

## Policy baseline review



### Water in planning policies and their applications

To provide a better understanding of how water is currently considered in planning policies and their application, we have outlined here the general findings, trends, and reflections from our baseline review of planning policies and their application across the Oxford to Cambridge

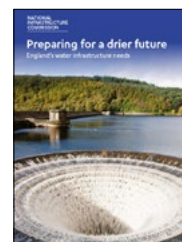
geography. In terms of plan development, the reflections are spilt by evidence-base, stakeholder engagement and local plans. We have also included findings on the in-depth review of planning applications for our partner Local Planning Authorities (LPAs).

### Reflections on the evidence-base

We considered the type of evidence that has been used to inform policy development.

- There are a broad suite of plans, strategies, and policy documents that relate to the water environment and are created for varying purposes. These are produced by a variety of organisations across a suite of spatial scales.
- Whilst drafting local policy there are a multitude of documents that planners are expected to access and digest. Although the intention of these might be clear to those writing them, we have observed uncertainties over the extent to which planners are aware of how they should be used.
- Local Planning Authorities are expected to produce several documents throughout the preparation of their local plan to provide a robust evidence-base to justify and guide growth within their administrative area.

- Alongside the suite of documents aligned with water, there are many other documents produced for other policy themes.
- The differing timescales of document/plan production and broader focus of these documents means that sometimes the integration of the content into local plans has been lacking. For example, the timeframes of production for River Basin Management Plans or Water Resources Management Plans may not align with the production of the local plan, consequently raising queries about whether this evidence base document is positively informing the planning process.



## Reflections on stakeholder engagement

We considered the interactions between stakeholders to inform policy development.

- There are a sizeable number of stakeholders with an understanding of and influence on the water environment.
- It is important that interactions between these stakeholders and their plans happens at the right time to

ensure that the relevant up to date information is shared and can inform the local plan evidence base.

- The relationships between these stakeholders and the LPAs are important, however, through the project we have not been able to determine if interactions are happening at the right time or if relevant information is being shared.

## Reflections on local plans

A high-level review of the adopted and emerging water related policies for Local Plans across the Oxford to Cambridge area revealed variation between the number of policies that each LPA had and specifically on water.

- All local plans had policies which included the word “water” in their title except for the West Oxfordshire District Council Local Plan and Fenland Local Plan. This is not to say that water is not important in these areas but demonstrates variation in approaches for preparing a local plan.
- The extent to which policies extended across the 4 water disciplines also varied.

- We also found variances in the extent to which councils reflect national planning objectives and/or rely on national policy.
- Whilst there were differences in the number of policies, we also observed differences in their length and strength of wording. We found policies with a broader association with water, such as those aligned with habitat protection, or with the adaptation and mitigation of climate change. There were less policies associated with the delivery of water infrastructure.
- We identified several place-based policies through our review. These were either specific to a particular river or water body, or to a proposed development site.

### We reviewed

Adopted Local Plans and Emerging Local Plans, where they exist, for 17 Local Planning Authorities

### We found

- Plans with similar adoption and end dates
- Plans with varying production timescales
- Some joint plans
- Some collaboration initiatives stalling
- All water related Supplementary Planning Documents are focused on the management of flooding and drainage.

### We also looked at

The corporate plan of each authority to explore the extent to which water was appearing within these high-level, strategic documents.

### We found

- Varying format
- Some included a vision
- Others had a narrower scope to explain the Council’s business plan
- About a third of the corporate plans used the word “water” but in varying ways.

### For example

In Luton, there was an emphasis on supporting households with their utility bills, while in other authorities, such as in Milton Keynes, South Cambridgeshire and Cambridge City, water was featured as part of a broader strategy for responding to environmental challenges, and the ecological and climate emergency. In North Northamptonshire there was emphasis on infrastructure delivery and a stated commitment to work with relevant organisations, such as Anglian Water.

We also looked at vision and strategic objectives. About two-thirds of the plans had one or more objectives relating to water.

## Assessment of strength of policy phrasing

The project carried out an in-depth review of the water policies in both current and emerging plans for our 3 partner local authorities, Greater Cambridge shared planning, West Oxfordshire District Council and Milton Keynes City Council. We found that they have several strongly worded water-related policies.

We recognise that the quality of a policy is not limited to strength of wording but also relates to several other factors, such as avoidance of duplication, deliverability and evidence base.

Our assessment also considered the extent to which policies reflected the broader policy context including the prompts of the National Planning Policy Framework (NPPF) and the Planning Policy Guidance (PPG).

The “Delivering better water management through the planning system” guide published by Ciria identifies several essential features of enabling policy. Inspired by this guide, we also looked at the strength of wording including:

- what kind of language was being used to help ensure something is happening
- were developers being required to do something

- are caveats applied to provide flexibility and who do they help

Evidence-base and stakeholders, and the relationship that these have, influences the successful development of and application of planning policy.

[Click here to view the guide to delivering better water management through the planning system](#)



### Assessment of phrasing strength criteria

Policy wording strength was deemed strong if it used “must/will be required” and “will be permitted with stated development requirements”.

Policy wording strength was deemed medium if it used “should provide/deliver”.

Policy wording was deemed weak if it used “could/might consider, should consider, should usually/normally, should provide but with caveat e.g. where viability constraints allow/where possible/where practical/where feasible, it is expected that”.

## In-depth review of planning applications for our partner LPAs

We considered the role of water in the determination of planning applications, looking at a variety of development proposals. Each application had different levels of supporting information in relation to water. These had been prepared and submitted at different project stages. There were some demonstrable links between the intention of policy, and how schemes were being justified. The review showed key water policies being used to inform decision making, but it also identified the importance, and weighing up, of other policy themes too.

