration in current water quality standards. Site specific policies for allocated sites and detailed policies for delivering sustainable design and construction and climate resilient development will be set out in Site Allocations and Development Management Development Plans Documents (DPDs).