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RG1 8DB

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Oxford Local Plan 2040 Proposed Submission Draft

Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment upon the above.

As you will be aware, Thames Water are the statutory water supply and sewerage undertaker for Oxford City and are hence a “**specific consultation body**” in accordance with the Town & Country Planning (Local Planning) Regulations 2012.

We have the following comments on the consultation in relation to our water supply and sewerage undertakings:

Name (if different from submission)	Thames Water
Postal Address	Clearwater Court, [Redacted]
Post Code	RG1 8DB
Email Address (if different from submission)	[Redacted]
Are you happy for the first line of your address and postcode to be published with your response(s)? (Please select/underline <u>one</u> of the options)	<u>Yes – you may state my name and the first line of my address and postcode when publishing my response.</u>
	No – Please obscure all personal details except my name and a non-specific address (e.g. Oxford).
If you wish to be notified about the progress of the Plan following this stage, please select/underline <u>one or more</u> from the following options:	<u>I wish to be notified when the Council submits the Oxford Local Plan 2040 to the Government?</u>
	<u>I wish to be notified when the Inspector's report is published?</u>
	<u>I wish to be notified when the Oxford Local Plan 2040 is adopted?</u>
	None of the above

Policy S3 – Water Supply and Wastewater Infrastructure

Sound – no, as does not accord with Government policy NPPF 35 (d)

We support the policy generally and the need to engage early with infrastructure providers, but as water supply and wastewater/sewerage infrastructure is such an important issue it should be covered in a separate 'Water Resources and Wastewater Infrastructure' policy in the new Local Plan (like other Local Plans including Policy INF4 in adopted South Oxfordshire Local Plan and Policy ESD8 of adopted Cherwell Local Plan and) and that it should be in line with the following detailed comments.

Water and wastewater infrastructure is essential to any development. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure.

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), states: "*Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...*"

Paragraph 11 states: "*Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*

a) All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects"

Paragraph 28 relates to non-strategic policies and states: "*Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...*"

Paragraph 26 of the revised NPPF goes on to state: "*Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary...."*

The web based National Planning Practice Guidance (NPPG) includes a section on 'water supply, wastewater and water quality' and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that "*Adequate water and wastewater infrastructure is needed to support sustainable development*" (Paragraph: 001, Reference ID: 34-001-20140306).

It is important to consider the net increase in water and wastewater demand to serve the development and also any impact that developments may have off site, further down the network. The new Local Plan should therefore seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is

delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.

As from 1st April 2018, the way Thames Water and all other water and wastewater companies charge for new connections has changed. The changes mean that more of Thames Water's charges will be fixed and published, rather than provided on application, enabling you to estimate your costs without needing to contact us. The services affected include new water connections, lateral drain connections, water mains and sewers (requisitions), traffic management costs, income offsetting and infrastructure charges. Paragraph 10.70 should therefore be amended accordingly.

Information on how off site network reinforcement is funded can be found here <https://developers.thameswater.co.uk/New-connection-charging>

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for water supply and network infrastructure both on and off site;
- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water's free pre planning service are available at: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

Proposed Change:

In light of the above comments and Government guidance we consider that the New Local Plan should include a specific policy on the key issue of the provision of 'Water Resources/Supply and Sewerage/Wastewater Infrastructure' to service development. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We therefore recommend that Core Policy 9 is amended to cover both 'Water Resources & Wastewater Infrastructure'.

PROPOSED NEW WATER SUPPLY/WASTEWATER INFRASTRUCTURE POLICY TEXT:

"Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades."

"The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development."

Local Authorities should also consider both the requirements of the utilities for land to enable them to meet the demands that will be placed upon them. This is necessary because it will not be possible to identify all the water and wastewater/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (AMPs). Thames Water are currently in AMP7 which covers the period from 1st April 2020 to 31st March 2025. AMP8 will cover the period from 1st April 2025 to 31st March 2030. The Price Review, whereby the water companies' AMP8 Business Plan will be agreed with Ofwat during 2024.

