

Cherwell District Council  
Bodicote House  
Banbury  
Oxfordshire  
OX15 5AA

**Our ref:** WA/2022/129578/03-L03

**Your ref:** 21/04275/OUT

**Date:** 12 April 2024

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**

Further to our previous letter dated 11 December 2023, in relation to the submitted flood study report (July 2023), we have received and reviewed the detailed modelling undertaken by the applicant, as referred to within the aforementioned report.

The outcome of our review has found a number of issues with the applicant's modelling and hydrology that will need to be addressed. We are currently unable to accept that the modelling is suitable for the purpose of informing the flood risk assessment for this proposal.

Contained within the attached reports are detailed comments on the modelling and hydrological study. The applicant must address all red and amber comments we've made. To assist with continuity and auditing, we will need the applicant to update the spreadsheets attached with their responses to our comments and re-submit them alongside any additional files, plans or reports necessary for us to undertake a second review.

We have published guidance on the expectations and technical standards in relation to hydraulic modelling and hydrological assessments. Please note the guidance was updated in December 2023. 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 which 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>

We therefore **maintain our objection** to this application as previously advised. The applicant should be requested to address our concerns and submit additional information as required. Please re-consult us when any additional information is submitted.

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

Enc. Environment Agency hydraulic model review\_129578\_V1  
Environment Agency hydrological study review\_129578\_V1