

NRA 711.4

Planning Liaison with Local Planning Authorities

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NATIONAL RIVERS AUTHORITY
ANGLIAN REGION

PLANNING LIAISON WITH LOCAL PLANNING AUTHORITIES

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1. INTRODUCTION

- 1.1 The Water Act 1989 established the National Rivers Authority (NRA) to have responsibility for the regulatory powers controlling the aquatic environment and also flood defence, water resources, fisheries, conservation and recreation activities previously undertaken by the predecessor water authorities.
- 1.2 The NRA has a National Head Office, dealing with essential policy matters. Management of all operational and regulatory activities now takes place in 8 Regions and not 10 as at vesting day in 1989. (The boundaries of the Anglian Region remain the same). This change was designed to improve effectiveness and, in conjunction with moves towards integrated catchment management in smaller areas, is intended to improve the delivery of services at local level and to make sure there is a smoother transition to the Environment Agency.
- 1.3 NRA Regional Offices deal with policy planning and standard setting. Day to day operational matters, more appropriately dealt with on a local basis, are carried out at Area and Catchment Offices.
- 1.4 The impact of general building and other development is of prime concern to the NRA in the exercise of its duties. It therefore considers that effective liaison with planning authorities in the exercise of their general planning powers and in the detailed control of new development is of the utmost importance. Specific planning liaison staff are employed within the NRA to respond to planning authority consultations and to represent the NRA at all stages of the planning process.
- 1.5 Many planning authorities' boundaries straddle more than one NRA region and area. As far as possible the NRA Anglian Region has, in conjunction with its neighbouring Regions, rationalised its boundaries for planning liaison purposes so that planning authorities have a single point of contact.

2. NRA - ANGLIAN REGION

- 2.1 The Region covers an area of 27,000 sq km in which 5.7 million people live. Our Regional Headquarters is based in Peterborough and the Region is divided into three operational areas which are operated from offices at Brampton, Lincoln and Ipswich. (See Appendix 1).
- 2.2 Each Area office has a Planning Manager with staff responsible for planning liaison on planning applications and development plans. Where more than one Area (or Region) covers a Local Planning Authority (LPA) area then one NRA Area office is designated as the "post box" to facilitate liaison and consultation with that Authority. These arrangements are shown in Appendix 2. The Area office will consult with adjacent Areas in the Region, and with adjoining Regions. This provides simplified liaison procedures which are of mutual benefit. Some LPAs have agreed to consult directly with more than one NRA Office and no changes to these arrangements are being sought through the designation of "post boxes".

2.3 Within the NRA's Anglian Region, Town and Country Planning is administered by 13 County Councils and 71 District Councils. Of these authorities, 10 County Councils and 24 District Councils administer areas outside the Region (See Appendix 2).

3. NEED AND OBJECTIVE

3.1 The need for Planning Liaison

The NRA's participation in planning liaison is to:

- Protect the water environment from any adverse effects of all types of development
- Advise planning authorities on the protection of the public in matters of concern to the NRA
- Identify demands on its services including flood protection, pollution prevention, water resources management, conservation, recreation, navigation and fisheries

These aims are achieved by participating in the procedures under the Town and Country Planning Acts, through co-ordinated responses to LPA's on development plans and planning applications, as well as by use of the powers given directly to the NRA.

Liaison is also specifically required between LPA's and the NRA in respect of NRA statutory surveys and plans with regard to its flood defence functions in accordance with Section 105(2) of the Water Resources Act 1991.

3.2 The Objectives of Planning Liaison

To advise -

- planning authorities of the NRA's views on proposed development, including the matters for which those authorities have an obligation by statute, or order to consult with the NRA, or are advised to do so by DoE Circular or Planning Policy Guidance Notes.

To protect -

- Water Resources, surface and underground, including watercourses, aquifers, licensed and unlicensed wells, boreholes and other sources from pollution and derogation arising from development
- the NRA's plant and installations (including pumping stations and reservoirs) from encroachment and other hazards arising from development.

- the channels and banks of watercourses, flood protection works, floodplains and washlands from obstruction, deposition, erosion, unauthorised alteration or run-off in excess of capacity, arising as a result of development.

To identify demands -

- for land drainage and flood prevention measures in respect of existing or proposed development and redevelopment.
- for recreation associated with water space.

3.3 Scope of Liaison and Consultation

Main subjects for liaison include:

- preparation and/or revision of development plans
- proposals for new development
- proposals to improve existing development
- disposal of surface water
- land drainage and flood alleviation schemes
- floodplain protection
- disposal of foul water
- protection and improvement of water quality
- waste disposal sites and mineral workings
- methods of safe storage of potentially polluting chemicals, oils and other materials
- water abstractions for public supply, industry and agriculture (including fish farms)
- water demands arising from new development and their impact on resources
- trade effluent disposal
- pipelines (especially oil and gas)
- provision of recreation and amenity facilities (including fishing and navigation)

4. DEVELOPMENT PLANS

- 4.1 At the strategic level, liaison is very much a two-way process with the NRA making input into development plans and seeking the planning authorities input to the NRA's own plans, in particular its Catchment Management Plans. The NRA is a statutory consultee for Development Plans (See T&CP (Development Plans) Regs 1991 [SI1991 No.2974]).

When consulted on Draft Plans the NRA will comment on issues related to specific sites but for the process to be fully effective it is important that policies and statements which cover NRA interests are incorporated in Development Plans. Model policies and Guidance Statements have been prepared, but it is appreciated that to meet individual plan styles the exact format may need to be modified.

- 4.2 Formal consultation should be made with NRA's Area planning staff who will liaise with other Area and Regional staff as necessary.

