

Comments for Planning Application 22/03240/OUT

Application Summary

Application Number: 22/03240/OUT

Address: Land South Of Burford Road Minster Lovell Oxfordshire

Proposal: Outline planning permission for the development of up to 140 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout) reserved.

Case Officer: David Ditchett

Customer Details

Name: Consultee Windrush Against Sewage Pollution WASP

Address: Little Mill Widford Burford OX18 4DU

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Affect local ecology
- Other - give details

Comment: 22/03240/OUT | Outline planning permission for the development of up to 140 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout) reserved. | Land South Of Burford Road Minster Lovell Oxfordshire

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 Witney Sewage Treatment Work (STW) and Brize Norton Sewage Pumping Station (SPS) owned by Thames Water Utilities Limited (TWUL) to deal legally with the increased sewage generated by the proposed development.

3. In its response to the application (Foul Drainage and Utilities Assessment Part 1 1155278.pdf) Thames Water (TW) 'our sewerage network may not have sufficient capacity to meet your requirements.' TW further notes that they will need to do modelling work and probably network extension to create adequate capacity and that this will typically take 20 months from granting of outline planning permission.

4. TW makes no mention however of the ability of either its Brize Norton SPS or Witney STW to pump, treat and discharge the additional sewage generated by the proposal in a legal manner compliant with their statutory Environment Agency permits.

5. The outline application shows a total of 140 dwellings. Using a conservative assumption (supplied by TW) of 300l/dwelling/per day the total daily volume of foul water produced will be in the order of 70,000 l/day or 70tonnes/day. This will be passed initially to Brize Norton SPS and thence to Witney STW for treatment

6. Upgrading the local sewer network in Minster Lovell may prevent sewer flooding in and around the new development (although that is not certain as a recently installed similar scheme required tankering assistance in late 2022 as a result of a mechanical failure). It will however add a daily flow of more than 70 tonnes of additional sewage to Brize Norton SPS, which regularly already illegally spills raw sewage into local properties, agricultural land and the Highmoor Brook, a tributary of the Shill Brook. TW acknowledges that there is a significant problem at Brize Norton SPS but has no time limited or costed plans to resolve this long-standing issue.

<https://www.thameswater.co.uk/media-library/home/about-us/regulation/drainage-reports/groundwater-infiltration-management-plans/witney-groundwater-infiltration-management-plan.pdf>

7. Evidence gathered by WASP also shows clearly that Witney 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 stated on its statutory permit (See Figure 1). An account of 10 years of unpermitted early spilling was recorded in WASP's peer reviewed paper¹, with yet more examples in a WASP report².

8. In essence this means that Witney 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. Published EA Water Framework Directive data³ shows the receiving reach of the River Windrush to be at MODERATE ecological status, with continuous and intermittent discharge of sewage by the water industry cited in three separate categories as Reasons for Not Achieving Good status (RNAG).

9. 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 Witney STW is included in this investigation.

10. TWUL has stated that the resolution of this self-acknowledged under-capacity issue will be

addressed by the end of AMP7 (December 2024).

11. WASP contends that without the prior completed upgrade to ensure compliance with the legal permit standard at Witney STW, and adequate resolution of the on-going spilling of raw sewage at Brize Norton SPS, granting of planning permission for this development will simply endorse their present un-permitted and illegal operations, increasing further the spilling of untreated sewage into the River Windrush and Shill Brook catchments.

12. 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 and case law⁴.

Windrush Against Sewage Pollution (WASP)

Registered Charity No: 1199418

2 January 2023