

# Bridgend Local Development Plan 2018-2033

## Statement of Common Ground, between Bridgend County Borough and Dwr Cymru (Welsh Water)

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**Between**

Bridgend County Borough Council

**And**

Dwr Cymru Welsh Water

Statement Date: 26<sup>th</sup> July 2022



## **Statement of Common Ground, Between Bridgend County Borough and Welsh Water**

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### **1 Introduction**

- 1.1 This is a joint statement produced by Dwr Cymru Welsh Water and Bridgend County Borough Council to address deliverability of the Local Development Plan (LDP) allocations. Welsh Water is the statutory undertaker for sewerage services only in Bridgend County.

### **2 Purpose of this document**

- 2.1 The purpose of this SoCG is to set out discussions between the parties and to identify any objections to policies, if they have been able to be resolved and if there are any still outstanding. This will provide a useful position statement for the inspector and enable discussion at Examination to focus primarily on remaining areas of disagreement.

### **3 Overview of engagement**

- 3.1 The Council is legally required to prepare a LDP under the Planning and Compulsory Purchase Act 2004, Part 6. The LDP must be determined 'sound' by the examination Inspector in order to be adopted (section 64 of the 2004 Act). One of the tests of soundness is 'will the plan deliver?' The Council must be able to demonstrate that the LDP is deliverable with no significant impediment to its implementation. This includes demonstrating that sewerage infrastructure provision is, or can be, in place to deliver the allocated sites within the LDP period.
- 3.2 Welsh Water is a 'specific consultation body' in the plan process and as such the Council have worked in close collaboration with Welsh Water throughout the different stages of LDP preparation. Sites were assessed and those allocations where sewerage capacity and/or wastewater treatment works (WwTW) capacity may be constrained over the lifetime of the LDP were identified.
- 3.3 Formal adoption of the LDP, along with details on expected delivery rates of allocations as provided by the Council, enables Welsh Water to make informed decisions about future capital investment to support the delivery of the Plan. The demands on Welsh Water's infrastructure changes over time and Appendix 1 of this document provides an update in terms of the capability of the existing infrastructure to accommodate the proposed allocations. This document has been created to allow specific comments on allocated sites to be easily updated to reflect the most current situation.

### **4 Welsh Water's statutory duties and involvement in the planning process**

- 4.1 Welsh Water is the statutory water and sewerage undertaker that supplies over three million people in Wales and some adjoining parts of England. Owned by Glas Cymru, a single purpose company with no shareholders, it is run solely for the benefit of customers.
- 4.2 Welsh Water, on behalf of their customers and in line with their principal responsibilities as set out under Section 37 (water) and 94 (sewerage) of the Water Industry Act 1991

(as amended), owns, operates, maintains, improves and extends the system of public sewers, water mains and associated apparatus together with treatment works and pumping stations and has corresponding statutory duties to ensure effectual drainage and for making available supplies of water.

- 4.3 Supporting development is one of the primary objectives for Welsh Water, alongside their core purposes to deliver effective sanitation and safe drinking water to their customers. In seeking to support growth they rely on the planning system to ensure that adequate infrastructure is in place to serve development. The importance attributed to Welsh Water's involvement in the planning process is reflected in national guidance.

## **5 Welsh Water capital investment for growth and new development**

- 5.1 Welsh Water owns, operates, maintains, improves and extends the system of public sewers, water mains and associated apparatus together with treatment works and pumping stations and has corresponding statutory duties to ensure effectual drainage and for making available supplies of water.
- 5.2 Welsh Water is very clear that supporting development is a primary objective, alongside the core purposes to deliver effective sanitation and safe drinking water to customers. In seeking to support growth Welsh Water rely heavily on the planning system to ensure that adequate infrastructure is in place (and in time) to serve development. This is reflected in national planning guidance and in the importance attributed to involvement as a specific consultee in the LDP and statutory consultee in the planning application process. Welsh Water is therefore reliant on LPAs through the development management process to appropriately safeguard assets and therefore customers and the environment.
- 5.3 Capital investment in water and sewerage infrastructure is managed in 5 year Asset Management Plans (AMP). AMP6 ran from April 2015 to March 2020 with the current AMP7 running from April 2020 to March 2025 – subsequent AMPs will follow on in this way. The AMP, along with delivering essential investment in infrastructure from an operational and maintenance perspective, seeks to ensure appropriate large-scale investment is undertaken to provide capacity for new development and growth.
- 5.4 The AMP programme is funded via the revenue received through annual customer bills paying for the water and / or sewerage services. A key consideration as part of this is to ensure that customers' bills are affordable to them which is approved by the independent regulator Ofwat. This creates a natural tension with the level of investment that can be supported in any AMP period. Unsurprisingly therefore, Welsh Water must prioritise the funding available to ensure it is used in the most appropriate way, but the not-for-profit status results in further infrastructure investment than if there were shareholders.
- 5.5 As can be appreciated, Welsh Water's operational area covers all 25 Welsh LPAs as well as the whole of the English County of Herefordshire, and parts of some other bordering English LPAs. As such, a cost/benefit analysis needs to be undertaken to determine what schemes are the most feasible and affordable to undertake given that a balance needs to be struck with day-to-day operational investment and the need to ensure that customer bills remain affordable.
- 5.6 Where no scheme is proposed in the AMP, developers can accelerate the provision of reinforcement works themselves via the requisition provisions of the Water Industry

