

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

Our ref: WA/2021/129037/04-L01
Your ref: 21/01119/OUT
Date: 26 February 2024

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

Further to our previous response to this application on 16 January 2023, the applicant has been in direct contact with us in response to our request to review the detailed fluvial flood risk modelling they have undertaken in support of this application.

In March 2023 we received a technical note, ref 10682 Banbury Oil Depot – Technical Note 5. We responded to the applicant to reiterate that we needed the model itself to carry out a detailed review. We received the model in June 2023.

Since June, we have issued multiple requests to the applicant to provide us with a model report to enable our modellers to carry out their review. A model report is a technical document which provides reviewers and end users with the information needed to understand the model and any changes that have been made to existing third party models.

In December 2023, the applicant's consultant confirmed that a model report had not been compiled as only minor changes had been made to the original Environment Agency model which was addressed in the submitted technical note.

Our modellers have reviewed the submitted information and have confirmed they are not able to undertake a sufficiently detailed review in order to advise you on the suitability of the evidence base being used to inform the Flood Risk Assessment of this application. Therefore, we **maintain our objection** to this application as we are unable to confidently advise that the applicant has adequately considered the risk of flooding

both to and from this development, and that any required mitigation to ensure the development is safe, without increasing flood risk elsewhere is sufficiently included with the proposal.

We will need more information in the form of a modelling report to be able to provide more context around what the study entails, what changes have been made to the model, justification for changes or no changes among other aspects normally covered by a model report.

Given the age of the existing model that has been adapted, it would be expected that updates would be required to both hydraulics and hydrology. We note that the applicant's model has retained the existing hydrology and we would need to see robust evidence as justification for this decision making.

The submitted technical note states that there have been changes made to the model including the domain size. Any changes made to the model would all need to be justified and sensitivity testing completed. This should be fully detailed in a model report to justify decision making.

The proposed scheme should also have been modelled in addition to the updated baseline to show how this development will impact flood risk. This should be covered in detail in the model report and justifications made for any compensatory storage and other flood risk mitigation being proposed.

We have recently updated our best practice guidance on river modelling standards which was originally published in 2021. The update does not include any fundamental new requirements, but it does reinforce key parts of the guidance in the context of flood risk assessments to help address common issues we see in our reviews. This includes the use of existing models and hydrological estimates, stating the limitations and justification required to reduce the risk of multiple re-reviews.

The guidance is available at <https://www.gov.uk/guidance/using-modelling-for-flood-risk-assessments>

The applicant should be asked to review this guidance and make sure that their flood risk modelling meets these standards before submitting any additional information for us to review to avoid any further delays.

If the modelling work in relation to the baseline flood risk or mitigation being proposed requires an update to the Flood Risk Assessment, this should be submitted at the same time.

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

Direct e-mail planning_THM@environment-agency.gov.uk