

East London Joint Waste Plan Examination

Matter 5: The soundness and general conformity of the Plan's policies

Written Statement

Anglian Water

May 2026

Issue (iii) Would the Plan's policies be clear and unambiguous so it is evident how a decision-maker should react to proposals for development, and are their associated information or other requirements justified?

9. Is Policy JWP2B consistent with paragraph 16 of the Framework which expects that plans should contain policies that are clearly written and unambiguous, and that unnecessary duplication of policies that apply to a particular area should be avoided? How would the addition of the paragraph by way of suggested modification SM5 (see attached Schedule) address any soundness shortcomings in these regards?

Anglian Water suggests the new paragraph 6.72 could be worded more effectively to address the requirements of Policy JWP2B by referring to the appropriate documents that would guide any closure of safeguarded wastewater treatment sites or loss of wastewater treatment capacity.

There are two different scenarios presented in section B of Policy JWP 2B:

- **Development that would constrain current and future committed operation of a safeguarded wastewater site:** A development proposal submitted by a third party (i.e. for non-waste development) that would prevent or prejudice the use of, or expansion of a wastewater site to address additional growth and/or measures to improve environmental performance relating to the quality of discharge from the works.
- **Development that would lead to the loss of a safeguarded wastewater site:** A proposal for redevelopment, where the wastewater treatment plant (or Water Recycling Centre – WRC) closes (i.e. loss of the facility rather than loss of operational treatment capacity) because it is relocated, or wastewater flows are redirected to an alternative wastewater treatment facility.

Anglian Water recommends the wording to paragraph 6.72 (as referenced in SM5) is amended to clearly explain how these scenarios should be considered:

6.72 Applications Proposals for non-waste development close to safeguarded wastewater sites should demonstrate that they will not constrain the current and future committed operation of safeguarded wastewater sites. The 'agent of change' principle will also be applied to all such developments, consistent with Policy JWP 3 Prevention of Encroachment. Applications resulting in the loss of wastewater treatment capacity safeguarded wastewater sites will need to demonstrate they accord with relevant strategic objectives of the development plan, the relevant Drainage and Wastewater Management Plan, and would not undermine the implementation of schemes identified for delivery in of the AMP, as agreed through the Price Review process.

This suggested amendment ensures the correct process is followed in respect of both scenarios. Anglian Water has only one safeguarded wastewater site – Upminster water recycling centre (WRC) in Havering. There is significant long-term growth planned within and adjacent to the catchment of Upminster WRC which extends into Brentwood and Thurrock local planning authority administrative areas. It is important that the policy safeguards the ability for the expansion of our WRC to accommodate growth over the longer term but provides flexibility should other strategies for wastewater treatment and drainage be identified in subsequent Drainage and Wastewater Management Plans. Currently, Anglian Water is preparing the next iteration of the Drainage and Wastewater Management Plan (DWMP28), which will address the 25-year period 2030-2055, going beyond the local plan period to 2041.

The changes to the paragraph represent the plans and processes that are required to identify the specific investments and delivery of schemes to support future growth and environmental improvement as our water recycling centres. The DWMP will include strategies that will inform future investments through our five-yearly cycles of price reviews – the resulting Business Plans must be agreed with our regulators, before schemes can move into delivery for the following five-year Asset Management Period (AMP).

10. Is the reasoned justification at paragraphs 6.59 and 6.71 consistent with the wording of Policy JWP2B insofar as development that would lead to loss of safeguarded wastewater sites is concerned?

Paragraph 6.59 states that the redevelopment of wastewater treatment facilities in East London is not anticipated during the plan period. However, the policy does provide the measures should such a proposal come forward that results in the loss of these facilities, and this should be reflected in the supporting text, by referring to the statutory requirements water and sewerage companies need to comply with – such as the

preparation of a Drainage and Wastewater Management Plan (DWMP), as prescribed by the Environment Act 2021.

The DWMP currently being prepared will inform our investments in the next Business Plan (Price Review 2029 – PR29) for the Asset Management Period 2030-2035 (AMP9). The next DWMP must set out how we will manage and develop our drainage and sewerage systems to meet our obligations under Water Industry Act 1991. This includes understanding how to deal with challenges such as asset health, climate change, and population growth. Using this information, we will conduct a risk assessment for three different timescales: the short- (5yr), medium- (15yr) and long-(25yr +) term. The outputs from these will allow us to develop ‘best value’ investment solutions to meet our obligations.

