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Mary Thompson  
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Date: 31<sup>st</sup> May 2018  
Your ref: MW.0028/18  
My ref: 18/00883/CONSLT  
Please ask for: Rob Fowler  
Email: rfowler@oxford.gov.uk  
Direct Dial: 01865 252104

Dear Ms Thompson,

**RE: Planning application by Environment Agency (EA), Red Kite House, Howberry Park, Crowmarsh Gifford, Wallingford, OX10 8BD for planning permission: Flood alleviation scheme to reduce flood risk in Oxford (OFAS)**

I write in response to your letter (9<sup>th</sup> May 2018) and the opportunity for Oxford City Council as the District Local Planning Authority to comment on the above application which is being dealt with as a minerals and waste planning application (a County matter).

The City Council is a founding member of the sponsor group and funding for the scheme and we are pleased that the scheme is now fully funded and at a sufficiently advanced stage of design to seek planning approval.

The comments below reflect the various roles of the City Council as guardian for the city, landowner and consultee on planning and environmental matters.

**Response to Planning Application for Oxford Flood Relief Scheme**

Oxford City Council supports the application for planning permission to implement the Oxford Flood Relief Scheme.

The City Council continues to maintain, that notwithstanding the funding and land access constraints every opportunity should be taken to improve public access to the areas opened up by the scheme and has the ambition for there to be a cycle way along the entire length of the scheme providing a new safe cycle route north to south through the city.

OFAS will be major infrastructure in the city and its construction must take into account other major infrastructure in the city necessary to support its smooth and effective running.

Our primary concern is around the functioning of the park and ride sites serving the city. We believe that it is vital that:

1. Impact during construction on the operation of the P&R sites is minimised.

2. That works are phased so that there is no disruption at more than one P&R site at any one time.
3. That the OFAS implementation at Seacourt P&R reflects the planning permission granted for the extension of this site and enables that to proceed as soon as practicable and that works on both schemes are synchronised to minimise disruption and cost to the public purse.

The City Council would also request the following:

That the County Council is satisfied that after the OFAS works are completed suitable access will be retained to all currently publically accessible sites.

That attention is paid to achieving a high design quality for all elements of the scheme.

That every effort is made to support increases in ecology and biodiversity and that this target is supported within future landscape maintenance regimes.

As part of the process of responding to the application I have consulted the various specialists in the City Council and have attached their comments in the following appendices.

- Appendix A – Planning Consultation Response - Air Quality
- Appendix B - Planning Consultation Response – Archaeology
- Appendix C - Planning Consultation Response – Contaminated Land
- Appendix D - Planning Consultation Response – Flood Mitigation
- Appendix E - Planning Consultation Response – Green Belt & Policy
- Appendix F - Planning Consultation Response –Heritage & Urban Design
- Appendix G - Planning Consultation Response –Tree & Landscape
- Appendix H – Planning Consultation Response – Noise

**PLEASE NOTE: Oxford City Council holds statutory powers for Air Quality and Contaminated Land under the Environment Act 1995 and as such our comments carry particular weight.**

If further information is provided in relation to any of the attached responses then I look forward to being sent this so that I can provide further comments. We would also be grateful of the opportunity to provide additional comments if substantial revisions are made to the scheme.

Yours sincerely

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For and on behalf of

Oxford City Council.

## Appendix A – Planning Consultation Response - Air Quality

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<b>To:</b>	Robert Fowler
<b>From:</b>	Pedro Abreu – Air Quality Officer, Environmental Sustainability
<b>Proposal:</b>	Oxford Flood Alleviation Scheme
<b>Application number:</b>	18/00883/CONSLT
<b>Date sent:</b>	14/05/2015

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Oxford City Council holds a statutory duty of monitoring and managing local air quality in Oxford (Under Part IV of the Environment act 1995/Sections 82-84), and as such has been formally consulted by the Environment Agency on the scheme. The City of Oxford is currently experiencing breaches of Nitrogen dioxide limit values, and the entire city has been designated an Air Quality Management Area for NO<sub>2</sub> since 2010.

It is highly recommended that Oxfordshire County Council as planning authority takes into account all of the Air Quality recommendations outlined in the response below, to ensure full mitigation of potential increases of pollution levels within Oxford City.

The following documents have been reviewed:

- Environmental Statement IMSE500177-CH2-00-00-RP-E-0654, dated March 2018, prepared by CH2M;
- ES - Figure 11\_1 Study Area for Traffic and Transport Assessment, dated March 2018, prepared by CH2M;
- ES - Figure 13\_1 Modelled Air Quality Receptors, dated March 2018, prepared by CH2M
- ES - Figure 13\_2 Air Quality Management Areas, dated March 2018, prepared by CH2M
- ES - Figure 13\_3 NO<sub>2</sub> impacts, dated March 2018, prepared by CH2M;
- ES - Figure 13\_4 PM<sub>10</sub> impacts, dated March 2018, prepared by CH2M;
- ES App M Transport Assessment IMSE500177-CH2-00-00-DT-EN-0014, dated March 2018, prepared by CH2M;
- ES Appendix H-1 Air Quality Construction Assessment\_Rev0, dated March 2018, prepared by CH2M;
- ES Appendix H-2 Air Quality Verification\_Rev0, dated March 2018, prepared by CH2M;
- ES Appendix H-3 Air Quality Modelled Results\_Rev0, dated March 2018, prepared by CH2M;
- Several scheme's drawings

### **Summary**

OFAS is designed to manage the flood risk to the city of Oxford over the next 100 years. The scheme comprises a combination of modifications to existing channels to increase their capacity, together with the construction of a new two-stage channel and new flood defences, to move flood water away from developed areas and reduce the frequency of flooding and therefore flood damages to at least 1000 homes and businesses currently at risk in Oxford.

