

MEDWAY LOCAL PLAN 2041: EXAMINATION IN PUBLIC 2026

TECHNICAL NOTE - VIABILITY ASSESSMENT REVIEW OF SOUTHERN WATER'S REQUEST

2 October 2026

Introduction

During the Matter 6 hearing, the Inspectors raised two questions in relation to viability:

1. Ensure Viability Assessment has considered water efficiency noted in the Statement of Common Ground with Southern Water (ref: MLP/ED21).
2. Consider modifications to Policy DM1 (ref: A1) in light of the Statement of Common Ground with Southern Water (ref: MLP/ED21). Specifically, Policy DM1 will: a) not allow new surface water connections to the foul network and resist new connections to the combined sewer network, and b) encourage the separation of rainwater from wastewater at source to prevent clean surface water run-off from entering the foul or combined sewer networks.

These are responded to, in turn, below.

Ensure Viability Assessment has considered water efficiency noted in Statement of Common Ground with Southern Water

The Statement of Common Ground with Southern Water (ref: MLP/ED21) sets out 'Areas to be agreed' concerning water efficiency on page 5.

The Local Plan Viability Assessment (LPVA) (ref: B5) did consider water standards. The additional costs are set out at paragraph 8.46 of the LPVA (ref: B5). The impact of seeking tighter standards is set out from paragraph 10.44 of the LPVA (ref: B5).

In discussion with the Council, HDH Planning (the authors of the LPVA, ref: B5) did not include 100 Litres Per Person Per Day (LPPPD) or tighter in the preferred policy mix. The preferred policy mix in the LPVA (ref: B5) is based on 110 LPPPD, as per paragraphs 10.53d and 10.54b (repeated at 12.100b) of the LPVA (ref: B5).

The preferred policy option was taken to be as per the Optional Building Regulations (Approved Document G: Sanitation, hot water safety and water efficiency) of 110 LPPPD and was included in the final appraisals of the LPVA (ref: B5).

The Council will invite Southern Water to respond to the 'Examination Documents Consultation' on 5 October 2026.

Consider modifications to Policy DM1 in light of Statement of Common Ground with Southern Water. Specifically, Policy DM1 will: a) not allow new surface water connections to the foul network and resist new connections to the combined sewer network, and b) encourage the separation of rainwater from wastewater at source to prevent clean surface water run-off from entering the foul or combined sewer networks

It is our viability consultant's (HDH Planning) understanding, but they are not expert in the field, that the relevant Building Regulations¹ seek that foul water and surface water are discharged separately.

In any event, HDH's general assumption is that the foul water and surface water go in different directions as per 3.2 and 3.3 of Part H of Building Regulations. On that basis, the clarification proposed would not be material to viability.

¹ HM Government (2015) The Building Regulations 2010: Drainage and Waste Disposal. Available at: https://assets.publishing.service.gov.uk/media/5a80cf9ded915d74e33fc8ae/BR_PDF_AD_H_2015.pdf [Last accessed 2 October 2026]