



DCO Submission

Environmental Statement

**Chapter 9:** Water Environment  
**Appendix 9.6:** Statutory Consultation Comments

Document 6.9F

On behalf of  
**Oxfordshire Railfreight Limited**

Prepared by BWB Consulting Ltd  
**March 2026**

## APPENDIX 9.6 – Statutory Consultation Comments

Consultee / Reference	Consultee Comment	Application Response
<b>Anglian Water</b>		
9.2.17	AWS notes that Thames Water has confirmed earlier in 2025 a foul water point of connection for the project.	No action required
Table 9.3	AWS requests that the water quality and flood risk 'Potential Effects' includes the risk from construction stage and operational phase wastewater flows. AWS agrees that increased wastewater flows will occur during construction and then operation due to additional workers. These flows could though be managed on site using standalone welfare facilities including package treatment plants.	The affect of construction stage and operational stage on wastewater flows has been considered within the ES Chapter.
9.2.39	AWS notes that 'Thames Water (TW) have confirmed they will not undertake modelling to confirm any mitigation required until a DCO is made but that a deliverable scheme to an agreed point of connection is achievable, with upgrades provided by TW within their wider network'.	No action required
9.5.2	With reference to our comments re Table 9.3, AWS welcomes that the CEMP will set out how foul water will be managed from welfare facilities. Appropriate design of the management solution including nature-based solutions at construction stage may enable a lower carbon and lower cost solution for the operational stage.	No action required
9.5.26	AWS again notes that a Thames Water solution is proposed for foul water. We are unable to comment on Operational Phase impacts of a Thames foul water solution. If a Thames Water solution is not taken forward the	No connection is proposed to AWS assets.

	impact on one or more AWS WRC may lead to a delay in delivering a comprehensive solution which may either delay the Project or delay housing growth served by AWS WRC(s).	
Figure 9.1	In the event that the Project proceeds with an AWS foul water solution or twin tracks TW and TWS options the Study Area will need to include the Brackley WRC catchment	No connection is proposed to AWS assets.
Figure 9.2	In the event that the Project proceeds with an AWS foul water solution or twin tracks TW and TWS options the red line 'Order Limits' area will need to include the new pipeline to Brackley as well as access land for construction and maintenance.	No connection is proposed to AWS assets.
<b>Environment Agency</b>		
General lack of consideration of Geomorphological impacts (EA15)	Inadequate consideration given to direct effects on watercourses - risk of misidentification of impacts and missed opportunities for mitigation and uplift if effects. Identify as early as possible any watercourse BNG and Water Framework Directive (WFD)/River Basin Management Plan (RBMP) opportunities for improving the watercourse network.	A WFD has been prepared and is appended to the ES Chapter (Appendix 9.5)  The WFD Assessment is referenced in the Es Chapter and concludes the Proposed Development is not anticipated to impact the overall WFD status of the Padbury Brook or Langford Brook nor will it prevent WFD objectives from being achieved. The ES also includes additional references made to hydrogeomorphological impacts.
Off-site flood risk impacts to third parties (EA16)  Downstream flood risk impacts (EA17)	No demonstration/consideration of the possible offsite impacts posed by the Proposed Development, i.e. how the Proposed Development may impact third parties.  Undertake an assessment of the residual risk posed - specifically, the Applicant must show impacts both downstream and upstream of the Site in the hydraulic model.	The hydraulic evidence and reporting have been completed and are included within the FRA appended to the ES Chapter (Appendix 9.1). The evidence shows no increased flood-risk to downstream receptors or landowners as a result of the proposed development. No likely significant adverse residual effects are identified from the assessment undertaken (on-site or off-site).
Hydraulic Model Files (EA18)	The hydraulic model files have not been provided for review.	The hydraulic files have been shared with the EA for review. These have

