

Statement of Common Ground with Environment Agency

This document addresses action number 10 and was raised at the Matter 2 hearing session:

Statement of Common Ground (SOCG) with Environment Agency (EA).



South and Vale Joint Local Plan 2041

Statement of Common Ground

between

South Oxfordshire and Vale of White Horse District Councils

and the

Environment Agency

in relation to the

South Oxfordshire and Vale of White Horse Joint Local Plan 2041

June 2025

1 Introduction

- 1.1 This Statement of Common Ground (SoCG) has been prepared by South Oxfordshire District Council and Vale of White Horse District Council (“the councils”) and the Environment Agency (“the EA”), hereafter referred to as “the parties”. It provides an overview of the matters that are agreed, and those that are not, between the parties in relation to the South Oxfordshire and Vale of White Horse Joint Local Plan 2041 (“the JLP”). The parties are also currently working together to produce a further SoCG which will consider JLP policies, including the proposed site allocations, in more detail.
- 1.2 As set out in the councils’ Duty to Co-operate Statement ([examination library reference CSD09.1](#)), the councils and the EA have co-operated constructively, actively and on an ongoing basis throughout the production of the JLP and its evidence base. The councils support and recognise the value of this ongoing working relationship for positively prepared local plans.

2 Engagement

- 2.1 To date, the councils have formally consulted on the JLP at the following stages:
- Regulation 18 Part 1 - Issues (12 May - 23 June 2022);
 - Regulation 18 Part 2 - Preferred Options (10 January - 26 February 2024); and
 - Regulation 19 - Pre-submission Publication (1 October - 12 November 2024).
- 2.2 The EA submitted representations at the Regulation 18 Part 2 Preferred Options and Regulation 19 Pre-submission Publication stages. The councils and the EA have also engaged outside of the formal consultation periods, particularly in relation to the production of evidence.
- 2.3 The key matters of engagement are outlined below:

Strategic Flood Risk Assessment (SFRA)

- 2.4 The JLP is supported by a Level 1 and Level 2 SFRA which were published at the Regulation 19 stage (examination library references [CEQ11](#), [CEQ11.1](#), [CEQ12](#), and [CEQ12.1](#)). The SFRA has informed the plan-making process, including the application of the sequential test, as set out in the Site Selection (Incorporating Sequential Flood Risk and Exception Test) Topic Paper ([examination library reference TOP07.1](#)).
- 2.5 The councils engaged with the EA in producing the SFRA - and the SFRA was produced considering EA guidance. The parties agree that the SFRA was based on the best available data at the time it was produced. The EA has raised concerns about the lack of detailed modelling at some sites listed in the Level 2 SFRA. The councils consider this is addressed by JLP Policy CE6 – Flood risk which requires site specific flood risk assessments for sites of one hectare or more. Paragraph 4.43 makes clear that the SFRA should be the starting point in considering flood risk in the districts and the Level 2 SFRA clearly states when further modelling is required for site allocations within a site specific flood risk assessment. The EA have set out the risks with delaying undertaking this modelling, and the need for a precautionary approach to mitigate for these risks, in their response to the Reg 19 consultation. Further information has

been provided in paragraph 2.11 (below) and a further SoCG will cover the specific allocated sites.

- 2.6 The Flood Map for Planning (FMfP) was updated on 25 March 2025, following the submission of the plan, as part of the new National Flood Risk Assessment (NaFRA2). Changes to the FMfP include the introduction of the New National Model (NNM) – which supersedes the JFLOW modelling that affects sites across the districts. It is the EA's opinion that, following these changes, both the Level 1 and Level 2 SFRAs will require updating and that, depending on the outcome of that process, the sequential test may need to be re-applied. The parties will continue to work together to discuss and confirm any additional updates, and the outputs will be addressed in the further SoCG. The Councils' current expectation, after discussion with its flood risk consultants, is that it should be possible to complete any updating exercise by the beginning of September 2025.

Water Cycle Study (WCS)

- 2.7 The WCS Scoping Report (examination library references [CEQ18](#) and [CEQ18.1](#)) was published at the Regulation 19 stage. It considered the impacts of the JLP in relation to water resources, water supply infrastructure, wastewater infrastructure, water quality, relevant flood risk, and other environmental constraints, such as odour. The WCS Scoping Report was produced in accordance with the [EA's WCS guidance](#) and the councils engaged with the EA in producing the report, including providing the EA with emerging outputs for review. The WCS Scoping Report identified the need for further assessment of sewage treatment work capacity and water quality implications as part of a WCS Detailed Report.
- 2.8 At the Regulation 19 stage, the EA raised soundness concerns about a number of JLP policies as, at that point in time, there was no WCS Detailed Report to demonstrate that housing allocations in the JLP could be delivered without impacting on water quality. The EA was also concerned that issues related to water resources and water supply infrastructure identified in the WCS Scoping Report were not being considered further in the WCS Detailed Report.
- 2.9 Work to produce a WCS Detailed Report is underway and at an advanced stage. Discussion between the parties helped shape the scope of the study and its methodology for assessing sewage treatment work capacity and water quality. The councils have agreed to include a section on water resources and water supply infrastructure. A draft report was produced in February 2025 and is in the process of being finalised taking into account comments received from the EA. The councils expect the WCS Detailed Report to be completed by the end of July 2025.
- 2.10 The parties agree that they will continue to engage with each other in the process of finalising the WCS Detailed Report with the aim of resolving the soundness concerns raised by the EA at the Regulation 19 stage.

Policies

- 2.11 At the Regulation 19 stage the EA made a number of detailed comments on specific JLP policies, including the proposed site allocations. At present the Environment Agency has a number of concerns about the soundness of the plan. The parties agree to continue to work together with the intention of producing a further SoCG before the next set of hearings. In the event that we are unable to resolve all current differences, that further SoCG will set out for the benefit of the inspectors those matters on which parties agree and where we still disagree.

Policies map

- 2.12 At the Regulation 19 stage, the EA stated that the policies map is unsound as it does not safeguard land for the Oxford Flood Alleviation Scheme (OFAS) . The EA requested a suitably worded policy should be included within the plan alongside the land being safeguarded for OFAS on the proposals map. The parties agree to work together to consider this matter further and to seek a resolution over the coming weeks. The outcome will be detailed in the further SoCG.

3 Duty to Cooperate and Engagement

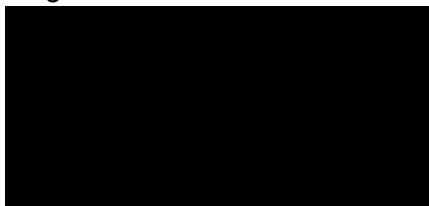
- 3.1 The parties agree that they have engaged effectively and on an ongoing basis during the plan making process.

4 Governance Arrangements

- 4.1 This SoCG will be reviewed and updated as required to reflect the most up-to-date position in terms of joint working.

5 Signatures

Signed:



Tim Oruye
Head of Policy and Programmes
South Oxfordshire District Council and Vale of White Horse District Council

Signed:



Judith Johnson
Planning Specialist, Sustainable Places Team, Thames Area
Environment Agency