

White Horse Reservoir (previously South East Strategic Reservoir Option) – WA010005

Thames Water Utilities Limited

Section 51 Advice Log

Version: 26 March 2026

There is a statutory duty under [section 51 \(s51\) of the Planning Act 2008](#) for the Planning Inspectorate to record the advice that it gives in relation to an application or potential application, and to make this publicly available.

This document comprises a record of the advice that has been provided by the Inspectorate to the applicant (Thames Water Utilities Limited) and their consultants during the pre-application stage. It will be updated by the Inspectorate after every interaction with the applicant during which s51 has been provided. The applicant will always be given the opportunity to comment on the Inspectorate's draft record of advice before it is published.

The applicant will use this Advice Log as the basis for demonstrating regard to section 51 advice within the application.

| Project name s51 Advice Log - Index | |
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| Date of meeting | Meeting overview |
| 31 October 2024 | This advice was sent by email only for feedback on the Programme document. |
| 2 April 2025 | <p>A Project Update Meeting (PUM) was held where various advice was provided on the following agenda items.</p> <p>Project Scope and Programme Document</p> <ul style="list-style-type: none"> • DCO Documents and Consultation • Engagement and Masterplan • PINS Issue Tracker • General advice and Follow-up <p>The advice can be seen in detail below.</p> |
| 13 October 2025 | <p>A Project Update Meeting (PUM) was held where various advice was provided on the following agenda items.</p> <ul style="list-style-type: none"> • Statutory Consultation • Update on PEIR Findings • Issues Tracker • Programme Lookahead <p>The advice can be seen in detail below.</p> |
| 29 October 2025 | This advice was sent by email only for updates on the pre-application services |
| 26 March 2026 | <p>A Project Update Meeting (PUM) was held where various advice was provided on the following agenda items.</p> <ul style="list-style-type: none"> • Response to Previous PINS Comments • External Scheme Elements as part of the DCO • Issues Tracker • Lands and Rights Negotiations Tracker • Programme Lookahead <p>The advice can be seen in detail below.</p> |

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| 09 April 2026 | Post-PUM Advice |
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Project name -s51 Advice Library

Topic

31 October 2024

Feedback on Programme document

Following a review of the submitted Programme/Supporting Document (attached) please see the advice below:

- Good demonstration of compliance with the Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects Guidance. The Applicant will be aware that one of the mandatory components of the new pre-application service (for all service tiers), as set out in the Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus, is demonstrating regard to advice. As such this should be clearly reflected in the application documents.
- The Applicant must ensure that the Programme Document (PD) is hosted and maintained on the Applicant's website and share with Local Authorities, Statutory consultees etc.
- Please add any targeted consultation dates to Programme Document. (If any)
- It would be helpful if the timeframes for the submission of the Adequacy of Consultation Milestone (AOCM), draft document review are added to the Programme document.
- An Issues Tracker should be maintained and shared with Local Authorities, Statutory consultees etc.
- It would be helpful if the PD could provide approximate timescales for future project update meetings with the Inspectorate. It would also be helpful to list any meetings with key stakeholders to enable those parties to deploy resources effectively (see below as outline advice).

For further guidance of the Pre-Application process including what the programme document should contain I refer you to the following link:

[Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects - GOV.UK](#)

As this project will be advancing through The Standard service tier the Planning Inspectorate can provide up to 6 Project update meetings per annum, and it would be useful if potential timings were provided in the Programme document, to effectively resource in advance.

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| | <p>The key milestones are outlined below (if not already undertaken) -</p> <ul style="list-style-type: none"> • <i>Inception Meeting</i> • <i>Post-Scoping, pre-section 42 consultation meeting</i> • Post-section 42 consultation • Draft documents feedback meeting • Pre-Adequacy of Consultation Milestone • Pre-submission meeting |
| Topic | Meeting date: 2 April 2025 |
| Project Scope and Programme Document | <ul style="list-style-type: none"> • The rationale for submitting the s35 direction should be made clear in statutory consultation documentation. • The Programme Document should: <ul style="list-style-type: none"> ○ Include a 6-week feedback period for draft DCO application documents to be reviewed by the Inspectorate. ○ Include the Adequacy of Consultation Milestone (AoCM) 3 months before submission. ○ Be updated and submitted to the Inspectorate at least 2 weeks prior to future meetings, if any updates/amendments. ○ Include a high-level overview of unresolved vs. resolved issues for clarity during Examination. |
| DCO Documents and Consultation | <ul style="list-style-type: none"> • As there are not previous examples of submitted Recreational Amenities Statements for the applicant to review, the Inspectorate advised the following regarding the Recreational Amenities Statement: <ul style="list-style-type: none"> ○ The applicant should seek legal advice on the Recreational Amenities Statement to ensure the appropriate information is provided. ○ If beneficial to the applicant, the Inspectorate can review a draft and provide feedback in the future. ○ The applicant should consult with local authorities and statutory bodies on construction hours. ○ The Recreational Amenities Statement would be expected to document the types of |