The formal procedure is intended to apply to the whole of the continuing process of strategic planning from preliminary consultation via correspondence, meetings and discussion papers, through the creation of a Development Plan and its examination in public, to the review and updating of accepted plans. The NRA's plans will then be matched to the co-ordinated real needs of the local authorities, so far as is possible within nationally determined capital resources and physical and technical restraints.

- 4.3 Between 1992 and 1998, Catchment Management Plans for 20 river basins which make up the Region will be prepared.

The purposes of a Catchment Management Plan (CMP) are to:

- focus attention on the water environment of a specific river catchment
- involve all interested parties in planning for the future well being of that catchment and
- establish an integrated plan of action for managing the catchment over the following five years, with reviews to extend the plan into the future.

- 4.4 At Local Plan level, development of particular sites begins to be identified at this stage and is a vital point of input to the planning process. The NRA will offer critical advice as to which areas suggested for development are subject to constraints such as being located within floodplains and washlands or subject to flooding problems and sensitive aquifer areas. Specifically the technical and financial implications of these constraints need to be clearly spelt out for each individual development whenever possible. Similarly, the NRA is keen to contribute to the drafting of Development Briefs.

- 4.5 NRA staff will appear, as and when necessary, at a Local Plan Public Inquiry (or Structure Plan Examination in Public) at the request of the Planning Authority or on behalf of the NRA in its own right to support a representation or objection made by the NRA.

5. PRE-SUBMISSION DISCUSSIONS

- 5.1 The NRA welcomes the opportunity of taking part in pre-submission discussions with developers and notes the comments made in the Guidelines for Handling Planning Applications (paragraph 2.1.8) issued by the National Planning Forum. Discussions will help to identify and resolve problems before an application is submitted and should ensure that the response period is minimised when formal consultation is undertaken by the Local Planning Authority.
- 5.2 The NRA Anglian Region has produced a Guidance Note for Developers which advises applicants of the advantages to be gained by discussing their proposals with the NRA prior to the submission of a planning application.

5.3 Pre-submission discussions allow development funding requirements to be identified at the earliest possible stage to enable NRA related constraints to be taken into account.

5.4 Any information provided to the NRA at this stage will be treated in the strictest confidence.

6. CONSULTATION ARRANGEMENTS FOR PLANNING APPLICATIONS

6.1 Planning authorities are responsible under Town and Country Planning Legislation for informing the NRA of all relevant planning applications and development plans and have discretionary powers regarding the referral of other matters.

Categories of development consultation are included in the 1988 General Development Order, as amended. Article 18 of the 1988 GDO requires LPSs to consult with the NRA on specific categories of development.

DoE Circular 30/92 (WO 68/92) - Development and Flood Risk advises LPAs to consult the NRA to ensure that planning decisions take account of any risk of flooding.

The NRA should also be consulted on applications for hazardous substances consent under the Planning (Hazardous Substances) Regulations 1992 made under the Planning (Hazardous Substances) Act 1990.

Where the water environment is affected, the NRA would welcome consultation on the needs for, and the scope of, Environmental Assessments for applications within Schedule 2 of the 1988 Regulations.

6.2 In addition planning authorities have a wider duty to take into account all material considerations in reaching their decision on a planning application.

6.3 To assist planning authorities, the types of planning applications which the NRA considers of interest are tabulated in Appendix 3. These tables also list sources of further information and indicate the relevance to the NRA of each type of application. It will be noted that in the majority of cases, consultations should be carried out in accordance with the directions of the GDO or recommendations in DoE/Welsh Office Circulars. Altogether, Anglian Region comments on approximately 14,000 planning applications per year.

- 6.4 The NRA Area planning staff visit most Local Planning Authorities on a weekly or fortnightly basis, as appropriate, and at each of these visits, attempt to deal with as many applications as possible. The personal visits encourage a good working contact between NRA and Planning Authority staff. At each visit, the current planning list is inspected to confirm no relevant applications are missed.

Any application which requires comments from NRA colleagues or further investigation is taken to the Area office, where a full written response is prepared.

Visits are not usually made to Local Planning Authorities which have very few planning applications within the Anglian Region borders. It is the responsibility of Area planning staff will seek to instigate formal arrangements with a view to commenting upon relevant applications in respect of which specific consultation is not mandatory.

7. CONSULTATION FORMAT

- 7.1 The NRA should obtain the following documents for each planning application referred or viewed at the Planning Authority's office:

- Local planning authority's consultation letter/form/compliments slip
- Copy of the planning application form
- A copy of any supporting statement or submission, if relevant
- An Ordnance Survey based location plan, if available, with grid reference to allow identification of the site
- Any other relevant plans submitted as part of the application

- 7.2 The National Planning Forum's Guidelines for Handling of Planning Applications refers to the importance of ensuring that sufficient information is made available to consultees to enable a response to be made quickly to consultations.

- 7.3 It is of considerable benefit to the NRA if satisfactory responses are made to the questions in the application form, particularly those concerning the disposal of foul and surface water and trade effluent, and the co-operation of Local Planning Authorities is sought in ensuring that this information is provided by the applicant.

- 7.4 Although outline planning applications are intended to establish development potential of sites through a single undetailed submission, the NRA has to give proper assessment to several possible aspects at this stage, and may ask the planning authority to obtain additional information from the applicant. Any such request will be made as early as possible in the consultation period.