Act (WIA) 1991 or via Planning Obligation Agreements under the TCPA 1990. It should be noted that the requisition provision of the WIA 1991 only applies to water and sewerage network reinforcement works. Funding to deliver reinforcement works at a Waste Water Treatment Works (WWTW) can be delivered via Section 106 of the Town and Country Planning Act 1990.

## **6 Water supply**

- 6.1 Bridgend CBC area is within the Tywi Conjunctive Use System (CUS) Water Resource Zone (WRZ). Water is abstracted from the River Tywi at Nantgaredig and pumped to the Felindre Water Treatment Works (WTW) which in turn supplies Bridgend. Welsh Water's Final Water Resources Management Plan (2019) which looks ahead to 2050 does not anticipate there being any significant concerns in Tywi CUS WRZ during the LDP period.
- 6.2 Whilst there are no significant existing capacity concerns with regard to the water supply network across the Bridgend CBC area, this does not mean that the local water supply network is sufficient to supply proposed larger development sites such as sustainable urban extensions. In these instances, developers may need to fund hydraulic modelling assessments (HMA).

## **7 Public sewerage network**

- 7.1 Whilst there have been isolated incidences of hydraulic overload on parts of the public sewerage network, Welsh Water have no major concerns regarding its' capacity. As with the water supply network, this does not mean that local sewerage networks are sufficient to accommodate the flow from larger development sites such as sustainable urban extensions. In these instances, developers may need to fund hydraulic modelling assessments (HMA).

## **8 Wastewater treatment works (WwTW)**

- 8.1 The vast majority of the Bridgend CBC area is served by the Penybont WwTW, namely the settlements of Bridgend, Pencoed, Porthcawl and each of the valleys aside from the settlements of Maesteg and Nantyffyllon. This is one of the largest WwTW in south Wales and there are no current concerns regarding its capacity to accommodate the growth proposed in the LDP.
- 8.2 Maesteg and Nantyffyllon are served by Maesteg WwTW. Whilst there are no existing capacity concerns at this WwTW, there will likely come a time over the LDP period whereby reinforcement works will be required if all the growth proposed is delivered. As such, Welsh Water will monitor the housing trajectories within these settlements throughout the plan period.
- 8.3 The settlements of Cefn Cribbwr, Kenfig Hill, Pyle, North & South Cornelly are all served by Afan WwTW. Again, this is one of the largest WwTW in south Wales and there are no current concerns regarding its capacity to accommodate the growth proposed in the LDP.

## **9 Hydraulic Modelling Assessment (HMA) process**

- 9.1 A HMA assesses the capability of the water or sewerage network to accommodate a development site. Typically, they are only required on larger development sites where the proposal is of a size and scale to cause detriment to the existing network. Once a HMA is complete, it will give a recommended solution for network reinforcements that the developer will need to fund by way of the requisition provisions of the Water Industry Act or via a legal/commercial agreement with Welsh Water. To control the connection, Welsh Water would ask the LPA to include a pre-occupation condition on the decision notice to ensure the reinforcement works are completed prior to the site connecting to the network.

## 10 Conclusion

- 10.1 Welsh Water considers there to be no major constraints regarding the capability of their infrastructure to accommodate the development growth proposed in the LDP. A combination of reinforcement works through the business' own capital investment, developer contributions via section 106 agreements and the requisition process can ensure that the allocations are delivered within the plan period. HMAs of the networks may also need to be undertaken at the developer's expense to establish connection points and/or any network reinforcement works required. These requirements are normal routine prerequisites for developers in the progression of development sites and are not expected to impede the delivery of site allocations. There are no areas of outstanding disagreements of which ensures that the allocated sites can be delivered as proposed.

