

25/01036/OUT|Outline application for up to 195 dwellings together with vehicular access from London Road, landscaping together with associated development including active travel measures along London Road

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 on the ability of Moreton in Marsh STW owned by Thames Water Utilities Limited (TWUL) to deal legally with the increased sewage generated by the proposed development, and the likely impact of these facts on the requirement for a formal Environmental Impact Assessment (EIR).
3. The submission by Ridge on behalf of Bloor Homes makes clear the concerns linked to odour production from Moreton in Marsh STW but offers scant details regarding dealing with this issue.
4. The Sustainable Drainage Strategy (SDS) accompanying the application contains a letter from Thame Water that concluded '*our sewerage network will not have enough capacity for full development at this time.*' Thames Water cites a rough 20 month time frame from the granting of planning permission to provide all necessary upgrades to their local sewerage network.
5. Unforgivably, the SDS makes no mention of the ability of the STW and linked Primrose Court Sewage Pumping Station (SPS) to treat and discharge the additional sewage generated by the proposal in a legal manner compliant with its statutory Environment Agency permit; there are clear implications for the production of waste and impacts on water pollution. These impacts are examined in detail below.
6. The scoping assessment indicates that a total of 195 dwellings and associated business developments are proposed. Using a conservative assumption (figure supplied by Thames Water) of 300l/dwelling/per day for foul water flow generated daily, then the total volume of foul water generated daily by ONLY the residential development will be in the order of 58,500 l/day or 58.5 tonnes/day. This will be passed to Moreton in Marsh STW for treatment
7. Moreton in Marsh STW is one of a total of 112 projects that Thames Water failed to complete as required by Ofwat during the AMP7 (2019-2025) investment period. The work required included increasing the size of the storm tanks (despite Thames Water's statement, Morton in Marsh STW has no storm tanks: The U IMP6 driver refers to the Primrose Court land treatment area (LTA) adjacent to the STW) and measures to achieve Good Environmental Status (WFD IMPg). <https://www.thameswater.co.uk/about->

[us/performance/river-health/frequently-asked-questions/information-about-specific-sites#m](https://www.thameswater.co.uk/performance/river-health/frequently-asked-questions/information-about-specific-sites#m)

8. TW notes that it does not expect to complete the required upgrades by December 2027. Given the current concerns regarding Thames Water's financial viability and future funding, there is a low confidence that the required upgrades will take place on schedule; past history of these types of projects supports this degree of scepticism.
9. These failures to upgrade to the agreed timescale, mean that as of 31 March 2025, both Moreton STW and Primrose Court LTA will be operating contrary to their respective statutory Environment Agency discharge permits (i.e illegally).
10. Further weight is added to this argument by the launch of a formal investigation by Ofwat into the failure of Thames Water to complete the required 112 upgrades by the end of March 2025. <https://www.ofwat.gov.uk/ofwat-to-investigate-thames-water-on-delayed-environmental-schemes/>
11. The Environment Agency is also 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 Moreton in Marsh STW is included in this investigation.
12. The Moreton in Marsh STW/Primrose Court complex is also subject to prolonged periods of so-called 'dry spilling' during which untreated sewage is discharged to the headwaters of the River Evenlode in the absence of rainfall. These discharges lie outside the permitted conditions for the works and are thus illegal.
13. During 2023, Primrose Court LTA dumped 2,012 hours of untreated sewage, in 2024 2,056 hours and in the first two months of 2025, in excess of 349 hours (Source: https://www.sewagemap.co.uk/?asset_id=CTCR.2093&company=Thames%20Water). Much of this discharge was illegal.
14. Thames Water states that it will not achieve compliance with all government targets for storm overflows at Primrose Court until 2040 – 2045, meaning that it will remain periodically illegal until that date.
15. The River Evenlode downstream of the discharges from Moreton STW and Primrose Court LTA fails to meet the 'Good Ecological Standard' expected, instead achieving only a 'Moderate' ranking.
16. The Environment Agency ascribes two Reasons for Not Achieving Good status (RNAG's) to continuous point source discharges of sewage from water company assets. The lack of any similar RNAG's for intermittent discharges (i.e discharge of untreated or 'storm' sewage) is a clear error and omission on the part of the Environment Agency.

17. There are a number of sections from the National Planning Policy Framework that are apposite to this application, namely:
18. **Section 3 Plan Making.** Para 20 notes that the requirement for an overall strategy for the pattern, scale and design quality of places and makes **sufficient provision** for: b) ‘infrastructure including **waste water**’ (This very specific prescription is at the heart of WASP’s concerns regarding development and its impact on the discharge of untreated and poor- quality sewage to rivers) and more broadly d) ‘the conservation and enhancement of the natural environment’
19. Para 43 notes the clear advantages of early engagement with ‘other consenting bodies’ (including presumably the Environment Agency for all sewage and foul water issues), particularly to enable consideration as to whether a particular development will be acceptable in principle. WASP supports this approach which is likely to become more relevant as water industry under-investment in sewage treatment works and associated infrastructure becomes clearer. The recent objection by the Environment Agency to a major development of 1,450 house in Barton, Oxfordshire due to lack of capacity at Oxford STW is a clear and current example.
20. Paragraph 180 (1) (formally paragraph 174) notes that: ‘Planning policies and decisions should contribute to and enhance the natural and local environment by: *l) 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.*
21. Given these facts, it should be clear to both the applicant and Cotswold District Council that there is clear evidence of lack of capacity at Moreton in Marsh STW/Primrose Court SPS to receive further input of sewage and the environmental impact from the proposed development on the local environment of Moreton in Marsh and the wider downstream reaches of the River Evenlode into which the sewage will flow
22. In conclusion WASP OBJECTS to this application due to the unacceptable increased loading that it would put on the currently illegally operating Thames Water Moreton in Marsh STW and Primrose Court SPS, which fail to meet its legal permit conditions.
23. WASP contends that the planning authority and presumably by extension, a planning inspector 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 law.
24. We would ask to be kept informed of the council’s view on this submission, and on progress to full/outline planning application for this proposal.

Windrush Against Sewage Pollution (WASP)

Registered Charity No: 1199418

18 April 2025