

Our ref: Q210843
Your ref: 23/02098/OUT
Email: Matthew.sharpe@quod.com
Date: 29th October 2024



Chloe Alma-Daykin
Planning Advisor
Environment Agency

For the attention of Chloe Alma-Daykin

By email

Dear Chloe

23/02098/OUT – Applicant response to Environment Agency email dated 2 July 2024

I write on behalf of Oxford University Development, the applicant of the above referenced outline planning application, in response to your comments. As you know, the outline planning application was considered by Cherwell's Planning Committee in September, who resolved to grant planning permission.

As you are aware, we have responded to the comments from the Environment Agency on four separate occasions, providing detailed responses to each matter raised. For the avoidance of doubt, these responses were submitted on the following dates:

- 22 February 2024 (Applicant Response to EA letter dated 15th February);
- 12 March 2024 (BH Technical Note – Responses to EA Consultation on Flood Risk);
- 21 June 2024 (BH Design Note – EA Responses to Flood Risk Comments);
- 6 August 2024 (Applicant Response to EA letter dated 2 July 2024)

These responses have provided comprehensive answers to the matters raised by the EA. We are therefore of the view that the outstanding objection from the EA is misconceived.

This letter provides a further response to the matters raised on the 29th August, which raises the following themes:

- The belief that the flood modelling used within the Flood Risk Assessment (FRA) is inappropriate;
- The assertion that the sequential approach has not been applied;
- The concern that the development will increase flood risk elsewhere; and
- The view that the opportunities presented by this development for reducing flood risk have not been addressed.



This note therefore builds on the responses we have previously provided, including the detailed explanations and technical notes. We have also provided Technical Notes in relation to further flood modelling requested for the Secondary School Site and the sensitivity testing.

We hope this note clarifies our position and the efforts we have made to address the EA's concerns. We remain committed to working collaboratively to resolve these issues.

We have enclosed a further detailed response (**Appendix 1**) to each of the points in your email.

This response should be read alongside the responses we have provided in February, March, June, July and August of this year.

Yours sincerely,

Matthew Sharpe
Senior Director

cc. Tom Clarke (OUD)

Enclosed

- Appendix 1: Detailed Response to EA Comments dated 28 August 2024

Bound separately:

- Sensitivity Test (Hydraulic Modelling Report, dated June 2024)
- Technical Note - Secondary School Hydraulic Modelling (Dated 19 September 2024)

Appendix 1: Detailed Response to EA Comments dated 28 August 2024

EA Response (28 August 2024)	Applicant Response
<p>The submitted Design Note (subject EA Responses to Flood Risk Comments, revision 00, dated 21 June 2024 and prepared by Buro Happold) and Letter from Quod to the Environment Agency (reference Q210843, dated 6 August 2024) do not satisfactorily address our earlier concerns. We therefore maintain our flood risk objection set out in our responses dated 15 February and 3 June 2024.</p>	
<p>The Design Note confirms that the applicants Flood Risk Assessment (FRA) has not been updated. We recommend this document is updated to reflect the additional information provided to date as well as the further required information as set out below. This helps provide clarity on what is currently proposed, and which documents have and have not been superseded, for future reference.</p>	<p>To date, additional information has been provided to the EA in the form of Technical Notes and letters. These largely respond to specific points made by the EA and where information from the original FRA has been superseded, it has been made clear in the design notes. These updates do not lead to any material change to the conclusions or assessment of the FRA. It is therefore considered reasonable and proportionate that the Flood Risk Assessment has not been updated at this point.</p>
<p>Reasons The developer’s additional flood risk information fails to:</p> <ul style="list-style-type: none"> • demonstrate the flood modelling used within the FRA is appropriate; • demonstrate the sequential approach has been applied; • demonstrate the development will not increase flood risk elsewhere • address the opportunities presented by this development for reducing flood risk <p>This proposal is therefore contrary to adopted policy ESD 6 in the Cherwell Local Plan 2011-2031 and adopted Policy PR8 (Land East of the A44) in the Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxfords Unmet Housing Need.</p>	<p>This note provides a detailed response to each of these matters.</p>
<p>Flood risk information</p>	<p>As noted in our Letter dated 22 February 2024, the EA were consulted before the application was submitted, where the approach to the FRA was discussed and</p>

