

## Local Plan Review Committee Chair

Derbyshire Dales District Council  
Town Hall,  
Bank Road,  
Matlock,  
Derbyshire DE4 3NN

# FORMAL REQUEST FOR INDEPENDENT DRAINAGE IMPACT ASSESSMENT AND SEWERAGE CAPACITY STUDY

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Dear Chair,

Darley Dale Town Council (DDTC) writes in its capacity as the statutory consultee and local ward council for the Darley Dale parish to make a formal request that Derbyshire Dales District Council (DDDC) commissions an independent Drainage Impact Assessment (DIA) and Sewerage Capacity Study from Severn Trent Water (STW) before confirming any housing allocation for Darley Dale in the Local Plan review currently being prepared.

This request is made as a matter of urgency. The grounds for it are set out below and are considered by this Council to constitute a precondition of the proposed housing allocation meeting the soundness tests required by the National Planning Policy Framework (NPPF) paragraph 35.

## 1. Background

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DDDC's emerging Local Plan review could propose to allocate approximately 700 dwellings to Darley Dale parish over the 16-year plan period (c.44 dwellings per annum at the likely 10% Tier 2 allocation). DDTC has engaged constructively throughout the consultation process and does not oppose the principle of housing growth in appropriate locations and at an appropriate scale. However, it is this Council's firm view that any allocation must be robustly evidenced and capable of delivery without causing material harm to existing residents, the natural environment, or existing infrastructure.

A specific and fundamental infrastructure constraint has come to light which, in this Council's assessment, makes the proposed allocation unsound in its current form unless and until remedial action is secured from STW.

## 2. The EDM Evidence — Darley Dale No.11 CSO

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Event Duration Monitoring (EDM) data published by Severn Trent Water under the Environment Act 2021 reveals that the Darley Dale No.11 Combined Sewer Overflow (CSO, Unique ID: SVT00740) recorded 1,216 activation events during the calendar year 2025. This places the Darley Dale No.11 CSO as the third most frequently activating overflow in the entire STW company network.

At 1,216 activations in a single year, the CSO is discharging on average more than three times per day. This is not a system responding to rare or exceptional storm events as it was designed to do — it is operating as part of the routine daily conveyance of foul and surface water. The cumulative discharge duration in 2025 exceeded 803 hours.

The position is worsening. In January and February 2026 alone the same CSO activated a further 148 times, discharging for a cumulative 871 hours in just two months. If this rate is sustained across 2026, annual activation events will substantially exceed the already alarming 2025 total.

The No.11 CSO discharges directly into the River Derwent. The 2025 EDM data records that the Derwent received 1,971 sewage discharge events from 59 STW sites across the year, totalling over 10,811 hours. The Darley Dale No.11 CSO alone accounted for 62% of all discharge events recorded on the Derwent in that year. Full supporting analysis is enclosed as Evidence E1–E3.

### 3. Planning Policy and Legal Framework

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DDTC draws DDDC’s attention to the following policy and legal provisions which are directly engaged by the above evidence:

1. NPPF paragraph 20(e) (December 2024) requires local plans to make provision for infrastructure, including water supply and wastewater treatment. Allocating 700 dwellings without first securing adequate wastewater capacity is inconsistent with this requirement. [See Evidence E5]
2. NPPF paragraph 35(c) requires that local plans be “effective” — meaning that the plan must be deliverable over the plan period. A housing allocation is not deliverable if the infrastructure necessary to support it does not exist, is not funded, and there is no committed programme for its delivery.
3. The statutory Drainage Hierarchy set out in Schedule 3 of the Flood and Water Management Act 2010 requires that new development does not exacerbate existing drainage or wastewater problems. Connecting 700 new dwellings to a combined sewer already operating at or beyond capacity would directly conflict with this duty. [See Evidence E6]
4. The Environment Act 2021 (ss.80–84) places a statutory duty on water companies to progressively reduce the adverse impact of discharges from storm overflows. A CSO activating over 1,200 times per year is not functioning as an emergency-only asset. Any new connections that foreseeably increase activation frequency would be in direct tension with that statutory duty. [See Evidence E7]
5. NPPF paragraph 180 requires that planning decisions protect and enhance the natural environment. The River Derwent supports protected habitats and species. Increased sewage overflow frequency consequent on new development would conflict with the Water Framework Directive (retained in domestic law) and the Conservation of Habitats and Species Regulations 2017.

### 4. Formal Requests

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In light of the above, DDTC formally requests that DDDC takes the following steps as a matter of priority, and in any event before the housing allocation for Darley Dale is confirmed in the submission version of the Local Plan:

6. Commission an independent Drainage Impact Assessment (DIA) and Sewerage Capacity Study, to be carried out by a suitably qualified drainage engineer instructed independently of STW, assessing the cumulative impact of the proposed 700-dwelling allocation on the capacity of the combined sewer network serving Darley Dale, including the No.11 CSO and its receiving watercourse, the River Derwent.