Matters of concern to the NRA which need to be considered at the outline stage, and where in some cases it may be necessary to request the imposition of conditions, are:

- the means of surface water drainage including advice to the planning authority within the terms of DoE Circular 30/92 (WO 68/92),
- measures to protect NRA installations and plant which may be adversely affected by the development,
- pollution prevention and control, including aquifer protection and protection of public water supply sources,
- flood protection measures, such as building above known flood levels and outside flood plain limits, attenuation of surface water flows and construction of flood defences, together with any other matters which may have a bearing on the form of layout of the development relative to the provision of effective surface water drainage,
- the restriction of overland flood routes particularly in urban areas
- protection of the water environment; watercourses and their associated river corridors and wetlands, ponds, lakes and estuaries.

It is not in the best interests of effective liaison to introduce these matters at a later stage in the planning process.

8. CONSULTATION RESPONSE

- 8.1 The response to all planning consultations will be in the form of a letter from the NRA's Area office or written comments left during regular visits to LPA offices.

The general principle of the letter layout is that it should closely match the format which planning authorities adopt thus enabling them to incorporate the NRA's comments directly into their decision notices.

- 8.2 Those comments which are made to advise and inform the applicant will be distinguished from those which are considered to be relevant planning issues, and which may need to form the subject of appropriate conditions. A second copy of the NRA's letter will normally be enclosed for the LPA to forward to the applicant. The LPA is encouraged to pass the advice or information on to the applicant especially where it might have an impact on the planning of the development, such as other consents and permissions necessary.

- 8.3 An objection will be made only after careful consideration and in circumstances where the NRA is prepared to make additional representations in the event of an appeal. The NRA will, when the response is made, endeavour to suggest a course of action which would allow the removal of the objection if this is possible eg entering into an agreement to carry out specified works, the imposition of appropriate conditions, or by the submission of a revised application.
- 8.4 The NRA will endeavour to respond to consultations within the 14 day minimum period allowed in the GDO. However, consultation within the NRA covering issues related to Water Resources, Water Quality, Pollution Prevention, Flood Protection and Conservation of the Water Environment makes this difficult to achieve in all cases. Anglian Region currently responds to over 60% of consultations within 14 days, and to over 80% within the 21 day period suggested by the National Planning Forum. It will seek the agreement of the LPA to an extension of time for those consultations which require more than 28 days for a response. Currently this applies to only about 5% of the total number of consultations.

9. DECISION NOTICES

- 9.1 The NRA requests local planning authorities to supply copies of the decisions made in respect of those planning applications on which the NRA has objected or has requested the inclusion of conditions, in line with the recommendations of the Audit Commission, Local Government Report No 7 - Building in Quality.
- 9.2 Copies of the actual decision notices are required. However, copies of the officers' reports to the planning committee may be acceptable provided the proposed conditions and reasons are included and that the NRA is notified promptly of any changes made by the committee which are material to the NRA's views or interests.
- 9.3 Knowledge of decisions made is important to the NRA:
- to ensure its objections are upheld in a manner which the NRA can support
 - to ensure conditions are phrased in the most appropriate way
 - to enable it to undertake any follow-up action required in conjunction with the local planning authority, developers or others in respect of planning agreements and conditions
 - to enable it to monitor development which might affect its interests

10. DEVELOPMENT IN ENTERPRISE ZONES AND SIMPLIFIED PLANNING ZONES

- 10.1 Although the designation of an enterprise zone by itself has the effect of granting automatic planning permission for any development or class of development specified in the enterprise zone scheme, it does not remove the need to consult the NRA. Where the enterprise zone scheme requires that development needs to receive the formal approval of the local planning authority, then a copy of the submission should be sent to the NRA as soon as possible.
- 10.2 It is essential that prospective developers of land within an enterprise zone are referred to the NRA for discussion regarding the pollution and drainage implications of their proposals at the earliest possible stage (see Section 5: Pre-Submission Discussions). The granting of planning permission does not remove the need to obtain relevant statutory consents from the NRA.
- 10.3 As a prescribed consultee the NRA wishes to be involved with the local planning authority in the formulation of simplified planning zone schemes. Such consultation should take place before deposit of the scheme so that due consideration is given to pollution, drainage and other water environment issues and to agree on the format of planning consultations.

11. PERMITTED DEVELOPMENT

The NRA seeks notification of development notified to LPAs as permitted development under the Town and Country Planning General Development Order 1988 schedule 2 Part 6 Agricultural Buildings and Operations. The NRA is then able to liaise directly with the developer on potential problems in relation to NRA issues such as development in the floodplain and pollution prevention measures, and advise the developer of consents required from the NRA (eg. Byelaw Consents, Discharge Consents, Abstraction Licences, Land Drainage Consents - see Appendix 4 for more detailed list).

12. PLANNING APPEALS

- 12.1 The NRA may become involved in a planning appeal if any one of the following situations arise:
- an objection made by the NRA was included as a reason for refusal, or
 - an objection made by the NRA was not included as a reason for refusal, or
 - comments made by the NRA took some part in the refusal of a decision reached by the Local Planning Authority, or
 - additional information, further details of the proposal etc, became available after the consultation was originally undertaken with the NRA.
- 12.2 When an appeal has been lodged with the DoE/Welsh Office and where consultations were carried out on the original application, the Local Planning Authority is requested to notify the NRA as soon as possible. A copy of the notice of appeal, the appellants grounds for appeal, the refusal notice and any other relevant correspondence should be made available.

- 12.3 In situations where an appeal is dealt with by a Public Inquiry or Informal Hearing, and an objection made by the NRA has been included in the refusal notice, then the NRA will either:
- a) provide a statement to be included in the Local Planning Authority's rule 6 statement
 - or
 - b) provide a statement direct to the appropriate local office of the DoE.

Whichever is felt to be most appropriate in the circumstances.

