

Lynne Baldwin

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From: Planning  
Sent: 06 January 2023 15:10  
To: DC Support  
Subject: FW: Planning notification for application reference: 22/01682/F  
Attachments: eCon\_(3).pdf

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From: Planning\_THM <Planning\_THM@environment-agency.gov.uk>  
Sent: 06 January 2023 15:09  
To: Planning <Planning@Cherwell-DC.gov.uk>; James Kirkham <James.Kirkham@Cherwell-DC.gov.uk>  
Subject: RE: Planning notification for application reference: 22/01682/F

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**Development of a Ground Mounted Solar Farm Incorporating The Installation Of Solar PV Panels, Associated Infrastructure and Access, as well as Landscape Planting and Designated Ecological Enhancement Areas**

**Land North Of Manor Farm, Noke**

**Our ref: WA/2022/129953/01-L01**

**Your ref: 22/01682/F**

Dear James

Thank you for consulting us on the above development proposal. I am very sorry for the delay in responding to you. Kindly accept my sincere apologies.

We have reviewed the information submitted with this planning application and **whilst we have no objection to the proposed development in regard to Biodiversity and Ecology we have an objection to the proposed development on flood risk grounds**. I am sending you this email to help the applicant address these flood risk concerns.

#### **Flood risk**

We have reviewed the Flood Risk Assessment produced by Nijhuis Industries ref J-14174 Edition 04, dated September 2022 and unfortunately does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 22 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to consider whether the proposed development will increase flood risk elsewhere. Therefore in the absence of an acceptable Flood Risk Assessment (FRA) we object to this application.

To overcome our objection, the applicant should submit a revised FRA which addresses the following points highlighted below.

The report states that all essential infrastructure will be located in Flood Zone 1, i.e. outside the calculated design flood extent. It also states that the solar panels will be set at least 0.9m above ground level in the areas affected by fluvial flooding.

Section 8.0 of the Flood Risk Assessment produced by Nijhuis Industries ref J-14174 Edition 04, dated September 2022 acknowledges the potential impact the piles supporting the panels could have on flood flows where they are located in the design flood extent and states they will be sufficiently spaced to minimise flow disruption. There does not appear to be any assessment of cumulative impacts on floodplain

storage in the report. Please provide a quantitative assessment of the impacts of this solar panels on floodplain storage and flood flows, and if necessary any proposed mitigation measures.

We note perimeter fencing is proposed which could affect flood water as it enters the site. Please also consider this in the additional assessment.

Please note that in regard to our requirement above, according to Flood Risk and Coastal Change section of the planning practice guidance, in Flood Zone 3b (functional floodplain) essential infrastructure *that has passed the Exception Test, should be designed and constructed to:*

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

Hence this request.

We would like to add that the general approach taken to assessing the level of fluvial (river) flooding is considered appropriate. This concludes that during a 1 in1000 year or 0.1% annual probability flood, taking climate change into account, a maximum flood depth of 0.86m would affect part of the proposed development site. This is the design flood level calculated by the applicant's flood risk consultant and is stated as being a conservative design standard.

This advice below is for the applicant.

Please note that an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016 will be required for any activities which will take place. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

### **Biodiversity and Ecology**

Please note that when our flood risk concerns have been addressed, we will ask that a condition requiring the following to be imposed on any planning permission granted for the proposed development. This will be in our forma response.

- 1- requiring a scheme to be agreed to protect a 10 metre wide ecological buffer zone around the River Ray
- 2- a landscape management scheme with long-term design objectives, management responsibilities and maintenance schedules for the ecological buffer zone around the River Ray and ecological enhancements

These are to ensure that the ecology of the water-dependent habitat is protected.

I trust the information above is useful and will help the applicant provide the information we require. If you have any question, please let me know.

Many thanks  
Judith

Judith Montford  
Thames Sustainable Places  
[Planning\\_THM@environment-agency.gov.uk](mailto:Planning_THM@environment-agency.gov.uk)

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**From:** CDC Development Management <[planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk)>

**Sent:** 23 June 2022 14:28

**To:** Planning\_THM <[Planning\\_THM@environment-agency.gov.uk](mailto:Planning_THM@environment-agency.gov.uk)>

**Subject:** Planning notification for application reference: 22/01682/F

Please see the attached letter for details. Regards Development Management Cherwell District Council Direct Dial 01295 227006 [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk) [www.cherwell.gov.uk](http://www.cherwell.gov.uk) Find us on Facebook [www.facebook.com/cherwelldistrictcouncil](https://www.facebook.com/cherwelldistrictcouncil) Follow us on Twitter @Cherwellcouncil

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