

Statement of Common Ground between Oxford City Council and the Environment Agency

Submission Draft (Regulation 19) Oxford Local Plan 2040

March 2024

1.0 Introduction

1.1 This Statement of Common Ground (SoCG) has been prepared between Oxford City Council and the Environment Agency for the Oxford Local Plan 2040. This SoCG reflects and confirms the current position on matters agreed by both parties with regard to the Duty to Cooperate.

1.2 Oxford City Council is producing a new Local Plan covering the period to 2040. The SoCG reflects the latest position agreed by the parties and is provided without prejudice to other matters that the parties may wish to raise. The area covered by this Statement is Oxford, which is the area covered by the Local Plan. Where matters arise that are cross-boundary, the Council is also working with its neighbouring local authorities and other SoCGs have been prepared on cross boundary matters.

2.0 Background and Duty to Cooperate

2.1 The Environment Agency is a non-departmental public body responsible for a number of areas including water quality and resources, conservation and ecology, and managing the risk of flooding from main rivers, reservoirs, estuaries and the sea. The Environment Agency is not responsible for surface water and ground water flood risks, these being the responsibilities of the Lead Local Flood Authority (Oxfordshire County Council). They are key stakeholders and statutory consultees for the Council to work with as part of its Duty to Cooperate on the new Local Plan 2040.

2.2 Oxford City Council and the Environment Agency have been engaging closely together throughout the process of developing the Local Plan 2040. The Environment Agency have provided feedback at each of the key stages of Local Plan consultation process, including the Issues and Options consultation (2021), Preferred Options consultation (2022), Proposed-Submission Draft Local Plan Regulation 19 consultation (2023). The relevant consultation summary reports detail summaries of this feedback. Officers have also engaged with each other at key points outside of the formal consultation cycle via virtual meetings in order to discuss the shaping of policies, the drafting of supporting evidence, and to collaborate and seek to resolve areas of disagreement wherever possible.

2.3 The Proposed-Submission Draft Local Plan Regulation 19 consultation saw Oxford City Council publish its full Local Plan and supporting evidence base which it proposed to submit for examination to Central Government in early 2024. As per the relevant legislation/regulations, this version of the Local Plan was one that the City Council considered to be 'sound' for adoption, meeting the specific requirements for soundness as are outlined in the National Planning Policy Framework. Following the consultation, the Environment Agency identified a number of areas of concern in relation to the draft policies and supporting evidence underpinning them which they considered did not meet the tests of soundness for adoption without additional modification.

2.4 Subsequent to the closing of the consultation on the 5th January 2024, Oxford City Council and the Environment Agency have been engaging together on the comments and issues which they have

identified with the Local Plan and supporting evidence. This further engagement between the two parties has included two direct meetings to discuss the identified issues (taking place 19th January 2024 and 19th February 2024) supported by engagement via email/phone, as well as additional engagement through joint working with the Council and Thames Water on issues relating to water quality and wastewater infrastructure as part of a separate joint statement of common ground. The aim of this collaboration has been to identify means of resolving identified issues, either through modifications to the Local Plan itself or to the evidence base in order to address the Environment Agency's concerns, and ultimately result in a Local Plan submission that could be supported by them without objection.

3.0 Strategic matters

3.1 There were a number of overarching strategic issues which the Environment Agency have identified through the Proposed-Submission Draft Local Plan Regulation 19 consultation. Reference should be made to their original submissions for full details, although these are also summarised as part of the appendices to this statement. The appendices document all of the specific issues and the Council's responses to these comments (Appendix A covers strategic policies, Appendix B covers site allocations policies, Appendix C covers evidence base, Appendix D includes remaining unresolved concerns from the Environment Agency), however, a number of key issues were highlighted which are discussed below.

Policy G7 - Approach to flood risk and Local Plan 2040

3.2 The Council has proposed to continue its previously agreed approach of diverting from national policy to allow for the careful redevelopment of existing brownfield sites within areas of flood zone 3B, only where development can be demonstrated to be made safe in relation to flood risk for occupants on and off-site, and where it would secure reduction in flood risk through careful design. This policy was previously agreed with the Environment Agency and adopted into the Local Plan 2036 in recognition of the significant areas of historically developed land already present within areas of high flood risk that could otherwise be left to stagnate under national policy approach, without securing the substantial flood mitigation benefits that new development can often provide. Having reviewed the Local Plan 2040 consultation, the Environment Agency have raised concerns with maintaining this approach for LP2040 because of the potential for this policy resulting in more vulnerable uses to be brought into Flood Zone 3b as well as risks of intensification.

3.3 The Council acknowledges the Environment Agency's concerns and has reiterated that the intention of this policy is about securing long-term sustainability benefits, both in terms of regeneration of historic brownfield land and also securing flood risk reduction on high-risk sites that were historically built out without such measures in place (and that would otherwise be subject to increasing risk in future without action due to the impacts of climate change). The parties have come together to discuss the specific concerns and the Environment Agency's proposed amendment to policy G7 which would seek to incorporate additional criteria into the policy. The parties agree that the intention of the policy is not to allow existing uses to be turned into more vulnerable uses (e.g. offices to residential) and that a modification should be proposed to the policy to be more explicit on this. However, an allowance for intensification is necessary and pragmatic to the local circumstances of the city to enable these sites to come forward and make best use of the land—as long as any such proposals meet the strong caveats in

relation to Flood Risk Assessments and addressing safety (including access/egress) which are already built into the policy. Upon further discussion, the parties have come to agree that this second point is acceptable where wording is also incorporated into the modification to the policy that clearly states that the number of dwellings within Flood Zone 3b shall not increase.

3.4 The table in Appendix A specifically sets out the agreed amendment to policy G7 which has been agreed to overcome the Environment Agency's concerns. It also sets out other modifications agreed for the policy which address other points of feedback in relation to the operation of policy G7.

Omissions within Local Plan policies – OFAS and Water Quality

3.5 There were a couple of topics which the Environment Agency flagged as being considered to be missing from the Local Plan policy framework which have also been discussed between the two parties. The first is in relation to the Oxford Flood Alleviation Scheme (OFAS), which the Environment Agency felt should be more explicitly acknowledged either through its own bespoke policy, or as part of policy G7.

3.6 The City Council, as a key partner in the delivery of the project, acknowledges that the OFAS is an important strategic project which will deliver substantial flood relief benefits to the city in future and that the long-term delivery of the scheme should not be prejudiced by new development. National policy requires the protection of land ear-marked for flood relief measures and the Local Plan process can help ensure these protections are explicit to applicants where necessary. The Council asserts that, whilst the OFAS is well advanced in securing the required land (e.g. through Compulsory Purchase Order) and the requisite planning application with county which is expected to be determined in the coming months, at the time of Local Plan submission, there is still the potential for changes or amendments to the scheme. The Council therefore considers that an element of uncertainty in the final outcome of the project necessitates some flexibility in how the Local Plan addresses the scheme in order to ensure the policy framework is future-proofed (e.g. to changes in boundaries of the scheme).

3.7 The Council has proposed that the modification to G7 (as detailed in Appendix A), which incorporates additional FRA criteria for protection for delivery of future flood relief measures, will help to ensure that the applications that come forward which could have an impact on delivery of future flood relief measures (not only OFAS) will consider impacts appropriately where relevant in line with national policy. It considers that this, in combination with the proposed modification to supporting text to policy G7, which more explicitly highlights the importance of the OFAS to addressing flood risk in the city, will make considerations of the future delivery of the scheme more explicit to applicants. Furthermore, the Council has set out explicitly in the additional supporting text that the finer detail of the OFAS scheme, including finalised boundaries once permitted through the planning application process, will be reflected in a Technical Advice Note which will make these clear to applicants. The Council consider this to be the most pragmatic approach to ensuring OFAS considerations are addressed through the planning process in the city in the context of the remaining confirmation of the scheme's delivery still being finalised over the coming year.

3.8 The Environment Agency do not agree with this position and consider that the approval of the scheme through both Compulsory Purchase Order and planning application processes will be known before the Examination Hearings. They assert that the OFAS is exactly the type of scheme para 167 of NPPF should be used for and therefore consider that it needs to be more explicitly acknowledged in the Local Plan including through Policy G7 (or a standalone policy) and on a policy map. This matter remains

an unresolved area of disagreement which the two parties will continue to discuss in order to seek to resolve before the examination.

