

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

Our ref: WA/2021/129358/04-L01
Your ref: MW.0115/21
Date: 12 January 2023

Dear Ms Hudson

***Amended Plan* 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 reconsulting us on this application. Since our previous response (WA/2021/129358/03, dated 21 September 2022), the applicant has provided

- a letter titled 'Response to Environment Agency Letter dated 21st September 2022' (ref LRS/WAL/110, S J Rees, Greenfield Environmental, dated 4 October 2022).
- flood modelling for our review.
- a further letter regarding Flood Risk Assessment from John Young, EdenvaleYoung, dated 19th December 2022.

This response sets out our current position and includes our response to the letters dated 4 October and 19 December, both referred to above. It also sets out the results of our modelling review.

Environment Agency position

We maintain our **objection** on flood risk and provide further information relating to this objection below (modelling and offsite impacts).

In addition, it has come to our attention that there is a **further in principle policy objection** to this proposal. We apologise that this has not been raised previously during the consultation process with us.

Further in principle objection

We **object** to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located.

The application is therefore contrary to the National Planning Policy Framework and its associated planning practice guidance (PPG). We recommend that planning permission is refused on this basis.

Reason

The PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. This site lies within Flood Zone 3a/3b functional floodplain, which is land defined by the PPG as having a high probability of flooding.

The development is classed as more vulnerable in terms of flood risk, in accordance with Appendix 3 Flood Risk Vulnerability of the National Planning Policy Framework (NPPF). Table 2 of the PPG makes clear that this type of development is not compatible with these Flood Zones and therefore should not be permitted.

Further explanation

Whilst the sand and gravel element of this proposal is acceptable in flood risk policy terms, the landfill element as part of the site's proposed restoration is deemed to be inappropriate within flood zone 3b and should not be permitted. Should a policy compliant after-use be proposed, we would be able to remove this in principle objection.

Modelling

In our previous response, we requested model files in order to understand the effects of the changes made to the modelling as referenced in the Flood Risk Assessment (Revision B dated 21st January 2022) and to ensure the 12% climate change allowance has been calculated accurately. The review has concluded that there are various issues with the applicant's model and these will need to be addressed. A model review spreadsheet is attached to this response.

Offsite impacts

In addition to the request for model files, we have previously raised other concerns. We requested additional information about the offsite impacts of the proposed works.

The letter dated 19th December 2022 discusses offsite impacts. It states there will be a local increase in flood depth of approximately 25mm on the floodplain during phase 2 of the works. This is supported by figure 6.5 of the latest FRA which shows an increase in flood level on third party land. However, the letter also says there will be no additional flooding elsewhere as a result of the works which contradicts the aforementioned information. Also, it is stated that the impact on third parties will be negligible, but we cannot accept any increase in flood level and therefore we maintain our position that the applicant should demonstrate there are no offsite impacts.

Section 6.3.2 of the FRA states there will be an increase in flooding because of the proposed works. Whilst it is stated that all areas affected are within the floodplain, **we cannot support any increase in risk of flooding for neighboring properties or third party land.** The applicant should amend their proposal to ensure there is not any increase in flood risk.

Advice to LPA – development lifespan

The lifespan of the development is stated as five years, but the application includes restoration to agriculture and nature conservation areas. The LPA should determine if

the assessed lifespan is appropriate, and this should inform the climate change allowance used in the assessments.

Advice to LPA - conditions

Should our objections be overcome, we would like to recommend the inclusion of conditions in relation to biodiversity, and groundwater monitoring and resources, on any subsequent approval.

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

In accordance with the planning practice guidance (determining a planning application, paragraph 019), 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.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

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Planning Advisor

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