EA Response (28 August 2024)	Applicant Response
<p>We have reviewed the submitted Design Note. The hydraulic model still has several outstanding issues, including that inflow sensitivity analysis is still outstanding and needs doing, along with reporting linked to that. This is a must do action. Without this, we do not have a complete picture of model uncertainty. Please see the attached spreadsheets for more information on this and our other concerns with the hydraulic model, and how to overcome them. Therefore, it has not been demonstrated whether the flood modelling provided by the applicant of the baseline and with-scheme scenarios is appropriate to use within an FRA for the proposed development in this location.</p>	<p>agreed with the EA (See section 2.6 of the FRA, which notes that a Technical note setting out the approach to the hydraulic model was shared with the EA in November 2022, with feedback received during the meeting on the 16th November 2022). The hydraulic modelling has also been undertaken following best practice and EA guidance.</p> <p>The Design Note was issued to the EA on the 21st June 2024, and responds to the points raised in the EA’s letter dated 3 June 2024. It is relevant that in the EA’s letter dated 3 June 2024 it was noted that the EA have reviewed the revised flood modelling and additional comments provided. The EA then concluded that the hydrology is now considered fit for purpose, ‘with only minor review comments outstanding’.</p> <p>The Applicant is also of the view that the remaining minor comments have been robustly responded to. These comments are summarised below:</p> <p>(1) ‘the 1D and 2D representations do not match’: The applicant has clarified the information provided was correct. The EA now agree with this position.</p> <p>(2) ‘While several sensitivity tests have been completed, an inflow sensitivity test (usually routine) has not been undertaken. Therefore, we do not have a complete picture of model uncertainty’: As noted above, the scope of the hydraulic model was discussed with the EA in November 2022. The Applicant provided a proposed scope for the hydraulic model, which was discussed and agreed with the EA, in advance of the outline planning application being submitted. The submitted FRA and Hydraulic Modelling reflected the agreed scope. This included sensitivity testing in relation to roughness, downstream boundary conditions and change in pound level in the canal. As noted in our response dated 21 June 2024 ‘it would be reasonable for the EA to consider the results of the one in 100 + 41% climate change scenario to be a proxy for the flow sensitivity test (10% increase in flows) based on the design flood event for planning which is the one in 100 + 26% event. No response on this point has been</p>

EA Response (28 August 2024)	Applicant Response
	<p>provided by the EA. Notwithstanding this, the applicant capital is willing to provide this additional modelling. As this demonstrates there is no material change to the FRA.</p>
<p>Sequential Approach Limited comments have been provided by the applicant on the sequential approach. Applying the sequential approach ensures the most vulnerable development is located in the areas at the lowest flood risk (this is in addition to the Sequential Test which was passed at the Local Plan stage). In this instance, the most vulnerable development (residential/dwellings) is proposed in areas currently at high risk of fluvial flooding, whilst development of lower vulnerability, such as water-compatible and ‘less vulnerable’ development are proposed outside the design flood event. This has not been justified and is contrary to adopted policy ESD 6 in the Cherwell Local Plan 2011-2031 which states flood risk will be managed ‘using a sequential approach to development; locating vulnerable developments in areas at lower risk of flooding’ as well as part (a) of paragraph 173 of the NPPF which states ‘within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location’.</p>	<p>Our position on this point has been set out in our responses dated 22 February and the 6th August 2024. The Applicant and the LPA are agreed that the Outline Planning Application is consistent with the sequential approach. As we have previously set out, the proposals have directed development towards the parts of the site with the lowest risk of flooding. The majority of the site has been identified as having a low risk of flooding.</p> <p>No built development is proposed within areas identified as having a high risk of flooding without mitigation measures provided to address the level of risk. This approach is considered to be entirely consistent with the sequential approach set out in the NPPF, along with the Local Plan’s requirement to deliver at least 1,950 homes on the PR8 site.</p> <p>The LPA has confirmed to the Applicant that it consider that the Proposed Development is entirely consistent with ESD6. The Officers Report concludes the following at paragraph 9.139:</p> <p><i>In conclusion, subject to appropriate conditions, the scheme would be acceptable as regards flood risk to prospective occupiers, and it would ameliorate rather than worsen conditions elsewhere. It would also be acceptable in terms of foul water drainage. It would accord with NPPF policy on planning and flood risk and would comply with requirements of Local Plan Policy PR8.</i></p> <p>On this basis, we do not consider it reasonable for the EA to be hold their objection in relation to the sequential approach.</p>
<p>Flood Zone 3b We welcome that the ‘1 in 30-year Baseline Flood Extents with Masterplan’ shows no vulnerable development is proposed within</p>	<p>A Technical Note has been prepared in relation to the Secondary School Site, which demonstrates that an appropriate solution is possible to remove flood extents from the Secondary School site, through the use of a FSA, without causing any negative</p>