3.9 The other omission of concern for the Environment Agency is that of water quality and a lack of bespoke policy on this topic. Both parties agree that water quality is a significant issue for the future sustainability of the city and this needs to be considered appropriately in new development. The Council has taken a holistic approach to addressing water quality throughout multiple policies of the Local Plan as it has in the existing Local Plan, for example, requiring water use limits and water efficiency measures as part of resilient design and construction in policy G9; setting out considerations for protecting sensitive ecological sites from water flow and water quality impacts via policy G6; and more broadly ensuring development addressing water quality impacts in the construction/operation stages through policy R7. Whilst the parties agree that all of the key issues in relation to water quality are addressed across the policy framework, the Environment Agency considered that a bespoke policy would make requirements clearer to applicants and give the issue prominence as a strategic priority in the Local Plan.

3.10 The City Council acknowledges the Environment Agency's concerns about ensuring clarity to applicants and the parties agree that the Local Plan would benefit from some additional wording within the supporting text, including revisions of the existing text to help more clearly signpost water quality considerations in the relevant policies of the Local Plan to applicants, and this will be a proposed modification to the Local Plan (as documented in Appendix A also). As part of this additional wording, the Council will also more clearly highlight the findings from the Water Cycle Study work which flag the particular local contextual issues of water quality concerns in the city. The parties agree that these modifications will help to better ensure the Local Plan is clear on the strategic issues of water quality in the city; that applicants are aware of the concerns about water quality when proposing development; and that applicants and decision-makers are clearer on the various requirements to address water issues set out across the Local Plan policies.

3.11 Additionally, linked with this topic are concerns in relation to water quality and wastewater infrastructure capacity to accommodate future growth in Oxford. The Council is working jointly with the Environment Agency and Thames Water to resolve ongoing concerns in relation to infrastructure provision and this is documented in the separate Statement of Common Ground on Water Quality.

Other feedback

3.12 The Environment Agency have made a range of other comments on strategic policies as well as site allocations policies in the Local Plan as part of their Reg 19 feedback. Comments on the site allocations range from additional cross references needed to existing strategic policies to make requirements clearer to applicants; to additional guidance needed on specific issues of flood risk for the limited number of sites that are partially or wholly within flood risk areas. These comments are documented in Appendix A (Strategic policies) and Appendix B (Site Allocations).

3.13 Wherever possible, the City Council has sought to agree to changes where they are helpful and have proposed for them to be implemented via modifications to the Local Plan. The appendices set out where the Council has proposed modifications to policy wording. The appendices also document where the Council proposes no change and sets out why.

3.14 The Council has also sought additional evidence to strengthen its Strategic Flood Risk Assessment which it will publish as an addendum to be submitted as part of the examination evidence base library. In part, this addendum seeks to clarify a number of queries raised by the Environment Agency through its consultation feedback which are not otherwise addressed in responses on specific allocations (Appendix C documents the evidence base comments in detail), it also includes an additional level 2 site assessment for the Cowley Marsh Depot site. Whilst the additional site was only minimally within flood risk, there were concerns over safe access to the site as the access was within a flood zone. The level 2 assessment thus helps to investigate issues of access and better inform the allocation. Whilst the Environment Agency welcome that additional flood risk evidence is to be provided, they have not had sight of the SFRA addendum and therefore are not able to provide comment on it at this stage.

4.0 Unresolved matters

4.1 As documented in paras 3.7 and 3.8, the two parties have not been able to come to common ground on the approach of the Local Plan in relation to the safeguarding of the OFAS. Whilst the City Council considers that its proposed modifications to the Local Plan are a pragmatic means of addressing the Environment Agency's concerns, the Environment Agency consider that more explicit text is needed.

4.2 The Environment Agency has also provided additional comments in response to the Council's proposed modifications in response to their Reg 19 feedback (as detailed in Appendices A, B, and C). The Environment Agency have raised concerns that for some site allocations there may not be enough space for the proposed built development without increasing flood risk. In addition, the Environment Agency have also raised that some proposed access and egress routes would cross areas that have a flood hazard rating of 'danger for some' or 'danger for most'. These remaining concerns/queries, which are principally in relation to the level of detail on flood risk set out within the site allocations policies, are set out in Appendix D and have not been resolved at this time.

4.3 In addition, the Environment Agency has not been able to review the additional SFRA addendum work and are unable to confirm that their concerns in relation to that evidence have been resolved at this time.

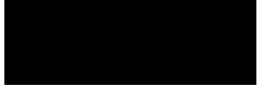
5.0 Concluding remarks/areas of agreement

5.1 Oxford City Council and the Environment Agency have worked closely together throughout the Local Plan preparation process and the subsequent discussions between January and March 2024. The discussions have been productive and the City Council is appreciative of the comprehensive and constructive feedback. This Statement of Common Ground and the accompanying Appendices set out the changes that the two parties have agreed to in order to overcome the majority of issues the Environment Agency has identified. It also identifies through section 4 the areas that remain unresolved at time of submission of the Local Plan for examination.

5.2 Whilst this additional work and engagement between the two parties has allowed us to find common ground on most issues, both parties will continue to work together on the unresolved issues

and any others that arise during the examination process, but also in preparing supporting guidance (such as Technical Advice Notes) in order to help implement the new Local Plan in due course.

Signed on behalf of Environment Agency

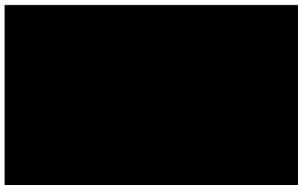


Judith E Montford

Title: Planning Specialist

Date: 28/3/2024

Signed on behalf of Oxford City Council



David Butler

Title: Head of Planning and Regulatory Services

Date: 28 March 2024

Appendix A - Environment Agency Reg 19 Feedback (Local Plan policies) and Oxford City Council responses

Ref	Comment/ Soundness	Detail of EA rep	EA's suggested amendment	Oxford City Council response	Minor / Major/ no action
Policy G2	Unsound - NOT consistent with national policy NPPF (2023) paragraphs 185 to 188.	We welcome reference to blue features and corridors within the proposed local plan and we are pleased to see that opportunities to enhance blue corridors is included within policy G2.	<p>It is important to ensure the policy provides ecological benefits and, in that regard, the term 'undeveloped buffer zone' is open to misinterpretation and should be changed to 'ecological buffer zone'.</p> <p>To improve this policy, it is important for the policy to include a definition which describes how this zone should be designed and maintained specifically for wildlife. The policy should also include the fact that the/an ecological buffer zone is required for all developments which impact on a watercourse.</p>	<p>The requirement in policy G2 as currently drafted was principally to encourage preserving or renaturalising (where feasible if they are currently developed) watercourses for various benefits to the natural environment – e.g. making space for nature and strengthening of green links across the city. Whilst we are unsure that the current wording is open to 'misinterpretation' to the degree that this would somehow not be achieved, we are happy to agree to the suggested renaming, amendment to policy to read as follows:</p> <p><i>For proposals on sites incorporating or located adjacent to watercourses, opportunities should be sought through careful design and landscaping to re-naturalise the water courses where possible, including restoration of the bankside and instream habitats and leaving an undeveloped <u>ecological</u> buffer zone of at least 10 metres width. In some cases, this may require reinstatement of the buffer zone on previously developed land.</i></p> <p>Additional definitions for the glossary of chapter 4: <u><i>Ecological buffer zone – a primarily undeveloped area of land adjacent to the watercourse which is designed to secure benefits for nature and people, whilst also forming a natural buffer to the waterfront.</i></u></p> <p>Policy G2 sets out that the 10m buffer zone should be sought where possible for proposals on sites incorporating or located adjacent to watercourses. This would appear to encapsulate the suggestion from the EA. We propose no further change in relation to that element of the comment.</p>	Main

