

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

**Our ref:** WA/2021/129106/04-L01  
**Your ref:** 21/01630/OUT  
**Date:** 09 May 2022

Dear Sir/Madam

**Outline planning application for residential development (within use class C3), open space provision, access, drainage and all associated works and operations including but not limited to demolition, earthworks, and engineering operations, with the details of appearance, landscaping, layout and scale reserved for later determination**

**Land at North West Bicester, Home Farm, Lower Farm and SGR2, Caversfield**

In response to our previous letter dated 24 January 2022, we have received and reviewed further details from the applicant in relation to the hydraulic modelling for this development. We have also reviewed the applicant's response to our comments in a letter from Vectos Limited reference L01/205550D/NB dated 04 February 2022.

We are pleased to confirm that the hydraulic modelling is now considered a suitable basis for informing the flood risk assessment of this proposal. Appendix A of the letter of 04 February 2022, includes a series of flood maps which have been produced as a result of the revised and agreed modelling. Appendix C of the same letter shows that the proposed development areas, based on the indicative masterplan, will not encroach the areas shown to be at risk of flooding.

Based on this revised information we withdraw our previous objection to the application.

**Environment Agency position**

The proposed development will be acceptable if the following conditions are included on the planning permission's decision notice. Without these conditions we would object to the proposal due to its adverse impact on the environment.

As you are aware, the discharge and enforcement of planning conditions rests with your authority. You must therefore be satisfied that the proposed conditions meet the requirements of the 6 tests in paragraph 56 of the National Planning Policy Framework.

Please notify us immediately if you are unable to apply our suggested conditions, to allow further consideration and advice.

**Condition 1**

There shall be no residential development or raising of existing ground levels within the areas identified as being at risk of flooding as shown in Appendix A of letter reference L01/205550D/NB dated 04 February 2022, from Vectos Limited.

**Reason(s)**

To reduce the risk of flooding to the proposed development and to prevent flooding elsewhere.

**Condition 2**

The reserved matters application/s shall include details of the finished floor level of all residential units which shall be set at 300mm above the expected 1% annual probability flood level with the appropriate allowance for climate change.

**Reason(s)**

To reduce the risk of flooding to the proposed development and future occupants.

**Condition 3**

Any reserved matters application which includes a new or amended crossing of a watercourse shall include a detailed Flood Risk Assessment and detailed design drawings of the crossing that demonstrates that there will be no increase in flood risk or adverse effect on flood flow up to and including an appropriate allowance for climate change.

**Reason(s)**

To prevent flooding elsewhere by ensuring that there will be no impact on flood flows.

**Condition 4**

No development shall commence until a Wastewater Strategy, forming part of the Construction Environmental Management Plan, detailing how foul drainage will be managed both during and following construction, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.

**Reason(s)**

To ensure the development does cause deterioration of any water body in line with the river basin management plan.

**Planning Informative – advice to applicant**

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade

effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at:

[Septic tanks and treatment plants: permits and general binding rules](#)

### **Closing comments**

Please consult us on the details submitted to your authority to discharge these conditions and on any subsequent amendments/alterations.

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](mailto:planning_THM@environment-agency.gov.uk)