

# YARNTON PARISH COUNCIL

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20th November 2024

Development Manager,  
Cherwell Planning Team,  
Cherwell District Council,  
Bodicote House,  
Bodicote,  
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OX15 4AA

**Re: Application No: 23/02098/OUT - Oxford University Development (OUD) Consultation**

Dear Sirs

Thank you for your consultation letter dated 30th October 2024.

Yarnton Parish Council continue to **OBJECT** to the proposed development plan in its current proposed form and request that Cherwell District Council consider the following **MATERIAL CONSIDERATIONS**:

## **Report to Planning Committee - 05/09/2024**

1. Draft development brief: while the draft development is a material consideration it should not be considered determinative in considering the application. [9.12].  
*It seems reckless to us to approve this or any application within the development zone in the absence of a stand along strategy to safeguard the existing village. Our fear is that with attenuation being denied on all (or any) of the PR sites which might also serve the village, the possible strategic options become very narrow if at all feasible.*
2. The development brief is currently considered guidance with further work to complete [9.14].  
*While the Development Brief remains open there would still seem options for a strategic approach though the loss of PR9 has already constrained the options.*
3. LLFA and CDC have not objected [9.123].  
*The LLFA and CDC make no statement on what their decisions are based upon that we could find. There has been no Section 19 investigation to inform or support their comment.*

4. PR9 appeal - Planning Inspector's decision states: inappropriate to expect the development on its own or in conjunction with other developments to provide a comprehensive solution to surface water management in Yarnton itself [9.134].

*The Planning Inspector seems uninformed, as no work appears to have been published to determine the form or extent of a partial or comprehensive scheme that might be needed to protect all or part of the village. The PPF certainly includes for the investigation and adoption of such an approach. This runs to the heart of our argument. It may be unreasonable to expect a single developer to provide a comprehensive solution but this could have been shared across the PR sites. A single overarching strategy (including the existing village) to secure the long term flood resilience of the zone and the village.*

5. YPC argue that the Modelling may not have taken sufficient notice of site conditions such as groundwater interfere with surface water storage [9.135]. AND back flow from the Thames flood plain interfering with storage!

*As shown in evidence perviously provided, Yarnton has had a long association with the river levels on the Thames. Standing water, with no or very little flow, can often be seen in the dense network of "Main River" and half filled culverts within Yarnton itself.*

6. Avoid discharge into the existing foul sewer in Yarnton [9.137].

*This recent change is welcome news to the village. The previous plan seemed to simply have the potential to increase and further enrich the already frequent combined foul and surface water overflows in parts of Yarnton.*

7. Scheme would be acceptable to prospective occupiers and ameliorate rather than worsen conditions in Yarnton [9.139].

*The PR sites would indeed be well protected. While the risk in Yarnton have not been investigated and the expected level of amelioration remain unquantified. To make the scheme acceptable to prospective occupiers is likely to require the raising of building footprints significantly above the existing ground levels, thus displacing water to an unspecified location. We presume that will be downstream into the areas of the existing village where it's already at significant risk. The scheme will close the possibility for the amelioration of flooding in the village to a significant degree. Parts of the village are thought to have a flood risk as low as a 1 in 5 year return period where as the development zone will enjoy a 1 in 100 year+ return period - in excess of a once in a lifetime event.*

*The raising of land on previous developments within the village can already be seen to be attributing to a increase in the frequency and levels of flooding in older parts of the village - as most vividly seen in the most recent event in September 2024. For example; the site previously known locally as the "Wimpy site" can be seen to have been raised. Noticeable is the southern ditch running through the site which crosses under the A44 from PR8. The line of the ditch is straight with what appear to be unnatural raised banks denying flood storage in the adjacent areas. As stated above flood storage which has been lost and without replacement. We seem to heading for the same mistakes again and again.*

### Leeds High Court Judgement cited in the PR9 Appeal

8. Planning Policy Framework "paragraphs 100, 101 & 103" were key to the case. Which include:

- Safeguarding land from development that is required for **current and future flood management.**

*PR8 has historically been an attenuation basin for floodwater coming off Spring Hill. Much of that runoff is now culverted along the west side of the A44 that delivers the runoff directly into Yarnton. It is our opinion that much of the flooding in Yarnton can be attributed to the diversion of flows off PR9 directly into a much more confined area within the village and away from PR8. The loss of attenuation within the village (the Wimpy site) has exacerbated further the impact.*

- Using **opportunities offered by new development** to reduce the causes and impact of flooding should be taken.

*The National planning Policy Framework would seem to offer the LPA and LLFA the opportunity to plan for the longterm: developing a strategy for the zone including setting aside land for flood storage and attenuation. And the reconnection of old flood basins.*

9. Developers are not required to seek out opportunities to reduce flooding but simply not to make it worse. But if the **development offered such a benefit** that would be a positive factor in the planning balance.