Hence, a further text should be added to Policy as follows:

“The development or expansion of water supply or waste water facilities will normally be permitted, either where needed to serve existing or proposed development in accordance with the provisions of the Development Plan, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land use or environmental impact that any such adverse impact is minimised.”

Policy G9: Resilient Design & Construction

Sound – no, as does not accord with Government policy NPPF 35 (d)

We support Policy G9 where it refers to water efficiency, but needs to be strengthened to ensure the water efficiency standard of 110 litres per person per day is met in practice.

The Environment Agency has designated the Thames Water region to be an area of “serious water stress” which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change. On average our customers each use 30% more water than they did 30 years ago. Therefore water efficiency measures employed in new development are an important tool to help us sustain water supplies for the long term.

Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water support the mains water consumption target of 110 litres per head per day (105 litres per head per day plus an allowance of 5 litres per head per day for gardens) as set out in the NPPG (Paragraph: 014 Reference ID: 56-014-20150327) and support the inclusion of this requirement in Policy.

Thames Water promote water efficiency and have a number of water efficiency campaigns which aim to encourage their customers to save water at local levels. Further details are available on our website via the following link:
<https://www.thameswater.co.uk/Be-water-smart>

It is our understanding that the water efficiency standards of 110 litres per person per day is only applied through the building regulations where there is a planning condition requiring this standard (as set out at paragraph 2.8 of Part G2 of the Building Regulations). As the Thames Water area is defined as water stressed it is considered that such a condition should be attached as standard to all planning approvals for new residential development in order to help ensure that the standard is effectively delivered through the building regulations. We therefore support Policy SD10 D in referring the use of planning conditions. However, clarification should be provided in relation to the preferred ‘Fittings Approach’.

Within Part G of Building Regulations, the 110 litres/person/day level can be achieved through either the ‘Calculation Method’ or the ‘Fittings Approach’ (Table 2.2). The Fittings Approach provides clear flow-rate and volume performance metrics for each water using device / fitting

in new dwellings. Thames Water considers the Fittings Approach, as outlined in Table 2.2 of Part G, increases the confidence that water efficient devices will be installed in the new dwelling. Insight from our smart water metering programme shows that household built to the 110 litres/person/day level using the Calculation Method, did not achieve the intended water performance levels.

Proposed Change:

We therefore consider that Policy G9 should be amended to refer to state:

“.....All new residential developments (including replacement dwellings) will meet the Building Regulation optional higher water efficiency standard of 110 litres per person per day, using the ‘Fittings Approach’ in table 2.2 as set out in Building Regulations part G2. Planning conditions will be applied to new residential development to ensure that the water efficiency standards are met.....”

Policy G8: Sustainable Drainage

Sound – no, as does not accord with Government policy NPPF 35 (d)

We support Policy G8 in principle.

In regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer in accordance with the drainage hierarchy set out in the London Plan. It is important to reduce the quantity of surface water entering the sewerage system in order to maximize the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

Proposed Change:

With regard to surface water drainage, Thames Water request that the following paragraph should be included in Policy wording or supporting text: ***“It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”***

Policy G7: Flood Risk

Sound- yes

We generally support Policy G7 as it is in general accordance with the NPPF and the PPG.

The National Planning Practice Guidance (PPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other

than from river and sea, which includes "Flooding from Sewers". We therefore support the reference to sewer flooding.

When reviewing development and flood risk it is important to recognise that water and/or sewerage infrastructure may be required to be developed in flood risk areas. By their very nature water and sewage treatment works are located close or adjacent to rivers (to abstract water for treatment and supply or to discharge treated effluent). It is likely that these existing works will need to be upgraded or extended to provide the increase in treatment capacity required to service new development. Flood risk sustainability objectives should therefore accept that water and sewerage infrastructure development may be necessary in flood risk areas.

Flood risk policies should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.

