

South Oxfordshire and Vale of White Horse Joint Local Plan 2041

Statement of Common Ground

Between

**South Oxfordshire District Council,
Vale of White Horse District Council and
Thames Water Utilities Ltd**

May 2025

1. Introduction

1.1. This Statement of Common Ground (SOCG) has been prepared by South Oxfordshire and Vale of White Horse District Councils (“the councils”), and Thames Water Utilities Ltd (“Thames Water”), hereafter referred to as “the parties”. This SOCG documents those matters agreed with regard to the South Oxfordshire and Vale of White Horse Joint Local Plan 2041 and supporting documents, to assist the Inspectors during the examination of the Joint Local Plan. This SOCG relates to the following policies (in plan order):

- a) Policy CE6: Flood risk
- b) Policy CE7: Water efficiency
- c) Policy CE8: Water quality and wastewater infrastructure and drainage
(*and Policy IN1: Infrastructure and service provision*)
- d) Policy CE10 – Pollution sources and receptors
- e) Policy AS3 – Land south of Grenoble Road, edge of Oxford
- f) Other site allocations and associated entries within the Infrastructure Delivery Plan (IDP)
- g) Policy NH2- Nature recovery
- h) Policy IN7 – South East Strategic Reservoir Option (SESRO)

2. Background / Context

2.1. In preparing the South Oxfordshire and Vale of White Horse Joint Local Plan 2041, the councils have run several periods of publicity on the plan, including the Issues Consultation (regulation 18), which ran from May to June 2022, the Preferred Options Consultation (regulation 18) from January to February 2024, and the Publication Stage Consultation (regulation 19) from October to

November 2024. Thames Water submitted representations to all of these consultation stages including the Publication Stage in November 2024.

2.2. The councils have set out in Appendix One to their response to the Inspectors' Initial Questions (examination library reference LPA02.1) details of the meetings the parties held. These were as follows:

- a) On 8 May 2024 following the preferred options consultation, the parties met to discuss how water and wastewater treatment capacity could be improved (where necessary). This directly influenced the Infrastructure Delivery Plan (examination library reference CSD05.1), but also resulted in the councils making minor updates to site allocation policies and the housing trajectories for the sites.
- b) On 20 August 2024 the parties met to discuss the latest housing trajectories, with the councils sharing these with Thames Water¹.
- c) On 24 October 2024 the parties met to discuss the policies within the proposed submission plan.
- d) On 14 January 2025, the parties met to discuss the JLP policies relating to wastewater and water infrastructure, and the allocation: land south of Grenoble Road, edge of Oxford².

2.3. The councils and their Water Cycle Study (WCS) (examination library reference CEQ18) consultants have also engaged regularly with Thames Water in relation to the development of that document.

2.4. The councils also met Thames Water in relation to SESRO, discussing draft policy wording for Policy IN7 and the JLP. Additionally, Thames Water organises regular meetings with the councils (and other local stakeholders) to discuss their emerging proposals for SESRO. These meetings cover a variety of technical discussions, including:

- a. Landscape and visual impact
- b. Environmental Impact Assessment
- c. Rail access
- d. Local and national highways impacts
- e. Public consultation
- f. Microclimate impact

¹ This meeting was omitted in error from the table of engagement LP02.1

² As a point of correction to LPA02.1 (page 59), the parties agree that the Thames Water SESRO team were not present at this meeting so the scope of the meeting did not include SESRO.

The councils used information from these meetings to help inform the latest position for drafting and updating Policy IN7.

3. Policy CE6: Flood risk

- 3.1. Thames Water believes that the policy should be modified to include reference to 'sewer flooding', and include 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.
- 3.2. The councils don't believe this change is necessary because mapping from known sewer flooding is included in Figure 13 of the WCS Scoping Report (examination library reference CEQ18).
- 3.3. Furthermore, Policy CE6 already seeks to minimise the risk and impact of flooding from all sources. Paragraph 4.40 of the Joint Local Plan confirms *"This includes flood risk from rivers, rainfall on ground surfaces, rising groundwater, reservoirs and overwhelmed sewers and drainage systems"*.