The reviewed environmental statement doesn't anticipate any significant air quality impact that could result from the implementation of the scheme.

### **Air Quality (AQ) Comments**

The scheme received Air Quality pre-app advice from Oxford City Council on the 13<sup>th</sup> September 2017. At the time, there were concerns that the scheme may lead to an increase of NO<sub>2</sub> and/or PM levels, due to:

- a) The significant increase of HGVs during the 3 years construction, and resulting potential increase in NO<sub>2</sub> emissions.
- b) A potential increase of congestion levels in several already sensitive arteries of the city as a consequence of the significant increase of HGVs operating in the city, during construction. Which could lead to a subsequent increase of primary NO<sub>2</sub> emission levels in the city.
- c) The potential AQ impacts from dust, as a result of the following construction activities - demolition, earthworks, construction and track-out.
- d) Potential AQ impacts on previously identified sensitive receptors (mainly residential areas in close proximity to the areas of construction phase and/or of the HGV routes used in the scheme)

After reviewing the relevant documentation submitted with the application of the scheme, I can conclude the following, with regards to each one of the previously raised bullet points:

**a) The significant increase of HGVs during the 3 years construction, and resulting potential increase in NO<sub>2</sub> emissions**

- The modelling results show that the contribution of HGVs emissions associated with the scheme to NO<sub>2</sub> annual average concentrations at any of the identified roadside receptor is in most instances less than 0.4 ug/m<sup>3</sup> (i.e. 1% of the current Air Quality Objective for NO<sub>2</sub>). The highest increase is expected to happen at AR21 - end of Abingdon road (increase of 1.64 ug/m<sup>3</sup> of the annual mean NO<sub>2</sub>, but still within the current limit value for this pollutant - please refer to *ES - Figure 13\_1 Modelled Air Quality Receptors*). – A total of 28 sensitive receptors were identified, all located along the affected road network.
- The modelling exercise that was conducted to estimate the impact of HGV movements from the scheme has followed a conservative approach, as agreed at the pre-app meeting with OCC. At that point, the HGVs to be used in the scheme would operate using Euro 5 engines (which have significantly higher NO<sub>2</sub> emissions than Euro 6 engines) - It was agreed at the pre-app meeting that the successful contractor (s) will be required to operate Euro VI HGV vehicles. This means that the modelled impacts identified will be much lower. This was to be secured by EA through (Utilising procurement and contract agreements), and it is confirmed on page 257 of the Environmental statement submitted with the application. **A planning condition is recommended, however, to ensure that this measure is included in the Construction Traffic Management Plan (CTMP) submitted with the application;**
- Another approach agreed at the pre-app meeting for the modelling work was to not apply the expected decrease in Air Quality NO<sub>2</sub> background levels along the 3 years of the construction phase of the scheme. The background levels used to model the years of the project (2018-2021) were therefore kept flat, using the levels of 2016;
- It is also stated in the transport assessment (chapter 7.2.10 – page 55) that regular fleet maintenance will take place to reduce emissions. **A planning condition is recommended to ensure that this measure is included in the Construction Traffic Management Plan (CTMP) submitted with the application – please see planning condition below;**
- It should also be noted that not all the construction areas will have a high frequency of HGV movements and, in general, the number of HGVs will not be constant throughout the three years of the construction phase.

**The analysis of all the points stated above, allow concluding that the direct impact of HGVs on NO<sub>2</sub> concentrations is expected to be not significant for this scheme.**

- b) **A potential NO<sub>2</sub> emission increase, as result of the increase of congestion in several already sensitive arteries of the city – given by the increase of HGVs operating during the scheme**

Regarding this specific point, it was agreed at the pre-app meeting of 13<sup>th</sup> September, together with Oxford City Council's principal transport planner (Ms Chanika Farmer) that construction vehicles will not circulate during traffic peak hours (typically between 08:00-09:00 and 17:00-18:00). This will minimise the risk of congestion and reduce the impact on local traffic. This is a common practice for the construction of large schemes, and should be covered under the Construction Traffic Management Plan, to be agreed with the highway authorities. **A planning condition is therefore recommended to ensure that this measure is included in the Construction Traffic Management Plan (CTMP) submitted with the application.**

**The analysis of all the point stated above, concludes that the direct impact of HGVs on the city's congestion levels and the potential resulting increase of NO<sub>2</sub> concentrations is expected to be not significant for this scheme.**

c) **The potential AQ impacts from dust**

- An Air Quality Construction Dust Assessment has been prepared, as requested at the pre-app meeting, according to the Institute of Air Quality Management (IAQM) guidance on the assessment of dust from demolition and construction (Version 1.1 of February 2014). The guidance allows consultants to identify site specific and adequate mitigation measures for dust, which take into account among other things, the type of activities being undertaken (demolition, earthworks, track out, number of vehicles and plant etc.); the duration of these activities; the size of the site; the meteorological conditions (wind speed, and direction); the proximity of receptors (human and ecological) to those activities, its number and their sensitivity to dust.
- The construction dust assessment has identified 4 areas of construction with potential to cause significant nuisance for dust among human receptors:

