

Planning Policies for Environmental Protection

In the Parish of Middleton-on-Sea

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Application

These planning policies for environmental protection apply to all new housing and commercial developments in the Parish of Middleton-on-Sea. Necessarily, these policies extend to infrastructure and its importance in environmental protection, as well as the general need to achieve satisfactory environmental performance.

The Policy Framework

The National Planning Policy Framework of 2021 ⁽¹⁾ refers in paragraph 11 to sustainable development that aligns growth with infrastructure and improves the environment; it also states that the presumption in favour of sustainable development (that currently applies) requires the granting of planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development.

The planning policies for environmental protection in the Parish of Middleton-on-Sea (this document) set out the Parish Council's concerns about the potentially adverse environmental impact of development in the Parish (whether new houses or commercial) and a requirement for mitigation prior to the commencement of building works. For each planning policy for environmental protection, the Parish Council's background concerns are outlined together with the relevant references.

Whereas these planning policies are specific to the Parish of Middleton-on-Sea, compliance shall also be required with the relevant policies of Arun District Council (as identified) and all relevant Regulations and Statutory Instruments.

Policy Reference EP01: Environmental Water Protection

Development in the Parish of Middleton-on-Sea will only be permitted where all of the following criteria have been satisfied:

- a. A pollution prevention plan has been prepared in line with Environment Agency and CIRIA guidelines.
- b. A report on the pollution prevention plan has been provided, to the satisfaction of the Parish Council that clearly identifies any mitigation measures required that arise from the proposed development (the report is to be certified by a chartered engineer).
- c. A surface water drainage plan has been prepared, to the satisfaction of the Parish Council that incorporates all relevant Sustainable Urban Drainage System (SUDS) principles (the plan is to be certified by a chartered engineer).
- d. Surface water drainage shall not pass to any foul sewer.
- e. Sewerage on site for the development has been designed so as not to pollute local surface water or ground water. A report on the sewerage design has been provided, to the satisfaction of the Parish Council that clearly identifies the pollution prevention measures to be undertaken for the proposed development (the report is to be certified by a chartered engineer).
- f. Drainage or sewage from the development shall not cause deterioration in the quality of any environmental water body, in particular Ryebank Rife.
- g. Infrastructure provision or improvements shall be provided on-site as an integral part of the development and off-site as agreed with the Parish Council, at the cost of the developer.
- h. The development shall comply with Arun District Council's policies W SP1, W DM1, W DM3 and INF SP1.

Background to Policy EP01:

The Parish of Middleton-on-Sea is located on the coastal plain and has a high water table, particularly in the wetter winter months, making it very susceptible to groundwater flooding. Arun District Council's flooding risk assessment for June 2018 ⁽²⁾ shows most of the northern part of the Parish to have a high risk of groundwater flooding of 50 to 75%. Further, the Environment Agency's fluvial and tidal flood risk assessment for Middleton Parish for 2021 ⁽³⁾ shows higher risk category zone 2 and zone 3 flood risks associated with a broad area bordering Ryebank Rife and the ditches that feed it.

Sewage from Middleton-on-Sea is treated at Lidsey WTW and Ford WTW and risk assessments by Southern Water in 2022 ⁽⁴⁾ indicate very significant risks associated with pollution, surface water management, hydraulic overload, sewer flooding and storm overflow performance. There is a high potential for the additional sewage arising from a development to worsen existing problems of sewage polluting

environmental waters. The necessary upgrading of the sewer network by Southern Water is planned over the period up to 2050 such that short-term mitigation is unlikely.

The designated water body at greatest risk is Ryebank Rife which flows through the northern part of the Parish of Middleton-on-Sea and is subject to regulations ⁽⁵⁾ under the Water Framework Directive; deterioration in water quality is not permitted under these regulations. There is also a designated bathing water close to Middleton-on-Sea at Clymping Beach. More generally, it is an offence to pollute any controlled water which includes all surface waters and groundwater. Any proposal for development in the Parish of Middleton-on-Sea must include details of how environmental waters will be protected, including the design of any mitigation measures. This shall include the construction period and the potential for pollution arising from spoil, waste or earthworks.