In the case of (a) the NRA will offer to provide an expert witness to appear under the 'umbrella' of the local planning authority's advocate. Where (b) applies the NRA will appear as a third party represented by its own advocate.

- 12.4 For the most part the NRA will leave the choice of approach to the Local Planning Authority. There may, however, be occasions when an NRA objection is considered to be so fundamental to its interests that the NRA would wish to present its own case.
- 12.5 For appeals being dealt with by written representation the NRA will supply a statement direct to the DoE. In cases where the NRA has lodged an objection which has not been included in the refusal notice it reserves the right to present a statement as a third party where appropriate.

13. PLANNING APPLICATIONS FOR AUTHORITY DEVELOPMENT

- 13.1 Planning applications for development by the NRA may be made either by staff at Regional Headquarters or by the Area Planning Manager on behalf of Area staff.
- 13.2 Most applicants will be in respect of offices and depots, with a few for operational buildings and structures, and will be promoted by engineers and estates departments.
- 13.3 Some NRA activities, including in particular flood protection measures, do not require formal planning approval. However, they will be discussed with the Local Planning Authority at a formative stage, and modified where appropriate. The EC Habitat Directive may mean that planning permission will be required for flood protection measures in certain sites of conservation value.
- 13.4 Many NRA activities have such an impact on the countryside and environment generally that, except in very minor cases, there is a need to consult more widely. Liaison with fisheries, amenity, nature conservation and recreational interests is already established.

In respect of flood defence improvement works the NRA is required to undertake a statutory environmental assessment, and to consider and resolve any objections received.

14. CONCLUSION

The NRA has a wide range of direct powers to prevent and control water related problems, and where appropriate will use them. However, these are not always adequate to protect against all of the potential problems surrounding development, and rarely offer preventative measures. Many of these measures are material to Town and Country Planning and it is for this reason that the NRA is involved in the planning process. The NRA seeks an effective and professional working relationship with all planning authorities for the environmental benefit of the community at large.

NATIONAL RIVERS AUTHORITY

ANGLIAN REGION



Key

- NRA Regional Boundary
- NRA Area Boundary
- County Council Boundaries

NRA ANGLIAN REGION**LOCAL PLANNING AUTHORITIES WITHIN REGIONAL BOUNDARIES**

COUNTY COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
BEDFORDSHIRE		P		T	1,236	536,600
BUCKINGHAMSHIRE		P		T	1,876	632,500
CAMBRIDGESHIRE	P	P			3,409	681,200
ESSEX		P	P	T	3,674	1,555,800
HERTFORDSHIRE		P		T	1,639	975,300
HUMBERSIDE	P			ST, Y	3,512	881,500
LEICESTERSHIRE	P			ST	2,550	902,300
LINCOLNSHIRE	P			ST	5,920	591,000
NORFOLK	C	P	P		5,385	762,900
NORTHAMPTON- SHIRE	P			ST, T	2,369	590,200
NOTTINGHAMSHIRE	P			ST, T	2,160	1,026,600
OXFORDSHIRE		P		ST, T		
SUFFOLK		P	P			

KEY:

ST = Severn Trent Region
T = Thames Region
Y = Yorkshire Region

P = Postbox Area
C = To be Consulted by Postbox Area

NB Please note that not all tables are complete; this outstanding information will be added as soon as it is received.

BEDFORDSHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
BEDFORD BOROUGH		P			476	137,400
MID BEDFORDSHIRE		P			503	113,000
SOUTH BEDFORDSHIRE		P		T	212	111,000
LUTON				T	43	176,200

BUCKINGHAMSHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
AYLESBURY VALE		P		T	902	145,900
MILTON KEYNES		P			308	176,300
CHILTERN				T	196	89,800
WYCOMBE				T	324	157,900

CAMBRIDGESHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
CAMBRIDGE		P			40	103,800
EAST CAMBRIDGESHIRE		P			655	63,900
FENLAND	P	P			551	78,900
HUNTINGDONSHIRE	P	P			924	149,600
PETERBOROUGH	P	C			33	158,000
SOUTH CAMBRIDGESHIRE		P			903	124,800

Appendix 2/2

ESSEX

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
BASILDON			P		110	161,800
BRAINTREE			P		611	121,100
BRENTWOOD			P	T	148	71,000
CASTLE POINT			P		45	86,600
CHELMSFORD			P		342	154,500
COLCHESTER			P		333	148,600
EPPING FOREST			C	T	340	118,200
MALDON			P		359	52,600
ROCHFORD			P		169	75,900
SOUTHEND ON SEA			P		41	165,100
TENDRING			P		337	128,200
THURROCK			P	T	163	131,200
UTTLESFORD		P	P	T	641	66,600

GREATER LONDON COUNCIL

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
HAVERING			P	T	117	229,500

HERTFORDSHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
NORTH HERTFORDSHIRE		P		T	375	112,000
STEVENAGE		P		T	25	75,100
DACORUM				T	212	132,200

Appendix 2/3

HUMBERSIDE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
CLEETHORPES	P				164	70,100
GLANFORD	P			ST	579	72,500
GRIMSBY	P				28	91,400
SCUNTHORPE	C			ST	33	61,900

LEICESTERSHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
HARBOROUGH	P			ST	592	69,200
MELTON	P			ST	481	46,100
RUTLAND	P			ST	393	33,400

LINCOLNSHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
BOSTON	P				361	54,000
EAST LINDSEY	P				1760	119,800
LINCOLN	P				35	85,600
NORTH KESTEVEN	P			ST	922	80,300
SOUTH HOLLAND	P				742	68,700
SOUTH KESTEVEN	P			ST	942	111,300
WEST LINDSEY	P			ST	1155	77,100