Area 1 – North of Botley Road,

Area 2 – Botley Road to Willow Walk North,

Area 3 - Willow Walk to Devil's Backbone,

Area 4A - Devil's Backbone to the junction with Hinksey Stream and River Thames

Area 4B - Devil's Backbone to the junction with Hinksey Stream and River Thames

And 2 other sites designated of special sensitivity for ecological receptors, – nature sites that have special status as protected areas because of their natural importance:

Iffley Meadows (SSSI)

North Hinksey Nature Reserve

One extra site was added, at special request of Oxford City Council, at the pre-application meeting: Seacourt Nature park, located on the east bank of Seacourt Stream/Wytham Stream, south of Botley Bridge.

The Air Quality Construction Dust Assessment has identified the significance of the potential dust impacts that result from the scheme to be **Medium to Negligible** during Demolition, **High to Low** during Earthworks, **Medium to Low** during Construction and **High to Low** during Trackout (depending on each one of the specific areas). The change in concentrations of pollutants at the

sensitive ecological receptors was (based on distance from the Scheme) found to be imperceptible and no adverse effects are anticipated, with the small exception of 1 of a total of 6 ecological receptor locations identified at Seacourt Nature Park (Ecological Receptor E1).

Site specific dust mitigation measures have therefore been identified and prepared for the scheme, on the basis of the findings of the dust assessment, and following specific IAQM recommendations and guidelines. It is expected that the implementation of all the dust mitigation measures identified on the dust assessment will put the residual effects of dust emissions as “*negligible*” in all the areas of the scheme.

It is therefore extremely important that a Construction Environmental Management Plan (CEMP) is prepared and implemented by the appointed construction contractor. The CEMP will have to include the range of site/scheme specific construction mitigation measures identified on the construction dust assessment that was reviewed and submitted with the application Table 13.13 – page 256 of the document: Environmental Statement IMSE500177-CH2-00-00-RP-E-0654, as only those will bring the residual dust impacts of the construction phase to the status of “negligible”. – A condition is recommended in order to be able to secure this: please see below.

**The analysis of all the point stated above, concludes that the potential AQ impacts from dust activities to human and ecological receptors are expected to be negligible (upon the full implementation of the mitigation measures identified for the scheme).**

#### **d) Potential AQ impacts of the scheme on previously identified sensitive receptors**

The analysis of the results from the modelling work conducted for the assessment of potential air quality impacts resulting during the construction phase of the scheme (HGVs increase and dust emissions) allows me to conclude that the construction phase of the scheme will not result on having a significant impact on Air Quality. A total of 28 sensitive receptors (human and ecological) were modelled and the increase on AQ levels is expected to be imperceptible in most of the cases, and small in others, and none of them will cause a breach of current limit values for NO<sub>2</sub> and PM.

The review of all the above documents, allows me to conclude that OFAS will not be responsible for causing any negative air quality impacts over current and future receptors in any of the areas covered by the schemes construction phase, subject to the following conditions being placed if minded to approve:

#### **Air Quality Conditions**

**1-** Prior to the commencement of development’s construction phase, confirmation that HGV’s used in the scheme will operate with Euro VI engines, needs to be included in the Construction Traffic management Plan, to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** to protect all sensitive receptors from exposure to unnecessary increases of NO<sub>2</sub> levels, in all the areas covered by the current scheme, and to contribute to improving local air quality in accordance with CP23 of the Oxford Local Plan 2001- 2016;

Note to applicant - The successful contractor will be required (through procurement and contract agreements) to operate Euro VI vehicles. This is a very important and conservative measure, as it will ensure a considerable reduction of NO<sub>2</sub> emission levels from HGVs, operating in all the areas of the scheme, as differences in NO<sub>2</sub> emissions between Euro 6 and Euro 5 /or below are proved to be quite substantial

**2-** Prior to the commencement of development’s construction phase, confirmation that all construction vehicles will not circulate during traffic peak hours, and that regular fleet maintenance

will take place during the entire scheme's length needs to be included in the Construction Traffic management Plan, to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** to minimise the risk of congestion and to protect all sensitive receptors from exposure to unnecessary increases of NO<sub>2</sub> levels, in all the areas covered by the current scheme, and to contribute to improving local air quality in accordance with CP23 of the Oxford Local Plan 2001-2016

Note to applicant - The successful contractor(s) will be required to ensure that construction vehicles will not circulate during traffic peak hours and that regular maintenance will be conducted on those vehicles, in order to minimise NO<sub>2</sub> emissions along areas of the city used for the scheme

**3-** Prior to the commencement of the construction phase, details of the proposed OFAS AQ monitoring campaign, which will be performed at a number of locations, previously agreed with OCC and VoWH DC needs to be included in the Construction Environmental Management Plan (CEMP), to be submitted to and approved in writing by the Local Planning Authority. The campaign will have to commence 3 months before construction phase works start, for assessment of air quality baselines, and will continue for the first 9 months of the construction phase of the scheme.

