

Ms Mary Hudson
Oxfordshire County Council
Planning Implementation
County Hall New Road
Oxford
Oxfordshire
OX1 1ND

Our ref: WA/2021/129358/01-L01
Your ref: MW.0115/21
Date: 22 October 2021

Dear Ms Hudson

Extraction And Processing Of Sand And Gravel Including The Construction Of New Site Access Roads, Landscaping And Screening Bunds, Minerals Washing Plant And Other Associated Infrastructure With Restoration To Agriculture And Nature Conservation Areas, Using Inert Fill

Land At White Cross Farm, Wallingford, Oxfordshire

Thank you for consulting us with this application. The application site lies within Flood Zone 3 according to our Flood Map for Planning. This is defined as areas having a high probability of flooding in accordance with Table 1 'Flood Risk' of the Planning Practice Guidance.

We hold detailed flood modelling in this location – Thames (Sandford to Mapledurham) 2018 which shows the site to be partially within the 5% annual exceedance probability (1 in 20 year) flood extent. This is defined in South Oxfordshire's (SODC) Strategic Flood Risk Assessment (SFRA) March 2019 as functional floodplain - an area of land where water flows or is stored in times of flood. It has been agreed with SODC to use the 1 in 20-year modelled flood extent wherever suitable hydraulic models are available as the functional floodplain. As the application site lies within SODC's administrative boundary, the site is within the functional floodplain. The site is also adjacent to the River Thames, a statutory main river.

The Flood Risk Assessment (FRA) states stockpiles, bunds, offices etc. will be located in Flood zone 1. A climate change assessment has not been included so the modelling provided needs to be updated. The FRA states the modelling has been approved by the EA but it is not clear when or if it was for this application or just the site previously.

The site is also located over a principal aquifer and a secondary aquifer, and is located within close proximity to a domestic water abstraction location – Windward House. We have concerns with this application in regards to flood risk and the groundwater supply to the potable water abstraction.

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Environment Agency Position

We have **two objections** to the proposed development as submitted. They are:

- 1. Inadequate FRA**
- 2. Insufficient information to determine risks to potable water supplies**

Objection 1 – Inadequate FRA

In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused. We have reviewed Flood Risk Assessment Revision A dated 17 August 2021 and we note that hydraulic modelling has been completed to support the application, however, the modelling does not consider climate change allowances. We understand the proposed works will have short duration but the flood risk assessment should consider the extent of any impacts climate change may have on the site.

Reasons 1

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 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:

1. Provide an assessment of the impact of climate change using appropriate climate change allowances.

Overcoming our objection 1

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

The hydraulic modelling undertaken by the applicant should be updated to include an assessment of the climate change allowances. The modelling should be re-submitted for review so we are satisfied climate change has been appropriately considered. The climate change allowances have recently been updated and more information can be found at Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk). Water compatible developments should be assessed to the central allowance of 1% annual probability (1 in 100) flood extent with a 14% climate change allowance. If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

Objection 2 - Insufficient information to determine risks to potable water supplies

We **object** to the planning application, as submitted, because the applicant has not supplied adequate information to demonstrate that the risks to groundwater resources from which supplies of potable water are obtained can be safely managed. Without a risk assessment showing the contrary, the risks to groundwater from this development are considered unacceptable. We recommend that planning permission should be refused on this basis in line with paragraph 174 of the National Planning Policy Framework.

Reasons 2

The site is located upon a principal and secondary A aquifer where we carefully monitor development proposals of all types. We designate vulnerable aquifers to identify the catchment areas of sources of potable water (that is high quality water supplies usable for human consumption) and show where they may be at particular risk from polluting activities on or below the land surface.

In this instance the proposed development could threaten potable water supplies because The Windward House domestic abstraction (460510, 187395) is located

approximately 47m south from phase 2 & 3. Our main concern is surrounding the groundwater supply to this abstraction. From our assessment of the groundwater environment, review of supplied information and the cumulative impact of the neighbouring New Barn Farm site, there is a risk of significantly reducing recharge and the direct lowering of groundwater levels in to this area.

In this instance the proposed development could threaten potable water supplies due to their not being sufficient quantities of groundwater to abstract.

Overcoming our objection 2

We will maintain our objection until we receive a satisfactory risk assessment that demonstrates that the risks to potable water supplies posed by this development can be safely managed.

In such a risk assessment, we would need to see a model or calculations which show that the abstraction will not be impacted by the reduction of the recharge area and direct lowering of groundwater levels.

Further Information - Transfer Licence

We also have concerns about the proposed mitigation measures (Clay barrier) that will be in place to protect the Windward House abstraction.

As stated in section 5.1.1 of the Hydrogeological Impact Assessment:

'Measures to be undertaken in the event that derogation occurs will be confirmed and agreed as part of the process for obtaining a transfer licence. These measures may include the provision of a temporary alternate water supply.'

When assessing the transfer licence, we would need to be confident that the dewatering will not impact the supply at Windward House. We would also need to see the mitigation plans for the clay barrier if it was compromised in any way.

Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. 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.

Final Comments

Thank you again for consulting us on this application. Our comments are based on the best available data and the information as presented to us.

If you are minded to approve the application contrary to our objections, please contact us to explain why material considerations outweigh our objections. This will allow us to make further representations. Should our objections be removed, it is likely we will recommend the inclusion of condition(s) on any subsequent approval.

Please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Yours sincerely

**Mr Alex Swann
Planning Advisor**

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