

Langham Housing Developments and the Need for Improved Waste Water Processing Capacity.

Vistry Homes Planning Application 191830

Introduction

Construction of the proposed Vistry Homes development of 46 new properties on School Road remains 'on hold' pending compliance with planning condition 21 which states that *"prior to the commencement of the development the developer shall acquire and provide to the LPA, written confirmation from the Environment Agency and from the relevant statutory provider that adequate waste water and sewage treatment capacity is available to serve the development. Reason: In order to achieve full compliance with emerging policy SS9, to prevent pollution of the water environment and to protect the groundwater quality in the area in the interests of Health and Safety."*

Langham Parish Council (LPC) has had some useful recent dialogue with the Environment Agency, from which it would appear that they are now in advanced discussions with Anglian Water regarding new joint proposals which they hope will allow planning condition 21 to be discharged. The detailed nature of these new proposals have not yet been shared with us, however, due to confidentiality considerations whilst the proposals are still being finalised. One option may well be a phased built of new properties running in parallel with upgrades at the WRC. This is something that CBC planning and LPC are opposed to.

LPC have been pushing to get Anglian Water to present to a public village meeting where residents can listen to the plans and then ask questions. LPC have asked Sir Bernard Jenkin's office for support in making this happen.

Many Langham residents will be well aware of the long history of concerns regarding inadequate waste water processing capacity in the village, but some newer residents may not. This paper therefore attempts to provide a summary of the waste water issues and problems which need to be addressed in order to safely discharge planning condition 21.

Langham Water Recycling Centre (WRC)

The WRC is situated on Greyhound Hill, adjacent to the Black Brook (see appendix A for aerial image). For some years, residents of Greyhound Hill have suffered intermittent night-time disturbances caused by tanker lorries removing "sludge" from the site. Whilst we understand that this is a practise adopted by WRCs around the country the regularity of this procedure has caused some concern.

The publication of Colchester Borough Council's Water Cycle Study in December 2016 provided further confirmation of issues relating to Langham WRC. At that time, 9 out of 10 of Colchester's WRCs were operating with spare (headroom) capacity. The only WRC operating above its permitted processing limit was Langham WRC. At that time, it was operating with an assessed Dry Weather Flow of 616 cubic metres/day versus a permit level of 420 cubic metres/day ie. 47% above the Environment Agency's processing permit capacity (see appendix B).

Following on from this Water Cycle Study, LPC were instrumental in bringing together Colchester Borough Council, Anglian Water and the Environment Agency to develop a Joint Position Statement which recognised that any major new housing developments within the Langham WRC catchment

area would need to be phased in line with WRC processing capacity improvements. The document was issued in September 2017 and was jointly signed by senior representatives from Anglian Water, CBC and the Environment Agency. Appendix C shows the Conclusions Section of this report.

As of September 2017, the [CBC Emerging Local Plan](#) proposed 80 new dwellings at Langham and 36 new dwellings at Boxted to be built between 2017 and 2033.

In September 2018, Anglian Water published their [Water Recycling Long-Term Plan](#) outlining their 25 year horizon strategic infrastructure upgrade plans. Within the plan, investment in specific WRC upgrades was allocated to 5-year investment windows. Langham WRC capacity upgrades (of around £3.4m) were assigned to the 2025-2030 time window, as shown in Appendix D.

Based upon this WRC upgrade timing, one would expect that the 116 new dwellings proposed in the Emerging Local Plan would need to be significantly back-loaded within the 2017-2033 planning window. In practice, however, the 36 new Boxted dwellings have already been completed (at Boxted Cross) and the largest of the three proposed Langham sites was granted conditional planning approval for 46 new homes in December 2020. In addition to the increased new dwellings highlighted in the Emerging Local Plan new planning applications are being raised by local residents/land owners that will also increase the housing stock in the village if they are approved by the CBC planning officers. To date there are at least seven new homes that have been agreed and because of the scale of these sites none have had planning conditions associated with them that makes reference to any capacity issues at the Langham WRC.

Subsequent to the conditional approval granted to Vistry Homes in December 2020, the developer has submitted two further planning applications ([210948](#) and [210949](#)) which seek either to relax or discharge planning condition 21. The submissions of Anglian Water and the Environment Agency in response to these applications are sharply at odds with each other, which by definition means that condition 21 is not yet ready to be discharged.