4. Policy CE7: Water efficiency

- 4.1. Thames Water believes that the policy should be modified to specify the "fittings approach" to achieving Part G of the Building Regulations (110 litres / person / day).
- 4.2. The councils don't believe this change is necessary because Part G of the Building Regulations allows water efficiency requirements to be achieved through either the 'Calculation Method' or the 'Fittings Approach'. The policy does not prescribe which method or approach to allow flexibility in reaching the water efficiency level as set by the policy or any future tighter standard that may replace this.

5. Policy CE8: Water quality and wastewater infrastructure and drainage and Policy IN1: Infrastructure and service provision

- 5.1. Thames Water believes that the JLP should include a new policy covering the aspects of water supply and wastewater infrastructure, which are currently covered by Policies CE8 and IN1. Thames Water consider that such a policy is required in accordance with policy in the NPPF and NPPG and numerous other draft and adopted Local Plans within the Thames Water region include such policies. Their proposed modification includes additional, specific references and considerations to this type of infrastructure.
- 5.2. The councils don't believe this change is necessary because Policies CE8 and IN1 provide an appropriate policy framework for delivering this type of

infrastructure. Furthermore, the councils believe these matters are covered by other legislation (such as the Water Industry Act 1991), and so duplicating those requirements in the plan would not be appropriate.

- 5.3. The parties agree that the IDP provides an appropriate assessment of the likely water and wastewater infrastructure contributions / improvements that are needed for the site allocations.

6. Oxford Sewage Treatment Works (STW) Policy AS3 – Land south of Grenoble Road, edge of Oxford

- 6.1. Both parties agree that Policy AS3 will need to be updated via a modification to reflect Thames Water's plans for future expansion of the Oxford sewage treatment works (STW). Both parties agree that the councils weren't aware of these plans at the launch of the publication period in October 2024, as Thames Water hadn't internally agreed them at that point in time. The councils will propose a modification to the plan to reflect this amended site area.
- 6.2. The parties agree that an announcement on 20 March 2025 that the Environment Agency will no longer seek conditions restricting housing development in and around Oxford, is positive for the site allocations in the JLP on the edge of Oxford. The EA have said they will confirm this in a letter to the affected LPAs,
- 6.3. The parties agree that Thames Water has now presented a clear, fully costed and funded programme of work, providing the confidence and certainty that water quality will be protected and communities in the area will have the water services they need, while allowing projected growth in the JLP to come forward.

7. Policy CE10 – Pollution sources and receptors

- 7.1. Both parties agree that Policy CE10 is sound.

8. All growth in the plan area, including other site allocations and associated entries within the Infrastructure Delivery Plan (IDP)

- 8.1. Both parties agree that they have engaged actively on assessing the water and wastewater infrastructure needs of the residential-led site allocation in the plan. This is achieved through both the IDP and Water Cycle Study (WCS). The parties agree that Thames Water will need to invest in a number of the Sewage Treatment Works across the plan area, both in the current AMP8 and beyond and consistent with the councils' housing trajectories and new Environmental Permits.

8.2. The parties have one area of disagreement regarding the site allocations.

Thames Water believes that the policies should be amended to reference to specific concerns regarding wastewater/water supply network capacity and the need to liaise with Thames Water at pre-application stage.

8.3. The councils don't believe this change is necessary to ensure the soundness of the plan. The councils believe that Policy IN1: Infrastructure and service provision sets an appropriate framework for securing infrastructure from new development.

9. Policy NH2- Nature recovery

9.1. Thames Water believes that the policy should be modified to exclude infrastructure from the type of development required to deliver 20% biodiversity net gain (BNG). Thames Water's case is that the national approach is for only 10% BNG and that 20% BNG has not been justified.

9.2. The councils disagree with this because the policy aligns with the statutory framework for BNG in allowing the same exemptions from mandatory BNG to specified types of development. In accordance with the national approach, the policy expects that infrastructure should provide BNG.

10. Policy IN7 – South East Strategic Reservoir Option (SESRO)

10.1. The parties agree that SESRO is a Nationally Significant Infrastructure Project which will be advanced through a Development Consent Order decided by the Secretary of State. The National Policy Statement (NPS) for Water Resources Infrastructure (April 2023) provides the primary basis for decisions by the Secretary of State on SESRO. The Secretary of State must also have regard to any local impact report. The NPS confirms at paragraph 1.1.9 that development plan documents may be important and relevant to decision-making by the Secretary of State however in the event of a conflict between these or any other documents and a NPS, the NPS prevails for purposes of decision making given the national significance of the infrastructure.