**Reason:** in order to be able to validate the model AQ projections, for emission control purposes, readjustment of some of the mitigation measures put in place, and also to provide monitoring data that could enable an effective response to any complaints. To protect all sensitive receptors from exposure to unnecessary increases of NO<sub>2</sub> levels, in all the areas covered by the current scheme, and to contribute to improving local air quality in accordance with CP23 of the Oxford Local Plan 2001-2016

**4-** No development shall take place until a Construction Environmental Management Plan (CEMP), containing the site specific dust mitigation measures identified for this development, has first been submitted to and approved in writing by the Local Planning Authority. The specific dust mitigation measures that need to be included and adopted in the referred plan can be found on table 13.13 of the document Environmental Statement IMSE500177-CH2-00-00-RP-E-0654, which was submitted with the application).

**Reason** – to ensure that the overall dust impacts during the construction phase of the proposed development will remain as “not significant”, in accordance with the results of the dust assessment, and with Core Policy 23 of the Oxford Local Plan 2001-2016.

## Appendix B - Planning Consultation Response - Archaeology

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<b>To:</b>	Robert Fowler
<b>From:</b>	David Radford, Archaeologist (01865 252605, ext 2605, dradford@oxford.gov.uk)
<b>Proposal:</b>	Oxford Flood Alleviation Scheme
<b>Application number:</b>	18/00883/CONSLT
<b>Date sent:</b>	22/5/2015

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### **Archaeological advice:**

Thank you for consulting me on this application. I very much welcome the removal of the direct route option that would have caused substantial harm to the scheduled medieval causeway culverts and related causeway remains on the Old Abingdon Road. I have kept the comments below succinct as I appreciate that we are only a consultee in this process.

### **Archaeological impact**

This application will result in less than substantial harm to the medieval and post-medieval causeway at Old Abingdon Road, an asset of national importance. Furthermore it will result in harm to a number of heritage assets of local or regional interest:

- Locally important ridge and furrow earthworks
- Mesolithic and later prehistoric activity zones of local or potential regional importance.
- The remains of medieval metalled stone causeways that whilst perhaps paralleled elsewhere along the Upper Thames and not demonstrably complex in terms of structure or longevity have additional local interest because of 1) their orientation on one of the favoured location of the 'Oxen ford' that may have given Oxford its name and 2) the interest in establishing the character and significance of the western approach to Oxford in comparison to the southern approach which received greater investment in the Norman and later periods.

The scheme will also result in localised variations to the water table that may impact on the long term preservation of archaeological remains located below and adjacent to the proposed channel. The hydrological model produced by ESI in the Groundwater Model Update (2018) suggests that Hinksey Meadow (historically known as the Great Meadow) is most at risk from a possible 300mm drop in water table in a dry year. This is an area that has not yet been subject to extensive archaeological evaluation trenching because of the constraint posed by the MG4 grassland. I understand that the Environment Agency is proposing the monitoring of water levels and to put in place infrastructure to maintain ground water levels in this area (i.e. riffles). The EA should note the degree of uncertainty regarding scheme impacts in this area and the potential need for additional archaeological mitigation.

The scheme also has the potential to cause harm to other significant remains which it has not been possible to fully evaluate because of physical or ecological site constraints, namely:

- The remains of infrastructure associated with the medieval and later mill at Botley (ponds and channels).
- The site of medieval and post-medieval Towles Mill which may be impacted by the proposal to replace the current Towles Mill weir (the impact of this proposal is not assessed in the Environmental Statement).
- The area of MG4 grassland in Hinksey meadow and areas of proposed tree planting beyond the archaeologically evaluated corridor.



### **The scope of mitigation works**

I have met with the Environment Agency and their archaeological consultants to discuss the likely scope of archaeological mitigation for the proposed works. I would comment that the full scope of mitigation requested in that meeting is not fully summarised in the submitted Environmental Statement. Furthermore I would comment that additional geo-archaeological recording of trial trenches and excavated areas will be warranted. However I am content that the full scope of mitigation can be agreed post-consent (if obtained) so long as it is understood that this will not necessarily correspond with scope set out in the Environmental Statement.

### **Wording of any archaeological planning condition**

If the City Council is minded to recommend approval for this application I would request that the County Council be requested to ensure that any archaeological condition should, in addition to the standard provision for recording, analysis, publication and storage of finds, make reference to the following:

- 1) the requirement for a programme of trial trenching
- 2) the requirement for a method statement to secure the protection (and if necessary reinstatement) of upstanding historic earthworks during and following the construction phase (covering areas of construction corridors, site compounds and land to be scoured and re-seeded as appropriate)
- 3) the requirement for a programme of public outreach
- 4) the provision for archaeological interpretation signage
- 5) contingency arrangements for the reconstruction of significant historic masonry off-site (should this be encountered).

