

Ms Samantha Taylor
Cherwell District Council
Planning & Development Services
Bodicote House White Post Road
Bodicote
Banbury
OX15 4AA

Our ref: WA/2019/127068/01-L01
Your ref: 19/01705/OUT
Date: 03 October 2019

Dear Ms Taylor

Outline planning application for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from South Newington Road. All matters reserved except for means of access

Land Adjoining and West of Bloxham Recreation Ground, South Newington Road, Bloxham

Thank you for consulting us on the above application, on 13 September 2019.

The application site is located within Flood Zones 1, 2 and 3 and as such is at risk of flooding. We are pleased to see that a site specific Flood Risk Assessment has been submitted. Unfortunately, having reviewed this document we have identified a number of concerns which will need to be addressed.

Furthermore, we do not have any detailed modelling in this area. Cherwell District Councils Level 1 Strategic Flood Risk Assessment, states that in the absence of detailed modelling, a precautionary approach should be applied which assumes that Flood Zone 3a represents Flood Zone 3b.

Environment Agency position

We have **two objections** to the application as submitted.

Objection 1

We **object** to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the National Planning Policy Framework and its associated planning practice guidance. We recommend that planning permission is refused on this basis.

Reason 1

The PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. This site lies within Flood Zone 3b functional floodplain, which is land defined by your Strategic Flood Risk Assessment as having a high probability of flooding.

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The development is classed as more vulnerable in accordance with Table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted.

Overcoming our objection 1

The applicant will need to undertake detailed modelling to demonstrate that the site is not located within Flood Zone 3b.

We recommend that the applicant refer to the following web link for further advice and guidance regarding detailed computer flood modelling to determine the type of modelling required: <http://evidence.environment-agency.gov.uk/FCERM/en/FluvialDesignGuide/Chapter7.aspx?pagenum=5>

Objection 2

In the absence of an acceptable Flood Risk assessment (FRA) we **object** to this application and recommend that planning permission is refused.

Reason 2

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Consider how a range of flooding events (including extreme events) will affect people and property for the lifetime of the development.
- Take the impacts of climate change into account, and demonstrate that flood mitigation measures to address flood risk for the lifetime of the development included in the design are adequate.
- Demonstrate the loss of flood plain storage within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change caused by the proposed development can be mitigated for.
- Demonstrate that the proposed development has finished floor levels above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change.

Overcoming our objection 2

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above and below.

As there is currently no detailed modelling in the area of the site we are aware that you have undertaken a basic assessment to derive the 1 in 100 (1%) flood level and the 1 in 1000 (0.1%) flood level for this site. However, for a development type of this size a more detailed assessment will be needed to establish the flood levels for this site. We would expect the applicant to undertake a detailed modelling exercise.

In addition the approach taken to assess the impact of climate change is not appropriate for the development type proposed. For this development type we would expect the applicant to undertake a detailed modelling exercise in order to establish the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change.

The applicant has therefore not demonstrate to our satisfaction whether there will be a loss of floodplain storage up to the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change. In the event that the proposal will result in a

loss of floodplain storage it has also not been demonstrated whether any losses can be appropriately compensated for.

In the event that residential dwellings will be located within the 1% annual probability (1 in 100) flood extent with an appropriate allowance, finished floor levels will need to be raised above this level.

Please refer to the Thames Area Climate Change advice included below regarding which climate change allowances to use:

<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

Advice to Local Planning Authority

Sequential test

In accordance with the National Planning Policy Framework (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

Safe access and egress

The proposed development and/or the access route is located within the 1% annual probability (AP) plus an appropriate allowance for climate change flood extent.

In accordance with paragraph 163 of the National Planning Policy Framework (NPPF), you must ensure that 'the development is appropriately flood resistant and resilient' and that 'safe access and escape routes are included where appropriate, as part of an agreed emergency plan...'. This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test as required.

Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable.

We enclose a copy of our safe access and egress guidance statement to assist you with your assessment. Please note we have not assessed the proposed access and egress route.

Final comments

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Mr Samuel Pocock
Planning Advisor

Direct dial 0208 474 5075

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