EA Response (28 August 2024)	Applicant Response
<p>baseline Flood Zone 3b. However, it has still not been demonstrated that there shall be no vulnerable development within the proposed Flood Zone 3b. From a flood risk perspective, this could be easily overcome by removing the proposal to remove a stretch of watercourse (which would alter the 3.3% AEP flood extent) from this live planning application.</p> <p>Please note the '1 in 30-year Baseline Flood Extents with Masterplan' plan appears to only show out of bank flooding and does not include in-channel flooding. In-channel flooding should be included in this and any 'proposed scenario' plans. The 3.3% AEP extents may also change should any alterations to the applicant's modelling be made to overcome our concerns (please see above).</p>	<p>impact offsite. The options tested also demonstrate that an offsite betterment is also possible depending on the chosen invert and side slopes. The Applicant is willing to commit to ensuring that the development will lead to a net increase in flood storage. This commitment is set out within the planning condition that secures the detail design, and has been agreed between the LPA and the Applicant. On this basis, we do not consider it reasonable for the EA to hold their objection in relation to this point.</p>
<p>Climate change</p> <p>For clarity, guidance on the appropriate climate change allowances to be used to assess future flood risk are advised here: Flood risk assessments: climate change allowances. Under 'Assess off-site impacts and calculate floodplain storage compensation' this guidance states to use the 'higher central allowance when the affected area contains essential infrastructure'.</p> <p>The A44 (a major road identified as essential transport infrastructure) is adjacent to the south west corner of the application site, and is shown to be at flood risk in the 1% AEP plus 26% CC event and higher, as well as in the 0.1% AEP event. Preventing flood waters entering the application site in these higher order events (without mitigation) is likely to increase flood risk to the A44. Therefore, in accordance with Flood risk assessments: climate change allowances the higher central climate change allowance should be used.</p> <p>We welcome that the applicant has used the higher central climate change allowance of 41% in their assessment, however we do not</p>	<p>Noted. The climate change allowance used is in excess of what is required to be considered for all development within the red line boundary. A higher climate change allowance has, therefore, been considered than required by NPPF.</p> <p>It is welcomed that the EA has no objection to the climate change allowances that the Applicant has applied.</p>

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<p>agree this is above 'the minimum required by NPPF' as stated in the applicant's letter. Instead, this is the allowance that should be used in line with national guidance. Using this allowance does not count towards creating reductions in flood risk.</p>	
<p>Exception Test The proposed development includes 'more vulnerable' works and the Red Line Boundary includes Flood Zone 3a, so the Exception Test is required. Further, more vulnerable development ('educational') is proposed within the 1% AEP flood extent in the south of the site. Contrary to the applicant's comments in their Design Note, part (b) in paragraph 170 of the NPPF states that to pass the Exception Test development 'where possible, will reduce flood risk overall'. There appears to be plenty of appropriate land on this site where flood risk reduction measures could be introduced. Adopted policy ESD 6 in the Cherwell Local Plan 2011-2031 also states 'In addition to safeguarding floodplains from development, opportunities will be sought to restore natural river flows and floodplains'. We recommend creating additional floodplain storage by lowering land within or on the edge of the floodplain, using slices so that all floodplain is hydraulically connected without isolated low points. Natural Flood Management (NFM) measures may also be appropriate on this site as set out in your Level 1 SFRA dated November 2022 and in accordance with adopted policy ESD 6 in the Cherwell Local Plan 2011-2031. Our comments below relate to our concerns relating to part 'b' of the Exception Test, in particular whether 'the development will be safe ... without increasing flood risk elsewhere'.</p>	<p>The Proposed Development has demonstrated that it would be made safe for its lifetime without increasing flood risk elsewhere. It is also clear that the Proposed Development has included a number of measures that will improve the management of surface water, such as flood storage areas and other SuDS features that will capture, filter and harvest (where possible) surface water as close to source as possible. These measures have been demonstrated to mitigate the risk of flooding, and in a number of scenarios would reduce flood risk overall.</p> <p>The detailed design of this would be secured by a planning condition that has been agreed between the LPA and the Applicant.</p> <p>As noted above in the response to EA Response on Flood Zone 3b, offsite betterment has been secured by the planning condition agreed with the LPA. The application is in outline, so the exact detailed design is not yet known. The design of the flood storage area(s) will be confirmed once the invert and side slopes of the proposed flood storage area have been designed.</p>
<p>Floodplain storage – level for level compensation Development is proposed in areas at existing flood risk, including removing land from the floodplain which would displace flood waters, leading to increases in flood risk elsewhere. If this work is</p>	<p>It is understood that should level-for-level compensation not be possible to demonstrate, that the FRA should 'fully detail the extent and nature of the increase in risk'. It has been demonstrated through hydraulic modelling that there is no increase in flood risk outside of the site as a result of this proposal.</p>