Appendix 2/4

NORFOLK

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
BRECKLAND		P	P		1305	109,900
BROADLAND			P		552	107,400
GREAT YARMOUTH			P		173	89,000
NORTH NORFOLK			P		966	92,700
NORWICH			P		39	127,700
SOUTH NORFOLK			P		906	104,200
KINGS LYNN & WEST NORFOLK		P	P		1442	131,900
BROADS AUTHORITY			P			

NORTHAMPTONSHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
CORBY	P				80	53,200
DAVENTRY	P			ST	666	63,300
EAST NORTHAMPTONSHIRE	P	P			510	69,100
KETTERING	P				234	78,200
NORTHAMPTON	P				81	186,100
SOUTH NORTHAMPTONSHIRE	C	P			635	71,800
WELLINGBOROUGH	P				163	68,600

Appendix 2/5

NOTTINGHAMSHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
NEWARK	P			ST	654	103,500
BASSETLAW	C			ST	637	105,000

OXFORDSHIRE

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
CHERWELL		P		T		202,000

SUFFOLK

DISTRICT COUNCIL	ANGLIAN REGION			OTHER NRA REGION	APPROX AREA (sq km)	APPROX POPULATION
	NORTHERN	CENTRAL	EASTERN			
BABERGH			P		595	79,900
FOREST HEATH		P			374	61,200
IPSWICH			P		39	116,000
MID SUFFOLK		P	P		871	78,700
ST EDMUNDSBURY		P	P		657	92,400
SUFFOLK COASTAL			P		892	111,200
WAVENEY			P		370	108,500

Appendix 2/6

**BASELINE DEVELOPMENT SCHEDULE
SUMMARY SHEET**

DEVELOPMENTS REQUIRING NRA CONSULTATION.

GENERAL

- A Development which departs significantly from published Development Plans.
- B Development within or adjacent to any watercourse, on flood plains including coastal plains and tidal lengths of rivers, washlands and in areas where there may be drainage problems.
- C Development on, under or adjacent to or protected by any flood bank, sea defence or other flood control structures.
- D Development which may affect an aquatic/wetland site of conservation interest.
- E Development of contaminated land.
- F Development involving the disposal of sewage (other than to a public sewer) including the use of septic tanks, cesspools, sewage treatment plants and private sewers.
- G Development which could adversely affect the quantity or quality of water resources in groundwater protection zones.
- H Development which could exacerbate existing surface water and foul water sewerage or sewage disposal problems.

SPECIFIC

- I Storage facilities for petroleum products, chemicals, etc., including petrol filling stations, fertilisers and pesticides (above or below ground).
- J Timber treatment plants.
- K Intensive livestock and poultry units.
- L Kennels, catteries, stables etc.
- M Mineral workings and exploratory works including restoration.
- N Waste disposal operations (including landfill, waste transfer stations, incinerators, scrap yards, baling and recycling plants and solvent recovery plants)
- O Burial grounds
- P Development of water based recreation facilities.
- Q Vehicle parks and plant hire depots, including vehicle and plant washing areas.
- R Major residential, industrial and commercial developments.
- S Fish farming activities including fish stocking or relocation of fish or works which will restrict the movement of fish.
- T Camping and caravan sites, including mobile homes.
- U Golf courses.
- V Swimming pools.
- W Water reservoirs and conservation lakes.
- X Development requiring an environmental assessment, including culverting of watercourses.
- Y Highways, railways, power stations, airports, tunnels and Trunk pipelines (for the transmission of gas, oil and water) and any associated facilities.

Appendix 3/1

1 APPLICATIONS REQUIRING CONSULTATIONS WITH THE N.R.A.

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
<p>A Development which departs significantly from the published Development Plan.</p>	<p>Assess the implications of Development which may not have been taken into account at the consultation stage of the Development Plan.</p>	<p>Planning Policy Guidance (PPG). No 12. Development Plans and Regional Guidance</p>	<p>The NRA is a statutory consultee for Development Plans.</p>
<p>B Development within or adjacent to any watercourse, on flood plains including coastal plains and tidal lengths of rivers, washlands and in areas where there may be drainage problems.</p>	<p>Consider the flood risk implications and land drainage of the surrounding area. To ensure adequate access for maintenance purposes and provide advice on flood risk and drainage matters.</p> <p>To ensure conservation and enhancement of the water environment and its associated land.</p>	<ol style="list-style-type: none"> 1) Circular 30/92 Development and Flood Risk. 2) GDO 1988 Article 18(1)(0). 3) Section 105(2) Water Resources Act 1991. 4) PPG 20 Coastal Planning. 5) Section 16 Water Resources Act 1991. 	<p>Land Drainage Surveys previously prepared by the Water Authorities in the 1970's identified "main river", flood plains and areas with land drainage problems. This information will be superseded by Section 105 surveys which will be forwarded to Councils as they become available.</p>
<p>C Development on, under or adjacent to or protected by any flood bank, sea defence, or other flood control structure.</p>	<p>Assess stability and/or continuity. Ensure necessary emergency and maintenance access arrangements.</p>	<ol style="list-style-type: none"> 1) Circular 30/92 Development and Flood Risk. 2) PPG 20 Coastal Planning. 3) PPG 14 Development on Unstable Land. 	<p>Flood Defences are essential in preventing serious flooding. Development may reduce protection and may affect important emergency and maintenance access arrangements.</p>