Policy Reference EP02: Flooding

Development in the Parish of Middleton-on-Sea will only be permitted where all of the following criteria have been satisfied:

- a. A site specific Flood Risk Assessment demonstrates that the development will be safe, including access and egress, without increasing flood risk elsewhere and reduces flood risk overall.
- b. A report on the Flood Risk Assessment has been provided, to the satisfaction of the Parish Council that clearly identifies any mitigation measures required that arise from the proposed development (the report is to be certified by a chartered engineer).
- c. The development scheme identifies suitable adaptation and mitigation measures in relation to the effects of climate change.
- d. Appropriate flood warning and evacuation plans are in place.
- e. New site drainage systems are designed to take account of events which exceed the normal design standard with consideration of flood flow routing and utilising temporary storage areas.
- f. Infrastructure provision or improvements shall be provided on-site as an integral part of the development and off-site as agreed with the Parish Council, at the cost of the developer.
- g. The development shall comply with Arun District Council's policies W SP1, W DM2 and INF SP1.

Background to Policy EP02:

The Parish of Middleton-on-Sea is located on the coastal plain and has a high water table, particularly in the wetter winter months, making it very susceptible to groundwater flooding. Arun District Council's flooding risk assessment in June 2018 ⁽²⁾ shows most of the northern part of the Parish to have a high risk of groundwater flooding with a 50 to 75% probability. Further, the Environment Agency's fluvial and

tidal flood risk assessment for Middleton Parish in 2021 ⁽³⁾ shows higher risk category zone 2 and zone 3 flood risks, with up to 25% probability, associated with a broad area bordering Ryebank Rife and the ditches that feed it.

Policy Reference EP03: Water Supply

Development in the Parish of Middleton-on-Sea will only be permitted where all of the following criteria have been satisfied:

- a. The adequacy and sufficiency of water supplies to the development has been assessed in conjunction with the water supplier.
- b. A report on the adequacy and sufficiency of water supplies has been provided, to the satisfaction of the Parish Council that clearly identifies any mitigation measures required that arise from the proposed development (the report is to be certified by a chartered engineer).
- c. Infrastructure provision or improvements shall be provided on-site as an integral part of the development and off-site as agreed with the Parish Council, at the cost of the developer.
- d. The development shall comply with Arun District Council's policies W SP1, W DM1 and INF SP1.

Background to Policy EP03:

Water supplies to Middleton-on-Sea are provided by Portsmouth Water. Their water supply resources are already under stress, as can be noted from the following:

- The supply-demand deficit for Portsmouth Water is significant and is worsening ⁽⁶⁾
- There will be a reduction in the combined licenced abstraction for supplies to Middleton from Slindon, Eastergate, Westergate and Aldingbourne, from 41Mld to 31Mld from 2028 ⁽⁷⁾:
- There was a hose pipe ban during 2022 in West Sussex, indicating the wider limitations in water resources.

Only a very small increase in demand is deemed possible without significantly upgrading the water supply network, including treatment and pumping capacities ⁽⁷⁾.

Without upgrading of the water supply network, there is a significant risk that any new development in Middleton-on-Sea could result in loss of water pressure, discontinuity of supplies to existing properties and the exacerbation of water discolouration (arising from variations in water flow and the disturbance of deposits in the water mains).

Policy Reference EP04: Sewage Disposal

Development in the Parish of Middleton-on-Sea will only be permitted where all of the following criteria have been satisfied:

- a. A sewage disposal plan has been provided, in conjunction with the water services company (Southern Water) that includes the sewerage on-site and demonstrates the adequacy of the off-site sewage network up to the point of treatment.
- b. Hydraulic modelling of the relevant sewage pumping stations shall be undertaken in order to identify their capacity for accepting additional sewage arising from the development.
- c. A report on the adequacy and sufficiency of the sewage network has been provided, to the satisfaction of the Parish Council that clearly identifies any mitigation measures required that arise from the proposed development (the report is to be certified by a chartered engineer).
- d. Infrastructure provision or improvements shall be provided on-site as an integral part of the development and off-site as agreed with the Parish Council, at the cost of the developer.
- e. The development shall comply with Arun District Council's policies W SP1, W DM1 and INF SP1.

