



South Tyneside Council

South Tyneside Submission Draft Local Plan 2023 - 2040

Statement of Common Ground

Between

South Tyneside Council and Northumbrian Water

March 2025

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1. Introduction

Parties to this Statement of Common Ground ('SoCG')

1.1 This SoCG is submitted on behalf of:

- South Tyneside Council
- Northumbrian Water

Purpose

1.2 The purpose of this SoCG is to set out the confirmed agreements and any disagreements between South Tyneside Council and Northumbrian Water in relation to the emerging South Tyneside Local Plan.

Scope

1.3 This SoCG provides the following:

- Roles and responsibilities
- Northumbrian Water – baseline situation and position
- Issues raised by Northumbrian Water in its responses to the consultations on the emerging Local Plan
- The matters on which there is agreement between the parties
- The matters on which there is disagreement between the parties

2. Roles and responsibilities

Role of the Council

- 2.1 The Council has no legal responsibility for the operation or regulation of the public sewerage system. The legislative process for regulating discharges to surface waters is outlined in law under the Environmental Permitting (England and Wales) Regulations 2016 and the Environment Agency are the appropriate agency for enforcement.
- 2.2 The Council is involved through its capacity as Local Planning Authority and Lead Local Flood Authority.

Sewage Management: Local Planning Authority (LPA)

- 2.3 The Local Plan proposes the allocation of a number of development sites. The Local Plan is supported by the Infrastructure Delivery Plan (IDP). The infrastructure provision that the IDP considers includes network capacity (the impact of additional sewage flows generated by new development on the sewerage network between a development site and the receiving wastewater treatment works) and treatment capacity (the impact the additional flows generated by proposed development will have on the receiving wastewater treatment works) in relation the proposed development sites in the Local Plan.
- 2.4 As part of the planning application process the Local Planning Authority (LPA) consults with Northumbrian Water, identified as a non-statutory consultee who are the sewerage undertaker for the South Tyneside Council area, on a range of development proposals that may require a connection to the sewerage network.

Lead Local Flood Authority (LLFA)

- 2.5 Lead Local Flood Authorities (LLFA) lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses). Under the Flood and Water Management Act 2010, LLFAs are required to:
- Prepare and maintain a strategy for local flood risk management in their areas.
 - Carry out works to manage local flood risks in their areas.
 - Undertake a statutory consultee role providing technical advice on surface water and ground water flooding to local planning authorities on major developments (10 dwellings or more, development on a site greater than 1 ha in area).
- 2.6 An essential part of managing local flood risk is taking account of new development in land use plans and strategies. The LPA consult the LLFA who lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses). This role is important as it makes sure that any new major development drains run-off water in a way which does not increase the risk of flooding elsewhere by controlling the volume of and the rate at which surface water can be discharged.
- 2.7 Surface water flows are restricted through the use of Sustainable Urban Drainage Systems (SuDS). SuDS slow down surface water from rainfall by utilising on site features such as basins, permeable paving, and swales.
- 2.8 The surface water from these features is discharged to the most sustainable location which is practicably available to the development. This location is identified in order of preference in accordance with Building Regulations Approved Document H. The order of preference is infiltration to ground, closest watercourse, surface water sewer and, as a last resort, a combined sewer.

Role of Northumbrian Water

The Local Plan

- 2.9 Northumbrian Water is a statutory consultee in the preparation of the Local Plan and holds regular liaison discussions with South Tyneside Council regarding its emerging policy documents including the Infrastructure Delivery Plan. The LPA formally consults Northumbrian Water at each stage of the Plan preparation process to receive comments on policy wording, proposed allocations and housing growth. The LPA works alongside Northumbrian Water in the preparation of the Infrastructure Delivery Plan which identifies infrastructure needs to support development identified within the Local Plan and other projects within South Tyneside.
- 2.10 Northumbrian Water has a duty to develop and maintain an efficient supply and treatment of water across the North East. Northumbrian Water operates two wastewater treatment works which serve the majority of the administrative area of South Tyneside, namely Howdon and Hendon wastewater treatment works. These treatment works do not lie within the South Tyneside authority boundary but are two of the largest operating in the region.

- 2.10 Northumbrian Water operates on five yearly cycles known as Asset Management Plan (AMP) Periods. During these AMP periods Northumbrian Water set out a detailed business plan outlining how they will meet the needs of their customers to ensure the long-term resilience of their infrastructure and operations. By having an early line of sight of the proposed strategic development intended to be delivered within the Borough of South Tyneside, Northumbrian Water can begin to consider its infrastructure and plan for future investment.