The scope of these works should include:

- Evaluation trenching of the areas of MG4 grassland, significant areas of new tree planting and potentially the site of Towles Mill.
- Survey and recording of ridge and furrow earthworks.
- Targeted archaeological excavation and watching brief
- Public information signs in the following locations 1) on the Norman Causeway facing culverts at with provision for an artist illustration of the Norman causeway, 2) referencing the 'paper building' at Towles Mill and 3) at the western approach referencing related causeways.
- Provision of a popular publication in the form of a designed two sided A3 colour leaflet with print run of 1,000 and online pdf version.

### **Requirement for water monitoring condition**

Furthermore an appropriate condition should be included to ensure the monitoring and review of water levels in areas of the scheme where the lowering of the water table in dry years has the potential to have a damaging ecological and archaeological impact. Such a condition may be led by environmental concerns but should reference the archaeological interest of such monitoring.

Please let me know if you have any questions regarding this advice.

David Radford  
Archaeologist

## Appendix C - Planning Consultation Response – Contaminated Land

<b>To:</b>	Rob Fowler
<b>From:</b>	Paul Scott – Contaminated Land
<b>Location:</b>	Oxford Thames Flood plain
<b>Proposal:</b>	Oxford Flood Alleviation Scheme - Environment Agency
<b>Application number:</b>	18/00883/CONSLT
<b>Date sent:</b>	12.04.2018

I have reviewed the following document submitted with the OFAS planning application;

**‘Contaminated Land Assessment and Outline Remediation Strategy March 2018. Prepared by CH2M on behalf of the Environment Agency.’**

**Document Reference: IMSE500177-CH2-ZZ-ZZ-RP-GT-0146**

The document submitted covers all the potentially contaminated sites that could be impacted by the proposed scheme and in particular the landfill sites owned by Oxford City Council. The site investigations are considered sufficient at this stage and I agree with the report’s outline remediation strategy proposals.

The most important aspect of the outline remediation proposals is the need for a watching brief for groundwater contamination during the proposed works and the ability to deal with any unexpected contamination issues as they arise.

I have therefore included below what I consider to be the necessary planning conditions to secure the remediation strategy for the scheme and a watching brief approach for unexpected contamination.

### **Site Investigation Condition**

i) Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency’s Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). Each phase shall be submitted in writing and approved by the local planning authority.

**Reason-** To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

Note to applicant - The Phase 1 (desk study) and Phase 2 (comprehensive intrusive investigation) have been completed and are approved.

Phase 3 requires that a remediation strategy and monitoring plan be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

### **Remediation Condition**

ii) The development shall not be occupied until all approved remedial works have been carried out and a full validation report and monitoring plan has been submitted to and approved in writing by the local planning authority.

**Reason-** To ensure that any ground and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

**Watching Brief Condition**

iii) A watching brief should be undertaken throughout the course of the development to identify any unexpected contamination. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

**Reason-** To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

Note to applicant - Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

## Appendix D - Planning Consultation Response – Flood Mitigation

<b>To:</b>	Rob Fowler
<b>From:</b>	James Barlow – Flood Mitigation Officer
<b>Location:</b>	Oxford Thames Flood plain
<b>Proposal:</b>	Oxford Flood Alleviation Scheme - Environment Agency
<b>Application number:</b>	18/00883/CONSLT
<b>Date sent:</b>	12.04.2018

Technical Officer Comments:

### **Modelling**

We are satisfied that the model has been through rigorous assessment and verification, by both the EA contractor, and, as stated, independent consultants. Therefore, we have no reason to disagree with the model results and outputs provided.

### **Recommendation**

#### Temporary Works

Section 2.2 *Temporary Works* in the FRA deals with this subject, suggesting principles of mitigation during temporary works, and states that:

*The exact methodology and sequencing of the works will be confirmed by the appointed contractor, prior to any construction works.*

*The majority of temporary works methodologies and sequencing will be subject to an Environmental Permit from the Environment Agency.*

I would recommend a condition that requires the provision of Flood management plans for temporary works, based on the principles set out in the FRA, to include provision for people, plant, and materials, as well as off-site risks. This could be split up into the features areas as described in the FRA/general arrangement plans. This may not be necessary if covered by the documentation required to obtain an Environmental Permit from the EA.

Similarly, any temporary structures/roads/compounds should be drained appropriately in order to avoid increasing runoff and subsequently flood risk, or shown to be constructed of permeable material. Once again, this could be managed by a suitably worded condition.

## Appendix E - Planning Consultation Response – Green Belt & Policy

**From: Richard Wyatt**

**To: Robert Fowler**

OFAS Planning Policy Comments

### **OFAS Policy Comments**

Planning Policy is very supportive of the flood mitigation benefits that such a scheme could bring to the residents and businesses of Oxford.

The Planning Statement submitted as part of the application reviews a number of policies in Oxford's Local Plan and provides an assessment of the likely harm to the Green Belt as a result of the scheme.

In addition to the policies mentioned in the planning statement, Planning Policy considers that there are several additional policies that form part of the development plan for Oxford City that were not explicitly covered in the planning statement. This note sets out those additional policies not mentioned in the planning statement for the avoidance of doubt.

This note also provides Planning Policy comments on the Green Belt Assessment submitted as part of the planning statement.

