Water Management

Background

Sustainable water management is the practice of minimising the impact of human activity on the functioning of the water cycle. This is of particular importance in a time where changes are occurring to our climate, with a greater frequency and unpredictability of extreme weather events such as storms, flooding and droughts. Water is a finite resource, with ever increasing demand as we seek to grow our communities. This presents the need to manage water resources effectively, in which the planning system has a significant role to play. This applies to both management of water supplies, and the safe discharge of wastewater into rivers.

The following sets out how sustainable water management is addressed through the County Plan and the Local Plan's draft vision and objectives.

Herefordshire County Plan

A central environmental ambition of Herefordshire Council's adopted County Plan is to seek strong stewardship of the county's natural resources.

The planning system has long had, and will continue to have, an important role to play in conservation of natural resources, including water.

Local Plan Draft Vision

The Local Plan 2021-2041 has an environmentally themed draft countywide vision, which states:

By 2041 Herefordshire will be a place where planning has helped to create an environment where all of its residents have an exceptional quality of life and are able to live and travel in a more sustainable way. In addressing the climate and ecological emergency, the county will be carbon neutral, and biodiversity here will be thriving…

Responsible management of our water resources is essential in addressing the climate and ecological emergency, and protecting the county's biodiversity, particularly in our rivers.

Local Plan Draft Objectives

Careful management of our natural resources is highlighted as an environmental objective of the new Local Plan. Namely, objective 7:

- To minimise and carefully manage the use of natural resources, including minerals, land, and water and to encourage the reduction, reuse and recycling of waste, to achieve a circular economy.

National Guidance

Planning practice guidance on water supply, wastewater and water quality was updated in 2019. The legal framework for water management - The Water Environment Regulations were also introduced in 2017. These regulations set out requirements to prevent the deterioration of aquatic ecosystems; protect, enhance and restore water bodies to 'good' status; and achieve compliance with standards and objectives for protected areas.

Local Considerations

On 8th March 2019, Herefordshire Council unanimously passed a motion declaring a Climate and Ecological Emergency. This signalled a commitment to ensuring that the council considers tackling Climate Change in its future work and decisions taken. Water management policies will form a key element of ecological protection, and climate change adaptation.

The River Wye Special Area of Conservation (SAC) is a protected nature conservation site, under Habitats Regulations. To help conserve the ecology of the River Wye SAC (which includes a section of the River Lugg), Natural England have set targets for phosphorous levels in the river. Within the Herefordshire Council authority area, the section of the River Lugg from Leominster to the Wye confluence is currently failing its phosphorous target, with levels too high. As a result, there is currently a moratorium on all new development within the catchment of this SAC that may threaten to increase phosphorous levels. The council is seeking to address this issue by developing 'integrated wetlands' in this area of the county, which are currently underway, in order to neutralise these effects.

Evidence Base

- The Environment Agency, in partnership with Natural England, has developed a Nutrient Management Plan. It aims to ensure that the River Wye Special Area of Conservation (SAC) achieves and maintains favourable conditions, with respect to phosphate levels. The plan also considers proposed development growth within Herefordshire and calculates its predicted impact on phosphate levels within the SAC.
- The Water Cycle Study will determine how development in the county will affect the functioning of the water cycle and, in turn, overall environmental quality. If there are conflicts, it can propose solutions to them. These studies can form useful evidence to ensure that Local Plans are sound. This will be commissioned and developed in consultation with the Environment Agency.
- The Strategic Flood Risk Assessment (SFRA) aims to ensure that planning policies and any allocated development sites will not increase the risk of flooding on site, or in their surrounding areas. It identifies the county's main flood risk areas, taking into account all sources of flooding. This will include not only those areas identified by the Environment Agency, but also from county and local level intelligence to identify a more complete record of flood prone areas. The latest published SFRA is from 2019, but a reviewed and updated version is expected be made available within the next year. A more detailed SFRA will be required as development sites begin to be identified for the Local Plan.

Existing Policy

There are two policies in the existing Core Strategy that deal with the management of water resources and quality, SD3 and SD4.

SD3 - This addresses issues surrounding flooding and protecting water sources. It contains detailed criteria and measures to ensure that development avoids adverse impacts on water source availability, and reduce the risk of flooding.

The policy remains justified and necessary, and no issues have been reported in its implementation by officers. However, some technical standards that are referenced within it are no longer relevant and will likely require updating or replacing with any equivalent standards, to be informed by the updated evidence base documents.

SD4 - This relates to dealing with wastewater treatment and ensuring river water quality. In the first instance the policy tries to direct development towards connecting to existing mains sewerage infrastructure, and sets out detailed stepped exception criteria for where this is not possible. At present, the policy remains justified. In areas currently affected by the River Wye SAC issue, the policy has effectively been usurped by European level regulations. Technical evidence arising from the evidence base documents may make recommendations on how this policy could be updated.

In addition to the Core Strategy policies, the emerging Minerals and Waste Local Plan includes Policy W3, which seeks to ensure that development proposals involving agricultural development will be required to demonstrate that they contribute to achieving nutrient neutrality within the River Wye SAC.

From the above facts, it is clear that the existing Core Strategy policies, written as they are, cannot be ‘saved’ for inclusion in the next Local Plan.

Neighbourhood Planning

Many of the county’s Neighbourhood Development Plans (NDPs) have successfully produced their own policies relating to the sustainable management of water. In particular, safeguarding against development in areas liable to flooding in their respective areas. Whilst others have followed broadly the same guidance as that taken in the existing Core Strategy.

NDPs in development, covering areas within the River Lugg hydrological catchment, have recently been encouraged to include a nutrient neutrality policy to meet the requirements of any environmental assessments.

Water Management Policy Options

Option WM1- Continue with existing policy approach, but update to reflect current situation

This option would, using the existing policy approach as a basis, update and supplement to reflect emerging evidence, updated national/technical guidance and the ongoing work to achieve nutrient neutrality in the River Wye Catchment.

Option WM2- Include a separate policy dealing with nutrient neutrality issue

Taking into consideration the considerable constraints presented by the phosphorous issue in the River Wye Catchment, this option would see a standalone policy specifically dealing with this issue.

This would place requirements for development to achieve nutrient neutrality within the catchment. Guidance for this already exists for the production of NDPs in these areas, and this could be used to form the basis for a wider strategic policy on the issue.