Policy G7	Unsound - NOT consistent with national policy, NPPF (2023) Paragraphs 165 – 175 and it is NOT justified because it does not reflect the flood risk evidence that has been provided.	Firstly, we note the fifth bullet in the third paragraph of the policy states; “on sites within Flood Zone 1 in areas identified as Critical Drainage Areas.” This statement does not correspond with the outcome and details in the Strategic Flood Risk Assessment (SFRA) 2023 as there are no critical drainage areas defined in the current SFRA level 1 and 2 documents. This statement is referring to the SFRA level 1 and 2 dated 2011 and 2012. In this earlier SFRA, Critical Drainage Areas had been defined. These were removed in the 2017 SFRA.	We recommend that you remove reference to critical drainage areas and replace it with texts which state that the development types as listed should be accompanied by a FRA when the sites are located within flood zones 1 but which have other sources of flooding such as surface water and ground water flooding. We suggest this text to replace the bullet point five; ▲ on sites within Flood Zone 1 in areas identified as Critical Drainage Areas. • <u>on sites within Flood Zone 1 in areas at risk of flooding from other sources such as surface water and ground water flooding.</u>	Thanks for suggestion – agree this revised wording makes sense to align with the current SFRA. We will recommend via a main mod that the text of bullet point five is amended with the wording as proposed as follows: ▲ on sites within Flood Zone 1 in areas identified as Critical Drainage Areas. • <u>on sites within Flood Zone 1 in areas at risk of flooding from other sources such as surface water and ground water flooding.</u>	Main
Policy G7	Unsound - NOT consistent with national policy, NPPF (2023) Paragraphs 165 – 175 and it is NOT justified because it does not reflect the flood risk evidence that has been provided.	Secondly, we recommend that you add to bullet h and i, how high the resilience measures should be regarding design finished floor levels. Currently the policy text does not provide clear details on what the level should be. In accordance with the Flood risk and coastal change Guidance (PPG) finished floor levels should be set above the 1% AEP flood level with an appropriate allowance for climate change to reduce the risk	We suggest the bullet points h and i are amended to include the following: h) Finished floor levels at existing level with water exclusion <u>up to at least 300mm above the design flood level</u> i) Finished floor levels at existing level with a water resilient strategy <u>up to at least 300mm above the design flood level</u> (unless	Agree that the additional detail would bring alignment with PPG and seems to make sense so we are happy to accept. We will make the additions to criteria h) and i) as proposed as follows: h) <u>Finished floor levels at existing level with water exclusion up to at least 300mm above the design flood level</u> i) <u>Finished floor levels at existing level with a water resilient strategy up to at least 300mm above the design flood level</u> (unless the development cannot be made safe).	Main

		of flooding to property and future occupants. This should be at least 300mm above the design flood level. We recommend that finished floor levels are raised at least 300mm above this level. This will reduce the risk of flooding to people and property.	the development cannot be made safe).		
Policy G7	Unsound - NOT consistent with national policy, NPPF (2023) Paragraphs 165 – 175 and it is NOT justified because it does not reflect the flood risk evidence that has been provided.	<p>Thirdly, we have reviewed the Sequential Test for the Local Plan, document BGP9b and it is stated in Figure 3 of this document that ‘Cumulative capacity of sites considered for allocation in the Local Plan 2040’ in Flood Zone 3b (FZ3b) are 759 new homes. We have concerns about this as according to National Policy (NPPF paragraphs 165 – 175 and PPG Table 2) residential development should not be proposed in FZ3b.</p> <p>We would like to emphasise that without this additional point (<i>suggested point n</i>), policy G7 may imply that inappropriate development could be allowed in Flood Zone 3b. This would be contrary to National Policy (NPPF, 2023) and would put additional occupants at risk of flooding.</p> <p>We would like to add that we have reviewed the allocated sites in Chapter 8, and it is our understanding that you do not intend to allocate dwellings within FZ3b. Whilst some of your</p>	<p>There should be a new bullet point ‘n’ in the policy text which states that as part of the criteria which should be met there should be a requirement for no increase in flood risk vulnerability, otherwise there will be an increase in dwellings in Flood Zone 3b. We suggest a new bullet point n which reads:</p> <p><u>n) it will not result in an increase in flood risk vulnerability classification or intensification of use (such as an increase in the number of dwellings) within Flood Zone 3b.</u></p>	<p>The basis of the approach to flood zone 3b which diverts from the approach as set out in national policy, was agreed historically in discussions with the EA on the LP2036. These discussions are documented in the former statement of common ground available here.</p> <p>Policy G7 proposes to continue this approach of allowing for careful redevelopment of existing brownfield sites within flood zone 3b in particular circumstances and where it can demonstrably decrease flood risk compared with the current situation. Principally, as the policy sets out, developments will be expected to accord with strict criteria before this would be considered to be acceptable, such as: no increase in built footprint; that redevelopment can be demonstrated to be safe for future occupants (including ensuring safe access/egress); and also that it does not increase flood risk elsewhere. In practice, these occasions may never occur of course—e.g. on particularly constrained/high risk sites—however the policy wording as previously agreed with the EA takes a pragmatic approach recognizing that there may be occasions where these high standards can be met.</p> <p>The proposed amendment suggested would effectively revert the policy approach to national policy. Our concern is that this ignores the more pragmatic approach previously agreed with the EA in favour of a more rigid stance that ignores local context of flood risk and development in the city. By not permitting intensification of uses, this is likely to leave existing development sites (for example Osney Mead) to stagnate as</p>	Main

		<p>allocated sites include areas of FZ3b, the accompanying site assessments clearly state that more and less vulnerable development is not appropriate in FZ3b. Therefore, we are satisfied that you do not intend to locate new dwellings in FZ3b, however this should be clearly stated in your local policy to ensure developers are aware of this requirement.</p>		<p>options for efficient redevelopment are ruled out. Of equal concern is that they would miss out on opportunities to bring about significant improvements that would demonstrably decrease flood risk compared with the current situation, as the policy requires.</p> <p>Although we would contend that the current policy wording includes sufficient standards that only allow applications to be permitted where they can be demonstrated to be made safe in terms of flood risk. We do understand and acknowledge your concerns. During SoCG discussions, the Council suggested a potential middle-ground that would address the EA’s concerns, whilst also allowing such sites to come forward in safe way that can secure the enhancements in flood risk mitigation and greening that are possible. The proposed amend to the policy would set out that development in flood zone 3b on brownfield sites will only be permitted where it does not result in an increase in vulnerable uses – this would prevent office uses turning to residential for example. However, we would propose not to restrict an intensification – which would still only be allowed where it meets the other strict criteria of the policy (e.g. no increase in built footprint, no increase in flood risk on or offsite, ensuring development is safe for occupants). Proposed additional criterion as follows:</p> <p><u><i>n) it will not result in an increase in flood risk vulnerability classification or an increase in the number of dwellings</i></u></p>	
Policy G7	<p>Unsound - NOT consistent with national policy, NPPF (2023) Paragraphs 165 – 175 and it is NOT justified because it does not reflect the flood risk</p>	<p>The fourth point is that, NPPF (2023) states in paragraph 167; ‘All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible,</p>	<p>We suggest that another bullet point (for example e) is included in the policy notes to ensure development proposals would safeguard land for future flood relief measures. We suggest a new bullet point e which reads:</p>	<p>We are happy to agree to this suggestion though we propose an alternative amend that better fits with the wording of the policy and the additional supporting text around OFAS as addressed below:</p> <p><u><i>e) where the proposed development will not impact on delivery of future flood relief measures.</i></u></p>	Main

	evidence that has been provided.	flood risk to people and property. They should do this, and manage any residual risk, by: b) safeguarding land from development that is required, or likely to be required, for current or future flood management;.....' It is important to include a text to support the above policy statement in policy G7 because Oxford City is an important stakeholder in the Oxford Flood Alleviation Scheme (OFAS) project. We welcome the end statement which supports not culverting watercourses. (We have provided separate comments on the Level 1 and 2 Strategic Flood Risk Assessment and Sequential Test which supports this policy).	<p><u>e) where the proposed development will reduce flood risk, including by safeguarding land for future flood relief measures</u></p> <p>We have also suggested below the need for a standalone policy to discuss and address matters relating to the OFAS project.</p>	We would contend that this amend, in addition to the amend proposed below for OFAS would introduce sufficient safeguard for OFAS where any application arises that could pose a negative impact.	
Policy Omission – Standalone policy for the Oxford flood Alleviation Scheme (OFAS)	Unsound - NOT consistent with national policy, NPPF (2023) Framework 14 particularly paragraph 167 and NOT justified as it is not based on proportionate evidence.	Paragraph 4.43 acknowledges the Oxford Flood Alleviation Scheme (OFAS) as a partnership project however further details have not been included in the plan regarding; its importance as a major and important infrastructure development for the City and has not promoted the safeguarding of land for the scheme. As recommended in our response at the Preferred Options stage of the Plan this should have been updated to reflect the progress that has been made during the intervening time. The NPPF at paragraph 167 (b) states; 'All	Our suggestion would be to follow a similar approach to that taken by Vale of White Horse for the Thames Water Reservoir – Core Policy 14 of their Local Plan Part 1. This safeguards the land for the reservoir and states that development which may prejudice the implementation will be refused. The supporting text also provides a caveat for the situation in which the site is not required in the future.	<p>The reasoning behind not having a specific policy for the OFAS was essentially based around a lack of certainty around the specifics of the scheme. Whilst the City Council acknowledges that progress is ongoing on the delivery of the OFAS, including in relation to the planning application, the Compulsory Purchase Order, and a provisional route for the scheme, these elements are not yet complete and could conceivably still change. The emerging nature of the project thus impedes the ability to formulate an effective policy.</p> <p>Notwithstanding the above, we would contend that the lack of a specific policy does not substantially put the OFAS project at risk as there are several other contextual factors which make the chances of inappropriate development prejudicing the project unlikely. Much of the proposed route for the OFAS lies within protected green space, for example, and as such is not expected to be developed for other purposes. Equally, the route lies within flood zone 3, which again reduces the need for</p>	Main