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| | <p>recreational amenities to be provided, the range of activities which may be taking place, the management and maintenance mechanisms, risk assessment, funding, as well as any input required from relevant regulators.</p> <ul style="list-style-type: none"> • The Inspectorate acknowledges the applicant feels they have received overarching support for the proposed programme, including consultation periods. |
| Engagement and Masterplan | <ul style="list-style-type: none"> • The applicant should ensure engagement with smaller local wildlife and bird watching groups, in addition to organisations such as the Environment Agency and Natural England. • The impacts on local access routes should be clearly addressed, and the applicant should continue to engage with the local community on rerouting. • The proposed timing and periods (14 weeks from Q4 2025 to Q1 2026) for Statutory Consultation are considered acceptable. |
| PINS Issue Tracker | <ul style="list-style-type: none"> • The applicant was advised to track all issues, regardless of how major or minor they may determine them to be. This will assist with maintaining a strong record of what has been resolved and what is still to be resolve, which is helpful for traceability during Examination, if the project is accepted for Examination. • The applicant can use Excel for their internal tracking of the PINS issues tracker if this is beneficial for them, however final submissions must be Word-compatible as Excel files cannot be accepted. • The applicant’s proposed minor changes to the Issues Tracker template provided by the Inspectorate are considered acceptable. • It would be appropriate for the applicant to share the issue tracker before and after statutory consultation. |
| General advice and Follow-up | <ul style="list-style-type: none"> • The Inspectorate will contact the applicant following the Project Update Meeting to provide more advice on what should be included in the Recreational Amenities Statement. |

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| | <ul style="list-style-type: none"> • The applicant should be aware of overlapping NSIP consultations during the statutory consultation window. • The Inspectorate will provide feedback on the Programme Document separately. • The applicant proposed a site tour for the Inspectorate which could coincide with a future update meeting. The Inspectorate acknowledged benefits but advised that it could not commit to this, at this time. |
| Topic | Meeting date: 13 August 2025 |
| Response to Previous Comments | <ul style="list-style-type: none"> • The Inspectorate requested that the updated version of the Programme Document is provided to the Inspectorate before it's published on the applicant's project page. • The Inspectorate advised that the Recreational Statement is something expected to be submitted with the application, even if it's within a "Legacy document". |
| Update on Project Scope | <ul style="list-style-type: none"> • The applicant explained that it is proposing floating solar on the reservoir and off-site solar (treated as associated development) to replace a solar farm that would be removed in order to locate the proposed development. • The Inspectorate advised that floating solar is a relatively new concept. As such the applicant should be clear regarding any novel impacts and effects and the approach to assessment in the ES. • The Inspectorate advised that the applicant should set out how elements not previously detailed in the scoping (such as the proposed solar and proposed agriculture) have been further scoped to ensure all potential likely significant effects are reported in the ES. • The Inspectorate highlighted the importance of consistency in diagrams when consulting members of the public, especially using plans of the same land but at different scales. • The applicant explained some alterations to the scope of the EIA on the basis of the draft information in the PEIR and following surveys |

