



Department for Levelling Up,
Housing & Communities

Rachel Maclean MP

Minister of State for Housing and Planning
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Our reference: 30027334

Huw Merriman MP
House of Commons
London
SW1A 0AA

4th September 2023

Dear Huw,

Thank you for your email of the 4 August to the Department for Levelling Up, Housing and Communities on behalf of

about water companies becoming statutory consultees. I am responding as the Minister responsible for this policy area.

I appreciate how important this matter is to your constituent and I am grateful to you for contacting the Department on their behalf. I hope that your constituent finds the following information helpful.

At present, planning practice guidance encourages early engagement between local planning authorities and water companies where water quality is likely to be a significant planning concern. Part 8 of the Development Management Procedure Order 2015 - "Miscellaneous – Local Development Orders" states that where a local planning authority has prepared a draft Local Development Order in which the interests of water companies are likely to be affected, the authority must consult those companies. Consultation with water companies also ensures that the companies' investment plans align with local development needs.

The National Planning Policy Framework sets out that water-compatible development should make sufficient provision for, among other things: water supply and pumping stations, wastewater, waste management and flood control infrastructure. Early discussions at the plan-making stage are encouraged between strategic policy-making authorities and water companies to help to ensure that proposed growth and environmental objectives are reflected in company business plans. Growth that requires new water supply should also be reflected in companies' long-term water resources management plans. This will help ensure that the necessary infrastructure is funded through the water industry's price review.

Although water companies are not statutory consultees on individual planning applications, they are statutory consultation bodies in the preparation of local plans, which set the strategic framework for development in an area. Strategic issues such as water capacity are best dealt with at a strategic level through the plan-making process rather than individual applications, especially as local plans are the starting point for decisions on planning applications under planning law.

As you are aware, the government has made a commitment, as part of its reform package under the Levelling Up and Regeneration Bill (LURB), to consult on whether or not we should make

water companies statutory consultees on certain planning applications, and if so, how best to do this.

It will be important that water companies engage local planning authorities on the right applications at the right time so they can input effectively and not slow down the application process. Following the Royal Assent of the LURB, we will be undertaking a programme of secondary legislation, further information on which will be provided in due course. We expect other changes to planning procedures arising from the Bill to begin taking effect from mid-2024, following Royal Assent and laying of regulations where needed.

Once again, I appreciate how important this matter is to your constituent, and I am grateful to you for contacting this Department with their query.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R Maclean', with a small dot at the end.

RACHEL MACLEAN MP
Minister of State for Housing and Planning