### **Policy Review and assessment**

#### **Core Strategy**

##### CS2 Previously Developed and Greenfield Land

Development will only be permitted on greenfield land if:

- It is specifically allocated for that use in the Local Development Framework,
- For residential development, it is required to maintain a five-year rolling housing-land supply, the approach for which is set out in Policy CS22

As the proposal is being considered as “engineering works”, it constitutes development and is in principle contrary to Policy CS2. The decision-making authority should be satisfied that sufficient evidence has been provided to make an informed decision in relation to this matter.

##### CS4 Green Belt

CS4 Green Belt includes a wider set of criteria than the 5 tests of the Green Belt + Very Special Circumstances.

- *Justification for development needed*
- *Not in undeveloped floodplain*
- *Development would not result in the loss of a designated ecological feature*
- *Development would not result in the loss of land in active recreational use*

- *Development would relate well to the existing settlement pattern*
- *Development would not lead to physically distinct built-up areas to merge*
- *Development would not detract from the landscape setting or special character of Oxford*

The decision-making body should be satisfied sufficient evidence has been submitted to satisfy all of the above criteria, which are material to the determination of the application.

### CS12 Biodiversity

*Development will not be permitted that results in a net loss of sites and species of ecological value*

*Sites and species important for biodiversity will be protected:*

- *International and national sites (the SAC and SSSIs): These must be protected from development that will have an adverse impact.*

The decision-making authority should be satisfied that the scheme will not cause adverse impacts to Oxford Meadows and any SSSIs in accordance with this policy.

It is worth noting that this policy does not provide scope for any direct or direct impacts of development on the SAC or SSSIs. Should direct or indirect impacts occur as a result of scheme, evidence of discussions with the relevant environmental custodians of the site should be provided in order that the decision-making authority has sufficient evidence to make an informed decision.

### **Oxford Local Plan 2001-2016**

#### Policy CP.22 Contaminated Land

This policy should be applied if contamination issues arise as part of the development. The decision-making body needs sufficient evidence to be able to be confident that any contamination issues are satisfactorily dealt with.

#### Policy NE.11 Land Drainage and River Engineering Works

*Planning permission will only be granted for river management, flood protection works and land drainage schemes that are designed to protect the flora and fauna of Oxford meadows and other wetland habitats.*

The decision-making authority need to be satisfied that the flora and fauna of the Oxford Meadows and other wetland habitats will not be adversely impacted upon.

#### Policy HE.10 View Cones of Oxford

The decision-making authority needs to ensure that these views are protected in line with this policy and have regard to the special character and setting of Oxford.

### **Green Belt**

The decision-making authority should be satisfied that the information provided in the Green Belt Assessment contained within the Planning Statement and the information provided throughout the suite of application documents, enables them to make an informed decision on this application.

In coming to its decision, the decision-making authority should give very careful consideration to the Green Belt Assessment and other relevant information submitted as part of the application. This is particularly the case when assessing the impact of the scheme and/ or structures on Oxford's special character and setting which is often presented by way of a visual analysis of the likely impact of the scheme on Oxford's special character and setting.

## Appendix F - Planning Consultation Response –Heritage & Urban Design

<b>To</b>	Rob Fowler
<b>From:</b>	Gill Butter & Louise Waite
<b>Location:</b>	West Oxford, Hinksey meadows, Botley Road and Iffley Lock.
<b>Proposal:</b>	Flood alleviation scheme.
<b>Application number:</b>	18 /00883/CONSLT
<b>Date sent:</b>	18/05/2018

### **SUMMARY:**

We recommend that the decision maker is satisfied that they have all of the correct information and justification to be informed of the potential harm to adjacent heritage assets and then information about measures to mitigate against that harm. It is our view that an enhanced design quality of the scheme could help mitigate against potential harm but that the scheme in its current form has not provided enough information to demonstrate how that could be achieved. The decision maker will need to be satisfied that it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

### **Issues for the decision maker to consider:**

#### **1. the potential for substantial harm to Oxford's heritage**

- Given that the site lies within the historic landscape and setting of Oxford, there is the potential for substantial harm to Oxford's heritage as a result of this proposal. The heritage assets potentially affected are: the setting of nearby historic settlements including the conservation area of South Hinksey, surviving field patterns, ancient hedgerow and crop markings which inform and enable the observer to understand the historic development of the landscape.
- There is potential for harm because the bridges will be visually intrusive, exacerbated by the tightly spaced vertical rails. The proposed walls and bridges are proposed to be concrete which tends to be visually intrusive. It would be possible to mitigate against this harm by ensuring these built elements are of a high design quality. The loss of ancient hedgerow and the change in the pattern of the landscape would cause substantial harm. The decision maker will need to be satisfied that it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.  
Please see some suggestions for how an increase in design quality could be achieved below:

#### **2. How the harm could be mitigated**

- It is our view that by achieving a high design quality for all elements of the scheme, the applicant has the opportunity to offer a greater level of mitigation to offset the identified harm to heritage assets. Further design development to increase the design quality of bridges, footpaths, concrete bunds and walls could be a great opportunity to create built elements which are informed and inspired by the context and reflect the aspirations set out in section 7.1.7 of the applicant's Environmental Statement to reflect the quality of Oxford's internationally recognised architectural heritage.