		<p>reviewed by the EA specialists within the context of the DAS process.</p> <p>Review comments from the EA have been received and are being addressed. The comments are relatively minor and not expected to change the conclusions of the FRA and ES Chapter.</p>
Resilience against future flood risk (EA19)	<p>Provide evidence that the warehouses will be resilient to the credible maximum scenario event. This should be done by raising finished floor levels (FFLs) above the credible maximum scenario and/or 300mm above the design flood event (whichever is highest).</p>	<p>The work to complete and finalise the ES included further appropriate references to these issues – the FRA (Appendix 9.2) and Drainage Strategy (Appendix 9.3) has informed FFLs which do make provision for this credible maximum scenario.</p>
Missing WFD water body (EA20)	<p>Water body catchment ‘Town Brook at Bicester’ (GB106039030150) has not been considered. Identify all watercourses which could be affected by developments and include them in Chapter 9 and the WFD Assessment.</p> <p>We note that the statutory Main River in this catchment appears to be outside the Figure 9.1 Study Area and is not labelled in Figure 9.7.</p>	<p>The Study Area marginally falls within the Town Brook to Bicester catchment. The OffSite Works No. 10 (foul water drainage outfall) is the only part of the Application which falls within the Town Brook to Bicester catchment allowing for the route of the foul water drainage. Given the nature of the works in this area, the effect of the development on the Town Brook to Bicester catchment is not expected to be significant and has not been included within the WFD Assessment (Appendix 9.5). As such, it has not been considered further in the ES Chapter.</p>
General lack of consideration for WFD (EA21)	<p>General lack of consideration for WFD and impacts on water quality. Risk of missing out on opportunities to deliver WFD mitigation measures as part of the design.</p> <p>Aside from paragraph 9.2.36 which says that geomorphological and water quality impacts will be assessed as part of a WFD Assessment, little detail on water quality impacts is provided.</p>	<p>A WFD has been prepared and is included as Appendix 9.5.</p> <p>The WFD Assessment is referenced in the ES Chapter and concludes the Proposed Development is not anticipated to impact the overall WFD status of the Padbury Brook or Langford Brook or prevent WFD objectives from being achieved. The ES also includes additional references made to hydrogeomorphological impacts.</p>
Pollution Prevention (Water Quality) (EA22)	<p>Insufficient detail provided on the surface water drainage strategy and pollution prevention measures. There is risk of decrease in water quality from fuel/oil/chemical spillages or</p>	<p>Further information on pollution prevention measures included within the ES Chapter 9, Surface Water Drainage Strategy (Appendix 9.3 and 9.4) and WFD (Appendix 9.5) have been prepared and form part of the final</p>

	<p>increased sediment entering surface water runoff without sufficient mitigation measures in place.</p> <p>Provide sufficient detail on the surface water drainage strategy and pollution prevention measures in the CEMP, surface water drainage strategy, WFD assessment and Chapter 9 of the final ES. Further details on specific details we wish to see are provided.</p>	<p>application. These are referred to in, and have been used to inform, the ES.</p>
Water Supply Strategy (EA24)	<p>Insufficient detail provided to demonstrate the claim made in paragraph 9.5.17 that the likely significance of effects of water supply during construction activities are slight adverse. If the water resources assessment undertaken does not include all water demands, and water is required outside of mains water supply then alternative sources of supply should be evaluated.</p> <p>Development in areas under serious water stress should demonstrate how optimal water efficiency can be achieved and explore alternative sustainable sources of supply such as rainwater harvesting. Where possible, non-potable water should be used to meet demands which do not require it such as dust suppression and machinery wash down.</p>	<p>As recognised in the EA comments, the draft ES already has acknowledged the regional water scarcity identifies increased demand on the local water supply (due to construction activities) as likely affects.</p> <p>TW are required to provide water supply if requested by the customer. Discussions on this are ongoing with a modelling study for the area currently being reviewed and finalised by TW, but the outcome from this process will be a definition of what works are required, and agreement of a delivery (and funding) mechanism for any such works. The additional mitigation in the form of reinforcements and improvements to the existing water infrastructure will ensure the Proposed Development has only neutral (not significant) effects on the local foul water network..</p>
Dewatering (EA25)	<p>No appraisal of the extent of dewatering that may be required during both construction and operation if artesian conditions are encountered.</p> <p>Dewatering activities have to potential to impact on groundwater dependent surface water features and on other licence holders and</p>	<p>The work to complete and finalise the ES, and the CEMP, includes further appropriate references to dewatering, however, no significant impacts or issues are expected with mitigation in place.</p> <p>Dewatering is addressed in ES Chapter 11 Ground Conditions</p>