3. Northumbrian Water- Baseline situation and position

- 3.1 South Tyneside's water comes from Northumbrian Water reservoirs located outside of the Borough's boundary as well as boreholes which tap into the Magnesian limestone aquifer.
- 3.2 There are no water supply issues identified, and Northumbrian Water has not forecast a deficit in water resource or supply in the long term. This was confirmed as part of their assessment of future development. In terms of fresh water supply, Northumbrian Water does not envisage the supply of fresh water as a constraint to the proposals in the Local Plan.
- 3.3 South Tyneside's wastewater treatment is also undertaken by Northumbrian Water at treatment works located in Howdon and Hendon.
- 3.4 Howdon Sewage Treatment Works treats a combination of domestic, trade and surface water discharges from five local authorities: South Tyneside, North Tyneside, Gateshead, Newcastle, and parts of Northumberland.
- 3.5 Hendon Sewage Treatment Works treats a combination of domestic, trade and surface water discharges from two local authorities: South Tyneside and Sunderland.
- 3.6 Due to historic drainage arrangements the treatment works are mainly served by combined sewers which mean they transport both foul and surface water flows to the treatment works. The presence of surface water which does not require treatment, limits the ability of the treatment works to accept additional foul flows from new developments. Therefore, a key priority has been to remove surface water where possible through new development opportunities and direct surface water away from the sewers and unnecessary treatment.
- 3.7 Northumbrian Water has now delivered the agreed Surface Water Separation scheme which was identified as part of the options study for Howdon Sewage Treatment Works at the beginning of the previous asset management period (2015-2020). The Surface Water Separation scheme are intended to reduce overall volume of surface water flowing to Howdon and create increased available headroom capacity.
- 3.8 In terms of difference in network capacity and treatment capacity, when Northumbrian Water consider what the impact additional flows generated by a new development may have on its existing wastewater system, it looks at two specific areas:
- 3.9 **Network Capacity** – This is looking at the impact the additional flows generated by new development will have on the public sewerage system when a connection is required, i.e. the pipes which transfer sewage from our homes / offices to the wastewater treatment works. Northumbrian Water look to determine whether there is enough capacity within the pipes, so that flood risk is not increased by the introduction of new development. Sewer flooding occurs when sewage or foul water leaks from the sewerage system (through pipes, drains or manholes) or backs up through toilets, sinks or showers inside a building, not where it

discharges into the environment from a permitted storm overflow. Insufficient infrastructure (i.e. lack of network capacity) should not be associated with treatment capacity as these are quite separate issues. Northumbrian Water have a duty under Section 94 of the Water Industry Act to ensure that their network is maintained, improved, and extended to meet growth demands.

- 3.10 **Treatment Capacity** – This is looking at the impact the additional flows generated by proposed development will have on the receiving Wastewater treatment works. Northumbrian Water assess this by looking at the amount of flows entering the works whilst operating in dry weather conditions. This dry weather flow is set against the Wastewater treatment works consent which is based on population within the catchment of the treatment works (not the amount of storm water that falls within the catchment). It is this dry weather flow consent limit that determines whether there is the available head room at the works to accept growth within its catchment. Wastewater treatment works are not designed to accept / treat all surface water that enters the public sewer network. Similar to the function of storm overflow to protect properties, storm overflows are also used to protect the Wastewater treatment works from being inundated with flows, which would ultimately cause the Wastewater treatment works to stop functioning altogether. The Local Plan consultation response by Northumbrian Water has confirmed that they consider there is enough headroom to accept any addition foul flows generated from the development proposals in the Local Plan and therefore they do not object to the draft Local Plan on such grounds.
- 3.20 Northumbrian Water have produced a Drainage and Wastewater Management Plan (DWMP) which provides a basis for long-term planning of drainage and wastewater services. The DWMP sets out how Northumbrian Water will support economic growth and protect and enhance the environment. In collaboration, this ensures that the DWMP is of benefit to South Tyneside Council by analysing sewer performance across the local authority area, highlighting where future work will be needed, focusing on flooding, environmental and sewage treatment. Northumbrian Water's regulatory business plan submission takes any issues identified into account.

4. Local Plan consultation responses

Response by Northumbrian Water to the Regulation 18 consultation

- 4.1 Northumbrian Water responded to the Regulation 18 consultation. In respect of the Draft Regulation 18 Local Plan, Northumbrian Water made the following comments:
- Support for the aims and objectives of the Plan, particularly the strategic objectives relating to climate change and renewables.
 - Support for Policy SP25: Infrastructure and Policy 11: Protecting Water Quality
 - Comments regarding Policy 8: Flood Risk Assessment and Drainage Strategy, Policy 9: Sustainable Drainage Systems, Policy 47: Design Principles, and the supporting text for Policy 10: Disposal of Foul Water. The council's response to these comments is set out in the Statement of Consultation.
 - Northumbrian Water look forward to future engagement with the council as the Plan progresses and offer continued support with the process to submission and adoption.

Response by Northumbrian Water to the Regulation 19 consultation

- 4.2 Northumbrian Water responded to the Regulation 19 consultation. Northumbrian Water confirmed they have reviewed the publication draft of the South Tyneside Local Plan and have no further comments to make at this stage.
- 4.3 Northumbrian Water reviewed the Fellgate Sustainable Growth Area SPD Scoping Report and wish to offer support to the progression of this strategic planning document in conjunction with the emerging Local Plan.
- 4.4 Northumbrian Water 'strongly recommend and request that the emerging Supplementary Planning Document includes clear policy wording that gives Northumbrian Water the opportunity to be part of key stakeholder discussions in the formulation of the masterplan and scheme design'.
- 4.5 Additionally, Northumbrian Water recommend that the SPD recognises water resilience.

5. Areas of Agreement

- 5.1 The following is agreed between South Tyneside Council and Northumbrian Water
- The roles and responsibilities of the signatories to this SoCG regarding wastewater management are as set out in this SoCG.
 - There is sufficient headroom to accept foul flows generated from the development proposals in the Local Plan.
 - The council fully intends to give Northumbrian Water the opportunity to be part of key stakeholder discussions in the formulation of the Fellgate masterplan and scheme design.
 - The request by Northumbrian Water that the Fellgate SPD recognises water resilience will be given full consideration through the SPD process.

6. Areas of Disagreement


- 6.1 There are no known areas of disagreement between South Tyneside Council and Northumbrian Water.

7. Conclusion

- 7.1 The parties are committed to working positively together and continuing to engage with one another through the examination process and beyond.

8. Signatories

Signed on behalf of South Tyneside Council
Stuart Wright, Director of Place Strategy

A handwritten signature in dark ink, appearing to read 'S. Wright', written in a cursive style.

Signed on behalf of Northumbrian Water
Stephen Wharton
Developer Services (Planning & Wastewater) Manager

A handwritten signature in dark ink, appearing to read 'S. Wharton', written in a cursive style.