## Environment Agency position statement regarding water quality risks due to wastewater capacity pressures related to the Camberley STW.

**Context**

Camberley STW catchment area is split between the Rushmoor and Surrey Heath Districts. It serves areas of Camberley, Frimley and Farnborough.

Under the Water Environment (Water Framework Directive) Regulations 2017, there is a requirement for water bodies not to deteriorate and to achieve 'good status' by 2027. Under Regulation 33, local planning authorities as 'public bodies' and the Environment Agency as a planning advisor mush have regard to these requirements as they are part of River Basin Management Plans. Under the National Planning Policy Framework, there is a requirement for plans and planning decisions do not result in unacceptable levels of water pollution (Paragraph 187e).

The Catchment Data Explorer dataset on gov.uk provides data on the status of waterbodies. The Blackwater (Hawley to Whitewater confluence at Bramshill) | Catchment Data Explorer | Catchment Data Explorer which is 16.562 km length and a catchment area of 70.616 km2 is according to the WFD status classification at 'moderate' status and has been from cycle 1 to cycle 3 -2009 to 2022.

This position statement is intended to be a live document that will be reviewed and updated as our understanding of the issues and solutions evolves.

**Evidence of capacity issues at Camberley STW and risks to water quality and meeting statutory environmental objectives**

According to the Blackwater (Hawley to Whitewater confluence at Bramshill) | Catchment Data Explorer | Catchment Data Explorer dataset Phosphate and Macrophytes and Phytobenthos Combined are some of the 'Reasons for not achieving good' (RNAG) and 'reasons for deterioration' (RFD). Water industry discharges are attributed as the activity responsible for, Phosphate and Macrophytes and Phytobenthos Combined not meeting 'Good' status.

Through our regulatory duties we are aware that Camberley STW has exceeded its permitted Q80 Dry Weather Flow (DWF) discharge permit and Q90 flow for the last 2 years.

The DWF permit is set against the measured Q80 which is the flow value exceeded 80% of the time. Discharge permits are set with conditions against the Q80 flow to protect the environment to ensure the discharge does not lead to a deterioration of the receiving waterbody. When Q80 discharge permits are exceeded, these conditions are no longer protective and there is a significant risk of deterioration under the Water

Environment Regulations. It is imperative that new developments are supported by adequate infrastructure, which includes ensuring that wastewater can be treated without causing an adverse environmental impact.

Permit compliance is measured against the Q90. The Q90 is the flow that is exceeded 90% of the time. The measured Q90 is always lower than the measured Q80. Q90 is used for permit compliance as it takes into account year on year variations in catchment flow rates and monitor uncertainty. This tries to ensure that operators are not penalised for exceedances outside their control. However, we expect permit holders to plan to remain within their measured Q80 to avoid the risk of harm to the environment. Consistent exceedance at Q80 could trigger the need for the EA to revise permit levels.

Our evidence indicates that the Camberely STW exceeded its Q80 and Q90 flows in 2023 & 2024. Without improvements to the STW operation, it is likely to continue failing to meet Q80 and Q90. This will be exacerbated with growth, resulting in increased discharges to the Blackwater (Hawley to Whitewater confluence at Bramshill) waterbody. Should this occur, it is likely that discharges from the STW will prevent achievement of 'good status' and result in further deterioration of the waterbody.

Additional to STW flow data, there is evidence on the impact of Camberley STW at downstream WFD sampling points. The downstream sampling point on the Blackwater (Hawley to Whitewater confluence at Bramshill) shows a deterioration in quality for Phosphate, Ammonia and Dissolved Oxygen. Additional growth will increase the impact of this effluent and is likely to cause further deterioration of all ecological elements and overall waterbody classification of the Blackwater (Hawley to Whitewater confluence at Bramshill).

Thames Water need to apply for a new Dry Weather Flow permit to support new development over the future local plan period. This will require tighter nutrient discharge limits and an increase to Flow to Full Treatment and storm tank capacity. The Environment Agency has not been approached by Thames Water with an application to increase Dry Weather Flow at Camberley STW. This means we are uncertain that there will be sufficient capacity at the Camberley STW to cope with increased discharges due to new development coming forward in applications and in the next local plan. Improvements are needed to increase the capacity and improve discharge quality at Camberley STWs to prevent deterioration and work towards achieving 'good' status in the Blackwater (Hawley to Whitewater confluence at Bramshill) waterbody.

**Considerations for decision making on applications**

Until the works to increase the capacity are delivered, all development requiring new connections to mains sewer will increase the load to the Camberley STW and increase nutrient concentrations in discharges from it to the Blackwater, presenting a risk of

deterioration to water quality. It is important that LPAs account for this risk in their decision making. Paragraph 201 of the NPPF does not state that emissions or pollution arising from a use of land are not material considerations in the determination of planning applications. They often will be. The weight that can be given to them will be affected by the extent to which the emissions or pollution can (and will) be controlled by other regulatory regimes. This is supported by Hopkins Developments Ltd v First Secretary of State [2007] Env LR 14, George Bartlett QC.