### Signatories

#### **Bridgend County Borough Council**

Richard Matthams

Strategic Planning and Transportation Manager

Signature: 

Date: 27<sup>th</sup> July 2022

#### **Dwr Cymru Welsh Water**

Name: Ryan Norman, Development Growth Manager

Signature: 

Date: 29th July 2022

**Appendix 1: Housing Allocations (Dwr Cymru Welsh Water Consultation Response)**

Site ref	Site name	Growth area	Total units in plan period	Water supply	Public sewerage	WwTW
SP2(1)	Porthcawl Waterfront	Porthcawl	780	Comments on the Strategic Sites provided in main body of representation.		
SP2(2)	Land south of Bridgend	Bridgend	788			
SP2(3)	Land west of Bridgend	Bridgend	830			
SP2(4)	Land east of Pencoed	Pencoed	804			
SP2(5)	Land east of Pyle	Pyle, Kenfig Hill & North Cornelly	970			
COM1(1)	Craig y Parcau	Bridgend	108	There should be no issue in providing this development with a supply of clean water.	There should be no issue with the public sewerage network accommodating the foul-only flows from this development site.  The site is traversed by a 350mm foul sewer for which protection measures will be required in the form of an easement width or diversion.	There should be no issue with Penybont (Merthyr Mawr) WwTW accommodating the foul-only flows from this development.
COM1(2)	Land South East of Pont Rhyd-y-cyff	Maesteg & the Llynfi Valley	140	Owing to the number of units proposed on this site, it is unlikely that the water supply network has sufficient capacity to serve the site without causing detriment to existing customers' supply.  As such, a hydraulic modelling assessment will likely be required to determine the level of reinforcement works required.	There should be no issue with the public sewerage network accommodating the foul-only flows from this development site.  The site is traversed by a 150mm foul sewer for which protection measures will be required in the form of an easement width or diversion.	There is limited capacity at Maesteg (Llety Brongu) WwTW to accommodate the foul-only flows from all the proposed developments for the catchment.  As such developers may be required to undertake a Developer Impact Assessment to determine the level of reinforcement works required.
COM1(3)	Land south of Pont Rhyd-y-cyff	Maesteg & the Llynfi Valley	102	Owing to the number of units proposed on this site, it is unlikely that the water supply network has sufficient capacity to serve the site without causing detriment to existing customers' supply.  As such, a hydraulic modelling assessment will likely be required to determine the level of reinforcement works required.	There should be no issue with the public sewerage network accommodating the foul-only flows from this development site.	There is limited capacity at Maesteg (Llety Brongu) WwTW to accommodate the foul-only flows from all the proposed developments for the catchment.  As such developers may be required to undertake a Developer Impact Assessment to determine the level of reinforcement works required.
COM1(4)	Land south west of Pont Rhyd-y-cyff	Maesteg & the Llynfi Valley	130	Owing to the number of units proposed on this site, it is unlikely that the water supply network has sufficient capacity to serve the site without causing detriment to	There should be no issue with the public sewerage network accommodating the foul-only flows from this development site.	There is limited capacity at Maesteg (Llety Brongu) WwTW to accommodate the foul-only flows from all the proposed developments for the catchment.

				<p>existing customers' supply.</p> <p>As such, a hydraulic modelling assessment will likely be required to determine the level of reinforcement works required.</p>		<p>As such developers may be required to undertake a Developer Impact Assessment to determine the level of reinforcement works required.</p>
COM1(R1)	Coegnant Reclamantion Site	Maesteg & the Llynfi Valley	100	<p>There should be no issue in providing this development with a supply of clean water.</p>	<p>There should be no issue with the public sewerage network accommodating the foul-only flows from this development site. The site is traversed by a 9" combined sewer for which protection measures will be required in the form of an easement width or diversion.</p>	<p>There is limited capacity at Maesteg (Llety Brongu) WwTW to accommodate the foul-only flows from all the proposed developments for the catchment.</p> <p>As such developers may be required to undertake a Developer Impact Assessment to determine the level of reinforcement works required.</p>
COM1(R2)	Former Cooper Standard Site, Ewenny Road	Maesteg & the Llynfi Valley	138	<p>Owing to the number of units proposed on this site, it is unlikely that the water supply network has sufficient capacity to serve the site without causing detriment to existing customers' supply.</p> <p>As such, a hydraulic modelling assessment will likely be required to determine the level of reinforcement works required.</p>	<p>There should be no issue with the public sewerage network accommodating the foul-only flows from this development site.</p> <p>The site is traversed by a 225mm combined sewer and a 600mm combined sewer for which protection measures will be required in the form of easement widths or diversions.</p>	<p>There is limited capacity at Maesteg (Llety Brongu) WwTW to accommodate the foul-only flows from all the proposed developments for the catchment.</p> <p>As such developers may be required to undertake a Developer Impact Assessment to determine the level of reinforcement works required.</p>
COM1(R3)	Maesteg Washery	Maesteg & the Llynfi Valley	135	<p>Owing to the number of units proposed on this site, it is unlikely that the water supply network has sufficient capacity to serve the site without causing detriment to existing customers' supply.</p> <p>As such, a hydraulic modelling assessment will likely be required to determine the level of reinforcement works required.</p>	<p>There should be no issue with the public sewerage network accommodating the foul-only flows from this development site.</p>	<p>There is limited capacity at Maesteg (Llety Brongu) WwTW to accommodate the foul-only flows from all the proposed developments for the catchment.</p> <p>As such developers may be required to undertake a Developer Impact Assessment to determine the level of reinforcement works required.</p>