		<p>plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: b) safeguarding land from development that is required, or likely to be required, for current or future flood management;.....’</p> <p>The progress of the Scheme has advanced considerably since the Regulation 18/Preferred Options consultation with a Compulsory Purchase Order (CPO) having been made and a CPO Inquiry due to finish in January 2024. The Planning application is with the County Council as determining authority and we anticipate it will go to Planning Committee within the first few months of 2024. It would be irresponsible for the land required for the Scheme to be omitted from the Oxford Local Plan as the evidence is present to demonstrate it is needed. Also, Oxford City Council is a Partner for OFAS and has shown its support in public for the scheme at the recent CPO Inquiry.</p>	<p>The scheme should also be included in the section on the Central and West Oxford Areas of Focus for infrastructure as it is key infrastructure which will be implemented within the plan period.</p>	<p>safeguarding. We would not infer from your response that you have identified any specific risks otherwise, but would welcome further discussion if you disagree on that conclusion.</p> <p>Whilst we are proposing that there is no specific need for inclusion of a bespoke policy to ensure soundness of the Local Plan, we would suggest that the additional amendment put forward in relation to G7 as highlighted above could incorporate sufficient extra safeguard for where unforeseen risks to delivery of OFAS could arise from new development in future however. In addition, we propose the following addition to supporting text of policy G7 which more explicitly acknowledges the role of OFAS, the need to ensure new development does not prejudice its delivery, and a hook to a future Technical Advice Note where further detail on OFAS, including finalised scheme boundaries can be published.</p> <p>Additional para for supporting text of G7 as follows:</p> <p><u><i>A key element of the strategic approach to addressing flood risk in the city will be the Oxford Flood Alleviation Scheme (OFAS), a partnership project that includes the City Council and Environment Agency. The project will help to convey water away from development, bringing considerable benefits to the city in terms of reduced risk of flooding to homes, businesses, major roads and the railway. Whilst the OFAS will be predominantly located in areas of the city which are protected from new development (because they are flood plain and/or protected open space), the City Council will need to ensure that new development does not come forward in a way that could prejudice its delivery, e.g. by affecting areas needing during the construction phase. The policy requires that, where relevant, proposals will need to demonstrate that they have appropriately mitigated for any potential impacts on delivery of future flood relief measures. This requirement will apply particularly to applications adjacent to the boundaries of the project's delivery area. It is envisaged that a future Technical Advice Note will set out the finalised boundaries of the OFAS and set out how applications should consider these impacts.</i></u></p>	
--	--	--	---	---	--

		Without the inclusion of a policy to safeguard this land we consider the Local Plan to be unsound as the evidence is in place to demonstrate the requirement and the approval process is well advanced to demonstrate the likelihood of implementation, its inclusion would also make it NPPF compliant.			
Policy G8	Unsound - NOT consistent with national policy, NPPF (2023) Paragraphs 189 to 194.	<p>The policy attempts to protect groundwater resources however it could be improved. Oxford City has areas where there is shallow Ground Water. You will note that in the introductory texts, we highlighted the need for a specific standalone water policy for the protection of ground water resources due to the unique situation in Oxford.</p> <p>We welcome provisions within this policy to include a Foul and Surface Water Drainage Strategy for larger schemes, and the requirement for new developments to separate foul and surface water sewers and existing developments to explore the idea of separating combined sewers where possible.</p>	<p>To improve this policy, it will be beneficial to include specific wording about sites that have shallow groundwater not being suitable for infiltration SuDS. We would therefore prefer the inclusion of text that covers groundwater protection more explicitly and suggest that the policy wording is amended to include:</p> <p><u>'Where a site has potential for contamination, SuDS that rely on infiltration will be discouraged and other suitable methods should be adopted to protect the water environment unless it can be demonstrated that there will be no pathway of contamination. Infiltration SuDS measures would not be encouraged in areas that have shallow groundwater</u></p>	<p>The supporting text clarifies that 'Appropriate SuDS features will also need to consider the context of the site and any previous site uses' - and we felt that this would guide applicants to considering context and choosing appropriate SuDS that work for the area. This would be of relevance where shallow groundwater makes infiltration SuDS inappropriate. We would infer from your response that the issue of shallow groundwater is one that you consider needs to be made more prominent however and assume this to be the basis for this suggested additional wording.</p> <p>Generally, this suggestion seems to be a minor amendment, which would add additional clarity/explicitness to the interpretation of the policy, so we are happy to accept the change as proposed, and will amend as follows:</p> <p><i>Where a site has potential for contamination, SuDS that rely on infiltration will be discouraged and other suitable methods should be adopted to protect the water environment unless it can be demonstrated that there will be no pathway of contamination. <u>Infiltration SuDS measures would not be encouraged in areas that have shallow groundwater as these measures would not be suitable.</u></i></p>	Main

			<p><u>as these measures would not be suitable.</u></p>		
<p>Policy omission – Water quality</p>	<p>Unsound - NOT consistent with national policy, NPPF (2023) Framework 15 (specifically Paragraph 180 e) and it is NOT justified because it is not based on proportionate evidence.</p>	<p>We previously highlighted the importance of having a separate water quality policy, rather than incorporating water quality elements into various other policies throughout the Local Plan. The draft Local Plan continues to have water quality elements included within various chapters but does not have a standalone water quality policy. We would like to reiterate that the pressures on the water environment in Oxford are significant, and in some instances unique. Pressure on the water environment from development poses a big risk to meeting Water Framework Directive (WFD) objectives.</p>	<p>The standalone water policy should address the following subjects listed below and we have provided further details on each of these points below (<i>see following entries in table</i>).</p> <ul style="list-style-type: none"> - Ensure water quality by meeting WFD Objectives - Protect water courses - Protect ground water resources 	<p>The City Council reiterates that it recognises and shares the EA’s concerns about the range of significant pressures that the water environment is under. We have endeavoured to address this throughout the Local Plan. We ultimately maintained an approach of addressing water as a recurring thread throughout several policies to try to ensure that this was tackled in multiple relevant sections of the Local Plan, as we felt this to be the most efficient and holistic way of addressing a topic which is multi-faceted.</p> <p>Whilst we tried to ensure this approach was clearly signposted within Chapter 5 (para 5.31), we acknowledge that the overall approach could be more clearly presented/signposted to help readers understand the complexity of the issue. In the first instance, we would propose that we make some amendments to the supporting text to help better clarify this, and specifically propose two key changes to more explicitly reflect the complex water environment and the various pressures in Oxford to make the issues clearer to applicants, and to more clearly highlight to the reader how issues of water quality are addressed across the Local Plan policies. Amend as follows:</p> <p>5.31 The issue of water quality is <u>an important consideration within the city and it is important that development proposals consider potential for impacts both on surface water as well as groundwater resources where applicable. There are ongoing quality concerns within a number of waterbodies, particularly Northfield Brook and the Thames. This stems from pollution from a range of sources including agriculture, sewage discharge and surface run-off. These challenges cause problems for the health and well-being of people and wildlife that use the watercourses and impact Oxford’s more sensitive ecological habitats that depend on the water environment. Impacts of climate change and Oxford’s location in a water stressed area further exacerbate these challenges.</u> addressed via several</p>	<p>Minor</p>

				<p>interlinked policies across the Local Plan. New development has the potential for directly introducing a range of pollutants into water bodies <u>on the surface and below ground</u> where it is not appropriately mitigated, eEqually, once in operation, its users can influence nearby water quality through increased demand on water supplies as well as through output of pollutants which can be particularly harmful where this happens close to sensitive catchments. . The risk of pollutants discharging into water bodies as well as impacts of new development on wastewater are part of the considerations for compliance with Policy R7 (amenity and environmental health), but also of relevance are the requirements for limiting water use in new development in Policy G9 Resilient Design and Construction as well as the incorporation of multi-functional green SuDS in Policy G8 SuDS. As such, requirements in relation to water use <u>and protecting water quality are set out via several interlinked policies across the Local Plan:</u></p> <ul style="list-style-type: none"> • <u>Requirements for limiting water use in new development as well as incorporating water efficiency measures are set out in Policy G9 Resilient Design and Construction.</u> • <u>Incorporation of multi-functional green SuDS that can help manage and filter surface run-off are set out in Policy G8 SuDS, and supported by general greening requirements of policies G2 and G3.</u> • <u>Protections for sensitive ecological habitats from adverse effects of new development on surface and groundwater flows are addressed via policy G6.</u> • <u>The risk of pollutants discharging into water bodies and impacting water quality more generally, as well as impacts of new development on wastewater systems, are part of the considerations for compliance with Policy R7 (amenity and environmental health).</u> 	
Policy omission	Unsound - NOT consistent with	Water quality has briefly been considered in Policy G6	We would like to see acknowledgement within	See proposed response to the overarching need for a water quality policy comment above.	See above

