

Environment Agency position statement regarding water quality risks due to wastewater capacity pressures related to the Camberley Sewage Treatment Works (STW).

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.

Context

Camberley STW catchment area is split between the Rushmoor, Hart and Surrey Heath Districts. It serves areas of Camberley, Frimley and Farnborough. The Camberley STW currently serves a population equivalent of about 115,817.

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 must 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](#) is according to the WFD status classification at 'Moderate Ecological Status' and has been from cycle 1 to cycle 3 -2009 to 2022

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 and understand that Camberley STW has exceeded its permitted Q80 Dry Weather Flow (DWF) discharge permit and Q90 flow for the last 4 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 Camberley STW exceeded its Q80 and Q90 flows in 2023, 2024 & 2025. 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 including future developments and developments with planning permission that have not been built/occupied) up to the point in time where it would be reasonable to expect capacity at the STW to be increased).

While the Environment Agency is not a statutory consultee for Environmental Impact Assessment (EIA) 'Screening', the information in this position statement can be used to consider if developments falling under [Schedule 2](#) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 should be screened in and assessed under the EIA process due to the likely effects of the development cumulatively with wider development on the water environment, as a relevant consideration under [Schedule 3](#) of the regulations.

National Planning Policy Framework (NPPF) 187e requires that planning decisions should prevent new development from contributing to unacceptable levels of water pollution. Planning Practice Guidance for Water supply, wastewater and water quality states that:

- Water quality could be a significant planning concern when a proposal would indirectly affect waterbodies through a lack of adequate infrastructure to deal with wastewater
- Where water quality has the potential to be a significant planning concern an applicant should be able to explain how the proposed development would affect

a relevant water body in a river basin management plan or designated sites of importance for biodiversity, and how they propose to mitigate the impacts.

- Where it is likely that a proposal would have a significant adverse impact on water quality then a more detailed assessment will be required. The assessment should form part of the environmental statement, if one is required because of a likely significant effect on water.
- Detailed assessment should include:
 - How the proposed development will affect measures in the river basin management plan to achieve good status in water bodies to ensure local authorities discharge their duty to have regard to river basin management plans when exercising their duties, including making planning decisions
 - How it is intended the development will comply with other relevant regulatory requirements relating to the water environment (such as those relating to bathing waters, shellfish waters, freshwater fish, drinking water, internationally and nationally designated sites of importance for biodiversity) bearing in mind compliance will be secured through the Environment Agency's permitting responsibilities
- If there are concerns arising from a planning application about the capacity of wastewater infrastructure, applicants can be asked to provide information about how the proposed development will be drained and wastewater dealt with. Applications for developments relying on anything other than connection to a public sewage treatment plant will need to be supported by sufficient information to understand the potential implications for the water environment.
- When drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works (those provided and operated by the water and sewerage companies). This will need to be done in consultation with the sewerage company of the area.
 - The timescales for works to be carried out by the sewerage company do not always fit with development needs. In such cases, local planning authorities will want to consider how new development can be phased, for example so it is not occupied until any necessary improvements to the public sewage system have been carried out.

While national planning policy does not explicitly require assessment of cumulative risks to the water environment when determining applications, it does not rule this out. Where there is evidence that new (non-EIA) development could contribute to unacceptable levels of water pollution from wastewater discharges when combined

with discharges from with planned growth, it may be appropriate for a detailed assessment to be undertaken and to consider if mitigation, such as aligning occupation of development until adequate wastewater capacity is provided, would be proportionate.

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 therefore strongly recommend the local plan is supported with a WCS to inform this cumulative assessment.

National Planning Policy Framework (NPPF) para 20b states that strategic policies in local plans should make sufficient provision for wastewater and para 187e requires that planning policies should prevent new development from contributing to unacceptable levels of water pollution.

