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Environment Agency

Cherwell District Council - Planning and Development Services
WHITE POST ROAD, BANBURY, OX15 4AA

Reference: WA-2025-132351/04
Customer reference: 25/01510/OUT
28 July 2026

Outline planning application for the erection of up to 500 dwellings and commercial floorspace (Use Class E) with associated access, open space and infrastructure - All Matters Reserved except for Access

Land South Of Perdiswell Farm, Shipton Road, Shipton On Cherwell

Dear Carlos Chikwamba

Thank you for contacting us. This is our response to your consultation 25/01510/OUT.

Please accept our apologies for the delay in providing you with a response and we thank you for extending the time for us to provide you with comments.
We withdraw our previous objection to this proposed development which was on the grounds that the proposed development would pose an unacceptable risk of pollution to surface water quality. Through our discussions with the LPA, we have concluded that there are alternative sewage treatment works (STW) for the development to connect to. Also, we are aware that the LPA intends to use other planning mechanisms such as Grampian planning conditions to ensure the development would not lead to pollution and a detrimental impact on the water environment.
We have reviewed the following and have provided you with some advice and information for you to consider.
-Thames Water of 24 July (attached to your email of 24 July 2026)
-Letter of 23 July 2026 from Thames Water and
-Email of 23 April 2026 from the LPA

Please refer to our comments below

Environment Agency position
We started previously [letter of 30 September 2025 and email of 10 March 2026] that this development will connect to Church Hanborough sewage treatment works

(STW) and the Environment Agency records indicate that Church Hanborough STW has exceeded the Q80 flow on its Dry Weather Flow (DWF) permit for the last 6 years, and the Q90 flow on its DWF permit for 3 out of the last 4 years.

As we have stated before, DWF permits are set with conditions to protect the receiving waterbody from deterioration, and when a DWF permit is exceeded, these conditions are no longer protective of the environment. It is imperative that new developments are supported by adequate infrastructure, which includes ensuring that wastewater can be treated without causing an adverse environmental impact.
We have reviewed the email of 23 April 2026 and thank you for the assurance given that there is an acceptable solution for connection to address our concerns.
We note that there is still no confirmation from Thames Water (TW) that there is capacity at the Church Hanborough STW. However, the email states the following in connection to proposed connections to the Church Hanborough STW;
"*The Applicant is actively engaged with TW since making a pre-planning enquiry. TW note that their process is designed to indicate whether a proposed development, based on the drainage strategy submitted at that stage, is likely to encounter capacity issues once a formal planning application is made. Although described as a 'pre planning' service, it can also be used after planning approval to help a developer refine their drainage strategy if it was not finalised at the time of their planning submission. TW then assess network capacity strictly on the basis of the drainage strategy that has been formally submitted with that application. A key trigger from the Grampian condition is to do with discharge rates. We understand that the Applicant technical team is progressed in the drainage design and are currently working to discharge the Foul Water drainage into existing Thames Water Foul Water Sewer MH 6601 via a pumping station with a proposed pumped discharge rate of 10 l/s. TW advise that this will require hydraulic modelling and likely network upgrades which would only commence once the developer can provide confirmation of land ownership and planning approval.*"

The email of the 23 April 2026 states therefore that the LPA would like to attach a Grampian condition to the proposed development. Please note that there are risks associated with attaching a Grampian Condition in this instance as it is dependent on hydraulic modelling and likely network upgrades being in place before connections can happen. Without these upgrades there are concerns that the development would result in further deterioration of the water environment i.e. the Evenlode (Glyme to Thames) to a lower class or status, as well as preventing it from achieving good status. This is contrary to Paragraph 187 (e) of the National Planning Policy Framework; therefore, it will be prudent to consider other options for connections such as to Woodstock STW as highlighted in the email (of 23 April 2026) and to the Cassington STW as stated in our previous response. We ask that these options are explored.

Woodstock STW

For Woodstock STW, the email of 23 April 2026 says that
Thames Water stated that their *"STW capacity assessments are now based on the dry weather flow (DWF) compliance of each STW. Where an STW is forecast to exceed 100% of its permit, we undertake further analysis to determine whether this would result in a deterioration of water quality status (e.g. from "good" to "moderate")*. This updated methodology for assessing whether a development would contribute to unacceptable levels of water pollution based on a deterioration in the receiving water body's quality status, indicates no deterioration.

It is indicated that Thames Water also acknowledges that due to the scale of the development, there is a need to assess the impact on the hydraulic performance of the STW and so Grampian conditions for the Water network, Foul network and STW hydraulic capacity should be applied to the planning consent for connections to Woodstock STW. From the email, Thames Water further state that "*it is feasible that following hydraulic/process modelling in all 3 cases Grampians could be discharged. However, if modelling determines that upgrades are required, these would need to be delivered prior to properties becoming occupied – if this is the case, we will always aim to agree a number of properties that could become occupied where we have available capacity prior to upgrades being delivered; although this can only be determined once modelling has concluded."*
Again, the LPA needs to be aware of the risks associated with attaching a,or these Grampian Condition(s) in this instance.

Cassington STW

We also highlighted that it is possible for this development to connect to the Cassington STW which currently has capacity and could provide alternative wastewater provision for a period while the Church Hanborough STW is improved.

We agree that with other viable connection options serving this development, the proposed development can connect to the network and in the case of Woodstock and Church Hanborough STW, the required capacity would be provided once the modelling and upgrades are completed.

On this basis **we withdraw our objection to this development**.

We are in the process of updating our position statement which explains our position and advice to LPA's regarding how to address wastewater discharges at the strategic and planning application level, where proposed growth is concerned. We will send you a copy in due course.

Closing comments
Thank you again for consulting us on this application. Our comments are based on the best available data and the information as presented to us. Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me. Please quote our reference number in any future correspondence.

If you have any questions regarding our response, please contact planning_thm@environment-agency.gov.uk.

Yours sincerely,

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