<p>n – Water quality Continued...</p> <p>Water quality</p>	<p>national policy, NPPF (2023) Framework 15 (specifically Paragraph 180 e) and it is NOT justified because it is not based on proportionate evidence.</p>	<p>(Protecting Oxford’s Biodiversity), Policy G8 (Sustainable Drainage Systems), Policy R6 (Soil Quality) and Policy R7 (Amenity and Environmental Health Impacts of Development) although minimal detail is included on what pressures are being put upon the water environment and what measures may be taken to address these pressures. We would recommend that a separate water quality policy is included within the Local Plan due to the unique challenges posed to water quality in Oxford.</p> <p>The Local Plan relies on evidence base supporting information to help shape its policies. A Water Cycle Study (WCS) has been produced which should identify if there is enough wastewater capacity for new developments within Oxford. This document should provide the evidence base for the Local Plan, however, there is no inclusion of the findings of the Water Cycle Study within the Local Plan and therefore no evidence of the unique pressures to the local water environment presented. (We have provided separate comments on the Water Cycle Study).</p>	<p>the Local Plan that there are significant pressures on the water environment within Oxford, and acknowledgement that Oxford Sewage Treatment Works (STW) is a site of high concern in terms of performance with limited capacity to accept any additional flows associated with growth. We re-emphasise the expectation that there should be a commitment between the city council and Thames Water to ensure Oxford STW is resilient to future demand and that future developments should not proceed until capacity is available to accept an increase in flows. Oxford City was the second place in the country to have a freshwater river designated bathing water. It would be good see the specific water quality policy have put some focus on this and consider what commitments can be made to help ensure the designation remains.</p> <p>As previously mentioned, having a standalone water quality policy would benefit the Local Plan. A water quality policy should outline</p>	<p>In addition, the Council is also engaging jointly with the EA and Thames Water to address wastewater infrastructure concerns. The Joint Statement of Common Ground between the parties documents the current agreed position and sets out how the parties will work together moving forward.</p>	
--	--	--	--	---	--

			<p>the need and make a commitment to protect and enhance the waterbodies within Oxford and explain what impacts any developments within the area might have on water quality. This policy should link with the relevant River Basin Management Plan objectives, the Water Cycle Study, Water Framework Directive and Environment Act Regulations to assess the existing pressures on the water environment and measures to protect and enhance water quality via new developments could be identified within the policy. Unique water quality issues within the area, such as the limited capacity at Oxford Sewage Treatment Works (STW) to accept any further growth and the designated bathing water could be clearly outlined within the Local Plan.</p> <p>Whilst water quality has been considered as part of the draft Oxford Local Plan, we consider that there is an opportunity to give increased prominence to the current issues around water quality within the area and would recommend</p>		
--	--	--	---	--	--

			that a separate policy is included within the Local Plan.		
<p>Policy omission – Water quality Continued...</p> <p>Protection of water courses and water dependent habitats /environment</p>	<p>Unsound - NOT consistent with national policy, NPPF (2023) Framework 15 (specifically Paragraph 180 e) and it is NOT justified because it is not based on proportionate evidence.</p>	<p>We stated before at the preferred options consultation stage that it is important to have specific and robust policies on rivers and streams and their riparian corridors as such a policy would promote the opening of new ecological networks and connectivity between ecologically important sites through the river network. We note however that this has not been considered.</p> <p>These details (<i>see suggested amend</i>) are currently not contained within the submission and are required to promote the opening of new ecological networks and connectivity between ecologically important sites through the river network as well as creating specific river corridor habitat which enables wildlife including protected species such as otter to thrive within the Cherwell catchment. In turn this will support:</p> <ul style="list-style-type: none"> • Biodiversity - safeguarding protected species and habitats, highlighting opportunities for habitat creation. • Water Framework Directive objectives - no deterioration and water body improvements. 	<p>We would like to reiterate how vital it is to have strong and specific policies on rivers and streams to include their riparian corridors and it remains our recommendation that this proposed Local Plan is amended to include a specific rivers and streams policy which will detail:</p> <ul style="list-style-type: none"> • How this requirement applies to all development which impacts on a watercourse. • How this should be measured from the top of the watercourse bank. • Guidance on the type of long-term landscape and ecological management plans which might be appropriate for this buffer. • How opportunities for de-culverting of watercourses should be actively pursued and state that planning permission will only be granted for proposals which do not involve the culverting of watercourses, and which do not prejudice future opportunities for de-culverting. 	<p>In Chapter 4, rivers and streams are highlighted as being an important component of the green infrastructure network particularly for the role they play in linking up spaces and as such more general policies for their protection and enhancement would apply. This reflects the due consideration we have afforded to the city's watercourses in response to the EA's previous feedback and to address our shared concerns about supporting this valuable part of the natural environment.</p> <p>In relation to the particular points raised as needing to be addressed in relation to rivers and streams, Policy G2 sets out requirements for a buffer zone where possible on proposals on sites incorporating or located adjacent to watercourses, including reinstating this where necessary. Meanwhile, policy G7 sets out that permission will not be granted for culverting of open watercourses.</p> <p>We would suggest that the other points that relate to how the buffer zone for watercourses should be measured and guidance for what would be appropriate for long-term management plans are better suited to supporting guidance for implementing the Local Plan policies, rather than amendments to the policies themselves. The Council's intention is to support the implementation of various policies through the publication of supporting guidance in the form of Technical Advice Notes (TANs) as it does with the current Local Plan. Indeed, we highlight our intention of publishing a TAN specific to Green Infrastructure and Biodiversity in the LP2040 and would propose these issues are better picked up there.</p> <p>As such, we propose no further changes in relation to this sub-topic, other than those in our proposed response to the overarching need for a water quality policy comment above.</p>	<p>See above</p>

		<p>NPPF Framework 15 specifically Paragraph 180 e, supports the need for polices to improve local environmental conditions such as water quality, considering relevant information such as river basin management plans. Therefore, in requesting that this policy be added to the Local Plan we are asking the Local Authority to apply best practice to the management and maintenance of the watercourses in the district. Without such a policy we consider the Local Plan to be unsound.</p>			
<p>Policy omission – Water quality Continued... Protection of ground water resources</p>	<p>Unsound - NOT consistent with national policy, NPPF (2023) Framework 15 (specifically Paragraph 180 e) and it is NOT justified because it is not based on proportionate evidence.</p>	<p>There was previously a policy G9 in the Preferred Options plan for – Ground water flows and sensitive sites. It is not clear to us why this policy has been removed.</p> <p>Following a review of Policy R5: Land contamination and Policy R6: Soil Quality we consider that issues about bringing land back into beneficial use is adequately addressed. In that regard we do not have concerns with Policies R5 in relation to that. However, we do not consider that these policies address matters regarding the protection of ground water resource. Risks to ground water and controlled waters have not been addressed and specifically included in the</p>	<p>For these reasons, it is essential to have a policy in the local plan about ground water or controlled waters protection or at least some notes on the risks and need to protect this resource (in terms of quality, quantity and movements). Without such a policy we consider the Local Plan to be unsound.</p>	<p>Policy G6 sets out that: <i>Development will not be permitted that would have an adverse effect on the integrity of the Oxford Meadows Special Area of Conservation (SAC) or an adverse effect on any Site of Special Scientific Interest (SSSI).</i></p> <p>The supporting text then goes on to set out what might be considered an adverse effect and that <i>A range of potential impacts will need to be considered and will depend on the context of the application and proximity to any protected site(s), particularly, but not limited to:</i></p> <ul style="list-style-type: none"> • Loss of protected land • Recreational impacts • Changes to the hydrological regime (surface and groundwater particularly) • Impacts on air quality • Impacts on water quality • Impacts from artificial lighting <p>More broadly, policy R7 then sets out protections for the wider natural environment and impacts from construction on water quality via criterion: <i>n) preserving surrounding water quality</i></p> <p>We would agree that the Local Plan could be more explicit about the importance of preserving groundwater as well as surface water and as such will ensure this is included in the additional wording to be added to the supporting text around</p>	<p>See above</p>

