Department for Levelling Up,
Housing & Communities

Rt Hon Michael Gove MP
Secretary of State for Levelling up, Housing and Communities
Minister for Intergovernmental Relations
2 Marsham Street
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Our reference: 25940022

Cllr Ann Newton
Wealden District Council
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16th May 2023

Dear Ann,

Thank you for your letter of 17 March regarding concerns about the treatment of wastewater in the planning system. I appreciate how important this is to the Council and am grateful to you for contacting the Department with your concerns. Please accept my sincere apologies for the delay in replying.

The National Planning Policy Framework sets out that water-compatible development should make sufficient provision for, among other things: water supply and pumping stations, wastewater, waste management, and flood control infrastructure. Early discussions at the plan-making stage are encouraged between strategic policy-making authorities and water and sewerage companies to help to ensure that proposed growth and environmental objectives are reflected in company business plans. Growth that requires new water supply should also be reflected in companies' long-term water resources management plans. This will help ensure that the necessary infrastructure is funded through the water industry's price review.

Planning practice guidance encourages early engagement between local planning authorities and water/sewerage companies where water quality is likely to be a significant planning concern. Part 8 of the Development Management Procedure Order 2015 - "Miscellaneous – Local Development Orders" states that where a local planning authority has prepared a draft Local Development Order in which the interests of water/sewerage companies are likely to be affected, the authority must consult those companies. Consultation with water/sewerage companies also ensures that the companies' investment plans align with local development needs.

Although we generally resist adding new statutory consultees, the Government has made a commitment, as part of its reform package under the Levelling Up and Regeneration Bill, to consult on whether or not we should make water companies statutory consultees on certain planning applications, and if so, how best to do this. It will be important that water companies engage local planning authorities on the right applications at the right time so they can input effectively and not slow down the application process.

Once again, I am grateful to you for contacting the Department about this matter.

Yours, Michael

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