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
<p>D Development which may affect an aquatic /wetland site of conservation interest.</p>	<p>To consider the potential damage to the water environment and it's associated land.</p> <p>To ensure conservation and enhancement of the water environment and its associated land.</p>	<ol style="list-style-type: none"> 1) Draft PPG Nature Conservation. 2) Circular 27/87 Nature Conservation. 3) Sections 2(2), 16, 17 Water Resources Act 1991 	<p>The NRA has general duties to further the conservation and enhancement of features of flora and fauna, geological and physiographical interest. Our aim is to promote the conservation and enhancement of the natural beauty and amenity of inland and coastal waters and of the land associated with such waters including wetlands. We will oppose development which will have an adverse effect on these aims e.g., culverting.</p>
<p>E Development of contaminated land.</p>	<p>To consider the surface water and groundwater pollution implications.</p>	<ol style="list-style-type: none"> 1) PPG23 - Planning and Pollution Control. 2) Circular 21/87 Development of Contaminated Land. 	<p>Disturbance of contaminated land can severely increase its polluting potential as soil and debris may be washed onto other land or into groundwater or surface waters. The NRA can advise on the adequacy of site investigations in relation to water quality aspects and will recommend steps necessary to reduce possible polluting effects.</p>

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
<p>F Development involving the disposal of sewage (other than to a public sewer) including the use of septic tanks, cesspools, private sewage treatment plants and private sewers.</p>	<p>Consider the surface water and groundwater pollution implications.</p>	<ol style="list-style-type: none"> 1) GDO Article 18(1) (r). 2) PPG23 - Planning and Pollution Control. 	<p>New development should generally be served by new or existing public foul sewerage systems and sewage treatment plants, rather than a proliferation of small private package sewage treatment systems, or individual septic tanks.</p> <p>Private sewage plants require regular maintenance and septic tanks should only be accepted where ground conditions are satisfactory and the plot size is sufficient to allow a subsoil drainage system.</p>

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
<p>G Development which could adversely affect the quantity or quality of water resources in ground water protection zones.</p>	<p>Consider the risk of derogation of groundwater resources.</p>	<ol style="list-style-type: none"> 1) The NRA's Policy and Practice for the Protection of Groundwater. 2) EC Directive on the Protection of Groundwater caused by certain Dangerous Substances 180/68/EEC. 	<p>Groundwater forms that part of the natural water cycle which occurs within underground strata (aquifers). Groundwaters have substantial strategic significance as public, private and industrial water supplies. The proper management of groundwater requires its volume and quality to be preserved. It is, therefore important to restrict developments that may pose a potential risk to groundwater resources, as it is expensive and difficult, sometimes impossible, to clean up once pollution has occurred.</p> <p>The NRA is opposed to any proposals which would cause pollution to groundwater, impede groundwater flow, or lead to a significant reduction in the availability of water resources.</p>

5 APPLICATIONS REQUIRING CONSULTATIONS WITH THE N.R.A

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
<p>H Development which could exacerbate existing surface water and foul water sewerage, or sewage disposal problems.</p>	<p>Consider the pollution risks to surface water or groundwater.</p>	<p>PPG12 Development Plans and Regional Guidance PPG23 Planning and Pollution Control</p>	<p>Existing sewerage systems and sewage treatment works which are overloaded, may result in the pollution of watercourses.</p> <p>Contamination of the Surface Water drainage system by misconnection of effluents from such as vehicle washes, compactors, runoff from yards, accidental spillage of stored polluting materials and negligence cause many pollution incidents. The NRA is committed to giving appropriate advice about the protection of the surface water sewer by giving due regard to the appropriate disposal of polluting effluents and runoff and the installation of pollution prevention measures such as bunding oil and chemical storage facilities and oil/grit separators.</p> <p>Additional infrastructure has to be provided to ensure further demands are not exacerbated and the infrastructure is adequate.</p>

6 APPLICATIONS REQUIRING CONSULTATIONS WITH THE N.R.A

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
I Storage facilities for petroleum products, chemicals, etc., including petrol filling stations, fertilisers and pesticides (above or below ground).	Consider the pollution risks to surface water or groundwater.	1) PPG23 - Planning and Pollution Control. 2) GDO Article 18 (1) (p)	If hazardous, toxic or pollution materials are to be used or produced, the storage, pipework and handling systems must be designed so as to reduce the risk of leakage and spillage.
J Timber treatment plants.	Consider the pollution risks from timber treatment chemicals because of their high toxicity to surface water and groundwater.	CIMAH Regulations	The use of preservatives and other chemicals in the treatment and curing of wood can, if not controlled, result in pollution.
K Intensive Livestock and poultry units (agricultural developments which may involve the storage, making or disposal of effluents).	Farm waste is potentially lethal to river life.	1) Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991. 2) GDO Article 18 (1) (r)	Most farms today, are intensive and agricultural livestock developments generally involve the use of chemicals and the production of contaminated waste.

APPLICATIONS REQUIRING CONSULTATIONS WITH THE N.R.A.

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
L Kennels, catteries, stables.	Consider the pollution risks to surface water and groundwater.		The waste products from these operations need to be properly stored, treated and disposed.
M Mineral Workings and exploratory works including restoration	Consider the surface water, groundwater pollution and land drainage/conservation implications.	<ol style="list-style-type: none"> 1) GDO Article 18(1)(j). 2) Minerals Planning Guidance Note 2. 3) Circular 30/92 Development and Flood Risk. 4) Circular 2/85 Planning control over Oil and Gas Operations. 5) Circular 25/85 Restoration of Sites with a High Water Table. 6) EC Directive on the Protection of Groundwater (80/68/EC). 	<p>Mineral extraction can cause pollution problems and may involve dewatering of workings. This can effect or reduce the flow of watercourses, derogate groundwater abstraction and damage the natural environment.</p> <p>The restoration of worked out mineral sites may offer opportunities for water-based recreation and/or aquatic habitat creation.</p>

APPLICATIONS REQUIRING CONSULTATIONS WITH THE N.R.A.