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<p>deemed necessary, level for level compensation should be provided in accordance with the PPG to prevent increases in flood risk elsewhere.</p> <p>Whilst the PPG does set out on-site level-for-level compensation may not always be possible, it also sets out that the FRA should 'fully detail the extent and nature of the increase in risk' and that this 'is likely to be a key consideration in whether planning permission is granted' and therefore may be a reason for refusal of planning permission.</p> <p>If it is not possible to provide level for level compensation, in the first instance we recommend the applicant tries to amend their parameter plans to ensure the floodplain is safeguarded in accordance with adopted policy ESD 6 in the Cherwell Local Plan 2011-2031.</p> <p>If this is not possible, then the FRA will need to fully detail the extent and nature of the increase in risk and to assess its significance, in line with the PPG. In this instance, we would expect the changes in flood risk as a result of the proposed development to be included in the applicants modelling, with the outputs of this modelling clearly shown in mapping/plans, as well as providing calculations and plans of the proposed changes in floodplain storage in terms of volume, levels and location.</p> <p>Please be aware that it is not appropriate to rely solely on hydraulic modelling to show 'negligible' changes in flood risk. There should be no increase in flood risk elsewhere as a result of the proposed development, and where possible there should be reductions in flood risk. Therefore, it should be clearly demonstrated that the proposed mitigation will provide at least as much floodplain storage as the amount proposed to be lost.</p> <p>We have provided further information on the two areas where losses in floodplain storage are proposed below:</p>	<p>As noted above, hydraulic modelling has now been undertaken to demonstrate that there is no increase in risk offsite as a result of proposed mitigation measures on the secondary school site, should this part of the Site be brought forward.</p> <p>The Applicant disagrees with the EA's statement: 'it is not appropriate to rely solely on hydraulic modelling to show 'negligible' changes in flood risk'. Negligible changes in flood risk have been demonstrated through hydraulic modelling, where level-for-level compensation was not possible.</p>

