



2nd August 2018
Our Ref: OJ/16.154

David Easton Esq
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Dear David

**Land north of Hook Lane, Pagham
P/6/17/OUT**

I am writing following our telephone conversation on Thursday 26th July 2018 regarding the Habitats Regulation Assessment work that the Council has commissioned.

I understand that your consultants have sought further information in respect of the following matters:

1. Foul Water Treatment
2. Recreational Provision within the application site

I address both matters in the following sections.

I am enclosing a further Report undertaken by FPCR entitled Pagham Harbour SPA Brent Goose Assessment which responds specifically to the requirements in Policy ENV DM2 of the newly adopted Local Plan.

Foul Water Treatment

Foul water flows from the application site can either be communicated to Pagham Waste Water Treatment Works or Lidsey Waste Water Treatment Works via connections to the adjacent sewer infrastructure.

Each WWTW operates within a permitted discharge consent regime issued by the Environment Agency. In respect of Pagham WWTW, it is generally understood that there is some available capacity within the terms of the current permitted effluent discharge consent for up to 400 domestic connections. Under the Water Industry Act 1991, such capacity cannot be reserved for any one development, thus the notion that it is available solely for development at Pagham South is incorrect as a matter of fact.

Development of the application site could be accommodated within the current consent headroom if it proceeds earlier than or in tandem with, development at Pagham South. As such, the issues surrounding the limitations at the WWTW are purely based in phasing and the approach to site delivery with Southern Water under legal obligation to provide waste water treatment for domestic properties.

Irrespective of this, it is pertinent to note that the volume of waste water treatment, and in particular the discharged levels of phosphates, cannot legally exceed that permitted by the effluent discharge consent. The permitted effluent discharge consent can be varied at a future date to reflect improvements to the operation of and discharge from the treatment works and Southern Water have a legal duty to receive communicated waste water flows and make the necessary improvements to its facilities to enable these to be accommodated within reasonable timescales.

We are aware that Southern Water have proposed a planning condition which restricts the occupation of new houses unless and until a scheme for the treatment of waste water from the proposed development has been agreed. On the basis that such a scheme would not be permitted to lead to a breach of the permitted effluent discharge consent, there is no prospects of waste water flows from the proposed development leading to harmful effects within Pagham Harbour.

The interaction between planning controls and the environmental permitted regime provides wholly appropriate safeguards in this instance.

Recreational Provision with the Application Site

The Development Framework Plan (167 – P – 006 Rev E), which will form an approved plan, identifies 6.65 hectares of green infrastructure, a substantial proportion of which is available for recreation use by future residents of the proposed development. This is greatly in excess of the amount of space required by local standards and will be capable of accommodated predicted increased in demand for recreational space.

We intend that the S106 Agreement obliges the Applicant or their successor in title to prepare an open space scheme which will set out the timetable and programme for the provision of such areas of the development and also a plan for their maintenance and management.

The Applicant has agreed with the Council that that areas of open space will be managed by a management company which shall be responsible for the implementation of the aforementioned open space maintenance and management plan.

This provides surety that on-site recreation will be provided as part of the proposed development and retained in the long term.



I trust this information is satisfactory and I would be grateful if you could provide this to your consultants.

Yours sincerely



Owen Jones
Director

cc: Ruth McKeown

