

Anglian Water late response and wastewater safeguards

Planning application UTT/26/1635/OP

Submitted by Carl Rolph, Save Church End | 2026-08-25

Please treat this email as a formal supplementary representation concerning the Anglian Water consultation response dated and published on 24 August 2026, portal document 4799930.

I object both to the lateness of this important response and to the proposal that the serious wastewater-capacity problem it identifies could be addressed by the condition suggested by Anglian Water.

Late Publication And Public Participation

The response was not published until 24 August 2026 - the advertised closing date for public comments and apparently twelve days after the consultee response date of 12 August.

It introduces highly material new information: Great Dunmow Water Recycling Centre does not currently possess sufficient capacity for the additional wastewater generated by this development.

Publishing this admission on the final day for public representations deprived residents of a reasonable opportunity to read, investigate and comment upon it within the advertised consultation period.

Government Planning Practice Guidance expects consultees to respond within the applicable consultation period or another period agreed with the Council. Where additional time is required, this should be raised promptly. The Council is therefore requested to confirm:

- 1 when Anglian Water was consulted;
- 2 the date by which its response was requested;
- 3 whether an extension was agreed, and if so when and for what reason;
- 4 when the Council actually received the response;
- 5 why the response was not made available earlier; and
- 6 what additional period the Council will now allow residents to comment on this material new evidence.

This representation must be accepted and considered notwithstanding the advertised closing date. The application should not be determined until residents have been given a reasonable opportunity to respond to the late evidence and the matters below have been resolved.

Anglian Water Confirms That Capacity Does Not Exist

Anglian Water states:

"The site is located within the catchment of Great Dunmow Water Recycling Centre (WRC), which currently does not have sufficient capacity to accommodate the additional wastewater flows arising from the proposed development."

That is a direct admission that the infrastructure presently required to serve 850 additional homes, a primary school, local centre and other facilities is not available.

Anglian Water refers instead to planning, funding and delivering improvements through unspecified future investment programmes. Its response provides no details of:

- the existing permitted and operational treatment capacity;
- current measured flows and remaining headroom;
- the cumulative wastewater generated by developments already approved or under construction;
- the additional dry-weather and peak flows generated by this proposal;
- the works required to create sufficient capacity;
- the amount of additional capacity those works would provide;
- the environmental permits or approvals required;
- the cost or secured funding;
- a committed construction and commissioning date; or
- what would happen if the necessary investment were delayed, reduced or not approved.

A future intention to seek funding and undertake unspecified works is not evidence that this development can be served safely and sustainably.

The Proposed Condition Does Not Secure Capacity

The condition suggested by Anglian Water requires only a Phasing Programme and advance notice of anticipated occupation dates.

It does not require the necessary treatment works to be:

- clearly identified;
- funded;
- approved;
- constructed;
- commissioned;
- operational; or
- independently verified as providing sufficient capacity before occupation.

It contains no measurable capacity requirement and no absolute restriction preventing occupation if the required infrastructure has not been completed.

The wording even permits a revised Phasing Programme to be submitted. It therefore manages notification and timing - it does not guarantee wastewater capacity.

National planning policy requires conditions to be necessary, enforceable, precise and reasonable. A condition which does not identify the required infrastructure, the necessary capacity or the test that must be satisfied before occupation cannot safely overcome Anglian Water's express admission that capacity is currently insufficient.

If adequate wastewater treatment is fundamental to making the development acceptable, it must be demonstrated before planning permission is granted or secured by an unequivocal restriction preventing occupation until all necessary works have been completed, commissioned and independently verified.

Constrained Foul Sewer Network

Anglian Water also confirms that the proposed foul connection must be taken to a 525mm sewer south of Braintree Road, at manhole MH6701, specifically to avoid a constrained network that could otherwise cause downstream pollution and flood risk.

This is significant evidence of an existing network constraint.

However, the strategic foul-water strategy, the detailed route and the necessary drainage works are all deferred until after permission. The response does not provide the hydraulic modelling needed to demonstrate that:

- the proposed connection route is deliverable;
- the receiving sewer and downstream network have sufficient capacity;
- the connection will not transfer flooding or pollution risk elsewhere;
- all necessary land and access rights are available;
- pumping infrastructure, if required, is feasible and resilient; or
- the works can be completed before occupation.

These are fundamental infrastructure and deliverability matters for an outline application of this scale. They should not be postponed until after the principle of 850 homes has been accepted.

Nutrient And Environmental Limits

Anglian Water further explains that Great Dunmow Water Recycling Centre is subject to nutrient-removal requirements and Technically Achievable Limits.

It acknowledges that where nutrient limits and dry-weather-flow constraints coincide, alternative options may be necessary and that it may begin objecting to development in affected catchments.

The response does not demonstrate how the additional load from 850 homes and associated facilities can be accommodated within the treatment works' environmental limits. Nor does it explain the effect of existing and committed development, infiltration into the network, or the recorded operation of storm overflows into the River Chelmer.

Surface Water Remains Unresolved

Anglian Water confirms that surface-water runoff is proposed to discharge into a local ditch and that it has not assessed whether this arrangement is suitable.

It directs the Council to obtain advice from the Lead Local Flood Authority and, where water ultimately enters a watercourse, the Environment Agency.

Anglian Water also records that the applicant says the SuDS features are intended for adoption by Anglian Water. However, its response does not confirm that adoption has been agreed. Instead, it recommends that the applicant contact Anglian Water for a Pre-Design Strategic Assessment.

There is therefore no demonstrated agreement that Anglian Water will adopt or maintain the proposed SuDS system.

Requested Action

The application should be refused because the applicant has not demonstrated that adequate wastewater-treatment and foul-network capacity can be provided without unacceptable pollution and flood risk.

At the very least, determination must be deferred until:

- 1 Anglian Water supplies the complete capacity and cumulative-flow evidence;
- 2 the necessary treatment and network improvements are fully identified, funded and programmed;
- 3 the strategic foul-water strategy and hydraulic modelling are submitted and independently examined;
- 4 the Environment Agency and Lead Local Flood Authority have reconsidered the proposal in light of this response;
- 5 responsibility for adoption and long-term maintenance of the SuDS is confirmed; and
- 6 residents have been allowed a reasonable period to comment on this late and materially important evidence.

Please place this representation on the public planning file and confirm that it will be considered in full before any decision is made.

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