10.2. The parties agree that the overriding purpose of policy relating to SESRO in the JLP is to avoid land use conflict that would come from other developments occurring on the land proposed for SESRO. The parties agree that a secondary purpose of the JLP relating to SESRO is to set out the councils' overarching aims and objectives for the development, which will be used to inform the local impact report.

10.3. The parties agree that the Thames Water's Water Resources Management Plan 2024 (WRMP24) was approved by Government in August 2024 and published on 18 October 2024. It includes Thames Water's proposals for SESRO as one of its projects. The NPS (at paragraph 2.4.4)

states that “if a nationally significant infrastructure project is included in a water resources management plan, the ‘need’ for that scheme will have been demonstrated in line with government policy and the applicable statutory requirements, and ‘need’ would not be revisited as part of the application for development consent.”

10.4. An application for judicial review which challenges the Secretary of State’s approval of WRMP24 has been made by parties other than the Councils, and is due to be heard by the High Court in June 2025. If that case produces an outcome during the currency of the JLP examination which alters any of the matters above, the parties will provide an update on those matters.

10.5. Thames Water supports the plan’s inclusion of a safeguarding policy for SESRO. However, they do not believe that the policy as currently worded is sound. Thames Water has suggested specific modifications to address their concerns, which include:

- a) removing references in the policy that the safeguarded land would be removed in the event of the Secretary of State refusing a DCO application;
- b) removing references to the councils’ opposition to SESRO;
- c) splitting the policy into two parts (IN7a and IN7b) and adding a new part (IN7c) - IN7a would cover the principle of safeguarding and IN7b would cover the Councils’ expectations of what the reservoir should seek to achieve. These would retain the remaining existing text of the policy (subject to the changes listed). New Policy IN7c would act as a strategic policy referencing the national water resource planning process and links to other Strategic Resource Options (SROs). This is necessary as SESRO is fundamentally not a stand-alone project but is part of a network of interdependent SRO projects to ensure water supply security in future for the South East region; and
- d) removing the list of requirements in bullet 5 of the policy as it is inappropriate to include such a specific list in a safeguarding policy and in relation to a Nationally Significant Infrastructure Project.

10.6. The councils do not believe these changes are necessary because the current policy provides a framework for what the local authorities would expect from this development. It allows the policy to present local evidence on SESRO’s impacts, and assists the DCO process by clearly establishing the councils’ positions.

11. Water Cycle Study (WCS)

- 11.1. The parties agree that Thames Water has been engaged in an ongoing and technical manner by the councils in preparing their WCS.
- 11.2. The parties agree that the WCS is a robust, and appropriate evidence base for the relevant policies in the JLP.

12. Conclusion

- 12.1. The parties disagree on the wording of some policies in the plan, as outlined in detail above.
- 12.2. The parties agree that they have engaged on an on-going basis during the plan making process.
- 12.3. The parties agree that the IDP provides an appropriate and proportionate assessment of the water and wastewater needs of the residential-led allocations.
- 12.4. The parties agree that the announcement on 20 March 2025 that the Environment Agency will no longer seek conditions restricting housing development in and around Oxford, is positive for the site allocations in the JLP on the edge of Oxford.
- 12.5. The parties agree that Thames Water has now presented a clear, fully costed and funded programme of work for Oxford STW, providing the confidence and certainty that water quality will be protected and communities in the area will have the water services they need, while allowing projected growth in the JLP to come forward.
- 12.6. The parties will continue to work jointly to ensure sufficient water and wastewater infrastructure is provided for through both the development management process, and in any future plan making.
- 12.7. The parties will continue to work jointly in relation to proposals relating to SESRO.

Signatures

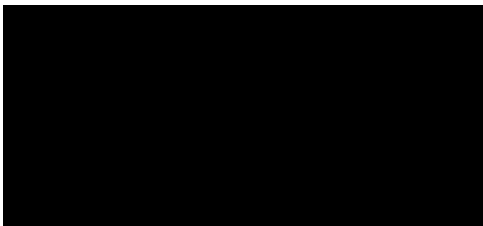
Signed on behalf of South Oxfordshire District Council and Vale of White Horse District Council



Tim Oruye
Head of Policy and Programmes

29 May 2025

Signed by David Wilson on behalf of Thames Water



David Wilson
Thames Water Property Town Planner

29 May 2025