



# MIDDLE LEVEL COMMISSIONERS

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**I.A.D. SMITH** B.A., Solicitor  
Clerk and Chief Executive

*Our Ref.: 189/1*

*Your Ref.:*

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Matter 1, 2, 8, 9, 11, 13, 14 / Representor 100 / Middle Level Commissioners (I A Smith)

## **Fenland District Council** **Fenland Local Plan Core Strategy Examination** **Matters and Issues for Examination**

This Statement in response to and addressing the Matters and Issues for Examination in respect of the Fenland District Council's Local Plan Core Strategy is written on behalf of the Middle Level Commissioners and the local statutory internal drainage boards within the area of the Fenland District Council and administered from the Middle Level Offices. The Commissioners/IDBs do not consider that they have any relevant comments on a number of the Matters and Issues for the Examination and this Response is therefore written in respect of

**Matter 1 Q3**  
**Matter 2 Q11**  
**Matter 8 Q3**  
**Matter 9 Q2**  
**Matter 11 Q1**  
**Matter 13 Q1**  
**Matter 14 Q3**

The roles of the Commissioners/IDBs relative to this Examination consist of water level management within an area of particular local flood risk. The comments of the Commissioners/IDBs are of necessity general in nature and cut across most of the above listed questions. Our response can therefore be applied to each of those questions although any remarks specific to the individual question are made under the heading of that question.

To provide a proper and appropriate system of water level management within this area, the Commissioners/IDBs operate a system of artificial and pumped watercourses to evacuate excess rainfall from an area which includes much of the Council's District. Much of the area is flat and overlies clay and requires properly maintained and managed artificial drainage systems to prevent flooding being a regular occurrence. These watercourses and pumping stations therefore require a high level of "hands on" management and, as with all artificial infrastructure, have a finite capacity. The majority of the land in the Commissioners'/IDBs' areas lies below sea level and is designated by the Environment Agency as a "defended floodplain". If the defences provided by the Commissioners and IDBs were to fail or be overwhelmed, flooding of land and property and risk to life would be likely. Costs are incurred by the Commissioners/IDBs in operating and maintaining



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the watercourse systems and the pumping stations and where necessary improving such facilities. The main outfall pumping station for the Middle Level area was replaced in 2010 at a cost of £40 million, which indicates the level of expenditure required to maintain the systems.

The primary concern of the Commissioners and IDBs is therefore that the growth proposed within the Core Strategy presumes and assumes that the capacity issues for dealing with the anticipated volumes of surface water run-off and treated effluent relate only to the Waste Water Treatment Works (WWTW) and not to the receiving watercourse system. The Matters and Issues raised also refer to the problems with the receiving watercourse system as being essentially related to issues of quality. While there will be quality issues to be resolved around any proposed new or increased discharges to such watercourses, the most important issue for the Commissioners/IDBs is to ensure that the receiving watercourses have the capacity to accommodate any such discharges and that the costs incurred by the Commissioners/IDBs in dealing with the quantities of any new or increased discharges are met by the appropriate party. This issue covers both surface water and discharges from WWTW and affects ALL WWTW in the Commissioners/IDBs catchments. It is noted that the WWTW at Doddington, March and Whittlesey are specifically referred to. The Commissioners/IDBs position is that unless acceptable capacity is available in the receiving channels and the costs of dealing with such discharges are dealt with to our satisfaction, we will exercise powers under the Water Industry Act 1991 (and any other powers available to a particular authority) to prohibit any increased discharges to the receiving channels.

In addition, the Commissioners/IDBs are aware of “historic” surface water drainage problems within the urban area of March which have arisen because of a lack of surface water sewers and/or proper drainage outfalls. While some of these issues are proposed to be dealt with under the March Surface Water Management Plan (on which the relevant IDBs have yet to confirm agreement) they do demonstrate the principle that surface water and indeed treated effluent issues must be properly dealt with at the time, as part of the consideration of permitting the development.

Under the specific questions, we would therefore additionally comment as follows

## Matter 1 Q3

The Sustainability Appraisal should have taken full account of the capacity and ability of receiving watercourse systems to deal with any increased run-off.

## Matter 2 Q11

No proposals for alleviating the constraints on the sewage network in relation to Wimblington and Doddington have yet been submitted to the Commissioners/IDBs for consideration. We are therefore not in a position at this time to advise on the acceptability of any proposals that might be forthcoming. However, since there would currently be constraints on any increase in capacity leading to the discharge of increased flows, proposals for dealing with this issue would need to be



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formulated at the same time. It is noted that, while the Commissioners' system is referred to in Question 11, there is no reference to such system here. The issues to be resolved are however, the same.

### Matter 8 Q3

The local Hundred of Wisbech IDB has proposals to improve watercourses serving the developed or prospectively to be developed part of its area. In so far as local watercourse capacity is concerned, the Board will be pleased to work with the local planning authority in a comprehensive and coordinated way to discuss the provision of such additional capacity as may be required. The Hundred of Wisbech outfall to the River Nene is through the Waldersey IDB South Brink pumping station and issues of the capacity of that station and the costs incurred in dealing with increased flows will however, need to be addressed.

Similar remarks would no doubt apply to the Commissioners and other IDBs who would be pleased to enter into similar discussions with the local planning authority in relation to any other relevant development areas.

### Matter 9 Q2

While the specific issue currently at March is related more to water quality, it does highlight the constraints on the receiving watercourse system. Because of these constraints, it cannot at this stage be confirmed that the Commissioners/IDBs will permit any increased flows of waste water to their watercourse systems. The Commissioners/IDBs are not aware of the progress of any discussions between the local planning authority and the sewerage undertaker which would lead to proposals being put forward for the Commissioners'/IDBs' consideration with a view to resolving this issue. It is noted that, while the Commissioners' system is referred to in Question 11, there is no reference to such system here. The issues to be resolved are however, the same.

### Matter 11 Q1

Because of the present constraints on the receiving watercourse system, it cannot at this stage be confirmed that the Commissioners/IDBs will permit any increased flows of waste water to their watercourse systems. The Commissioners/IDBs are not aware of the progress of any discussions between the local planning authority and the sewerage undertaker which would lead to proposals being put forward for the Commissioners'/IDBs' consideration with a view to resolving this.

### Matter issue.13 Q1

The delivery of the infrastructure to facilitate delivery of the Core Strategy will in part depend on the resolution of the issues set out in this Statement. In particular, the delivery of additional sewerage infrastructure and capacity will depend upon appropriate arrangements being in force to



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ensure that the necessary capacity exists or can be provided within receiving watercourse systems and that appropriate costs arising from accommodating such discharges are met.

### Matter 14 Q3

In the Commissioners'/IDBs' areas alternative methods employing "traditional" on-site SUDS often do not work satisfactorily, due to issues of topography and geology, since not only is a significant amount of the proposed development intended to take place in a catchment based on clay but the general terrain within the Council's area is flat and features a high groundwater table. For these reasons, the Commissioners/IDBs are prepared to accept direct discharge to their systems and to view this as a proper and indeed sustainable method for surface water disposal where capacity exists and developers or others are willing to meet the costs of dealing with such discharges. Where attenuation is provided, this must however, be to a proper provision and maintainable and maintained for the lifetime of the development. The provision of "short term" SUDS appears to be related more to water quality issues than surface water disposal and consideration must also be given, especially on small to medium sites, to the feasibility of any attenuation features and where such features would be placed.

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