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<p>North-west of site – Proposed Swale</p> <p>The applicant proposes to obstruct a flow route in the northwest of the site, which is likely to increase flood risk elsewhere as the displaced flood water would find a new flow route. We would expect level for level compensation to be proposed for the loss of floodplain storage (the area that will be prevented from flooding). Instead, a swale is proposed, and it is unclear how the swale would function. If the water is channelled into a narrow ditch, this could increase the efficiency of flood flows, moving more water downstream at a greater rate which could increase flood risk elsewhere. It may be the swale would be designed to mimic the existing flood flow, however this would need to be demonstrated through modelling and plans clearly identifying how the swale would function. Further information is therefore required in order to show there would be no detriment, including considering timing of any flooding offsite.</p> <p>Further, whilst attenuating the displaced flood water in a swale may hold water upstream in an initial rainfall event, if the attenuation area/swale cannot freely drain into the river then there may be less storage available for any future floodwater should there be further rainfall event. This could also increase flood risk elsewhere. We would not have these concerns if level for level compensation was proposed, as flood water would be able to freely enter and exit the floodplain storage area during and after an event.</p> <p>More information is therefore required on the proposed swale unless, ideally, it can be replaced with level for level compensation.</p>	<p>We consider the EA's objection to the proposed swale to be unreasonable. Hydraulic modelling presented in the FRA and Technical Notes demonstrates that the swale acts to re-route flood water crossing the site, without any increase to offsite flood risk.</p> <p>The function of the swale was explained clearly in the meeting held with the EA (18th July 2024) including the concerns about water remaining in the swale between consecutive events. The detailed design of this would be secured by a planning condition that has been agreed between the LPA and the Applicant.</p>
<p>We have provided the following comments for if a swale is the only mitigation feasible option and the applicant can demonstrate there would be no detriment. The submitted Design Note highlights 'difference plots presenting difference in modelled flood depths</p>	<p>The EA note that difference plots have been provided to demonstrate the results of the hydraulic modelling, showing no increased risk as a result of the swale but note that the resolution of the figures do not allow them to be content with the swale's impact. It is felt that these difference plots and associated dialogue clearly</p>

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<p>and extents shown in Figure 6.5 and 6.6 of the updated Hydraulic Modelling Report’.</p> <p>Unfortunately, the resolution of these figures in the Model Report are too low for us to review (the proposed swale is not distinguishable from the RLB). Please can you request high resolution versions of these figures are provided. This mapping should clearly identify where the swale is proposed and what impact the works would have on flood risk on and offsite.</p>	<p>demonstrate there would be no increased risk in flooding offsite, or any other unacceptable flood risk impact.</p>
<p>In addition, the applicant should also provide more information on the proposed swale including:</p>	
<ul style="list-style-type: none"> • In relation to the 6.5 of the Design Note, the flow route of the ordinary course on the other side of the A44 is not clear. Our mapping identifies a culvert under the A44 and across the site, broadly following the flood extent shown during the 0.1% AEP event. There is limited information in section 4 of the Model Report: • does this watercourse go into a culvert, and if so, where does this culvert discharge? • If this culvert is present, what capacity does it have? The flow route across the road may be due to a low point in the road at the same height as the watercourse being bank full, or the culvert surcharging and levels increasing in the upstream reach before overtopping. Is there open channel on either side of the A44 connecting the ordinary watercourse to the Rowel Brook in the north? • Note any key details set out in the Model Report should also be set out in the FRA to explain the principle of what is proposed. 	<p>As noted in the response provided on 21 June 2024, “The evidence provided to date including site survey information indicates that there is no culvert in this location. The EA have provided no evidence to the contrary.” This remains the case that the EA have not provided further information to be considered. The detailed hydraulic modelling considers site specific topographic survey information. The EA have been provided with the hydraulic modelling and the hydraulic modelling report for review and are therefore able to identify the model build in this area. It is not considered necessary to replicate the model build information from the modelling report in the FRA.</p>
<ul style="list-style-type: none"> • Confirmation that the swale is only to mitigate for the 1% AEP plus higher CC allowance flood events and above, and that floodplain storage for lower order events will be 	<p>In the EA’s response dated 3 June 2024, the EA stated “<i>Whilst we are now satisfied that the swale has now been appropriately modelled and detailed in model report, the impacts on flood risk are not clear from the submitted plans. We strongly</i></p>