7. Require STW to provide a full technical capacity audit of the Darley Dale sewer network, including trunk sewers, pumping stations, and the No.11 CSO, demonstrating whether there is any residual headroom capacity to accommodate additional connections from new development without increasing CSO activation frequency.
8. Require STW to produce a timetabled and costed Capital Maintenance Programme for the upgrade of the No.11 CSO and associated trunk sewer network, with funding secured or committed before the Local Plan is adopted.
9. Include in the Local Plan a binding infrastructure trigger policy requiring that sewer relief works have been completed to provide demonstrable additional capacity before the first occupation of any new dwelling forming part of the Darley Dale allocation.
10. Draw the Examining Inspector’s attention to the EDM data summarised in this letter, and ensure the DIA and Sewerage Capacity Study are included in the Local Plan examination evidence base.

## 5. Timetable

DDTC requests that DDDC acknowledges receipt of this letter within 14 days and confirms in writing whether it accepts the principle that a DIA and Sewerage Capacity Study should be commissioned before the allocation is confirmed. Should DDDC decline to commission such a study, DDTC reserves the right to submit this evidence directly to the Examining Inspector and to seek third-party technical support for its own representations at examination.

DDTC trusts that DDDC will recognise the seriousness of the drainage capacity position evidenced above and the reputational, legal, and environmental risks that would attach to an allocation that proceeded without first resolving it. This Council remains committed to constructive engagement throughout the Local Plan process and would welcome an early meeting with DDDC’s planning policy and infrastructure officers to discuss the way forward.

Yours faithfully,

**Cllr D Chapman** (sent digitally)

On behalf of Darley Dale Town Council

Date: 17 April 2026

### SCHEDULE OF SUPPORTING EVIDENCE

*Hyperlinks are provided to each publicly available source. All EDM raw data files (E1, E2) are also enclosed as separate digital attachments.*

Ref	Document	Source / Link	Relevance
E1	STW EDM Data 2025 — Full Year (monthly discharge records, all sites)	<a href="#">STW EDM Report 2025</a> <a href="#">EA EDM Dataset 2025 (environment.data.gov.uk)</a>	Confirms 1,216 activations of Darley Dale No.11 CSO (SVT00740); third highest company-wide; 803+ hours cumulative discharge duration in 2025
E2	STW EDM Data Jan–Feb 2026 (monthly discharge records)	<a href="#">STW EDM Report 2025 page</a>	Confirms 148 further activations in first two months of 2026; 871 hours

Ref	Document	Source / Link	Relevance
		<i>(Jan–Feb 2026 data available on same page; also enclosed as digital attachment)</i>	cumulative discharge; trajectory worsening
<b>E3</b>	River Derwent Discharge Analysis 2025 — derived from E1 (DDTC / Planning Advisory Service, April 2026)	<a href="#">Top of the Pooops: River Derwent — STW 2025</a> <i>(Independent third-party summary corroborating EA data)</i>	No.11 CSO accounted for 62% of all 1,971 discharge events on the River Derwent in 2025 across 59 STW sites (10,811 hours total)
<b>E4</b>	Darley Dale Planning Advisory Note (Planning Advisory Service, April 2026) — enclosed	Enclosed as separate document (confidential; not for public circulation without DDTC consent)	Technical planning analysis of soundness of proposed 700-dwelling allocation, including full infrastructure capacity assessment and policy analysis
<b>E5</b>	National Planning Policy Framework (December 2024), paras 20(e), 35 and 180	<a href="#">NPPF December 2024 (PDF, GOV.UK)</a>  <a href="#">NPPF guidance page (GOV.UK)</a>	Policy basis for infrastructure requirements in local plans (para 20e), soundness tests including effectiveness (para 35c), and protection of the natural environment (para 180)
<b>E6</b>	Flood and Water Management Act 2010, Schedule 3 (Sustainable Drainage)	<a href="#">Schedule 3, FWMA 2010 (legislation.gov.uk)</a>  <a href="#">Full Act (legislation.gov.uk)</a>	Statutory Drainage Hierarchy; development must not exacerbate existing drainage and wastewater problems; right to connect surface water to public sewers conditional on drainage approval
<b>E7</b>	Environment Act 2021, Part 5 (ss.80–84) — Storm Overflows	<a href="#">Environment Act 2021, ss.80–84 (legislation.gov.uk)</a>  <a href="#">EA press release: 2025 EDM data (GOV.UK)</a>	Statutory duty on water companies to progressively reduce frequency and adverse impact of storm overflow discharges; EDM reporting requirements; EA annual reporting duty

Enc: Evidence documents E1–E7 as listed above. Digital attachments: E1 (STW EDM 2025 full dataset), E2 (STW EDM Jan–Feb 2026), E4 (Planning Advisory Note)

This letter constitutes a formal representation by Darley Dale Town Council under the Local Plan consultation process and should be retained on the examination evidence base. Darley Dale Town Council believe that to the best of its knowledge the information provided in this document is correct and accurate.