

Maldon District Council  
Planning Department  
Princes Road  
Maldon  
Essex  
CM9 5DL

**Our ref:** AE/2017/122083/03-L01  
**Your ref:** DET/MAL/17/05142  
**Date:** 06 February 2018

Dear Sir/Madam

**COMPLIANCE WITH CONDITIONS NOTIFICATION OUT/MAL/14/01018 (OUTLINE PLANNING APPLICATION FOR UP TO 30 DWELLINGS) CONDITION 4 - SAMPLES OF EXTERNAL SURFACES. CONDITION 5 - ARCHAEOLOGICAL ASSESSMENT. CONDITION 8 - FINISHED GROUND AND FINISHED FLOOR LEVELS. CONDITION 11 - LIGHTING STRATEGY. CONDITION 12 - ON-SITE CONSTRUCTION MANAGEMENT PLAN. CONDITION 15 - RESPONSIBILITY OF MAINTENANCE OF SURFACE WATER DRAINAGE SYSTEM. CONDITION 16 - FOUL WATER STRATEGY. CONDITION 18 - INVESTIGATION AND RISK ASSESSMENT. CONDITION 25 - REMOVAL OF TREES & HEDGEROWS. CONDITION 26 - SITING, HEIGHT, DESIGN AND MATERIALS OF THE TREATMENT OF ALL BOUNDARIES INCLUDING GATES, FENCES, WALLS, RAILINGS AND PIERS. CONDITION 27 - ECOLOGICAL MITIGATION MEASURES. CONDITION 29 - WASTEWATER STRATEGY. MANOR FARM THE AVENUE, NORTH FAMBRIDGE, CHELMSFORD, CM3 6LZ.**

Following our earlier letter dated 12 January 2018 – this set out a number of issues we wished to have clarification on from Anglian Water Services (AWS) - we subsequently met with representatives of Anglian Water Services (AWS) and Barratt David Wilson Homes (BDWH) in order to discuss the issues raised by us in that letter. The points detailed below were the subject of discussions during our meeting and we agreed in principle with the conclusions reached on each point.

1. Confirmation that the mitigation solution approved for the development connection is intended to address the impact on the sewerage network. It will not affect the predicted exceedence of the Dry Weather Flow (DWF) permit at Latchingdon Water Recycling Centre (WRC).
2. The mitigation solution is designed to ensure that flows from the development will not discharge to the network during periods of high surcharge and will not therefore, create additional detriment.

3. Due to the regulatory constraints to funding sewer requisition schemes (Section 98 of the Water Industry Act 1991), mitigation solutions that are designed to enable new development connections are not intended to resolve pre-existing network performance issues. However, the provision of active control and upstream attenuation for this development will offer the potential for closer integration with the existing sewage pumping stations and this in turn will provide more operational flexibility in managing the prevailing network performance risks. Furthermore, the installation of the network monitor that is integral to mitigation solution, will provide additional permanent data collection on the network performance. This provides greater verification of modelled simulations and diagnostic evidence in support of further capital investment.
4. AWS acknowledge that assumptions on the impact on water quality relating to the final effluent discharge from Latchingdon WRC cannot be relied upon with a prevailing DWF permit exceedence. Ultimately, the sanitary consent standard set for the FE discharge will need to be reviewed prior to determining a revised discharge consent that reflects the extent of new development expected in the catchment. However, the degree of the water quality impact of this development cannot be determined at this stage nor can we be certain on the amount of catchment growth on which to assess future water quality impact and so define what physical modifications to the WRC are needed. Determining this will require a period of analysis and investment planning far exceeding the practicable programming for the development.
5. The purpose of the AWS original condition relating to sewage treatment capacity was to ensure that the developer provided sufficient information on the service requirement date to enable AWS to commence investment planning. It is considered that this requirement has been satisfied and the projected exceedence of the DWF permit at Latchingdon has been identified in the investment planning for AMP7 (2020-25). It should be noted that the AWS investment plan will be subject to approval by Ofwat and the appropriate governance to ensure the whole life value (TOTEX) justifies the investment, so we cannot be more specific on the WRC investment at this stage.
6. The necessary lead-in time for investment to enhance WRC capacity and also the general uncertainty around future catchment growth, inevitably creates a time lag between the occupation of early elements of the planned new development and the provision of the required WRC enhancement. The water quality impacts that may occur during this period will be managed by AWS through the normal engagement with Environment Agency compliance teams.

We were given to understand during the meeting that AWS have held discussions with BDWH concerning detailed design for the foul water disposal requirements and we are happy this aspect is being progressed by the two parties. We are now able to recommend the part discharge of condition 16. However, this should not be taken as implying that the volumetric or quality parts of the discharge consent for Latchingdon WRC can be exceeded. We would expect AWS to continue to carry out their obligations – they are of course aware of these - as regards effluent and flow compliance such that a breach does not occur.

Yours faithfully



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cc Strutt & Parker Ltd