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<p>maintained such that the floodplain will function as it does in the pre-development scenario.</p>	<p><i>recommend that an additional plan is provided to show the difference in modelled flood depths and extents, as well as the location and design of the proposed swale.</i></p> <p>It was confirmed in our responses provided on 21 June 2024 that <i>“The design of the swale was outlined in the original FRA. Please refer to the difference plots presenting difference in modelled flood depths and extents which are shown in Figure 6.5 and 6.6 of the updated Hydraulic Modelling Report”</i>. The Planning Conditions agreed with the LPA then secure these commitments.</p> <p>Excluding the extent to the north-west corner of the site, closest to Rowel Brook, in the pre-development scenario, there is no flood extent within the red line boundary originating from offsite for flood events lower than the 1 in 100 year plus climate change. The swale is designed to capture, attenuate and discharge the flows into Rowel Brook in a controlled way for flood events from between the 1 in 100 year and 1 in 1000 year. This is demonstrated in Figure 5-3 and 5-4 of the BH Technical Note – Responses to EA Consultation on Flood Risk (12 March 2024).</p>
<ul style="list-style-type: none"> • An explanation and plans that demonstrate how the swale would function in practise, clearly setting out the design principles. This should include whether the swale would be hydraulically connected to the floodplain or watercourses. Would the scheme change the timing of a flood event? If so, what would the impacts be? Would it create a more efficient flow path, increasing flows downstream? • How would the works affect the A44? Would there be any benefits of the scheme? 	<p>The detailed design of this mitigation measure would be secured by a planning condition that has been agreed between the LPA and the Applicant.</p> <p>It is noted that the solution has been hydraulically modelled for all design events outlined in the FRA and Hydraulic Model Report. The solution has been designed in a way so as to not increase flood risk downstream, which has been demonstrated. It was clarified to the EA in our meeting in July that the swale would not affect the A44. The Planning Conditions agreed with the LPA then secure this commitment.</p>
<ul style="list-style-type: none"> • How the swale will drain after heavy rainfall and how would this affect fluvial flood flows into and out of the swale? This is to identify whether storage would be available should there be a second flood event shortly after an initial event 	<p>The detailed design of this would be secured by a planning condition that has been agreed between the LPA and the Applicant. The EA’s concerns regarding consecutive events have been noted and the applicant has confirmed that this will form part of the details that would be discharged as part of the detailed design stage, secured by planning condition.</p>

EA Response (28 August 2024)	Applicant Response
<ul style="list-style-type: none"> Confirmation that these works are possible within the RLB, and if not, how they would be achieved In relation to 6.4 of the Design Note, it is not clear how the proposed swale is more sustainable than the existing situation, as it appears that a more engineered approach is proposed. 	<p>The detailed design of this would be secured by a planning condition that has been agreed between the LPA and the Applicant. The applicant has confirmed that the swale will be delivered wholly within the RLB and that attenuation of the flows arriving at the site would be preferable to uncontrolled discharge.</p>
<p>South-east of site - Removal of watercourse To date, we have only been able to review a plan (Section 5.3 of the Flood Risk Technical Note dated 12 March 2024) that shows removing a section of watercourse would increase flood risk offsite if no mitigation is provided. It has not been demonstrated that suitable mitigation is possible to prevent increases in flood risk to proposed dwellings and offsite. Following a meeting in July 2024, we also have concerns that surface water mitigation is proposed for changes in fluvial flood risk which is not appropriate.</p>	<p>As noted above, a Technical Note has been prepared in relation to the Secondary School Site, which demonstrates that an appropriate solution is possible to remove flood extents from the Secondary School site, through the use of a FSA, without causing any negative impact offsite. The detailed design of this flood storage area would be secured by a planning condition that has been agreed between the LPA and the Applicant.</p>
<p>It is our understanding that the proposed removal of a stretch of watercourse may not be required, dependant on decisions related to a possible new school. The applicant's letter (dated 6 August 2024) states educational use in this area 'is not expected to be needed'. As it has not been demonstrated that appropriate mitigation for removing this stretch of watercourse is possible, we strongly recommend the proposal to remove a stretch of watercourse is removed from this live application. The flood risks associated with removal of this watercourse, including to proposed new dwellings, do not seem proportionate for the unlikely possibility of school playing fields.</p>	<p>This is not correct. The Letter dated 6 August noted the following: <i>'It was explained in the meeting that the secondary school would only be provided if required. The site comprises a core land area of 6.77ha (the northern section) and an expansion area of 1.26ha (the southern most section) that is not expected to be needed. As set out in the Application, the school building would be located on the norther section of the site, outside of Flood Zone 3. If required, the expansion area of 1.26ha would be used for playing fields and outdoor sports uses, which would be flood compatible uses. This is considered in accordance with the sequential approach. There is however a requirement for education uses to be located wholly outside of Flood Zone 3. Therefore the measures outlined in the FRA have been developed to show how the expansion land could be implemented should this area be required. This land would only come forward if the County Council needs that additional land to expand the secondary school. On the basis there would be no other land available, this is considered to be entirely consistent with the sequential approach.</i></p>
<p>Further, it is preferable for school fields to flood than dwellings, and OCC's requirement for no educational land in Flood Zones 2</p>	<p>The Secondary School Technical Note confirms that if required, an appropriate solution is possible to remove flood extents from the Secondary School site, through the use of a FSA, without causing any negative impact offsite.</p>

