

Matter 1 December 2019

HRA – hearing statement response

The hearing statements and statement of common ground with natural England give us no further confidence about water supply and treatment. They refer us to papers we have already reviewed, and raised concerns about, in our consultation response and hearing statements.

Impact on EU sites

We do not understand why Anglian Water’s hearing statement says that EB/083 (the HRA for the garden communities) states that the garden communities will not have an impact on EU sites.

EB/083 does ring alarm bells.

The Inspector will be aware that we have already raised concerns about this in our consultation response. We take the liberty of quoting the HRA directly here, because it is important:

*“4.46 The new Colchester /Tendring Borders Garden Community (policy SP8) is likely to be located within the catchment of the River Colne and, whilst this policy includes design principles in relation to water quality, for example the provision of improvements to waste water treatment including an upgrade to the Colchester Waste Water Treatment Plant and off-site drainage improvements, **it is currently unclear whether these measures will be sufficient to avoid potential Likely Significant Effects on the Essex Estuaries SAC.**”*

Paragraph 4.65 seems to be identical to paragraph 4.45. Is this a typo? Is one of these two identical paragraphs supposed to refer to Colchester/Braintree Borders GC (policy SP9), as it will also be located within the same catchment?:

“4.65 The new Colchester/Tendring Borders Garden Community (policy SP8) is likely to be located within the catchment of the River Colne. Whilst this policy includes design principles in relation to water quality, for example the provision of improvements to waste water treatment including an upgrade to the Colchester Waste Water Treatment Plant and off-site drainage improvements, it is currently unclear whether these measures will be sufficient to avoid potential Likely Significant Effects on the Colne Estuary SPA and Ramsar.”

We quoted government guidance in our consultation response this summer. It says, **“The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats sites.”** From paragraph 4.46 above, with relation to Tendring, and on the assumption that paragraph 4.65 applies to CBBGC, it is clear that adverse effects have not been ruled out.

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Supply

It seems that in the current Anglian Water DWRMP¹, groundwater abstraction and surface water abstraction have been ruled out on environmental grounds, and Anglian Water has confirmed that new reservoirs are no more than concepts. Questions therefore are:

- Where will the water for three new towns and Section 2 growth come from?
- Will the water companies have to resort to groundwater pumping if transfers (e.g Severn Trent to Anglian) prove insufficient or impractical?
- What would the impact be in that situation on aquifers, river flow and EU habitats, given that it has been ruled out on environmental grounds to date?

Sewage

Anglian Water's hearing statement refers to an established mechanism to fund required connections to water supply and public sewerage networks but has not told us how much the 13km pipeline to Rowhedge, nor a 4.8km one to Coggeshall, from CBBGC, would cost. Nor has it confirmed to us whether there is capacity at Coggeshall WRC for any interim solution and at Colchester WRC for Section 1 *plus* Section 2. We still do not know where the sewage from the biggest of the three garden communities, 24,000-home CBBGC, will go and when.

We have tried to understand, and gain confidence about, what is proposed for the Section 1 plan, for the supply and treatment of water for three new towns (plus Section 2 growth). We have drawn a blank. Having looked at all the available evidence, including hearing statements, we can only conclude that the Plan is not deliverable and therefore not sound under NPPF paragraph 182.

¹¹ <https://www.anglianwater.co.uk/siteassets/household/about-us/11b-anglian-water-revised-dwrmp-2019.pdf>