

Ms Rebecca Horley
Cherwell District Council
Planning, Housing and Economy
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Our ref: WA/2014/117207/01-L01
Your ref: 14/00001/SCOP
Date: 27 March 2014

Dear Ms Horley

Scoping opinion - residential development (including affordable housing) incorporating a local wildlife site together with land reserved for a primary school, community facilities, public open space, localised land remodelling and structure planting

Land between Birmingham London Rail Line and Gavray Drive Bicester

Thank you for consulting us on the above Environmental Impact Assessment Scoping Report which we received on 6 March 2014. We have the following comments to make.

Flood Risk

The Langford Brook, Main River, flows through the 20.79 hectare site, a significant proportion of which lies within Flood Zone (FZ) 2 and 3. There are therefore significant fluvial flood risk issues which will need to be addressed in the Environmental Statement. We welcome the commitment to do this in paragraph 5.34 of the Environmental Impact Assessment Scoping report dated February 2014.

Sequential Test

As this site is located in an area of high flood risk, the Sequential Test must be applied by your Local Authority to show whether there are any other reasonably available alternative sites at lower flood risk. We are aware that this site has been allocated in the Cherwell District Council Local Plan (2006-2031) which is currently being examined in public. As the Local Plan has not yet been adopted, the planning application will require a site specific Sequential Test.

Exception Test

Should it be demonstrated to the satisfaction of the Local Authority, that the Sequential Test has been adequately passed, the Exception Test should be applied for this type of development in accordance with paragraph 102 of the National Planning Policy Framework (NPPF). A sequential approach should be taken to position development in areas of lowest flood risk (i.e. Flood Zone 1). Table 3 of the Planning Policy Guidance (PPG) sets out which type of development is acceptable in which flood zone (Paragraph: 067 Reference ID: 7-067-20140306). Part 2 of the Exception Test requires the applicant to demonstrate in a site specific flood risk assessment that the development will be safe, without increasing flood risk elsewhere, and, where possible

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will reduce flood risk overall. We are pleased to see that this has been proposed in paragraph 5.36 of the EIA Scoping report.

We have the following comments in relation to the numbered paragraphs in the submitted EIA scoping report:

Paragraph 5.35

We recommend that the applicant consults with the Lead Local Flood Authority (Oxfordshire County Council) at an early stage, regarding flood risk issues associated with surface and groundwater locally.

Paragraph 5.36

Although the site has been the subject of a previous application c2004 to 2006, much has changed since then including legislation and flood modelling. The Environmental Impact Assessment will therefore need to include an up to date Flood Risk Assessment with the best available evidence to support it.

The applicant should ensure the Flood Risk Assessment addresses flood risk from all sources and you should ensure you are using the latest flooding information. The applicant should also ensure the Flood Risk Assessment considers the impacts of the proposed development on flood risk at the site, as well as upstream and downstream of the site.

The applicant should adhere to the recommendations and guidance of the Cherwell and West Oxfordshire Level 1 Strategic Flood Risk Assessment (2009), along with relevant policies in Cherwell District Council's Development Plan and the NPPF and Planning Policy Guidance (PPG). This is to ensure you have a robust Flood Risk Assessment (FRA) and Drainage Strategy. The PPG offers advice including a checklist for FRAs (Paragraph: 068 Reference ID: 7-068-20140306).

The applicant should ensure there is separate access to both parts of the site which are separated by the Langford Brook, ensuring there is safe access and egress avoiding areas of flood risk.

Paragraph 5.38

We are pleased that the applicant proposes to consider surface water management features within the site. Our preferred option would be infiltration or SUDS which deliver multiple benefits such as ponds and swales. In designing these we recommend reference is made to Section 5 of the PPS25 Practice Guide and CIRIA publications C624 and C697.

The applicant should have a good understanding of the existing drainage which will inform a robust drainage system. This should include an assessment of how the site currently drains and design the drainage system to mimic the current arrangements.

The applicant should limit run off to existing rates and consider any opportunity to reduce flood risk through development. This could involve reducing surface water runoff rates and volumes below the existing calculated greenfield rates.

In terms of final point of discharge, our preference would be for infiltration or discharge to a watercourse as opposed to discharge to a public sewer.

We recommend the applicant consults the Lead Local Flood Authority (Oxfordshire County Council) and Water Company (Thames Water) at an early stage regarding design, adoption, maintenance and operation of the storm water management system. We also recommend you consult Thames Water at an early stage regarding design, adoption and capacity of the network.

The applicant will be required to submit an up to date Surface Water Drainage Strategy which we will need to review.

Paragraph 5.39

Concerns of impacts to water quality in the Langford Brook and Sites of Special Scientific Interest (SSSIs) downstream of the site should be investigated. We advise that it is likely that adverse impacts could be mitigated through the use of Sustainable Drainage Systems.

Environment Agency data

For Environment Agency data about the most up to flooding information for the Langford Brook, please contact our Customers and Engagement Team at: WTenquiries@environment-agency.gov.uk.

This information is provided in the form of flood map products and the product supplied depends on the type and size of the development being undertaken. To determine what product would be most appropriate for this type of development please visit our website at: www.environment-agency.gov.uk/research/planning/93498.aspx. Please be aware that there may be a charge for this information.

Ecology

The Langford Brook, Main River, flows directly through the site and we consider that the proposed development could potentially have significant effects on the ecology both on and off site.

Paragraph 5.26

We are pleased to see that an Ecological Impact Assessment will be undertaken. The results of this should be used to ensure that mitigation or compensation measures are proposed for any wildlife habitats which have been identified as important.

Paragraph 5.30

As mentioned, we are concerned that the development could have a detrimental impact on the two SSSIs downstream (Wendlebury Meads and Mansmoor Closes SSSI) and therefore this should be examined in the Environmental Statement. We note that Natural England have been consulted and commented with regard to these SSSIs, and we will take a joined up approach to ensure their protection.

It is a requirement for all development by a watercourse to consider the ecological and physical status and potential of that watercourse according to the Water Framework Directive (WFD). The Langford Brook is currently at 'good' ecological status and the proposals should ensure no degradation to this. Part of this can be achieved by ensuring an 8 metre buffer zone is retained on both sides of the watercourse. This

should be managed and maintained.

Foul Drainage

We are pleased to see that section 5.40 in the EIA scoping report refers to the need to investigate the foul drainage infrastructure capacity to ensure this is sufficient for any increasing flows from the proposed development. This should consider both network and treatment capacity in line with planned growth in Bicester, and whether phasing of development is needed, taking account of water infrastructure availability.

Advice to Applicant - Water Supply

Section 5.62 refers to the need to ensure there would be sufficient water provision for any proposed development. We recommend that proposals consider integrating water efficiency measures into the design of new buildings such as through low flow toilets/tap or rainwater harvesting technologies which are more effective on a community-wide basis.

If you have any further queries please do not hesitate to contact me.

Yours sincerely

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