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| Sensitive Information | <ul style="list-style-type: none"> • Sensitive information and the potential for closed hearings, if the application is accepted for Examination, can be discussed at a future meeting. |
| HRA | <ul style="list-style-type: none"> • The HRA will not be consulted on as part of the statutory consultation, and the applicant anticipates that all impacts can be screened out of appropriate assessment |
| Approach to the PEI Report (PEIR) | <ul style="list-style-type: none"> • The Inspectorate advised that whatever tools have been used to populate application documents should be communicated clearly to ensure transparency. This includes any use of AI. |
| Appendix 1 | <ul style="list-style-type: none"> • Appendix 1 has been reviewed; the listed documents appear to meet the requirements of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 subject to any change at application. |
| Inspection of the site | <ul style="list-style-type: none"> • The Inspectorate agreed that a site inspection would be beneficial but should be conducted following the Statutory Consultation. There would also be benefit for additional Planning Inspectorate attendees, if this is feasible. An appropriate date may be from March 2026 onwards with a discussion in the October 2025 meeting as to which aspects of the site would be beneficial to inspect. |
| Programme Lookahead | <ul style="list-style-type: none"> • The Inspectorate requested a more specific date in June 2026 for a Draft Document review to be undertaken by the Inspectorate. A comprehensive list is provided in the prospectus as to which documents should be provided for review. |
| Topic | Meeting date: 13 October 2025 |
| Statutory Consultation | <ul style="list-style-type: none"> • Between April and July 2025, there was extensive engagement between the applicant and local authorities as part of the statement of community consultation (SoCC) process. The applicant shared early draft versions of the SoCC to proactively identify and address any key issues or concerns. • Statutory consultation on the SoCC was undertaken from 18 August to 17 September 2025. This involved host local authorities and was shared with adjacent authorities for information purposes. |

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| | <ul style="list-style-type: none"> • Statutory consultation is scheduled to run from 28 October 2025 to 13 January 2026. A comprehensive outreach strategy has been implemented to maximise awareness and participation. This includes the distribution of consultation postcards to approximately 75,000 addresses, extending up to 5km beyond the boundary of the draft order limits. Promotional efforts have also included targeted social media advertising, placements in local newspapers and visibility at key transport hubs such as train stations. |
| Update on PEIR Findings | <ul style="list-style-type: none"> • The Planning Inspectorate (the Inspectorate) raised a query regarding whether the decommissioning of the floating solar infrastructure is being considered within the scope of the proposed development. It was noted that there remains uncertainty around whether solar panels would be replaced incrementally or decommissioned entirely at the end of their operational lifespan. The Inspectorate advised that it may be beneficial to review decommissioning discussions in recent solar NSIP cases to understand how such matters have been addressed. |
| Issues Tracker | <ul style="list-style-type: none"> • Some of main issues raised by consultees during the consultation and engagement process included reservoir safety, flood risk management, species relocation strategies, the potential impact on the setting of the North Wessex Downs National landscape (NWDNL), the proposed rail solution, and broader transport-related impacts. • The Inspectorate advised that unresolved issues at the acceptance stage may carry over into the examination phase. In response, the applicant confirmed that proactive steps are being taken to manage this risk, including ongoing collaboration with relevant organisations through a series of technical liaison groups. Broader engagement is also planned as part of the preliminary environmental information report (PEIR) process to ensure key matters are addressed early. • The Inspectorate advised that it would be acceptable for the Issues Tracker to be issued in Excel format. |
| Programme Lookahead | <ul style="list-style-type: none"> • The Inspectorate advised that in addition to a project update meeting (PUM) before the end of the year a PUM may be beneficial towards the end of January 2026, shortly after the close of the statutory consultation period. This timing would allow the applicant to review and assess all consultation |

