

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

Our ref: WA/2021/129358/05-L02
Your ref: MW.0115/21
Date: 07 June 2023

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 reconsulting us on this application. In response to our previous letter (WA/2021/129358/04-L01, dated 12 January 2023), we have received the following documents:

- Rebuttal to EA In Principle Policy Objection (Simon Heaton, 6 March 2023)
- Technical Note EVY0927 Revision B: Response to EA letter (Edenvale Young, 18 April 2023)
- Letter from John Young, Edenvale Young to Oxfordshire County Council, dated 1 March 2023
- Letter from S Rees, Greenfield Environmental to Oxfordshire County Council, dated 6 March 2023)
- Hydraulic modelling information.

We have previously reviewed the Rebuttal document, and have provided a response (our reference WA/2021/129358/05-L01, dated 24 May 2023) specifically about our policy objection to the proposal. We maintain our policy objection. This letter and the comments below relate to our flood risk objection.

Environment Agency position

In the absence of an acceptable flood risk assessment (FRA) we **object** to this application and recommend that planning permission is refused.

Reason

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. The

FRA does not therefore adequately assess the flood risks posed by the development. In particular:

- The site lies within Flood Zone 3a and 3b, which is land defined by the planning practice guidance as having a high probability of flooding. Notwithstanding the mitigation measures proposed, the risk to life and/or property would be unacceptable if the development were to be permitted.
- The proposed development is shown to increase the risk of flooding. The proposed development will impede flood flow and/or reduce storage capacity thereby increasing the risk of flooding.

Further explanation relating to our objection

The applicant has submitted additional information to address our previous concerns with the model used to assess the proposed development. Following the submission of further information, justification is accepted for concerns raised in first review. We are satisfied that the model is suitable for informing the FRA for this proposal.

Whilst this is the case, the FRA shows offsite detriment resulting from the proposed works. The FRA shows changes between the baseline and the built scheme, and in some areas the increases in flood depths are identified beyond the model tolerance.

The applicant is stating the impacts on third parties is unlikely to be significant as the maximum offsite increase is stated as 27mm. The letter dated 6th March is inconsistent because it states the 27mm is beyond the mathematical tolerance of the model but then says the error range is 12mm. The degree of accuracy in the modelling report for the Thames Sandford to Pangbourne is 10mm, which supports the latter of the ranges stated.

Therefore, this demonstrates that the 27mm increase is not caused by inaccuracies of the model. We are satisfied the model can be used to test whether there is offsite detriment from the proposed development. Where the model is showing detriment, this should be mitigated for.

The FRA mapping shows offsite detriment offsite beyond the planning application boundary in Phases 2, 3 and 4. There are also some areas of new flooding shown in the modelling. The FRA states 'Hydraulic modelling indicates that there is no measurable or material change in flood extent as a result of the phasing of the works'. However, this is not the case, as identified in the mapping.

Any detriment to third party land is unacceptable. Any increase in flood risk shown, especially beyond the model tolerance of 10mm, should be mitigated for or changes should be made to address the increased flood risk.

Note to applicant: The colours of 0-10mm and 10-25mm are similar and it would be useful to differentiate between the colours, especially with these two bands.

Overcoming our objection

To overcome our flood risk objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted.

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 this application for major development contrary to our flood risk objection, we request that you contact us to allow further discussion and/or representations from us in line with the Town and Country Planning (Consultation) (England) Direction 2021.

This statutory instrument prevents you from issuing planning permission without first referring the application to the Secretary of State for Housing, Communities and Local Government (via the National Planning Casework Unit) to give them the opportunity to call-in the application for their own determination. This process must be followed unless we are able to withdraw our objection to you in writing. A failure to follow this statutory process could render any decision unlawful, and the resultant permission vulnerable to legal challenge.

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.

We will provide a separate response in relation to our review of the flood modelling and our flood risk objection, as soon as we are able.

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

Mrs Sarah Warriss-Simmons
Planning Advisor

Direct dial 0203 025 9855

Direct e-mail Planning_THM@environment-agency.gov.uk