

RE: PROPOSED URBAN EXTENSIONS AT DAVENTRY

**OPENING STATEMENT ON BEHALF
OF THE ENVIRONMENT AGENCY**

1. Common sense, and the Secretary of State's policy, dictate that infrastructure should be in place before development takes place. In the context of development for up to 10,000 dwellings, that need is both crystal clear and fundamental.
2. The Whilton Branch is a watercourse of high quality which passes to the east of Daventry. It is a salmonid fishery. It contains a thriving and healthy population of brown trout. The Environment Agency's evidence explains the protection afforded to both the watercourse and its diversity. That protection derives from both planning policy and legal protections in the domestic and European legislation. Again, it is obvious that such interests are to be protected by ensuring that development does not adversely affect them.

3. The Whilton Sewage Treatment Works is the destination for foul water drainage from all three of the appeal schemes. The WwTW is incapable of accommodating any of the proposed growth. Indeed, the WwTW is subject to a programme of improvement works in order that it may meet existing demands and reach the standard of treatment which its Discharge Consent requires.
4. The watercourse is very small and therefore the quality of any additional discharge has to be very high in order to avoid adverse impact. It was highly questionable until early in the new year whether such treatment would be technically possible. Happily, Anglian Water Services have confirmed that it will be possible to achieve such treatment standards and no doubt AWS will confirm as much during the course of the inquiry, and in some detail.
5. Hence, the question for the inquiry is the relationship between the timing and rate of any house building which the Secretary of State permits and the timing and rate of improvement in waste water infrastructure. In order to address this issue a scheme of conditions will be necessary to ensure a proper relationship between the two forms of development.

6. Turning to the question of flood risk, the Appellants have continued to work on this issue since the second pre-inquiry meeting. Progress has been made – more by some than others. It is worthwhile to highlight one aspect of the context in Opening.

7. The catchment at issue in this inquiry is upstream of Northampton. Northampton suffered the worst flooding in the UK during Easter 1998. People died. Significant flood attenuation was put in place in order to ameliorate the effects of a 1:200 year event. The Environment Agency is resolute that such protection will not be reduced by lower standards being applied further up the catchment.

8. I make it clear that the Environment Agency's officers and its legal team remain available outside of the inquiry to discuss any of the matters which arise from the Environment Agency's Statement of Case or indeed this Opening Statement.

Richard Kimblin
No. 5 Chambers
London • Birmingham • Bristol
Tel: 0870 203 5555
Email: rk@no5.com

13th January 2009