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| | <p>responses received.</p> <ul style="list-style-type: none"> The Inspectorate also raised concerns regarding the timeline for submission of draft DCO documents for review by the Inspectorate, noting that draft documents are expected in March 2026, which is a considerable gap before the final DCO submission. It advised that any draft documents shared should be as complete as possible, including schedules and appendices, to enable the Inspectorate to align suitable administrative and Inspector resource to provide more substantive and constructive feedback. |
| <p>Post Project Update Meeting (PUM) Advice</p> | <p>Following review of the PEIR summary slides, the Inspectorate notes the following:</p> <ul style="list-style-type: none"> The mitigation slides do not include discussion on the management of flood risk, and it is not identified in the water environment as a key issue/risk. Secured mitigation in relation to flood risk, including appropriate climate change projections will need to have sufficient detail to give confidence that any design or additional measures mitigate potential flood risk during all stages of the proposed development. It should be clearly cross referenced within all relevant chapters. |
| <p>Topic</p> | <p>29 October 2025</p> |
| <p>Email on Pre-Application Services Update</p> | <p>IMPORTANT INFORMATION ABOUT UPDATES TO OUR PRE-APPLICATION SERVICES</p> <p>Following a 6-month review of our services, our Pre-application Prospectus has been updated: 2024 Pre-application Prospectus. The update log at the bottom of the page summarises the changes and clarifications that have been applied.</p> <p>As an applicant with a live project at the pre-application stage of the process, please familiarise yourself with the update and consider how it might affect your pre-application programme and interaction with our services.</p> <p>Please note in particular:</p> <ul style="list-style-type: none"> the establishment of land and rights negotiations tracking as a primary service feature – this means it is now expected for all applicants to develop and share a land and right negotiations tracker in 1 of 2 available templates, irrespective of the service tier they have subscribed to |

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| | <ul style="list-style-type: none"> clarified expectations of applicants when preparing to interact with the Inspectorate at meetings – including clarified rights for the Inspectorate to delay or refuse service where pre-meeting expectations are not upheld e.g. an updated programme document or issues tracker is not provided, on time, to inform a meeting agenda <p>This communication has been recorded as section 51 advice in the project’s advice log.</p> <p>Please provide any questions you have about the service update by response.</p> |
| Topic | Meeting date: 26 March 2026 |
| Response to Previous PINS Comments | <ul style="list-style-type: none"> The Inspectorate advised that the applicant should ensure that the draft documents include the additional statements required for reservoir projects under the relevant national policy statement (NPS). It noted that this would be the first reservoir Nationally Significant Infrastructure Project (NSIP) considered by the Inspectorate and confirmed that it would be willing to review the draft Recreational Amenities Statement, as part of the draft document process, including any other required “statements” outlined within the NPS. The Inspectorate advised that the applicant should submit one consolidated package of draft documents, rather than sharing documents in stages. It explained that a single submission enables it to plan administrative resource for the six-week review period. If parts of the submission, such as chapter 2 of the Environmental Statement (ES), are provided later within that period, this shortens the time available for review and complicates resource allocation. The Inspectorate asked whether the habitats regulations assessment (HRA) screening report would be included in the draft documents. The Inspectorate advised that it would be helpful to understand the applicant’s intention, and to have clarity on the status of discussions with Natural England, including any areas of agreement or issues that have been identified. It was agreed that the Applicant would provide PINS with details of the programme for draft DCO |

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| | documents following the meeting, including whether a staged submission might be required. |
| External Scheme Elements as part of the DCO | <ul style="list-style-type: none"> • The Inspectorate advised the applicant to revisit section 115 of the Planning Act 2008, which defines ‘associated development’ as development which is associated to the principal development. The guidance¹ on associated development sets out four key principles, that the applicant is advised to review. The Inspectorate noted that as per principle 1 outlined within the guidance, associated development should support the construction or operation of the principal development or help address its impacts. It suggested reviewing questions raised by examining authorities in other NSIPs to understand the principles applied when determining whether elements constituted associated development. • The Inspectorate advised that if the applicant intends to include necessary elements of the Severn to Thames Transfer (STT) within the dDCO, it would be necessary for the Examining Authority (ExA) to consider whether it qualifies as associated development. The Inspectorate noted that STT is included in the published Water Resources Management Plan as requiring continued scheme development alongside White Horse Reservoir in case future demand is very high. Justification will therefore be required as to why inclusion of identified elements of STT in the White Horse Reservoir DCO is required. • The Inspectorate asked whether any additional compulsory acquisition (CA) land would be needed in the event that the Swindon and Oxfordshire (SWOX) upgrade works proceed. Presently the information made available to Inspectorate doesn’t address the key principles within the guidance or demonstrate the need case for CA. The Inspectorate advised the applicant to ensure that all proposed CA is based on a demonstrable and immediate need, rather than a potential future requirement. In response, the Applicant noted that no additional land acquisition is required for any of the external elements proposed to be included in the DCO. • The Inspectorate advised that when the draft Development Consent Order is submitted for review, the inclusion of all associated development would |

¹ N.B – Guidance published in 2013 and subject to review and update.