		<p>draft plan at the level of detail we would prefer.</p> <p>For example, whilst policy G6 states that development that will have an adverse impact on any Site of Special Scientific Interest (SSSI) will not be permitted, there is no reference to or consideration of the impact of development upon the hydrogeology of the Lye Valley SSSI. It is stated for each site that is near to or has the potential to impact the valley that;</p> <p>‘Planning permission will only be granted if it can be demonstrated that there would be no adverse impact upon surface and groundwater flow to the Lye Valley SSSI.’</p> <p>Whilst this appears to give due consideration to groundwater, it does not give much detail. Appendix 1 does include some high-level notes about groundwater (page 318). As part of these assessments, future Applicant would likely need to produce and review detailed and sufficiently long-duration baseline data records of controlled waters at sites. There is also aspects relating to climate change impacts to controlled waters, and how schemes are designed to account for this, and</p>		<p>the water environment – this has been incorporated into the amends to para 5.31 as discussed above.</p>	
--	--	--	--	---	--

		that should be included in the plan.			
Policy S1	Comment	<p>Planning permission will be granted where development proposals accord with the policies of the Plan. The City Council, through its policies and decisions, will aim to positively pursue sustainable development and achieve sustainable growth in the delivery of homes, jobs and services to create a network of healthy, well-connected, high-quality areas where people want to live, play, learn and work in line with the vision and objectives of the Local Plan. To help achieve this it will aim to ensure development is located to:</p> <p>Bullet point f of this policy then states; 'f) prevent new development in locations where it would damage important blue and green infrastructure networks, public open space, and flood plain'</p>	<p>We suggest you include amend this point to make it clearer. We suggest the text below:</p> <p>'f) prevent new development in locations where it would damage <u>have a negative impact on</u> important blue and green infrastructure networks, public open space, and <u>result in loss of</u> flood plain'.</p>	<p>We're happy to make the suggested amendments to improve the clarity of criteria f) as requested, amend to be proposed as follows:</p> <p><i>f) prevent new development in locations where it would damage <u>have a negative impact on</u> important blue and green infrastructure networks, public open space, and <u>result in loss of</u> flood plain.</i></p>	Main
Policy S3	Comment	<p>This policy supports the delivery of the infrastructure necessary to enable the development set out in the Local Plan. Whilst we support this policy, we consider that the need for this policy to address and support the point we have made previously regarding wastewater drainage and discharge issues within Oxford City.</p>	<p>This is a unique challenge in regard to water quality in Oxford and we have provided further comments above (<i>comments against previous policies</i>) under points of soundness to that effect.</p>	<p>The high-level strategic nature of the policy addresses a wide range of infrastructure needs and for reasons of conciseness does not list them all individually, instead directing the reader to the Infrastructure Delivery Plan where specific projects are then listed.</p> <p>We propose to amend the supporting text with minor mod to para 1.43 (red changes relate to HE suggestion, blue addresses EA feedback) as follows:</p>	Minor

				<p><u>1.43 ...It is important to ensure that roads, local services and facilities, as well as and supporting infrastructure such as energy supply, water supply and wastewater treatment can cope with the increased demand resulting from development proposed in the Plan. <u>The development process can also aid in protecting and enhancing wider facilities that serve our communities and contribute to the city's environment including spaces for sport and recreation, cultural facilities and historic assets, particularly those whose future might otherwise be at risk.</u></u></p>	
Policy G9	Comment	We have reviewed sections 4.61 to 4.66 and bullet points related to policy G9. We support this policy as it details an awareness around climate change, adaption and resilience. Property Flood Resilience is referenced in the SFRA level 1. The SFRA section includes reference to Property Flood Resilience best practice. Throughout the SFRA, climate change is included.	You may wish to direct applicants to the SFRA for more information on Property Flood Resilience and climate change.	<p>We're happy to make the suggested amendments to improve the effectiveness of the text, amend to be made as follows:</p> <p>Footnote to be added within para 4.64 after the words: 'flood resistance/resilience where necessary' -- footnote to read: <i>More information on property flood resilience approaches can be found in the Level 1 Strategic Flood Risk Assessment (2023).</i></p>	Minor
Policy H11	Comment	We thank Oxford City policy planners for this policy and welcome inclusion of flood risk requirements.	When the suggested amendments are made to policy G7, please note that this should be reflected in this policy, or this policy should adhere to it.	<p>All of the policies of the Local Plan will need to be considered as a whole, thus G7 (and your proposed changes to it where they are made) would apply without a need for cross-reference (as would any other policy). The policy already flags reference to considering flood risk as you note, as such, we would suggest that further cross-referencing to the specific policy are unnecessary and could cause confusion (e.g. why not cross-reference other policies also).</p> <p>We propose no change here.</p>	No change
Policy H12	Comment	We support the fact that Planning permission will only be granted for new residential moorings on Oxford's waterways where, proposals would not impede navigation, navigational	We suggest that to ensure the safety of residents/people occupying these developments, access, and egress in the event of a flood and or evacuation	Again, all of the policies of the Local Plan will need to be considered as a whole, thus G7 (and your proposed changes to it where they are made) would apply without a need for cross-reference (as would any other policy). As such, we would suggest that further cross-referencing to the specific policy are	Main

		<p>safety, or operational requirements of the waterway.</p>	<p>plans should be considered. We would support the inclusion of a bullet point to highlight that safe access and egress should be investigated/provided or an evacuation plan should be provided. It could also be highlighted in the supporting text that all of this type of development should be in line with policy G7, in particular in relation to safe access and egress. We are happy to have a discussion with you concerning this matter.</p>	<p>unnecessary and could cause confusion (e.g. why not cross-reference other policies also).</p> <p>We would however be happy to recommend via a main mod adding a new criterion that flags the need for considering flood risk including safe access/egress, as follows:</p> <p><i><u>e) Proposals have investigated impacts of flood risk and addressed provision for safe access/egress and/or evacuation plans where appropriate.</u></i></p>	
--	--	---	---	--	--

Appendix B - Environment Agency Reg 19 Feedback (Local Plan allocations) and Oxford City Council responses

Ref	Detail of EA rep on site and suggested amendments	Oxford City Council response	Minor/ Major/ no action
Various	<p>Ground water protection</p> <p>The EA has provided the same comment in relation to groundwater protection on a number of applications: SPN1, SPS1, SPS2, SPS4, SPS5, SPS7, SPS8, SPS9, SPS10, SPS12, SPS13, SPS15, SPS18, SPE6, SPE7, SPE14, SPE20, SPCW4, SPCW5, SPCW7, SPCW8 – comment is as follows:sps</p> <p><i>This site has been the subject of prior site investigations. An updated desk study and site investigation may be warranted. Subject to the findings, further remediation or soils or controlled waters, may be required to bring this site into use.</i></p>	<p>The Council has reviewed and can confirm that these policies currently refer to potential contamination of site due to previous uses so must demonstrate compliance with policy R5 (Land Contamination) and undertake a site investigation. For conciseness, we do not repeat this confirmation against each allocation below, although we have flagged where the EA comment applies as well as listing it here.</p> <p>Certain allocations are in sensitive areas for potential impacts on hydrology that could affect ecological sites. The policies require additional measures in these cases and we flag this against the specific allocations below for clarity.</p> <p>The Council has been unable to ascertain how the EA expects the policy wording to be amended further, and as such propose no further amend where this comment has been included against a site.</p>	No action
Various	<p>Flood risk</p> <p>The EA has provided comments in relation to flood risk on a number of sites referring to the importance of matters such as sequential approach to development and locating within areas of lowest flood risk; the need for considering loss of flood plain storage and avoiding increases in flood risk off site; the need for ensuring safe access/egress. See specific allocations below for full detail.</p>	<p>Where issues of flood risk are of concern on a site, the allocations typically flag this within the policy wording. In addition, the policies of the Local Plan need to be read as a whole, including the allocation and any relevant strategic policies. Policy G7 has a detailed set of considerations that applicants need to meet and demonstrate via their Flood Risk Assessment which would apply. (We have proposed additional amends to G7 which are captured in Appendix A to address EA’s other concerns on that policy.)</p> <p>We have detailed specific responses to the EA’s comments against relevant sites below where pertinent. In addition, as a standard across all relevant allocations, we propose to include more explicit cross-reference to G7 to ensure applicants are aware and read these in conjunction with the allocation policy. We have flagged where this cross-reference has been added below.</p>	See relevant allocations