- We would offer some simple suggestions in terms of improving the design of the structures, for example at Seacourt and Botley Road where there are to be concrete bunds these could provide a “canvas” for artwork – cast images in the concrete casting to perhaps tell the story of the place (historically this is the boundary of Wessex and Mercia) or of the flood relief proposal, to celebrate the place.
- We recognise that the bridges have been designed to blend in but in reality, they will be very prominent structures within the landscape. This could be a good opportunity to celebrate the routes and crossings with a structural element that makes a positive contribution to the landscape and historic setting. Existing examples of this include, University Parks, Christchurch meadows, Wolfson bridge etc. The roadways and footpaths seem quite urbanised and we think there is an opportunity to make these less formalised, whilst still functional as cycle tracks. We would recommend that further consideration is given to a landscaping strategy to help these structures and features be sensitively assimilated into the landscape to respect the existing landscape character and historic setting of the city. We would also recommend that there is consideration given to the long term management plan of these structures and the landscape.

### **3. Additional information that would be helpful to inform the decision maker:**

- More information is required about the impact on the City Council’s view cones. We recommend fully assessed CGI imaging for these to understand the impact on the setting of the city. As a minimum, we would recommend wireframes are used for the assessments. A view from St Mary’s Tower should also be considered as this vantage point is higher than others selected and a critical vantage point from which you can appreciate the landscape setting of the city to the south and west. Without verified views, it is not possible to comment on the impact of these on views of the city from view cones or indeed views of the surrounding countryside from within the city and what the weight of harm would be.
- Raleigh Park and Hinksey Interchange, whilst having visualisations of the existing view have not been included in verified views. These view cones cover the areas of the scheme, the central part, where the intervention will have the greatest impact, across the open meadows that provide the uninterrupted foreground to the city and its ‘dreaming spires’ and to parts of the city that offer potential for substantial change.
- More consideration of the design quality of bridges, footpaths, concrete bunds and walls.

More consideration of a well informed and imaginative landscaping strategy to help assimilate the proposal sensitively into the landscape and setting of the city.



## Appendix G - Planning Consultation Response –Tree & Landscape

<b>To:</b>	Rob Fowler
<b>From:</b>	Chris Leyland – Environmental Quality
<b>Location:</b>	Oxford Thames Flood plain
<b>Proposal:</b>	Oxford Flood Alleviation Scheme - Environment Agency
<b>Application number:</b>	18/00883/CONSLT
<b>Date sent:</b>	12.04.2018

### **Scope:**

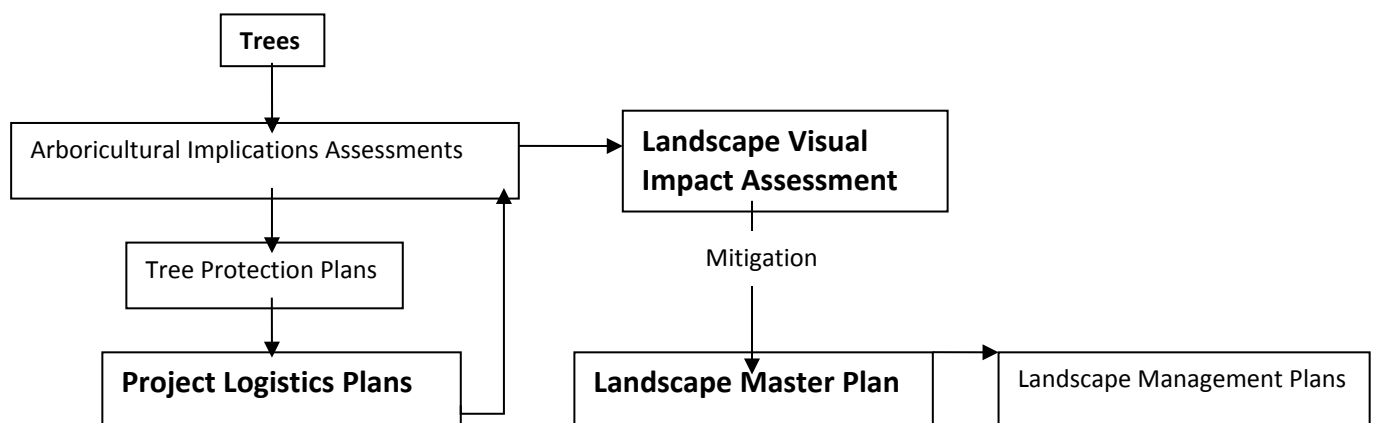
This advice note considers the implications of the various flood alleviations scheme options proposed by the Environment Agency (EA) in specific relation to trees and landscape issues in reference to the Council’s adopted policies CP1, CP11, NE15, and (NE16).

### **Advice**

The impact to landscape character and appearance through tree and hedgerow losses will be locally significant in some key areas. These impacts must be mitigated through appropriate replacement tree planting plans; tree numbers, planting locations, patterns and species selections should be informed by a detailed Landscape Visual Impact Assessment, and form part of proposals within an overarching Landscape Master Plan. Within this framework there is an opportunity to contribute to the conservation of the native black poplar by incorporating it into landscape plans and by using genetically diverse source material.