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<p>and 3 should not be secured by increasing flood risk to other ‘more vulnerable’ development.</p> <p>If educational land is required, is it possible to amend the parameter plan to ensure no ‘more vulnerable’ development is proposed in the location of the watercourse?</p> <p>If this is not possible, the applicant should propose additional watercourse length to replace the length of watercourse that is proposed to be removed. This new watercourse should be modelled and, if appropriate, level for level compensation proposed for any loss of storage associated with ground level changes to prevent any increases in flood risk on and off site. At this stage, it is not known if this is possible, therefore we are not able to remove our objection to this outline planning application.</p>	
<p>It is our understanding that a pipe and an attenuation area may be proposed instead of open watercourse channel and level for level compensation. There is some confusion on what is proposed as section 4.1.2 of the FRA states that a replacement channel is proposed, not a pipe. Note a open channel/watercourse is likely to be preferable from a maintenance and biodiversity perspective. Further, the area shown as to be used as attenuation does not appear to be large enough to provided level for level compensation (as it’s likely a similar area to that of floodplain storage lost would be required for the level for level compensation scheme).</p>	<p>As noted above, a Technical Note has been prepared in relation to the Secondary School Site, which demonstrates that an appropriate solution is possible to remove flood extents from the Secondary School site, through the use of a FSA, without causing any negative impact offsite. The detailed design of this flood storage area would be secured by a planning condition that has been agreed between the LPA and the Applicant.</p>
<p>If none of the options outlined above are possible, then the FRA should clearly set out the following to aid the LPA’s decision by clearly setting out what is proposed and what the possible impacts would be on flood risk on site and to the surrounding land:</p> <ul style="list-style-type: none"> • What is the catchment of the head of the watercourse? • Would the proposed attenuation area collect the same rainfall as the existing ordinary watercourse? • What would happen to the rainfall that currently flows into the ordinary watercourse? 	<p>See responses above. The detailed design of this flood storage area would be secured by a planning condition that has been agreed between the LPA and the Applicant and therefore will deal with this concern from the EA.</p>

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<ul style="list-style-type: none"> • Would this discharge into the main river change the timing of flood events? • How do the proposals link to the applicant’s surface water strategy? • Where would the new watercourse/pipe discharge to? • What would be the impacts offsite/downstream? • Would a surface water model be appropriate to demonstrate the changes at the top of this catchment? 	
<p>River Crossings</p> <p>In section 8.2 the applicant has responded to our question '<i>It is still not clear if any river crossings would be proposed as part of reserved matters applications. Clarity should be provided</i>' with '<i>We have confirmed that at this stage no river crossings are proposed as part of this planning application. We are unsure what further information can be provided.</i>' We interpret this to mean that no river crossings are going to be proposed in the outline or reserved matters applications. Therefore, should our above objection be removed, it is likely we will condition that no river crossings are included in any reserved matters application.</p>	<p>As stated in all letter dated 22nd of February 2024 “<i>Oxford canal is not within the planning application site boundary and a bridge over this canal could therefore not be granted planning permission pursuant to this application. A bridge over the Oxford canal would require a separate planning application</i>”.</p> <p>On the basis that the Outline Planning Application does not include the land needed to construct or operate a bridge over the canal, it clearly follows that a Planning Permission for such would not be granted. It would also then not be possible to submit a reserved matters application for land and / or development that does not have planning permission.</p> <p>As the EA are aware, the County Council are proposing a bridge across the Canal, and are in the process of securing funding. The County would also need to secure planning permission for such a structure. This is separate to the Applicant’s outline Planning Application.</p> <p>Any crossing that affects a main river would require the approval from the EA, as part of an environmental permit. In this context, the Applicant does not consider that a planning condition should be imposed on the planning permission should be included within any planning permission, as such a control would not be necessary or reasonable. Any proposal for a bridge should be treated on its merits.</p>