Policy SPN1	<p>Ground water protection – Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- We would look for reassurance that additional protective and enhancement measures are in place for river and its corridor, opportunities exist for the creation of an effective ecological buffer zones (minimum 10m from bank top) with the possibility of removing significant hard surfacing and this should be a critical part of any development brief. The scheme should avoid creating new crossing points on the watercourse where possible but where necessary a clear span bridge designed to minimise impact on the ecology of the corridor should be included.</p>	<p>In relation to the buffer requirement upon review of mapping available, the Council is unclear on the benefit of an explicit cross reference within this policy – for example, canal is more than 10m from site and no other obvious water course. Overarching requirements of policy G2 would apply of course where relevant. Having been unable to clarify with the EA at this time, we currently propose no action.</p>	No action
Policy SPS1	<p>Ground water protection- Refer to overarching comment at top of table</p>	N/A	No action
Policy SPS2	<p>Flood risk - Majority of the site is in FZ1. More vulnerable development to be located in FZ1. 10m buffer zone included. Dwellings shall not be located in 3b. Level for level compensation should be provided for any loss of floodplain storage in design flood event, to ensure development does not increase flood risk elsewhere.</p> <p>Ground water protection- Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- We would look for reassurance that additional protective and enhancement measures are in place for the Northfield Brook and wetland restoration and that ecological buffers zones (minimum 10m from bank top) are included in the development brief. Any development should also assess and take account of hydrological and connectivity issues that could be impacted by work in the corridor of the main river and should avoid any new crossing structures on the Northfield Brook.</p> <p>Other - Locate buildings in FZ1. Opportunity to engage with West Oxfordshire on their neighbouring strategic site STRAT11 and possible masterplan. Can you provide betterment</p>	<p>Requiring proposals to locate more vulnerable development in areas of lowest flood risk is part of the sequential approach which needs to be undertaken to comply with policy G7 which will apply here. Level for level compensation is one means of demonstrating no increase in flood risk elsewhere, ensuring no increase in flood risk elsewhere is a requirement of policy G7 too (FRA criteria a). Whilst policy SPS2 does already set out the need for sequential approach and more vulnerable uses away from highest flood risk, we propose to add cross reference to G7 amending the first sentence of the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><i><u>A site-specific flood risk assessment will be required. In accordance with Policy G7 a sequential approach should be taken to locating development on the site, with more vulnerable uses away from the highest flood risk.</u></i></p> <p>The policy already refers to the requirement for a buffer along the Northfield Brook, in relation to impacts on the watercourse from construction, we have reviewed and consider that this is covered by policy R7 without explicit need for cross-reference. As such we propose no further amend in this regard.</p> <p>In relation to the requirement for a masterplan, this is not considered a justified or reasonable requirement to ask for this site above the normal design requirements that LP asks applicants to consider (e.g. as set out in HD7 and design appendix). The opportunity for coordination with neighbouring sites is noted, the</p>	Minor

		site sits within the wider Area of Focus which sets out area wide considerations that will need to be addressed that are relevant more widely than just the site. As such we propose no further amend in this regard.	
Policy SPS3	<p>Flood risk - Majority of the site is in FZ1. More vulnerable development to be located in FZ1. Includes a 10m buffer. Dwellings shall not be located in 3b. Level for level compensation should be provided for any loss of floodplain storage in design flood event, to ensure development does not increase flood risk elsewhere.</p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for the Northfield Brook and wetland restoration and that ecological buffers zones (minimum 10metres from bank top) are included in the development brief. Any development should also assess and take account of hydrological and connectivity issues that could be impacted by work in the corridor of the main river and should avoid any new crossing structures on the Northfield Brook.</p> <p>Other- Locate buildings in FZ1.Opportunity to engage with West Oxfordshire on their neighbouring strategic site STRAT11 and possible masterplan. Opportunity to weave in a green corridor to link up with Spindleberry Nature Reserve.</p>	<p>Policy G7 requires proposals to take the sequential approach to locating development; and ensure no increase in flood risk elsewhere (FRA criteria a). To make these requirements particularly clear, we propose to add cross reference to G7 and will amend the first sentence of the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><i>A site-specific flood risk assessment will be required. In accordance with Policy G7 a A sequential approach should be taken to locating development on the site. More vulnerable development will be expected to....</i></p> <p>The policy already refers to the requirement for a buffer along the watercourse, in relation to impacts on the watercourse from construction, we have reviewed and consider that this is covered by policy R7 without explicit need for cross-reference. As such we propose no further amend in this regard.</p> <p>In relation to the requirement for a masterplan, this is not considered a justified or reasonable requirement to ask for this site above the normal design requirements that LP asks applicants to consider (e.g. as set out in HD7 and design appendix). The opportunity for coordination with neighbouring sites is noted, the site sits within the wider Area of Focus which sets out area wide considerations that will need to be addressed that are relevant more widely than just the site. Also, the policy does already flag the opportunity to weave green space through the site, creating a green corridor that links Fry's Hill Park and Spindleberry Nature Reserve and the surrounding landscape, as such we propose no further amend in this regard.</p>	Minor
Policy SPS4	Ground water protection - Refer to overarching comment at top of table – in addition EA flagged that they provided ground water protection comments on a planning application for some aspects of this site - 23/02166/FUL]	N/A	No action

<p>Policy SPS5</p>	<p>Flood risk - SPS 5 is a multi-part site. The majority of the site is within FZ1. FZ2 and 3 along the northern boundary. Includes a 10 m buffer to watercourse. No new more or less vulnerable developments to be located in flood zone 3b. Level for level compensation should be provided for any loss of floodplain storage in design flood event, to ensure development does not increase flood risk elsewhere.</p> <p>Ground water protection- Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for the Littlemore Brook and wetland restoration and that ecological buffers zones (minimum 10m from bank top) are included in the development brief. Any development should also assess and take account of hydrological and connectivity issues that could be impacted by work in the corridor of the main river and should avoid any new crossing structures on the Northfield Brook.</p> <p>Other - Opportunity to engage with West Oxfordshire on their neighbouring strategic site STRAT11 and possible masterplan.</p>	<p>In relation to flood risk. Whilst policy SPS5 does already set out the need for sequential approach and more vulnerable uses away from highest flood risk, we propose to add cross reference to G7 and will amend the first two sentences of the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><i>A site-specific FRA flood risk assessment will be required. In accordance with Policy G7 a A sequential approach should be taken to locating development on the site, with more vulnerable uses away from the highest flood risk.</i></p> <p>The policy already refers to the requirement for a buffer along the watercourse, in relation to impacts on the watercourse from construction, we have reviewed and consider that this is covered by policy R7 without explicit need for cross-reference. As such we propose no further amend in this regard.</p> <p>In relation to the requirement for a masterplan, this is not considered a justified or reasonable requirement to ask for this site above the normal design requirements that LP asks applicants to consider (e.g. as set out in HD7 and design appendix). The opportunity for coordination with neighbouring sites is noted, again the site sits within the wider Area of Focus which sets out area wide considerations that will need to be addressed that are relevant more widely than just the site. As such we propose no further amend in this regard.</p>	<p>Minor</p>
<p>Policy SPS7</p>	<p>Ground water protection- Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (min 10m from bank top) are included in the development brief for the ordinary watercourse. New crossing structures should be avoided, and alternative access sought where possible and opportunities to develop wetland features explored on the Eastern boundary.</p>	<p>The policy already refers to the requirement for a buffer along the watercourse, as such we propose no further amend in this regard.</p> <p>In relation to the potential opportunity to develop wetland features on the eastern boundary, we propose to amend para 8.106 of the supporting text to flag this as a potential opportunity and propose to add an additional sentence to end of para as follows:</p>	<p>Minor</p>

