

East Area Planning Committee

2nd November 2016

Application Number: 16/02224/VAR

Decision Due by: 22nd November 2016

Proposal: Variation of condition 2 (Approved plans) of planning permission 16/01320/CT3 (Phase 1 of the Northway and Marston Flood Alleviation Scheme including installation of landscape bunds at Northway Community Field to create flood storage area, road re-profiling at Westlands Drive and Saxon Way and flood resilience measures at Oxford Boxing Academy) to enable a revised spillway location at the eastern edge of the playing field at its boundary with Maltfield Road.

Site Address: Northway Sports Ground Maltfield Road Oxford Oxfordshire

Ward: Headington Hill And Northway Ward

Agent: Mrs Natalie Durney-Knight

Applicant: Oxford City Council

Recommendation:

Officers recommend that the East Area Planning Committee grants planning permission subject to the conditions listed.

Reasons for approval

- 1 The revised plans for Phase 1 of the flood alleviation scheme for which planning permission is sought are considered to achieve the same, significant public benefits as those originally approved under reference 16/01320/CT3, by reducing vulnerability and increasing resilience to known flooding events in the Northway and Marston area. As such, the proposal is considered to comply with the relevant local and national planning policies.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Development within time limit
- 2 Approved plans
- 3 SuDS drainage
- 4 Details of outlet infrastructure
- 5 Landscape carry out by completion
- 6 Landscape hard surface - tree roots
- 7 Underground services - tree roots
- 8 Tree protection plan
- 9 Arboricultural method statement
- 10 Conservation of habitats and species
- 11 Bird and bat boxes
- 12 Removal of vegetation
- 13 Table ramp details
- 14 Construction Travel Management Plan
- 15 Materials management plan
- 16 Watching brief - contamination
- 17 Archaeology
- 18 Pitch drainage
- 19 Vision splays

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- CP13** - Accessibility
- CP22** - Contaminated Land
- SR2** - Protection of Open Air Sports Facilities
- SR5** - Protection of Public Open Space
- NE11** - Land Drainage & River Engineering Works
- NE15** - Loss of Trees and Hedgerows
- NE21** - Species Protection
- HE2** - Archaeology

Core Strategy

- CS11_** - Flooding
- CS12_** - Biodiversity
- CS18_** - Urban design, town character, historic environment
- CS19_** - Community safety
- CS21_** - Green spaces, leisure and sport

Public Consultation

Statutory Consultees

- Oxfordshire County Council (Transport)

No objection, conditions recommended

- Oxfordshire County Council (Lead Local Flood Authority)

No objection

- Thames Water Utilities Limited

No comments received

- Sport England:

No objection

Third Parties

No comments received

Officers Assessment:

Background to proposals

1. Planning permission for Phase 1 of the Northway and Marston Flood Alleviation Scheme (FAS) was granted by the East Area Planning Committee under reference 16/01320/CT3 in July 2016. This proposed a flood storage area within Northway Sports Ground enclosed by bunds.
2. The approved scheme included a spillway in the western corner of the site to manage the risk of the flood storage area overtopping. Such overtopping was assessed as being very low risk.
3. This application seeks permission to alter the approved plans so that the spillway can be relocated from the western corner of the sports ground to the eastern side onto Maltfield Road. A small alteration to the position of the vehicle access from Copse Lane is also included in the revised plans.
4. Officers consider the principal determining issues for the variation of the approved scheme to be:
 - Flooding and drainage
 - Highways and transport

Flooding and drainage

5. A revised flood risk assessment has been submitted, as well as drawings showing the proposed location of the 40-metre-long spillway. In the event of the flood storage area within the sports ground overtopping the embankments, the flows would be directed onto Maltfield Road, which is a flood flow route within the overall FAS. The spillway will be simply be formed by a lowering of the height of

the embankment along this 40-metre stretch.

6. The application is located in flood zone 1 and is in relation to surface water, therefore the Environment Agency is not a statutory consultee and has not provided any comments in response to the consultation. The Lead Local Flood Authority is the statutory consultee and it has raised no concerns over the revised scheme. Thames Water raised no objection to the originally approved scheme, 16/01320/CT3, and was consulted on this variation application, but has made no comment.
7. Officers and the Lead Local Flood Authority are satisfied with the details provided with the application and consider that the revised scheme will achieve its objective of attenuating flood risk in accordance with policy CS11 of the Oxford Core Strategy 2011-2016.

Highways and transport

8. The Highways Authority has not raised concerns about the impact of the new spillway on the public highway. The repositioning of the access from Copse Lane is a minor change and the Highways Authority is satisfied with the pedestrian and vehicular visibility splays. A condition is recommended to ensure the visibility splays are retained.
9. Officers consider that the proposal is acceptable in highway and transport terms and would comply with policy CP1 of the Oxford Local Plan 2001-2016.

Conclusion:

10. The revised plans for Phase 1 of the FAS are considered to achieve the same, significant public benefits as those originally approved, by reducing vulnerability and increasing resilience to known flooding events in the Northway and Marston area.
11. Officers recommend that the East Area Planning Committee grants planning permission subject to the conditions listed.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers: 16/02224/VAR

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Date: 18th October 2016

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