Background to Policy EP04:

Sewage discharges from Middleton-on-Sea are treated at Lidsey WTW and Ford WTW ⁽⁸⁾. Southern Water has indicated ⁽⁸⁾ that there is little spare capacity in the foul water (sewage) network. Local improvements are considered likely to be necessary and new pumping mains may be required. Communities in the Lidsey WTW catchment area have been experiencing foul water flooding of roads and property, which has led to the pollution of water courses ⁽⁹⁾. This is assumed to be caused by the sewerage system being overloaded, due to groundwater infiltration and surface water inundation, estimated to be 44% of "dry weather flow" (DWF) ⁽⁸⁾. There are a total of ten pumping stations within the sewerage system ⁽⁸⁾. The capacity of these pumping stations depends on the capacity of their rising mains and the gravity sewers downstream. Hydraulic modelling is required to determine these capacities as Southern Water does not currently hold this information ⁽⁸⁾, creating significant uncertainty over the potential impact of any new housing developments.

For Lidsey WTW the consented "dry weather flow" (DWF) is 5,833 cubic metres per day (m³/d) with an average measured DWF of 4,963 m³/d in 2017-2019, implying some spare capacity. The consented flow to full treatment is 129 litres per second (l/s) equivalent to 11,146 m³/d and was fully compliant in 2020. The treated effluent is pumped to Ford WTW for discharge. A baseline risk and vulnerability assessment (BRAVA) has been prepared by Southern Water ⁽⁴⁾ and indicates "very significant" risk bands associated with pollution risk, storm overflow performance, flooding due to hydraulic overload, nutrient neutrality and bathing waters.

For Ford WTW the consented “dry weather flow” (DWF) is 37,764 m³/d with an average measured DWF of 27,452 m³/d in 2018-2020, implying some spare capacity. All flows are treated and treated effluent discharges to the English Channel. The peak flow measured over the last five years was 740 l/s equivalent to 63,936 m³/d and was fully compliant in 2020. The baseline risk and vulnerability assessment (BRAVA) prepared by Southern Water ⁽⁴⁾ indicates “very significant” risk bands associated with sewer flooding, storm overflow performance, surface water management and bathing waters.

The length of Southern Water’s indicative investment profile extends to 2050 and suggests that restraints on development will need to apply for many years.

Policy Reference EP05: General environmental performance

Development in the Parish of Middleton-on-Sea will only be permitted where all of the following criteria have been satisfied:

- a. The development shall be carbon neutral allowing for all aspects of construction, including materials, after appropriate mitigation measures have been taken into account.
- b. All buildings shall be energy efficient, comply with all modern efficiency specifications and have an electric car charger installed.
- c. All buildings shall be water efficient as specified by the local water company.
- d. All packaging and waste materials used in the development shall be recycled utilising licenced waste transfers as appropriate.
- e. A development shall have a net biodiversity gain.
- f. Noise pollution from the development and susceptibility to noise from nearby traffic shall be determined.
- g. Light pollution arising from outdoor lighting shall be determined.
- h. Air pollution arising from the development shall be determined.
- i. A report on the above shall be submitted, to the satisfaction of the Parish Council, prior to completion of the development (the report is to be certified by a chartered engineer).
- j. The development shall comply with Arun District Council’s policies ENV DM5, QE SP1, QE DM1, QE DM2, QE DM3, W SP1, W DM1, WM DM1 and INF SP1.

Background to Policy EP05:

Middleton-on-Sea Parish Council is preparing a Neighbourhood Development Plan in which general improvements in environmental performance are being pursued within the Parish.

References

1. National Planning Policy Framework (2021). Ministry of Housing, Communities & Local Government.
2. Arun District Council. Flooding risk assessment for groundwater.
3. Environment Agency. Risk assessment for fluvial and tidal flooding.
4. Southern Water Baseline Risk and Vulnerability Assessment, 2022
5. The Water Environment (Water Framework Directive) England and Wales Regulations 2017. Statutory Instrument 2017 No. 407.
6. Portsmouth Water, Final Water Resources Management Plan, 2019
7. Portsmouth Water, correspondence 2022
8. Southern Water, correspondence 2022
9. Arun Local Plan 2011-2031 (July 2018).