New developments connecting to the STW that increase discharges to the STW cumulatively, with planned growth, will have a greater impact. The cumulative impact of developments in applications combined with planned growth should be assessed using information provided by developers as part of their Environmental Impact Assessment (EIA). Planned growth' should be defined as the amount of growth planned for in the local plan and known from other applications (that constitute windfall development).

National planning policy does not require assessment of cumulative risks to the water environment when determining applications, so this assessment is not required for applications that are not EIA developments. On this basis, the risks from non-EIA developments will be smaller.

**Considerations for plan making**

Cumulative impact assessment is required as part of the plan making process to ensure that there is sufficient wastewater capacity for all future developments in the plan. It will also be required for the Strategic Environmental Assessment of the plan. This cumulative assessment can be undertaken as part of a Water Cycle Study prepared as part of the local plan evidence base.

We note that the Hart District Council Water Cycle Study that we assume supports the current local plan [Hart Local Plan (Strategy and Sites) 2032] states in section 8.1 that *"…all Major Development proposed to drain to Camberley WwTW up to 2020, is subject to consultation with and discharge of any conditions imposed by the Environment Agency and TWUL, who should be satisfied that the development can be accommodated either within the limits of capacity at the WwTW or by sufficient capacity being made available, and that the requirements of the WFD will not be compromised."*

It is stated in a few places in the Surrey Heath Water Cycle Study - Stage 2 (February 2025) that (emphasis on Camberley STW);
*"Within Surrey Heath, Camberley WwTW and Lightwater WwTW have been identified as operating at capacity and will require upgrades and/or a change in permit to serve additional growth over the Local Plan period."*

*And*
*"Lightwater and Camberley WwTW are currently problematic and are likely to be close to or exceed their permit during the plan period. An increase in flow permit, and/or upgrades to treatment capacity will be required at these WwTW."*

This indicates that situation relating to lack of capacity at Camberley STW to accommodate growth in Hart District and Surrey Heath Borough Council should be reviewed to ensure sustainable growth is promoted and the water environment is not impacted.

The Hart Local Plan (Strategy and Sites) 2032 was adopted in April 2020. Local plans should be reviewed every 5 years and updated as necessary, and we assume this is underway and we are happy to work with the LPA on the Water Cycle Study evidence base. The Surrey Heath Local Plan 2019-2038 on the other hand is currently being examined. A Water Cycle Study (February 2025) has been produced which highlights and acknowledges the issue of lack of capacity at the Camberley STW. We have been working with Surrey Heath Borough Council to address the issue.

**Environment Agency advice**

This position statement will be the basis for the Environment Agency's advice for applications we are consulted on that will result in new connections to the Camberley STWs and for growth proposed in the emerging local plan.

**Advice on planning applications**

Given that national planning policy does not require assessment of cumulative risks to the water environment when determining applications, for developments that do not require EIA, it is unlikely that the impact of increased discharges from individual developments will be significant enough to contribute an unacceptable risk of water pollution (as per NPPF paragraph 187(e)). LPAs should be satisfied this is the case for each development.

For developments requiring EIA and for the local plan, assessment of the cumulative risks from planned growth should be considered. It is our view, based on the evidence in this position statement, that the cumulative impact of increased discharges is likely to present an unacceptable risk of water pollution. The cumulative impact of developments in applications combined with planned growth should be assessed using information provided by developers as part of their Environmental Impact Assessment (EIA).

Risk to the environment from the development combined with wider planned growth could be mitigated by using a condition to delay occupation of the development until

the Camberley STW, due by has been completed. We welcome the opportunity to discuss any such condition.

**Local Plan**

We always strongly advise that a Water Cycle Study is prepared to as part of the local plan evidence base that assesses wastewater capacity to support growth and achievement of statutory environmental objectives. This should assess capacity at the Camberley STW to accommodate growth coming forward in applications and the next local plan. Should this identify risk that environmental objectives will not be met, the LPA should liaise with Thames Water to understand when improvement works will be undertaken, as part of a foul drainage strategy, at the Camberley STW and plan growth that connects to it accordingly. We understand this engagement between the LPA (particularly Surrey Heath Borrough Council) and Thames Water is ongoing.

**Next steps**

It is important that the cumulative impact of planned growth on risk to water quality due to increased discharges to the Camberley STW are understood. This will enable the LPA to properly account for them in their emerging local plan and for developers and the LPA to account for them when preparing and determining developments that require EIA.

To support this Thames Water, need to provide the following information: Future Q80 and Q90 flow projections for Hart District and Surrey Heath Borough Council to help us assess the environmental risks as part of the Water Cycle Study.

Should this information confirm a lack of capacity to support growth, Thames Water should set out their plans and timescales to increase capacity to meet the needs of growth, alongside statutory environmental objectives, as part of a detailed foul water strategy for the improvement of the Camberley STW, with a timeline for delivery of improvement works to ensure they are provided in tandem with planned growth.