

WildFish Response to consultation:

“Proposed reforms to the National Planning Policy Framework and other changes to the planning system (2 August 2024)”

Wild Fish is an environmental charity that fights to protect the rivers and streams in the UK from pollution and over-abstraction.

WildFish has serious concerns with the government’s intention to amend the National Planning Policy Framework (NPPF) in order to accelerate development of housing. The proposals include changes to the NPPF to build 1.5 million new homes with mandatory requirements for LPAs, clarification on the “presumption” in favour of development, all without proper controls over protections for the environment.

Our natural resources are under serious strain – as the government itself has acknowledged – with poorly performing water companies polluting and over-abstracting our rivers: more homes in the wrong places, pushed through planning without proper regard for the limitations on natural resources.

Many of our most sensitive waterbodies (such as chalk streams) are under-protected; demands on the sewage and water services are out of step with the capacity of the water companies to deliver adequate sewage treatment, or to provide sufficient water for new homes, without harming these waterbodies through over-abstraction.

When a large estate is constructed on land where new infrastructure is required to provide water supplies for domestic use, there are real consequences for water resources. Allowance for these extra demands may not have been made in the Water Resources Management Plan (WRMP) or indeed in the Local Development Plan (LDP) or strategic plans; planning committees or even a PINS inspector or ExA may well never consider such issues.

Water Resource Management Plans (WRMPs) from water companies do not currently link up with the planning system and are hopelessly out of step with planning applications.¹ Additionally, the implementation of WRMP’s is often not as originally planned; for example, the timing of the provision of crucial, long-term measures to meet water demand is often seriously delayed.

¹ See, for instance, the Draft Water Resources Plan for Southern Water, para 8.2, “*The HRA of the draft WRMP24 provides a strategic, plan-level assessment to support the WRMP. It is not an application-specific (“project” level) assessment. A more detailed, project-level HRA (with Stage 2 Appropriate Assessment where required) will be needed to support any actual planning application and environmental permit or consent.* <https://www.southernwater.co.uk/media .pdf>

In the context of proposals to ease up on the rules governing the protections afforded the green belt (i.e. the altering of boundaries for greenbelt where the housing targets cannot be met – see proposed new para 142), and the strict presumption where the housing supply cannot be demonstrated (para 11), there is little in the current draft of the NPPF (particularly at Chapter 3) or in the proposed amendments to prevent and mitigate the increasing strain on our natural resources, with the exception of unambitious safeguards designed for higher level decision making (mainly in the context of protected habitats). A rare exception is in the Strategic Policies section (current para 20) which requires the Local Plan to “*set out an overall strategy for the pattern, scale and design quality of places (to ensure outcomes support beauty and placemaking), and make sufficient provision for:b) infrastructure for transport. . .waste management, water supply, wastewater. .*” (emphasis added - para 20 NPPF). This is a cursory requirement and there is little else in the NPPF other than this vague strategic level mandate.

But it is important for water resource and waste treatment infrastructure to be dealt with in the NPPF as they receive little attention elsewhere in the planning system. That is made doubly worse because developers argue that because water companies are obliged to treat waste, the question of sewer capacity is not a material planning consideration, with LPA's reluctant to consider water resources and pollution in the planning process, even to the extent where there is an avoidance of imposing conditions to protect the environment from sewage pollution.

If the government is minded to push ahead with reforms that are likely to make heavy demands on an already strained system of water resources and sewage treatment, we propose the following:

1. An amendment to paragraph 11 of the NPPF to make it clear that if the presumption is imposed, it will need to be weighed against a requirement to demonstrate capacity for water resources and sewage infrastructure.
2. An amendment to paragraph 20, under the heading “Strategic policies” which lists the required considerations: after the words, “infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)”, add “. . . “The plan should confirm, where there is no capacity for further development based on current water resources and sewage infrastructure, that planning should not be approved. Strategic policies and plans must take into account natural resourcing as based on the relevant water companies’ Water Resource Management Plan or plans covering the local area.”

Overall, we continue to have serious concerns that easing up on the regulation of planning and the push to develop new housing will be at the cost of the environment and, in particular, rivers and their sensitive habitats. We therefore object to the proposals in their current form.

24 September 2024