As preparatory work towards a full planning application, detailed Arboricultural Implications Assessments (AIA) should be carried out within each proposal area. The AIAs should be used to inform both the Landscape Visual Impact Assessment and also site-specific Tree Protection Plans (TPP) (where necessary incorporating Arboricultural Method Statements (AMS)). This body of work should be carried as an arboricultural specialism within the project planning team, and in accordance with BS.5837:2012-*Trees in relation to design, demolition and construction – Recommendations*.

**Fig.1: How trees should be integrated into the strategic planning**



### **Assessment Comments**

The scale and complexity of the scheme dictates that arboricultural impacts and associated mitigation measures should be considered in the context of landscape setting; i.e. through a Landscape Visual Impact Assessment (LVIA); the LVIA should be informed by area-specific

Arboricultural Implications Assessments that take into account the indirect impacts of construction logistics, e.g. temporary vehicle routes, construction compounds, etc.

Locally, the most significant visual impacts will be around the West Way in Botley and in Hinksey Meadow. The excavation of the proposed 2-stage flood channel involves the loss of a wet-woodland area north of the West Way, west of the Seacourt Stream; and other riparian trees on the southside of the road to the east of the Seacourt Stream, as well as further southwards to Willow Walk; this large area includes Seacourt Park owned by Oxford City Council and Hinksey Meadow; the whole area receives frequent use by walkers. Trees will be lost along the eastern bank of the Seacourt Stream, which are important for the setting of the meadow and for screening.

Between North Hinksey and South Hinksey the grain of field boundaries is broadly east-to-west; this pattern will be disturbed by the proposed 2nd- Stage channel construction. The impact on hedgerows, individual trees and a number of small copses will be perceived primarily from higher ground outside the city boundary, e.g. Boars Hill and Hinksey Heights, which are within the Oxford View Cones. This will be a significant landscape change, although it is understood that the field pattern is relatively recent in origin (i.e. post medieval).

The 2nd Stage channel involves a lowering of existing ground levels by 1-2m, which results in all trees within these areas being lost, with limited or no potential for replacement planting within the areas; there is also a risk that unless sufficient land is secured for tree planting then there could be a net loss in tree cover. In tandem with consideration of nationally rare grassland NVC types- the potential for a net loss of tree coverage must be considered seriously.

If carefully planned and controlled the resulting scheme should generate its own positive landscape visual qualities. The scheme has the potential to combine biodiversity/habitat improvements with enhancement of a semi-natural riparian visual landscape character. Landscape mitigation proposals set out in the scheme are appropriately broken down into habitat typologies. However the riparian tree species list does not include the native black poplar (*Populus nigra* Subsp. *Betulifolia*).

The scheme would benefit from the inclusion of the native black poplar (*Populus nigra* Subsp. *Betulifolia*). Black poplar is one of Britain and Ireland's rarest trees. Black poplar used to grow in the natural floodplain forests which lined the banks of rivers in Europe; however, much of this habitat has been lost since the 17<sup>th</sup> century through such processes as urbanisation, land drainage and canalisation of rivers. Forest Research (Forestry Commission) advise that because the natural pattern of genetic distribution has already been disrupted by cultural practices it is appropriate to plant a range of genotypes using genetically diverse material rather than attempt to promote local provenience genotypes; See - Conservation of Black Poplar (*Populus nigra* L.)- Information Note: Forest Research- Joan Cottrell -May 2004.

Appendix H - Planning Consultation Response –Noise

FROM  
**David Stevens**  
**Business Regulation Team**  
**Environmental Health**

TO  
Rob Fowler  
**Development Management**

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Subject                   **Flood alleviation scheme**, West Oxford, Hinksey meadows,  
Botley Road and Iffley Lock  
Your Ref.                   18 /00883/CONSLT  
Our Ref.  
Tel.                         **01865 252556**  
Date                        **30/05/18**

I have viewed the application documents including the Environmental Statement (ES) and Environmental Action Plan (EAP) and have the following comments:

**Noise and nuisance impacts: operational phase**

The ES states that operation impacts have been scoped out but no explanation has been given about why this is. If this is because the resulting changes will have no impact on the noise or vibration levels in the study area then I have no further comments to make on the operational phase. ***However, an assurance that this matter has been fully considered, including potential direct noise/vibration sources such as plant, audible alarms etc, would be appropriate and welcome.***

**Noise and environmental nuisance impacts: construction phase**

The ES and EAP are consistent with each other in describing operational noise and nuisance impacts. I note that dust has been referred to by Pedro Abreu (Appendix A) and concur with his comments on dust management which will also minimise nuisance.

Although the approach and treatment of environmental impact during construction are appropriate and comprehensive, there is a need to revisit and follow through some of the principles, ideas and commitments put forward now during the post-permission stage. I note and welcome the intention stated in the “Site Specific Actions” sections of the EAP, to: adhere to Planning conditions; integrate their requirements into the (presumably revised) EAP; submit a Construction and Environmental Management Plan to EA Project Manager and ensure signoff with the County Council.

In order to safeguard these I support the recommendation that scheme-type conditions are attached should permission be granted, as suggested in Appendix A.

As with Air Quality Management and Contaminated Land the City Council carries statutory powers and duties for noise and nuisance control. It follows that liaison between the developer, his agents, the County Council and City Council officers would be appropriate at each stage of the application and implementation process, including for the control of noise and nuisance.

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