

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

**Our ref:** WA/2021/129037/02-L01  
**Your ref:** 21/01119/OUT  
**Date:** 24 May 2022

Dear Sir/Madam

**Outline planning application for the re-development of the banbury oil depot to include the demolition/removal of buildings and other structures associated with the oil depot use and the erection of up to 143 apartments and up to 166m2 of community and/or retail and/or commercial space (class use E and/or F2) with all matters (relating to appearance landscaping, scale and layout) reserved except for access off tramway road**

**Q8 Fuelcare, Tramway Road, Banbury, OX16 5TD**

Thank you for re-consulting us on the above application following the submission of additional and amended details. Please accept my apologies for the delay in responding.

We have reviewed the following:

- Flood Risk Assessment reference 10682 FRA01 Rv 3 – dated 28/01/2022
- Ecological Appraisal reference P20-643 – dated 01 February 2022.

### **Flood risk**

In our previous response, dated 21 May 2021, we advised that the Flood Risk Assessment (FRA) had not sufficiently considered the risks associated with flooding based on the most up to date evidence and had not considered future flood risk due to climate change. The revised FRA is still inadequate in this regard, and we therefore **maintain our objection** to this application.

In May 2021, we advised that the baseline evidence within the FRA was out of date and that the applicant should contact us for the most current and up to date data to include within the assessment. This remains outstanding and therefore the extent of flood risk at the site remains unclear.

We reiterate that the FRA should map the expected extents and depths of a range of critical flood events up to and including a 1% annual probability event with an appropriate allowance for climate change in accordance with the following guidance : 'Flood risk assessments: climate change allowances'. More Vulnerable development in flood zones 2 or 3 should use the higher central and upper end allowances. Flood extents should be mapped in accordance with a detailed topographical survey of the site.

Based on the proposed illustrative plans for the site, the FRA should identify that any potential loss of flood storage due to the development can feasibly be replaced on site, on land outside of the 1% climate change extent. This is necessary to ensure that the site can accommodate the amount of development being proposed without increasing risk elsewhere and that it is feasible for sufficient space for flood storage to be provided. The FRA must also consider the feasibility of raising internal floor levels above the 1% climate change flood level.

### **Overcoming our objection**

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above and within our previous response of 21 May 2021.

### **Biodiversity protection and enhancement**

We acknowledge that the raised platforms have been removed from the illustrative landscape plan and that there is now a commitment from the applicant to provide a clear 8 metre protected zone alongside the river which will be designed at the reserved matters stage to protect and enhance the riverside environment for the benefit of the natural environment. Based on this commitment, we are able to withdraw our previous objection on this matter. Providing our concerns on flood risk can be overcome, we will be able to recommend planning conditions in relation to the landscape and lighting strategy to be agreed through reserved matters.

### **Closing comments**

If you are minded to approve the application contrary to this advice, please contact us to allow further discussion and/or representations from us in line with the Town and Country Planning (Consultation) (England) Direction 2009.

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 faithfully

**Miss Sarah Green**  
**Sustainable Places - Planning Advisor**

Direct dial 0208 474 9253

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