The Environment Agency's submission states that Anglian Water were in breach of their Dry Weather Flow processing permit in 2018, 2019 and 2020. Anglian Water's submission states that there has only been one year of non-compliance and attempts to put the onus on the Environment Agency to prove that this has caused any environmental harm. The Environment Agency's response to this is that they have a legal duty to pre-emptively plan to prevent environmental harm, over and above simply reacting retrospectively once harm has been proven to have occurred. Anglian Water's own submission further states that they are unable to make any commitment to bring forward WRC infrastructure investment ahead of the current 2025-2030 planning window.

Given the major disconnect between the recent submissions of Anglian Water and the Environment Agency, it is hard to see where a compromise might come from. If a new joint position does nonetheless emerge (as recently intimated to Langham Parish Council by the Environment Agency) then we shall lobby hard for a full and transparent explanation of the new proposals. The recent dialogue between Sir Bernard Jenkin and Anglian Water should prove helpful in securing their full engagement with us.

Langham Sewerage Network

In our recent dialogue with the Environment Agency, they have intimated that their monitoring role focusses on downstream discharge volume and quality from Langham WRC, rather than input to the WRC from the local sewerage network. This raises the question of who is responsible for

safeguarding the adequacy of our local sewerage network? The question is particularly pertinent in view of the well documented incidents of raw sewage back-up and flooding in Langham in recent years. Will the connection of large numbers of new homes to the existing sewerage network increase the likelihood of future sewage overspill still further? We will continue to engage with the Environment Agency, Anglian Water and Sir Bernard Jenkin's office as appropriate to seek further answers on these points.

Langham Parish Council

31st October 2021

Appendices Follow

Appendix A: Aerial View of Langham Water Recycling Centre

Aerial View of Langham WRC adjacent to Black Brook



Appendix B: Langham WRC Processing Capacity 2016

Extract from Colchester Borough Council's Dec 2016 Water Cycle Study

Table 3-1: WRC with Permitted Headroom

WRC Catchment	Settlement Area	Current Permitted DWF (m ³ /d)	Current Demand DWF (Q _{des}) (m ³ /d)	Future 2033 DWF after Growth (m ³ /d)	Headroom Assessment after Growth (2033)	
					Headroom Capacity (m ³ /d)	Approx. Residual Housing Capacity ¹
Colchester	Colchester, Rowhedge, Stanway, Wivenhoe, East and West Garden Communities, Copford, Marks Tey	29,284	24,110	28,579	700	2,240
Ears Colne	Chappel, Wakes Colne	934	879	888	50	145
Eight Ash Green	Eight Ash Green, Fordham	650	504	564	85	270
Fingringhoe	Abberton, Fingringhoe	367	331	347	20	65
Great Tey	Great Tey	142	97	115	25	85
Laver-de-la-Haye	Laver-de-la-Haye	380	219	235	145	460
Tiptree	Tiptree	2,400	1,909	2,220	180	575
West Bergholt	Great Horkeley, West Bergholt	1,430	1,277	1,344	85	275
West Mersea	West Mersea	2000	1,478	1,541	460	1,455

Table 3-2: WRC without Permitted Headroom

WRC	Settlement Area	Current Permitted DWF (m ³ /d)	Current Demand DWF (Q _{des}) (m ³ /d)	Future 2033 DWF after Growth (m ³ /d)	Headroom Assessment after Growth (2033)	
					Headroom Capacity (m ³ /d)	Approx. Residual Housing Capacity ¹
Langham (East)	Langham, Boxted	420	616 ¹	667	-245	-785

Extract from the AW / EA / CBC Joint Position Statement on growth in WRC catchments in Colchester Borough (Sep 2017)

- 5.2 Policies PP1 and SS9 in the (draft) Local Plan refer to the requirement for sufficient wastewater infrastructure to be in place before development is brought forward.

6. Conclusions

- 6.1 Planning applications for development connected to Langham and Dedham WRCs require careful waste water infrastructure and water quality consideration to ensure that the objectives of the Water Framework Directive are not compromised. The timing of development will play a crucial part in this, ensuring that developments are not progressed ahead of improvements in treatment technology capabilities or the identification of alternative approaches, to ensure the environment is protected. The relevant Local Plan policies for development at Langham and Boxted include this requirement.
- 6.2 Anglian Water will continue to monitor the quantity and quality of flows from WRCs in the Colchester area including Langham (East) and Dedham and will take the necessary steps at the appropriate time in order to accommodate growth within environmental parameters. Further work needs to be done to consider and identify all the improvements that will need to be implemented to enable development to proceed. Given the ongoing nature of this work it should be recognized that improvements may not be delivered during the earliest stage of the plan.

Extract from Anglian Water's Sept 2018 Water Recycling Long Term Plan

