

**25/01510/OUT: Erection of up to 500 dwellings and commercial floorspace (use Class E) with associated access, open space and infrastructure on land east of Park View, Woodstock**

1. This submission is made by Windrush Against Sewage Pollution (WASP), a registered charity one of whose aims is to promote for the benefit of the public the conservation, protection and improvement of the physical and natural environment of the River Windrush and surrounding river catchments. A major focus in working toward this is to eliminate the discharge of untreated and poor-quality sewage into local watercourse. WASP takes no position with respect to development proposals.
2. The submission focusses solely on the ability of Woodstock Sewage Treatment Work (STW) owned by Thames Water Utilities Limited (TWUL) to deal legally with the increased sewage generated by the proposed development.
3. The development proposal is for 500 residential dwellings plus 'commercial floorspace'. Using a conservative assumption (figure supplied by Thames Water) of 300l/dwelling/per day for foul water flow generated daily, then the total daily volume of foul water generated daily will be in the order of 150,000/day or 150 tonnes/day. This will be passed to Woodstock STW for treatment
4. Evidence gathered by WASP shows clearly that Woodstock STW is currently operating outside its permit conditions (i.e. illegally), a fact recently confirmed by TWUL who stated to West Oxfordshire District Council (WODC) that the works is only treating 73% of the required Flow to Full Treatment figure in its statutory permit.
5. In essence this means that Woodstock STW will, in breach of its statutory permit issued by the Environment Agency (EA), discharge untreated sewage to storm tanks and thence to the receiving watercourse at an incoming flow of only 73% of that legally required, making its present operation periodically illegal.
6. Published EA Water Framework Directive data shows the receiving reach of the River Glyme to be at POOR ecological status, with continuous discharge of sewage by the water industry cited in three separate categories as Reasons for Not Achieving Good status (RNAG).
7. The downstream Blenheim Lakes SSSI (moderate ecological status) which has recently been dredged, partly at public expense, to improve its status, will also be adversely affected by the increased sewage loading into the already illegal Woodstock STW.
8. Ofwat has recently issued an enforcement order for the imposition of a financial penalty on Thames Water for failing to adequately and legally manage their waste water treatment works and networks

9. <https://www.ofwat.gov.uk/thames-yorkshire-and-northumbrian-water-face-168-million-penalty-following-sewage-investigation/>
10. Woodstock STW is cited in the enforcement notice as one of 137 sites that were potentially not in compliance with their Flow to Full Treatment permit requirements. This means that they were dumping untreated sewage into the environment outside of the conditions of their Environment Agency permit, confirming the facts stated in 4 & 5 above.
11. Woodstock STW was also cited in the enforcement notice as a works that spilled untreated sewage on more than 20 occasions (actually 52 times or total of 916.47 hours) in 2021, the year of the Ofwat investigation. It subsequently spilled untreated sewage into the River Glyme for 588 hours in 2022, 787 hours in 2023 and 454 hours in 2024, with some of this spilling likely to have taken place illegally.
12. In addition, the EA is currently carrying out a wide-ranging investigation into the unpermitted (illegal) operation of sewage treatment works, focussing on early/dry spilling of untreated sewage. It is believed that Woodstock STW is included in this investigation.
13. Thames Water currently has no upgrade works planned during the next investment period (AMP8 – 2025-30) for Woodstock STW, which would enable it to be compliant with its statutory permit. <https://www.thameswater.co.uk/about-us/performance/river-health/frequently-asked-questions/information-about-specific-sites#w>
14. Despite all of the concerns and evidence of non-compliance of the sewage works with the works, the Flood Risk Assessment and Drainage Statement accompanying this application only fleetingly covers the issue with the comment *‘a capacity enquiry has been made to Thames Water which concluded that the **network** will not have enough capacity for the full development at this time. However since it is (sic) phased development, modelling work is being undertaken to establish the appropriate upgrades required to accommodate it’*.
15. Note that this comment only covers the sewage network; there is no reference to the ability of the sewage treatment works to cope legally with the additional load. It is unclear who is doing the ‘modelling’.
16. In a letter to the developer’s consultants dated 5/6/2024 Thames Water states that *‘We’ve assessed your foul water proposals and concluded that our sewage network will not have enough capacity to serve your full development at this time’* Thames Water also state that modelling design and upgrade of the local network will typically take 20 months. Generally, Thames Water start this period after the granting of planning permission.

17. With reference to the capacity of Woodstock STW, Thames Water states clearly that, *'but (we) have been advised that the STW is being investigated which may lead to upgraded works'*. Implicit in this statement is the acknowledgement that Woodstock STW requires upgrade. There are however no plans in the next (AMP8) investment cycle (2025-30) for any investment at Woodstock STW, contradicting the statement made by Thames Water to the developer. <https://www.thameswater.co.uk/about-us/performance/river-health/frequently-asked-questions/information-about-specific-sites#w>
18. The only investment referred to on Thames Water's public portal is: *'We expect this location to meet all government targets for storm overflows by 2040 - 2045.'* There are currently no funds allocated for any works to achieve any part of this commitment in the next 5 year AMP cycle.
19. WASP contends that without the prior completed upgrade to ensure compliance with the legal permit standard at Woodstock STW, granting of this development will simply endorse its present un-permitted and illegal operation, and will increase further the spilling of untreated and poorly treated sewage into the River Glyme catchment, and the downstream Blenheim Lakes SSSI.
20. Failure to address the illegal operation of Woodstock STW is likely to result in further enforcement action from Ofwat and/or the Environment Agency.
21. There are a number of sections from the National Planning Policy Framework that are apposite to this application, namely:
- **Section 3 Plan Making.** Para 20 notes that the requirement for an overall strategy for the pattern, scale and design quality of places and makes **sufficient provision** for:
    - b) *'infrastructure including waste water'* (This very specific prescription is at the heart of WASP's concerns regarding development and its impact on the discharge of untreated and poor- quality sewage to rivers) and more broadly
    - d) *'the conservation and enhancement of the natural environment'*
  - Para 43 notes the clear advantages of early engagement with 'other consenting bodies' (including presumably the Environment Agency for all sewage and foul water issues), particularly to enable consideration as to whether a particular development will be acceptable in principle. WASP supports this approach which is likely to become more relevant as water industry under-investment in sewage treatment works and associated infrastructure becomes clearer. The recent objection by the Environment Agency to a major development of 1,450 house in Barton, Oxfordshire due to lack of capacity at Oxford STW is a clear and current example.
  - Paragraph 180 (l) (formally paragraph 174) notes that:
    - 'Planning policies and decisions should contribute to and enhance the natural and local environment by:
      - l) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help*

*to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.*

22. WASP contends that the planning authority MAY take the advice of the statutory water company (TWUL) with regard to foul system and sewage treatment works capacity, but in the face of contrary evidence presented to them, does NOT HAVE to. This belief is based on counsel's advice (see separate document) and case law
23. In conclusion WASP OBJECTS to this application due to the unacceptable increased loading that it would put on the currently non-compliant Woodstock STW, which fails to meet its legal permit conditions. If Cherwell DC decides to grant planning permission contrary to this objection it will be knowingly endorsing the continued illegal operation of Woodstock STW and the pollution of the River Glyme, Blenheim Lake SSSI and the downstream River Evenlode.

Windrush Against Sewage Pollution (WASP)

Registered Charity No: 1199418

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