	lawful water users – these impacts must be considered.	
Minor Issue Regarding Coverage of Groundwater within the ES (EA29)	<p>Overlap between Chapters 9 and 11 in that they both cover potential effects to groundwater quality.</p> <p>Potential for confusion and inconsistencies. Ensure clarity in final ES.</p>	<p>The final ES is clear on how and where groundwater is addressed – it is relevant to both Chapters 9 and 11, and both chapters continue to refer to relevant issues, but effort has been made to ensure no inconsistencies, and relevant cross-references where required.</p> <p>In addition, the CEMP – a cross-cutting document prepared with multi-disciplinary input - is considered appropriate in terms of the framework for groundwater controls.</p>
Inaccurate Labelling of Impact (EA30)	<p>Potential effect 'Spillage at surface impacting the quality of groundwater resources' has been listed as a groundwater resource issue when it is in fact a groundwater quality impact.</p> <p>Possible confusion about potential mitigation measures as a result of inaccurate labelling of issues considered in the assessment.</p> <p>List groundwater quality and groundwater resource impacts separately.</p>	ES chapter has been updated to correct this
Omission of Groundwater as a Receptor (EA31)	<p>No consideration for groundwater as a receptor that is susceptible to significant risks. The assessment only considered groundwater in large operational waterbody catchments, rather than the aquifers. As a result, groundwater receptors have not been included in the operational part of Table 9.12.</p> <p>Consider potential risks to the aquifers beneath the development from all stages of the development (i.e, construction and operation). Ensure this is reflected within Table 9.12 in the final ES.</p>	<p>The work to complete and finalise the ES includes further appropriate references to groundwater as a potential receptor.</p> <p>In addition, the CEMP is considered appropriate in terms of the framework for groundwater controls. The CQA is required to be approved by the EA, and other parts of Section 11 of the CEMP refer to monitoring to ensure no adverse impacts on groundwater.</p> <p>Further details re: groundwater receptors will be required through phase specific CEMPs (P-CEMPs).</p> <p>The ES Chapter has been updated to make specific reference to the aquifers and not just the operational waterbodies.</p>
Vulnerable Groundwater Receptors (EA32)	No reference to groundwater dependant terrestrial ecosystems (GWDEs) and private water supplies have not been referenced in Chapters 9 and 11 which, according to their introductions consider risks to groundwater (this includes the Appendices that	No groundwater dependant terrestrial ecosystems have been identified. The local SSSIs are geological / limestone grasslands which are not groundwater dependant. This has been made clear in the ES. There are no known private water supplies.

