

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

Our ref: WA/2021/129266/03-L01
Your ref: 21/02286/F
Date: 06 April 2022

Dear Sir/Madam

Construction of a coffee unit with drive-thru facility and indoor seating with associated access, car parking, landscaping and servicing parking

Land north west of Launton Road roundabout adjoining Skimmingdish Lane,

Thank you for re-consulting us on the above application following the submission of additional details.

We have considered the following details in order to provide this response:

- RSK letter of response to Environment Agency objection ref. P680020-FRA L02 dated 24 December 2021.
- Drawing ref. 220029/100 Rev P7 – drainage layout
- Drawing ref. 220029/FV100 Rev P4 – flood volumes section layout
- Drawing ref. 220029/FV101 Rev P6 – flood volumes sections 1 of 3
- Drawing ref. 220029/FV102 Rev P6 – flood volumes sections 2 of 3
- Drawing ref. 220029/FV103 Rev P6 – flood volumes sections 3 of 3
- Drawing ref. 220029/FV104 Rev P2 – section 5
- Drawing ref. 220029/FV105 Rev P1 – section 13
- Drawing ref. 220029/FV106 Rev P1 – section 4a
- Drawing ref. 220029/FV107 Rev P1 – site plan

The letter and submitted drawings reference above do not satisfactorily address our concerns. We therefore **maintain our objection** to this application.

The letter states that the consideration of future flood risk based on the most current climate change allowances has now been undertaken. Based on an expected lifespan of the development being less than 25 years, a reduced climate change allowance from 35% to 4% has been considered.

The applicant has now carried out their own modelling work to determine the expected flood level for this epoch. We will need to carry out a detailed review of the fluvial modelling in order to verify the results being relied upon to assess the risk of flooding and to design the flood mitigation scheme. Details of how to share the modelling with us has been provided separately.

The flood compensation being provided through tanked storage has now been reduced to less than 30m³. This will be acceptable providing we are able to accept the modelling that is being used.

However, in our previous response, we requested additional details in relation to the proposed flood compensation area being proposed through alterations of ground levels.

The detail provided in drawing number 220029/FV100 (version P4, dated 23 December 2021) identifies some ground level changes but does not show floodplain compensation storage areas. A site plan that shows the proposed changes for the whole site, not just certain points, should be provided. This is often demonstrated by shading in areas of the site where land is being raised and lowered, as well as showing the final ground levels. This should demonstrate that the compensation scheme is hydraulically connected to the floodplain and that flows are not impeded.

In addition, the submitted letter sets out that the floodplain storage compensation required for levels above 69.55m AOD has been reduced to 17.58m³ following a revision in the climate change allowance. However, it is not clear how this was calculated. Whilst there is some information in the three 'Flood Volumes Sections' drawings, it would be helpful for this to be summarised within the FRA. The tables provided in the submitted letter seem to only show the change in flood volume once compensation (through ground level changes) has been provided. For clarity, a table should be included that clearly shows for each 0.1m slice the total: volume of flood storage lost, the volume of flood storage gained, and the volume difference (this appears to have been provided in the first table within the submitted letter).

Further, if the highest climate change flood level is agreed to be 69.66m AOD as stated in the submitted letter from RSK (dated 24 December 2021), then the tables within the letter should be updated to include this flood level (currently the tables only go up to 69.65mAOD).

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.

Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

Level for Level Floodplain Compensation Storage (Preferable)

Level for level compensation is the matching of volumes lost from the floodplain due to increases in built footprint or raised ground levels, with new floodplain volume by reducing ground levels elsewhere. Analysis should be presented in the FRA as a table showing the volumes lost to the development in approximately 100mm increments of level and the volumes gained by the mitigation proposed in the same level increments. It should be demonstrated that there is no loss of floodplain volume in any increment of level, and preferably a net gain (see attached diagram).

Please note for this to be achievable, it requires land on the edge of the floodplain and above the 1% AEP, including an appropriate allowance for climate change, flood extent.

The FRA should consider whether level for level compensation is possible and if not explain why and detail how any associated risks from the chosen form of mitigation can be minimised.

Undercroft (To be used only when level for level floodplain compensation storage has been demonstrated not to be possible)

If the applicant proposes voids under the building to mitigate the loss of floodplain storage, the design of the voids should adhere to the following guidance:

If voids under the dwelling are proposed, they should extend from the ground level, with the underside of the void (soffit) at or above the 1% annual probability (1 in 100 year) flood level with a 35% allowance for climate change. There should be a 1 metre wide void opening in every 5 metre length of wall on all sides of the building. Void openings should extend vertically from existing ground level to at least the 1% annual probability (1 in 100 year) flood level with a 35% allowance for climate change. The void should be open and maintained as such in perpetuity. If the void openings are a security risk, then vertical steel bars placed at 100mm centres can be installed. Louvres or slats, as an alternative to bars, are not permitted over the openings due to the increased risk of debris blockage.

Closing comments

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations. Should our objection be removed, it is likely we will recommend the inclusion of a condition/conditions on any subsequent approval.

Please refer to our previous response dated 13 September 2021 for additional advice.

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