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| | <p>enable it to provide more detailed and constructive feedback. A complete dDCO would help it understand how the associated development integrates with the plans and would make the review more beneficial for the applicant.</p> |
| <p>Issues Tracker</p> | <ul style="list-style-type: none"> • The Inspectorate advised that it is acceptable for issues within the issues tracker to move from green to amber. It noted that the key requirement is for the applicant to identify the current position on each matter and indicate when resolution is anticipated. It also advised that the applicant should aim to progress as many matters to green as possible before the examination or preferably prior to submission of the application documents, where possible. • The Inspectorate noted that the position of Network Rail in the issues tracker stood out. It highlighted that the NPS for water resources identifies particularly within the traffic and transport section, that during construction applicants should consider transport via rail and water-bore as a preference over road. It advised the applicant to ensure that, when submitting the application, it clearly demonstrates that all transport options have been considered and that rail and/or water-bore had been considered as the preferred option prior to the consideration of road if possible. |
| <p>Lands and Rights Negotiations Tracker</p> | <ul style="list-style-type: none"> • The Inspectorate advised that when submitting the draft documents, the applicant should provide a complete land rights tracker with all columns filled in. It requested that the tracker includes examples of land plan and works plan reference numbers to support clarity and cross-referencing. • The Inspectorate advised that within the Book of Reference (BoR), the applicant should clearly set out where CA or rights over land are sought. It advised the applicant to ensure that the description of each right is clearly distinguished, that the relevant plot numbers are included, and that these plot numbers align with the rights being applied for. • The Inspectorate advised the applicant to secure agreement in relation to Crown land at the earliest opportunity. It noted that unresolved matters concerning Crown land may lead to additional time being required during, or following, the examination. |

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| <p>Programme Lookahead</p> | <ul style="list-style-type: none"> • The applicant indicated that it is aiming to submit the application for acceptance in November 2026. • The Inspectorate advised the applicant not to submit the dDCO during, or close to, the Christmas period. It explained that local authorities are required to respond to the applicant’s consultation, and staff absence over the holiday period may delay or affect the quality of those responses. |
| <p>Topic</p> | <p>09 April 2026</p> |
| <p>Post-PUM Advice</p> | <p>The applicant is minded to review the East Anglia 1 Offshore Windfarm (EA1) Recommendation Report (RR), where the principles issue in relation to associated development from the application (para 4.6) was whether the additional ducts proposed for future offshore wind farms could be considered associated development under s115 of PA2008 (RR para 4.6 to 4.17). In relation to core principles (i) and (iv), the panel and Secretary of State accepted that applicant’s argument during the examination stage for the EA1 in 2014 that the laying of additional ducting (for two planned future projects) was development ‘associated with’ the EA1 because it would help address its cumulative impacts.</p> <p>The applicant is encouraged to review the panels written questions (ExQ1) during the examination for North Falls Offshore Windfarm (decision has not yet been issued) and the applicants response thereto ExQ1, section 6 – Compulsory Acquisition, which is in the public domain. In response to ExQ1 6.1.3 and 6.1.4, the applicant provides further justification for the exercise of compulsory acquisition (CA) powers in relation to those works which are required for the proposed Five Estuaries (VEOWF) project and explains why this would satisfy the condition in s122(2)(a) PA2008 in respect of the land required for that development over which powers of CA are sought. In summary the applicant submitted that the following was relevant:</p> <ul style="list-style-type: none"> • The timing of VEOWF and the Proposed Development reflects a shared ambition for each project to be operational by 2030; • the two projects are promoted by separate legal entities but there are clear relationships between them; • the public interest benefits of the Shared Works include the further reduction of overall land take and adverse cumulative environment effects; and • NPS policy and related guidance reflects the urgent need for new electricity generating capacity and establishes a policy expectation for undertakers of individual projects to collaborate and co-ordinate with other major infrastructure |

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| | <p>projects in close proximity or where there are direct overlaps between projects.</p> <p>The White Horse Reservoir applicant is minded, that although for a different type of development to offshore windfarms, it would be advisable to consider to respond to the principles in a similar manner outlined above. If CA powers are sought this would also satisfy the condition in s122(2)(a) PA2008 in respect of the land required for that development over which powers of CA are sought.</p> |
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