*The developers did not have to seek out opportunities. YPC and YDG have brought the existing flooding issues to their attention at every opportunity in the past three years. A strategic plan would have benefited the village and helped to “entwine” the new development with it. Both CDC and LLFA were fully aware that there were flooding problem, reference to which can be found in the District Council’s Strategic Flood Risk Assessment. The assessment was intended to inform and steer new development way from high risk areas.*

### **Cherwell Level 1 SFRA update**

10. Opportunities will be sought to restore river flows and floodplains [ESD 6].

*The opportunity has been ignored or missed in the planning process. The Spring Hill upland historically drained to the attenuation basin which comprise of PR8. A strategy comprising of reconnecting them, would have relieved the flooding issues in Yarnton and at the same time provided enhanced biodiversity on PR8.*

### **Cherwell Level 2 SFRA Addendum**

11. The EA risk of flooding from surface water mapping [figure B.4] shows a number of areas as floodable within the site and adjacent to its southern boundary - including the Littlemarsh FIT recreation ground - a field which is due to play a major part in the recreational development strategy. A strategy that will not be fully deliverable if it spend a significant amount of time waterlogged as it has during 2024.
12. The comparison of EA flood modelled peak water levels with LiDAR ground levels within PR8 [Figure C.3] shows a ground level in the area of “seed Lake” at 60.5 AOD - the most Southern part of PR8 which we continue to contend is part of the Thames flood storage. Levels on the same plan for Rowel Brook (which is part of the Thames flood storage) are shown at at similar levels which support our view that it makes up part of the Thames flood storage - Distance is not a barrier to water.
13. The floodable area north of Sandy Lane (near OD spot level 62.0) seems a much smaller area than we have witnessed over the past two decades. This would lead use to believe that the digital base model which the development relies upon is not fully representative of the actual physical model. The area adjacent on the east side of the railway embankment is referred to as the “railway marshes”. The floodable area on the west side would have made up part of the railway marshes prior to its isolation by the raising of the railway.

### **Edenvale Young Hydraulic Modelling Report - revision E**

14. The digital flood model seems very comprehensive but the preparation of which is not easily comprehensible to the layperson. However, what we do see is there are numerous assumptions, simplification and estimations in its production - rendering it only a partial model at best. We appreciate that the model has been run with a number of surface roughness variables in an attempt to

determine its sensitivity. But, as far as we are able to ascertain the base model does not accord with the extent of what we view seasonally in the floodable areas, and in much lower periods than a 1 in 100 years return period. Particularly west of the railway marshes, Seed Lake, Littlemarsh and Green Lane. Neither does it take into account the surface flows we see coming off PR9, via the A44 and Sandy Lane roundabout culverts. In fact there does not appear to be any information about the existing culverted system in the area. But we are well aware of regular flooding on the A44 and the danger that bring to road users.

15. Edenvale Young state in there report they were unable to gain access to the Southern Drainage Ditch during their site visit but do not state why. It seems very unlikely they were denied access by the land owners. Knowing the area, we would guess the ditch and its flanks were under standing water and could not be seen.
16. The digital model does not seem to account for back-flows from the Thames into the village and PR8. Back-flows are seen to partially fill open channels, culverts and attenuation areas with standing water and reduce their storage and carrying capacity. The flow off PR9 (including a substantial part of the village) joins that off PR8 on the village side of the Souther Drainage ditch, which then within a very short distance turns through a sharp right-angle and flows through the village. An arrangement which has significant hydraulic inefficiency which does not seem to have been taken into account in the modelling.
17. The Edenvale report refers to a Dukes Lock pound level at 60.149m AOD. As stated in section 13 above ground levels in the Southern part of PR8 and on parts of Rowel Brook is 60.5m AOD. Given that the normal range of up stream water levels for Kings Lock is published as 300mm and up to a recoded maximum of 1000mm there would seem to be plenty off scope for back-flows from the Thames into Yarnton and the southern parts of PR8 - back-flows being dependant of hydraulic gradient, not stream bed gradient, the distance from the functional flood plain or number of structures it has to pass beneath. We can only surmise at this stage the reason that parts of the Southern Drainage Ditch does not appear in flood zone F2 or F3 on the EA flood plan is for pragmatic reasons. Before PR8 was removed from the Green Belt it was protected from development and its inclusion within F2 or F3 did not provide any enhanced benefit. They had not anticipated a raid on protected greenbelt land. However, having removed it, it would seem the revisiting of the limits of the flood pain would have been advisable. The EA we do know redraw the floodplain maps from time to time to reflect the changes brought about by climate change among other reasons. That redrawing should perhaps include changes brought about by planning policy particularly the adoption of development zones.
18. The Edenvale report includes a number of flood output maps [Figures 5.1~5.5] which seems to show flooding below a 1 in 100 year return period as very limited. As we said earlier this does not accord with our observations over the last 20 years. Until they have produced a baseline model which is more closely aligned with empirical observations, we do don't consider they are able to produce a design which will deliver the 1 In 100 return period risk which is required.
19. An interesting feature of the flood output maps [Figures 5.1~5.5] is they consistently show a large area of flooding east of the canal; the Stratfield Break and Garden City areas in Kidlington. Those areas rely upon a 200 year old inverted siphon in an unknown condition for drainage and feeding into the Yarnton catchment.

## **General Picture**

20. *Yarnton will be surrounded by development on three side the village becoming four times its current size. The fourth side will consist of the Thames flood plain.*
21. *PR8, PR9 and the existing village (including parts of Kidlington and the proposed Oxford United development) are all within a single watershed. Once the current development sites are completed there doesn't seem to be*

*any prospect of finding suitable open space on the periphery of the existing village for amelioration? The village will become land-locked!*

22. *Regarding the general health and wellbeing of the Yarnton population, parts of the village undergoes regular flooding. This impacts upon the whole of the village, creating fear and general anxiety amongst residents whenever there is heavy rain the the forecast. Residents fear leaving their homes to go away on holiday, and much sleep is lost in fear of overnight flooding. We believe this should also be a material consideration in the determination of the application.*

**David Thornhill**

Parish Clerk

Yarnton Parish Council