Paragraph 6.71, under the subheading 'Operations' should reference that the normal operation of a wastewater treatment facility results in a "**discharge of treated effluent to the water environment which is compliant with permit requirements**". Anglian Water's Upminster WRC does not have any sludge treatment facilities and therefore we reserve comment on the remainder of this paragraph, which is more applicable to wastewater treatment facilities owned by Thames Water within the East London waste planning administrative area.

11. Suggested modification SM5 would see the inclusion of additional text relating to wastewater treatment facilities: a) What soundness deficiencies are these changes expected to address? b) If taken forward would it be clear and unambiguous to a decision-maker how to react to relevant development proposals given that the changes are included in the Plan's reasoned justification rather than its policies? c) Are the information requirements justified and would they be included in the Boroughs, lists of local information requirements?

Anglian Water notes that the proposed modification SM5 relates to two separate paragraphs, each providing additional reasoned justification in relation to two separate policies: JWP 2B Safeguarding and Provision of Wastewater Treatment Capacity, and JWP 3 Prevention of Encroachment.

SM5 – new paragraph 6.72:

Anglian Water has provided commentary on amendments to the wording of the proposed paragraph 6.72 in our response to Question 9 (above), to help more accurately reflect what elements Policy JWP 2B is aiming to safeguard, and the mechanisms and processes that might lead to the loss of a safeguarded wastewater site. The following sub-questions are answered below:

a) What soundness deficiencies are these changes expected to address? The paragraph attempts to explain the circumstances whereby the loss of wastewater treatment capacity can be justified; however, the policy also specifies where development proposals may

constrain the current and future operation of the safeguarded wastewater site and therefore needs to be clearer on both scenarios identified in clause B of the policy.

b) If taken forward, would it be clear and unambiguous to a decision-maker how to react to relevant development proposals given that the changes are included in the Plan's reasoned justification rather than its policies? No, the paragraph should be amended, as proposed (see response to Question 9), to address the circumstances that might lead to operational capacity being constrained or the loss of a safeguarded wastewater site. Any loss (closure) of a site would need to be fully explained and justified through our operational procedures and processes which are set out in our relevant management plans and business plans.

c) Are the information requirements justified and would they be included in the Boroughs, lists of local information requirements? Anglian Water considers that an application resulting in the loss of a safeguarded wastewater facility as relatively 'rare' considering the low number of safeguarded wastewater sites in the waste plan area. It is not considered that the specific information set out in paragraph 6.72 should be included in the list of local information requirements and would be appropriately addressed through other relevant submitted documents such as the Planning Statement.

SM5 – new paragraph to follow Para 6.80

Anglian Water notes that the new paragraph was included following Thames Water's response to the Regulation 19 consultation and suggested text for inclusion in the ELJWP [CD08 Regulation 22 Consultation Statement Appendix 3]. Anglian Water supports the premise for the submission of a technical assessment. Our views regarding this new paragraph are set out in response to the following sub-questions:

a) What soundness deficiencies are these changes expected to address? The new paragraph includes specific measures that the applicant would be expected to address in any submission of proposals for non-waste development within the 250m or 800m encroachment/consultation zone. By including the proposed text within the reasoned justification, it is only considered to be an aid to the interpretation of the policy. However, as the measures listed in paragraph 6.72 are directly relevant to future non-waste development proposals within the proximity of safeguarded wastewater sites, the requirement to prepare a technical assessment should be implicit within the policy.

Anglian Water considers that the text would be more appropriate for inclusion within Policy JWP 3, rather than solely in the reasoned justification.

b) If taken forward, would it be clear and unambiguous to a decision-maker how to react to relevant development proposals given that the changes are included in the Plan's reasoned justification rather than its policies? No, Anglian Water considers that the requirement for the submission of a technical assessment should be embedded in policy so it is clear to the applicant and the decision-maker what is expected to be provided with an



application for non-waste development, where that would result in sensitive receptors to odour and noise for example. The reasoned justification should explain why the technical assessment is needed and also reference the inclusion of the Odour Impact Assessment referred to in paragraph 6.78.

c) Are the information requirements justified and would they be included in the Boroughs, lists of local information requirements? Yes, the information requirements are justified and should be included in the list of local information requirements for the Boroughs. This would ensure that the applicant has demonstrated that the potential impacts of introducing sensitive receptors in proximity to safeguarded wastewater sites have been fully assessed, consistent with the 'agent of change' principle, to ensure impacts can be avoided or appropriately mitigated, in consultation with the water and sewerage company. Anglian Water would fully support the inclusion of this text (or variation thereof) in Policy JWP 3 as a main modification.