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
N Waste disposal operations including landfill waste transfer stations, incinerators, scrap yards, baling and recycling plants and solvent recovery plants.	Consider the surface water, groundwater pollution and land drainage/conservation implications.	<ol style="list-style-type: none"> 1) GDO Article 18(1)(q). 2) Circular 30/92 Development and Flood Risk. 3) EC Directive on the Protection of Groundwater (80/68/EEC.) 4) NRA Guidance Note on the Environmental Assessment of Landfill Projects. 	<p>The disposal of waste can pose severe pollution problems to surface water and groundwaters which may damage the water environment.</p> <p>Disposal can also alter land drainage patterns leading to localised flooding and/or contamination.</p>
O Burial Grounds	Consider surface water and groundwater implications.	GDO Article 18(1)	Burial grounds can cause pollution of the water environment
P Water based recreational facilities.	<p>Consider implications on the water environment.</p> <p>Consider potential conflicts with other users.</p> <p>Consider byelaws and local government agreements.</p>	PPG 17 Sport and Recreation.	<p>The NRA has a general duty to ensure water and associated land areas are made available for recreational purposes. More and more people are using water for a variety of leisure activities.</p> <p>Growing popularity, has often meant competing demands and the NRA wishes to have an input into the careful planning of waterbased recreational facilities, to maximise potential benefits and reduce negative impacts.</p>

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
Q Vehicle parks and plant hire depots, including vehicle and plant washing areas.	Consider the surface water and groundwater implications.	Circular 30/92 Development and Flood Risk.	Transport depots, large car parks and lorry parks require responsible planning especially with special regard to petrol/oil contamination and surface water run-off.
R Major residential, industrial and commercial developments.	Consider land drainage arrangements, the surface water and groundwater implications, the risks to the aquatic environment and the water supply requirements.	<ol style="list-style-type: none"> 1) Circular 30/92 Development and Flood Risk. 2) PPG 12 Development Plans and Regional Guidance. 3) NRA Guidance Note on Environmental Assessment of Housing, Business Parks and Infrastructure Projects. 	<p>Major developments must ensure satisfactory provision of sewerage infrastructure.</p> <p>Industrial processes must include provision of adequate means of effluent disposal and acceptable water supply requirements.</p> <p>Development of green field sites, particularly must take into account the implications for the increased rate of surface water run-off to watercourses.</p>

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
S Fish farming activities including fish stocking or relocation of fish or works which will restrict the movement of fish.	Consider the implications for the aquatic environment.	<ol style="list-style-type: none"> 1) GDO Article 18(1)(x). 2) Salmon and Freshwater Fisheries Act 1975 3) Diseases of Fish Act 1983 4) Water Resources Act 1991 5) Wildlife and Countryside Act 1981 6) NRA Guidance Note on Environmental Assessment of Fish Farms 7) NRA Anglian Region Fisheries Policies 8) Regional Byelaws 	The presence or absence of fish gives a good idea of the health of the water environment. Fish farms can cause environmental problems and the NRA can advise how proposals may effect natural fisheries. Advice can also be given to suggest ways to help migratory fish to return to their spawning grounds.
T Camping and Caravan Sites, including mobile homes.	Consider the flood risk implications and risks to the water environment.	<ol style="list-style-type: none"> 1) Circular 30/92 Development and Flood Risk. 2) Circular 23/83 Caravan Sites and Control of Development Act 1960. 3) Circular 14/89 Caravan Sites and Control of Development Act 1960. 	In areas of flood risk, the instability of caravans, particularly in areas of tidal flooding and high velocity flood flow, may place their occupants at special risk. Sites have foul and surface water discharge implications which may cause pollution threatening groundwater or the local ecology.

11 APPLICATIONS REQUIRING CONSULTATIONS WITH N.R.A.

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
<p>U Golf Courses</p>	<p>Assess land drainage and water requirements as well as ecological and environmental implications.</p>		<p>Construction of a new golf course may involve removal of existing vegetation, shrubs and trees, excavation and re-shaping of the ground, and reseeding and planting.</p> <p>This disturbance and the application of fertilisers can result in significant discharges of nitrate to groundwater and surface waters.</p> <p>The volumes of water which golf courses may require to abstract from surface and groundwater sources needs to be carefully assessed.</p>
<p>V Swimming Pools</p>	<p>Consider the potential pollution implications to surface water and groundwater.</p>		<p>It is essential that the filter backwash water from swimming pools is not discharged directly to any surface water sewer or watercourse due to the polluting chemicals present. The most appropriate disposal is to foul sewer.</p> <p>Pool water must be de-chlorinated prior to discharge to a surface water sewer or watercourse.</p>

Type of Application	Relevance to the Authority	Sources of Guidance/Advice/Circulars	Notes
W Water Reservoirs and Conservation lakes	Assess the implications on the water environment		The construction of a reservoir can cause potential water quality problems and can adversely affect local land drainage.
X Development requiring an environmental assessment.	Assess the risks to the water environment.	1) Circular 15/88 Assessment of Environmental Effects Regulations 1988. Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 No.1199. 2) NRA Guidance Note:"Environmental Assessment and the NRA:A Guide for Developers." 3) Sample Development Control Guidance Note - Golf Courses.	The developer is recommended to seek early consultation with the NRA.
Y Highways, Railways Power Stations, Airports, tunnels and Trunk pipelines (for the transmission of gas, oil and water) and any associated facilities.	Assess the implications on the water environment		Major proposals such as these can have implications on all our concerns.