Planning Practice Guidance for Water supply, wastewater and water quality states that plan-making may need to consider:

- The sufficiency and capacity of wastewater infrastructure.
- The phasing new development so that water and wastewater infrastructure will be in place when and where needed. The impact on designated sites of importance for biodiversity should be considered to ensure the required infrastructure is in place before any environmental effects occur.
- The capacity of the environment to receive effluent from development in different parts of a strategic policy-making authority's area without preventing relevant statutory objectives being met.

We note that the Hart, Rushmoor and Surrey Water Cycle Study (May 2017) that we assume supports the respective current local plans states in section 8.1 that *"...for 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);

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“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.

We understand that a new Hart Local Plan (including the Water Cycle Study evidence base document) is being developed/prepared. We have been discussing this with Hart District Council, 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.

Similarly, we are aware that a new Rushmoor Local Plan is being developed/prepare and we are happy to work with the LPA on the Water Cycle Study evidence base to address this issue at the strategic level.

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), there is a very strong case for 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, arising from new, planned growth, could contribute to an unacceptable level of water pollution.

This assessment is more efficiently done through a WCS led by the LPA working with Thames Water to understand overall capacity and risk to the environment so the LPA can make consistent decisions, as outlined in the next steps section of this position statement. The WCS could be used to inform assessment of wastewater capacity for EIA developments, provided the WCS is completed in time for decision making on such planning applications. As started previously, the Environment Agency is already involved in the preparation of the WCS for the local plan and we will continue to provide advice as part of this process (see 'advice on local plans' section below).

Where it is not possible to align completion of the WCS with determination timescales for an EIA development, we advise the cumulative impact of EIA development combined with planned growth should be assessed by developers as part of their Environmental Impact Assessment (EIA), in line with Planning Practice Guidance. This should include assessment of the capacity of the treatment works and the receiving environment to be undertaken, accounting for statutory environmental objectives.

If this assessment is not done (either through a WCS or as part of the Environmental Statement for an EIA development), there is a significant risk that permission is granted without ensuring compliance with Regulation 33 of the Water Environment (WFD) Regulations 2018, policy 187e of the NPPF and Schedule 3 of the Environmental Impact Assessment Regulations 2017.

Our current approach in scenarios where there is evidence that environmental limits at STWs are being exceeded, but not at a point to trigger enforcement action in our capacity as a regulator of STWs is not to object to individual developments but strongly encourage strategic assessment of risks to the water environment, accounting for all growth connecting to a STWs to inform a strategic solution. We will do this through the WCS for the respective LPA's emerging local plan (see next section).

Advice on Local Plans

A comprehensive assessment of the capacity of Camberley STW and the receiving environment, accounting for statutory environmental objectives, should be undertaken to understand if planned growth can be accommodated until capacity at the STW is increased.

We always strongly advise that a Water Cycle Study is prepared 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.

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 cumulative impacts 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 Council, Rushmoor Borough Council and Surrey Heath Borough Council to help us assess the environmental risks as part of the Water Cycle Study.

This assessment needs to move understanding of capacity from indicators of risk (such as exceeding Q80 and Q90) to actual assessment of the impact of discharges from planned growth on the receiving water environment.

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.

Planned growth should include development with planning permission that has not been built/occupied and, up to the date an AMP9 scheme is expected (noting the caveats above):

- development proposed in the local plan, and
- development in planning applications outside of the local plan (windfall development)

This planned growth should also account for development coming forward in the local plan and in applications in all areas (Hart, Rushmoor, Surrey Heath) served by the Camberley STW. This assessment should be modelled as part of the WCS which includes cumulative catchment water quality modelling and the findings set against environmental objectives including no deterioration, achieving good status and indicators of significant environmental harm.

Should this information confirm environmental objectives are likely to be compromised, mitigation should be considered including:

- If the AMP9 scheme that increases capacity can be delivered sooner;
- If planned growth can be delayed to later in the plan period, when capacity at the STW has been increased;

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- Include an early review trigger in the local plan to ensure confidence in capacity at the STW (through improvement works committed in the next AMP); and
- If other measures could be included in the plan to reduce risks, such as a water efficiency policy that is more stringent than building regulations and/or environmental enhancement projects for the receiving waterbody.