	<p>support these Chapters (Appendices 11.1, 11.2, 11.4, 11.5 and 11.6)).</p> <p>Include private water supplies (if present) and GWDTEs in future assessments.</p>	
Minor Reporting Error (Alluvium Deposits) (EA33)	<p>The report has incorrectly identified the Alluvium deposits as a Principal aquifer (Ch 9: Water Environment, Section 9.2.26) – should be identified correctly.</p>	<p>This has been updated in the ES Chapter.</p>
Inadequate Mitigation Measures for Pollution Prevention (EA34)	<p>The proposed embedded mitigation measures do not include pollution prevention from roads and railways, other than refuelling and spill management. It is not clear how pollution prevention from surface water drainage will be managed.</p>	<p>The updated ES chapter, and updated, final CEMP are clear on the range of measures to prevent pollution, including from roads and from relevant on-site activities during construction. The 'operational' phase approach to mitigating such risks are addressed through the drainage design detail.</p> <p>Further information on pollution prevention measures are included within the ES Chapter, Sustainable Drainage Statements (Appendix 9.3 and 9.4) and WFD (Appendix 9.5) and form part of the application. These are referred to in, and have been used to inform, the ES.</p>
Foundations (Piling) (EA35)	<p>No confirmation of the type of foundations which will be used for the buildings on site.</p> <p>Risk of polluting the underlying aquifer if piled foundations are used.</p> <p>If piled foundations are used, they could potentially as pathways for the transfer of contaminants to the underlying Principal aquifer.</p>	<p>Piling is not proposed.</p>
<b>Cherwell District Council and Oxfordshire County Council (Joint Response)</b>		
8.8.20	<p>The surface water drainage proposals require more detail to understand the impact on the water environment. The use of SuDS, a discharge rate restricted to Qbar and attenuation storage for the 1 in 100 year storm event plus climate change, provide an indicator that the impact will be mitigated with respect to runoff quantity. Not all information has been included to verify this, e.g. hydraulic calculations</p>	<p>Information on the drainage strategy for the Proposed Development, including hydraulic calculations, is provided in the Sustainable Drainage Statements (Appendix 9.3 and Appendix 9.4)</p>

8.8.21	Further information on groundwater levels and infiltration viability from the Phase 2 report under 'Chapter 11: Ground Conditions' has not been referred to.	Cross-reference to infiltration testing and viability has been included in the Sustainable Drainage Statements (Appendix 9.3 and Appendix 9.4)
8.8.22	Further information is required to demonstrate: <ul style="list-style-type: none"> <li>• National and local standards and guidance for SuDS and surface water drainage have been met.</li> <li>• The viability of infiltration to ground (even if partial), and water re-use,</li> <li>• The use of source control SuDS,</li> <li>• The sufficiency of the proposed SuDS for pollution mitigation relative to the hazard posed by the development,</li> <li>• Consideration of management and maintenance of the SuDS,</li> <li>• Consideration of amenity and biodiversity when designing SuDS</li> </ul>	Commentary on the SuDS design has been included in the Sustainable Drainage Statements (Appendix 9.3 and Appendix 9.4). The SDS reports also include consideration of the water quality assessment.
8.8.23	The LLFA may need to resource external consultancy to review the flood risk modelling reports.	<p>The hydraulic modelling has been shared with the EA for review. These have reviewed by the EA specialists within the context of the DAS process.</p> <p>Review comments from the EA have been received and are being addressed. The comments are relatively minor and not expected to change the conclusions of the FRA and ES Chapter.</p>
<b>Thames Water</b>		
Foul Water	<p>ORL have also worked with TWUL to understand the nearest practical point of connection for the development's wastewater. In 2022, an outline design and budget estimate was submitted by TWUL to ORL for constructing a new sewer from the development site to the existing wastewater network in Bicester, which was TWUL's identified, nearest, practical point of connection. Discussions remain ongoing regarding the point of connection for the development's wastewater. Confirmation of the connection point will confirm whether capacity exists in the TWUL network for the development and if any network reinforcement is required to facilitate its connection.</p>	<p>TW will undertake modelling once a DCO is made to confirm any mitigation required with any upgrades to be provided by TW within their wider network. The point of connection is included in the Order Limits. Any additional mitigation in the form of upgrades to the existing sewerage infrastructure will reduce the effects of the operational phase of the Proposed Development on foul water to less than significant.</p>

Potable Water	Finally, ORL have submitted a pre-planning enquiry to TWUL to confirm a suitable point of connection for the site's clean water and whether capacity exists. Discussions on this are ongoing with a modelling study for the area currently being reviewed and finalised by TWUL.	Consultation with TW is ongoing, but the outcome from this process will be a definition of what works are required, and agreement of a delivery (and funding) mechanism for any such works. The additional mitigation in the form of reinforcements and improvements to the existing water infrastructure will reduce the effects of the construction phase of the Proposed Development on potable water to less than significant.
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