

Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

Our ref: WA/2022/129578/02-L01
Your ref: 21/04275/OUT
Date: 09 January 2023

Dear Sir/Madam

Outline - with all matters reserved except for access - mixed use development of up to 3,100 dwellings (including extra care); residential and care accommodation(C2); mixed use local centre (comprising commercial, business and service uses, residential uses, C2 uses, local community uses (F2(A) and F2(B)), hot food takeaways, public house, wine bar); employment area (B2, B8, e(g)); learning and non-residential institutions (class F1) including primary school (plus land to allow extension of existing gagle brook primary school); green infrastructure including formal (including playing fields) and informal open space, allotments, landscape, biodiversity and amenity space; burial ground; play space (including NEAPS/LEAPS/MUGA); changing facilities; ground mounted photovoltaic arrays; sustainable drainage systems; movement network comprising new highway, cycle and pedestrian routes and access from highway network; car parking; infrastructure (including utilities); engineering works (including ground modelling); demolition

Part OS Parcel 8149 Adj Lords Lane And SE Of Hawkwell Farm, Lords Lane, Bicester

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

We have reviewed the submitted Technical Note : Response to EA Drainage Comments: 20th April 2022, dated 15th August 2022 and prepared by Brookbanks.

The detail is not sufficient to address our flood risk concerns and we therefore **maintain our objection** as set out in our previous response dated 20 April 2022.

The technical note states that the development will be designed in relation to the risk of flooding as shown on the Environment Agency flood map for planning and by setting development parcels 25 metres back from the watercourse.

The flood zones in this location are derived from national generalised modelling which does not take account of any locally relevant information or any increased risk of flooding due to climate change. For this reason, it is not suitable for use within a site specific Flood Risk Assessment (FRA).

The applicant will therefore need to undertake a more suitable level of assessment to determine the expected extent of flood risk at this site and the FRA revised accordingly following the guidance on how to prepare a FRA which can be found at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

For an outline planning application with design, layout and scale reserved for later approval, as a minimum we would expect the FRA to identify the extent of flooding and the expected depth of flooding for a range of critical flood events both now and in the future due to climate change. The design flood extent and level should be identified and confirmation that the sequential approach to placing development in the lowest area of flood risk is feasible and design principals established which can be taken forward to reserved matters.

Advice to Planning Authority

If you are minded to approve this application for major development contrary to our flood risk objection, we request that you contact us to allow further discussion and/or representations from us in line with the [Town and Country Planning \(Consultation\) \(England\) Direction 2021](#).

This statutory instrument prevents you from issuing planning permission without first referring the application to the Secretary of State for Housing, Communities and Local Government (via the National Planning Casework Unit) to give them the opportunity to call-in the application for their own determination. This process must be followed unless we are able to withdraw our objection to you in writing. A failure to follow this statutory process could render any decision unlawful, and the resultant permission vulnerable to legal challenge.

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