- There were few instances of development being refused based on water policies in a local plan. We found that while issues had been raised with respect to flooding and drainage, they were refused on entirely separate grounds thereby highlighting the complex interplay of different policy objectives.
- There were some applications where progress had become protracted and there were also some examples where applications had been refused, either because of the water policies, or because of other policy themes. There was evidence of disputes within the material being exchanged between key parties and of significant matters being conditioned.
- There were frequent occurrences where a developer had been required to submit further information in support of an application at multiple stages. This additional

information was prompted in response to concerns from key water-related stakeholders, such as the Environment Agency, the water companies, and the Lead Local Flood Authority. It is unclear why these misunderstandings occurred, but it does raise questions over the level of guidance and support provided. Revised requirements may, however, be inevitable where a planning application becomes protracted. Responses were detailed, but it was unclear about the process through which they came about.

- There were many examples of water-related items being conditioned, with only the principles being established. A range of reasons were provided for this, including a lack of time to hold discussions, and a lack of broader evidence to define and gather evidence together. While some conditions were placed on more detailed matters which seemed resolvable within a short timescale, others seemed more substantial (such as available water supply).
- By looking at the timelines, some projects had become protracted and had still not been determined. The garden village proposals in West Oxfordshire were a good example of this, with the application remaining undetermined at the time of the study (2023/2024) despite being submitted in 2018. Although water was one of the technical matters being considered in this application, there were other factors too.

## Further detail

### Milton Keynes City Council Integrated Water Management Journey

To support the latest iteration of the Local Plan, Milton Keynes has commissioned an Integrated Water Management Study, that will incorporate the outputs of a separately commissioned Strategic Flood Risk Assessment (SFRA). It will investigate all aspects of the water environment and ensure that water infrastructure can be managed sustainably alongside the level of growth being identified as the Local Plan is developed,

with consideration of the possible challenges posed by climate change. It will help the Council to better understand flood risk management and the interactions between surface water drainage, fluvial networks, potable, non-potable water, and wastewater networks. The SFRA is a considerable piece of evidence that will inform the Sustainability Appraisal, supporting the plan's development.

### Overview of water policies

#### Of the 17 Local Plans we reviewed:

- 14 policies were associated with water efficiency / demand\* e.g. Policy 52 in the Bedford Local Plan.
- 14 policies were associated with flood risk\* e.g. Policy LLP36 in the Luton Local Plan.
- 13 policies were associated with water quality\* e.g. Policy DM38: Water Quality and Supply, as included in the Wycombe District Local Plan.
- 9 policies were associated with water supply and infrastructure\* e.g. Policy I5: Water Resources and Wastewater Infrastructure, as included in the Aylesbury Vale Local Plan.
- 10 policies were associated with watercourses\* e.g. Policy FR3: Protecting and Enhancing Watercourses, as included in MK: 2019.

\*Some plans had multiple associations with the theme

#### We also found other policies associated with water. These include:

- Water Reservoirs e.g. Core Policy 14: Strategic Water Storage Reservoirs, as included in the Vale of White Horse Local Plan.
- Waste Water Management e.g. Policy LP6: Wastewater Management, as included in the Huntingdonshire Local Plan.
- Wastewater Infrastructure.
- Water Related Development e.g. Policy CC4: Development Close to Watercourses, as included in the Central Bedfordshire Local Plan.
- Ground Water Pollution e.g. Policy LP37: Ground Contamination and Groundwater Water Pollution, as included in the Huntingdonshire Local Plan.
- River Character and the Water Environment e.g. Policy ENV4: Watercourses, as included in the South Oxfordshire Local Plan.

### Policy themes where “water” features in the policy or explanatory text

- Sustainable drainage systems (for example, Policy 93, as included in the Bedford Borough Local Plan).
- Flood Risk Management (for example, Policy FR1: Managing Flood Risk, as included in Plan: MK).
- Mitigating and adapting to climate change such as Policy ESD1: Adapting and Mitigating to Climate Change.
- Blue and green infrastructure for example, Policy G8: New and Enhanced Green and Blue Infrastructure.
- Enhancing water habitats for example, Policy NE2: River and Stream Corridors, as included in the Vale of Aylesbury Local Plan.
- Providing water supply to self-build and custom-build housing for example, Policy EN32, as included in the North Northamptonshire Core Strategy.
- Accommodation for Gypsies, Travellers, and Travelling Show People (e.g. Policy LP10: Gypsies and Travellers and Travelling Show people, as included in the Peterborough Local Plan).
- Reducing the risk of pollution such as Policy ENV11: Pollution, as included in the South Oxfordshire Local Plan.
- Living on the water such as Policy 54: Residential Moorings, as included in the Cambridge City Local Plan.

### Place-based policies with a water dimension

- Great River Ouse as included in the Bedford Borough Local Plan.
- The River Cam as included in the Cambridge City Local Plan.
- Upper Nene Valley Gravel Pits as included in the Joint North Northamptonshire Core Strategy.
- Nene Valley as included in the Peterborough City Local Plan.

# Document hierarchy – Project overview

## Stage 1

Policy baseline review



Building on the baseline review  
Analysis: Water in planning policies  
and their application



## Stage 2

Planning and water toolkit



Development  
management checklist



Instructional video

Policy case studies  
technical note

Pre-application guidance



Policy development checklist



Conditions technical note



Written user guide



## Stage 3

Reporting – key  
recommendations



Reporting – key opportunities



## Engagement

Engagement



Engagement, survey approach and  
detailed summary of responses