NRA

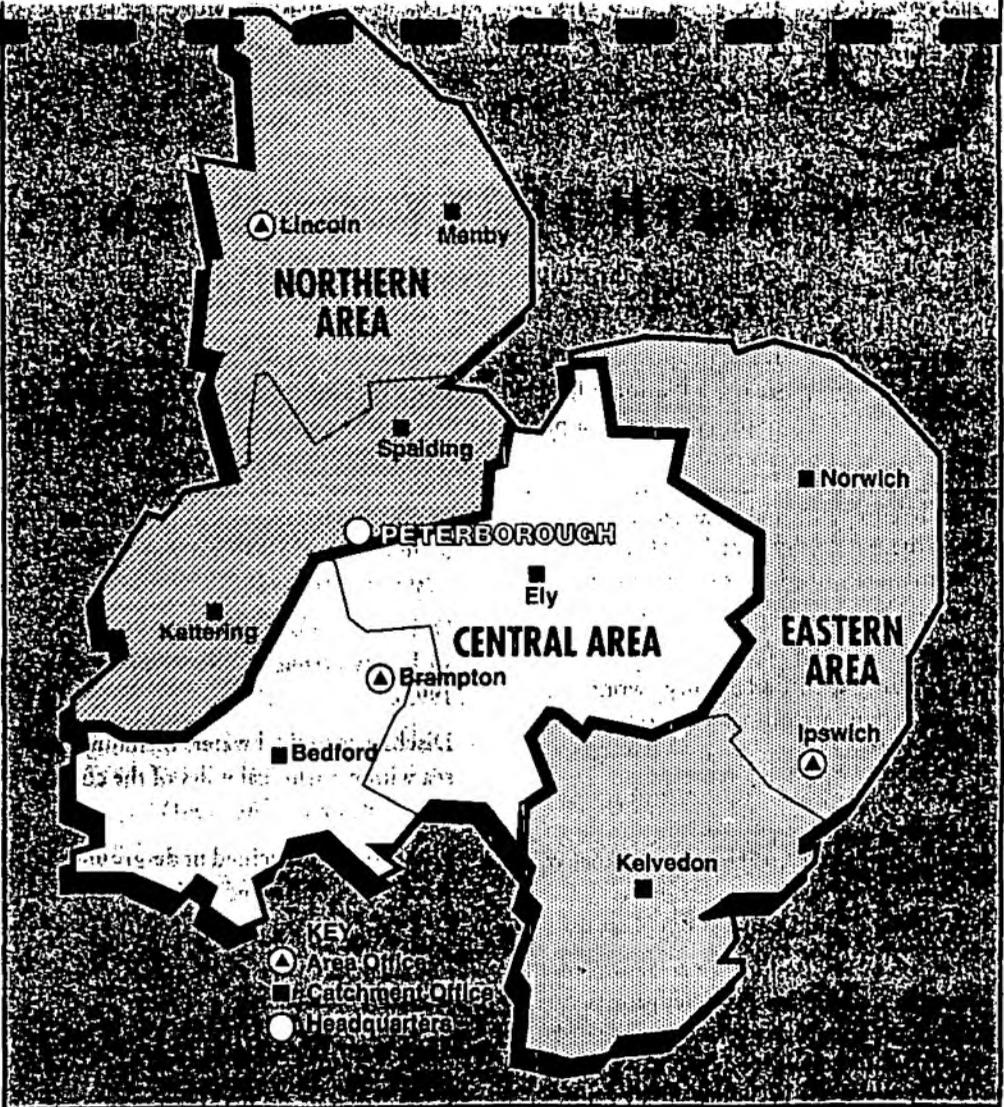
*National Rivers Authority
Anglian Region*

AUTHORITY CONSENTS

Obtaining planning consent does not imply that an Authority licence or consent will be granted.

If the proposed development involves any of the categories listed below a National Rivers Authority (NRA) licence or consent may be required and the appropriate NRA office must be consulted (see map overleaf).

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- Interference with land drainage by construction or modification of any obstruction to the flow of watercourses (Land-Drainage Act 1991 and Water Resources Act 1991).
 - Interference with land drainage works by construction or modifications to sea defences (Land Drainage Bye-Laws).
 - Erection of any building or structure, or planting trees, shrubs or other growths in or within the statutory byelaw distance of 9 metres of a "main river" of the Authority (Land Drainage Bye-Laws).
 - Erection of any building or structure, or planting trees, shrubs or other growths within the statutory byelaw distance of 9 metres of any tidal flood defences or on land between any tidal flood defences and the low water mark (Land Drainage Bye-Laws).
 - Water abstraction from any watercourse, underground strata or any other source (Water Resources Act 1991).
 - Water impounding on any watercourse. (Water Resources Act 1991).
 - Discharges to rivers, watercourses or inland waters (Water Resources Act 1991).
 - Discharges to lakes, lochs or ponds which do not discharge into a stream (Water Resources Act 1991).
 - Discharges into or onto land by a soakaway system (Water Resources Act 1991).
 - Discharges to tidal waters including the sea within 3 nautical miles of the coast (Water Resources Act 1991).
 - Discharges to specified underground waters (Water Resources Act 1991).
 - Culverting any watercourse (Land Drainage Act 1991 and Water Resources Act 1991).
 - Clearance or desludging of dams, weirs or sluices. (Water Resources Act 1991 and Land Drainage Act 1991).
 - Introduction of fish into inland waters (Salmon & Freshwater Fisheries Act 1975).
 - Raising of ground levels in flood plain (Land Drainage Bye-laws).
 - All works in, under or over a main river, i.e. constructing bridges, laying cables or pipes (Water Resources Act 1991).
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