Policy R7: Odour

Sound – no, as does not accord with Government policy NPPF 35 (d)

Development within the vicinity of Sewage Treatment Works and Sewage Pumping Stations
The new Local Plan should assess impact of any development within the vicinity of existing sewage works/sewage pumping stations in line with the Agent of Change principle set out in the NPPF, paragraph 187.

Where development is being proposed within 800m of a sewage treatment works or 20m of a sewage pumping station, the developer or local authority should liaise with Thames Water to consider whether an odour impact assessment is required as part of the promotion of the site and potential planning application submission. The odour impact assessment would determine whether the proposed development would result in adverse amenity impact for new occupiers, as those new occupiers would be located in closer proximity to a sewage treatment works/pumping station.

Paragraph 174 of the NPPF, sets out that: "Planning policies and decisions should contribute to and enhance the natural and local environment by: ...e) 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..."

Paragraph 185 goes on to state: "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development..."

The online PPG states at Paragraph: 005 Reference ID: 34-005-20140306 that: "Plan-making may need to consider: ...whether new development is appropriate near to sites used (or proposed) for water and wastewater infrastructure (for example, odour may be a concern).."

The odour impact study would establish whether new resident's amenity will be adversely affected by the sewage works and it would set the evidence to establish an appropriate amenity buffer.

Proposed Change:

In relation to the above, text similar to the following should be incorporated into Policy R7 of the Local Plan:

“When considering sensitive development, such as residential uses, close to the Sewage Treatment Works, a technical assessment should be undertaken by the developer or by the Council. The technical assessment should be undertaken in consultation with Thames Water. The technical assessment should confirm that either: (a) there is no adverse amenity impact on future occupiers of the proposed development or; (b) the development can be conditioned and mitigated to ensure that any potential for adverse amenity impact is avoided.”

Site Allocations

Sound – no, as does not accord with Government policy NPPF 35 (d)

The information contained within the new Local Plan will be of significant value to Thames Water as we prepare for the provision of future water supply/wastewater infrastructure.

The attached table provides Thames Water’s site specific comments from desktop assessments on water supply, sewerage/waste water network and waste water treatment infrastructure in relation to the proposed sites, but more detailed modelling may be required to refine the requirements. Also, housing numbers weren’t supplied on every site so we’ve commented as much as possible in terms of infiltration, but couldn’t provide capacity comments

Early engagement between the developers and Thames Water would be beneficial to understand:

- What drainage requirements are required on and off site
- Clarity on what loading/flow from the development is anticipated
- Water supply requirements on and off site

The time to deliver water/wastewater infrastructure should not be underestimated. It can take 18 months – 3 years for local upgrades and 3 – 5 years plus for more strategic solutions to be delivered. It is therefore vital that the Council and Developers work alongside Thames Water so that we can build up a detailed picture what is being built where, get confidence of when that development is going to start and what the phasing of that development will be.

To support this Thames Water offers a Free pre planning service where developer can engage Thames water to understand what if any upgrades will be needed to serve the development where and when.

Link here > <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured water and waste matters for the development are being addressed.

Proposed Change

Include reference to concerns regarding waste water/water supply network capacity and the need to liaise with Thames Water to determine whether a detailed drainage/water

infrastructure strategy informing what infrastructure is required, where, when and how it will be delivered is required.

Policy SPS2: Kassam Stadium and Ozone Leisure Park

We support the reference to “*Potential effects of odour from the nearby wastewater treatment works along Grenoble Road will need to be assessed and mitigated in compliance with Policy R7*” subject to Policy R7 being amended in line with our comments.

Policy SPS3: Overflow Car Park, Kassam Stadium

We support the reference to “*Potential effects of odour from the nearby wastewater treatment works along Grenoble Road will need to be assessed and mitigated in compliance with Policy R7*” subject to Policy R7 being amended in line with our comments.

Please contact David Wilson on the above telephone number and email address.

Yours faithfully,

David Wilson
Thames Water Property Town Planner