		<p><u>There may be opportunities to incorporate wetland features into the design of landscaping along the eastern boundary of the site as part of green infrastructure provision and to support biodiversity in the area.</u></p>	
<p>Policy SPS8</p>	<p>Flood risk - Current Park elevation is raised above the 1% AEP extents. However, the park is an island within FZ3b. There are concerns on access / egress routes. we have concern on building footprint once climate change is included. There is a planning application 23/00988/FUL for this site. We are objecting to this based on boundary treatments. It may be possible to deliver 30 dwelling but there is no evidence if there is space for more than 30 dwellings. Our main concerns are loss of floodplain storage and access routes which are not covered by the policy. We suggest that you include the following wording: <i>Development should only be located in an appropriate flood zone in accordance with national policy and guidance. Level for level compensation should be provided for any loss of floodplain storage in design flood event, to ensure development does not increase flood risk elsewhere. It shall be demonstrated that safe access and egress in the event of a flood can be provided.</i></p> <p>Ground water protection – Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity - we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (minimum 10m from bank top) with both design and maintenance regimes are included in the development brief for the main river on the western boundary of the site. Opportunities to develop wetland features should be explored on the Eastern boundary.</p>	<p>The allocation’s minimum housing target is 30 - if it can't deliver more than 30, this is not a requirement of policy and as such has no conflict.</p> <p>Policy G7 requires proposals to take the sequential approach to locating development; ensure no increase in flood risk elsewhere (FRA criteria a) and also ensure safe access and egress. Whilst policy SPS8 does already set out the need for sequential approach and more vulnerable uses away from highest flood risk, we propose to add cross reference to G7 and will amend the first two sentences of the penultimate paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><i>A site-specific FRA <u>flood risk assessment</u> will be required. <u>In accordance with Policy G7 a</u> A sequential approach should be taken to locating development on the site, with more vulnerable uses away from the highest flood risk.</i></p> <p>In relation to groundwater, in addition to requirements of R5 touched upon in our response to overarching ground water comments, the policy states that to minimise the impact upon the Iffley Meadows SSSI, proposals will be expected to incorporate SuDS and, depending on the details of the proposals, may be required to be accompanied by a groundwater study.</p> <p>The policy already refers to the requirement for a buffer along the watercourse, as such we propose no further amend in this regard.</p> <p>In relation to the comment about wetland features - <i>we assume the comment has erroneously referred to eastern boundary when it means west</i> (along which the watercourse runs). Similar to SPS7, we propose to amend para 8.112 of supporting text to flag this</p>	<p>Minor</p>

		<p>opportunity, and propose to add an additional sentence to end of para as follows:</p> <p><u>There may be opportunities to incorporate wetland features into the design of landscaping along the western boundary of the site as part of green infrastructure provision and to support biodiversity in the area.</u></p>	
Policy SPS9	Ground water protection – Refer to overarching comment at top of table	N/A	No action
Policy SPS10	<p>Flood risk - Majority of the site is within FZ1. Includes a 10m buffer to the watercourse. Awaiting exception test.</p> <p>Ground water protection – Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (minimum 10m from bank top) are included in the development brief for the Northfield Brook. Opportunities to develop wetland features should be explored on the Southern boundary.</p> <p>Other - Opportunity to provide access to adjacent nature park.</p>	<p>It should be noted that this site has been granted planning permission and works are already underway. In relation to the exception test, most of the site lies within FZ1. (7% in FZ2 and less than 0.05% in FZ3b). The area of flood risk is adjacent to the brook (including when taking into account 100yr cc with 26%), whilst some FZ2 would be excluded from the buffer zone required for the watercourse, development can be sited away from this. As such, we did not plan to undertake further work on exception test.</p> <p>We propose to add in a cross-reference to G7 to add clarity for applicants and will amend the penultimate paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><u>A site-specific Flood Risk Assessment will be required. In accordance with Policy G7 a sequential approach should be taken to locating development on the site, with more vulnerable uses away from the highest flood risk.</u></p> <p>The policy already refers to the requirement for a buffer along the watercourse. In relation to your comment on opportunity to provide access to nature park, para 8.125 of supporting text also already flags that this should be considered by proposals. As such we propose no further amend on these topics.</p>	Minor
Policy SPS11	Flood risk - Majority of the site is within FZ1. The 1% AEP is within the 10m watercourse buffer. Ingress / egress currently to site is through FZ3. Awaiting exception test.	In relation to the exception test, less than 0.5% of the site was in FZ2 As such, we did not plan to undertake further work on exception test. On access concern, we are aware and have therefore ensured that it is flagged in the policy that the access	Minor

	<p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (minimum 10m from bank top) for the Boundary Brook are included in the development brief.</p> <p>Other - Historic flooding at Marsh Road trash screen and upstream. Opportunity to include flood storage to reduce flooding from the Boundary Brook as part of a catchment approach to reduce flood risk. Aim to reduce discharge to the Brook via SuDS.</p>	<p>runs through an area of flood risk and set out that an FRA will be required.</p> <p>As a small part of the site is within FZ2, we propose to add cross reference to G7 and will amend the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><i>A site-specific Flood Risk Assessment will be required. <u>In accordance with Policy G7 a sequential approach should be taken to locating development on the site, with more vulnerable uses away from the highest flood risk.</u> and This should consider a flood warning system because the flood risk on the access road.</i></p> <p>The policy already refers to the requirement for a buffer along the watercourse, as such we propose no further amend in this regard.</p> <p>The Local Plan policies on greening (e.g. G1 and G3's greening factor) as well as requirements for SuDS will apply here as with other sites – this should promote additional flood storage naturally. We are unclear on the justification for a bespoke requirement to be included in this policy, as such as we propose no further amend.</p>	
Policy SPS12	Ground water protection – Refer to overarching comment at top of table	N/A	No action
Policy SPS13	<p>Flood risk -Main part of the site in FZ1. FZ 2 and 3 on western boundary. Over half of FZ2 is within the 10m buffer. Suggested wording to be added to policy: Dwellings shall not be located in 3b. Level for level compensation should be provided for any loss of floodplain storage in design flood event, to ensure development does not increase flood risk elsewhere.</p> <p>Ground water protection – Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for the ordinary watercourse which forms the western boundary of the site. any proposals should include both design and maintenance regimes for an ecological buffer zone.</p> <p>Other - Opportunity to enhance green infrastructure</p>	<p>Policy G7 requires proposals to take the sequential approach to locating development; ensure no increase in flood risk elsewhere (FRA criteria a), and not locate development within 3b unless it meets G7's strict criteria. Whilst policy SPS13 does already set out the need for sequential approach and more vulnerable uses away from highest flood risk, we propose to add cross reference to G7 and will amend the first two sentences of the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><i>A site-specific FRA flood risk assessment will be required. <u>In accordance with Policy G7 a A sequential approach should be taken</u></i></p>	Minor

		<p><i>to locating development on the site, with more vulnerable uses away from the highest flood risk.</i></p> <p>In relation to groundwater, in addition to requirements of R5 touched upon in our response to overarching ground water comments, because of proximity to Iffley meadows SSSI, the policy does note that a groundwater study may be needed depending on details of SuDS proposals.</p> <p>We will ensure that the requirement for ecological buffer strip is highlighted in the policy and will amend by adding in cross reference to G2 buffer requirements at end of the open space, nature and flood risk section of policy as follows:</p> <p><u><i>A 10m ecological buffer should be left alongside the watercourse in accordance with Policy G2.</i></u></p> <p>In addition, the Local Plan has strong policies in relation to providing new and enhancing existing green infrastructure (policies G1-G3) which would apply here. Policy also includes specific expectations for the site. As such we would propose no further change in relation to expectations on G1.</p>	
Policy SPS15	<p>Flood risk - Majority of site within FZ1. 10m watercourse buffer is included in policy. Site access / egress is surrounded by FZ3. Awaiting exception test.</p> <p>Groundwater protection – Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity-This site borders the Weir Mill Stream. The opposite bank is the water dependent Iffley Meadows SSSI which would be affected by any change in hydrology or water quality. Residential development here is likely to result in ecological damage and protection from that damage is difficult to achieve due to the shape of the site. If this site was used for residential development, we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (minimum 10m from bank top) including both design and maintenance regimes are included in the development brief. We would also expect that the design brief would describe how surface water would be dealt with so as not to affect water quality or hydrology within the watercourse.</p> <p>Other - Points of clarity and accuracy - The western boundary of this site is adjacent to the temporary working area of the OFAS which runs along the cycle path. The very</p>	<p>In relation to the exception test, this site was not included in the Level 2 SFRA - the majority of this site is in FZ1. (3% in FZ2, 1% in FZ3b). As such, we did not plan to undertake further work on exception test.</p> <p>The policy already requires an FRA because of the site including an area of FZ3. In relation to access, our mapping indicates that the majority of Abingdon Road which abuts this site is in FZ1, even including the 100 yr cc scenario with central (26%) allowances. We have further reviewed subsequent to our catch up on 19th Feb, whilst Abingdon Road to north does run into Flood Zone 3, our view is that the Southern bypass to south would allow access/egress (the area of flood zone 3 crossing this north to south occurs at the point the river passes under the bridge). Again, we propose to add in a cross reference to G7 and will amend the</p>	Minor

	<p>southern tip of the site is included within the temporary working area for OFAS. For purposes of accuracy and clarity this needs to be noted within the supporting text for this allocation as the sites boundaries overlap and construction programmes for the 2 projects will need to take account of the overlap.</p>	<p>penultimate paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><i>A <u>site-specific flood risk assessment will be required as a very small part of the site is in Flood Zone 3b. In accordance with Policy G7 a sequential approach should be taken to locating development on the site, with more vulnerable uses away from the highest flood risk.</u></i></p> <p>In relation to groundwater, in addition to requirements of R5 touched upon in our response to overarching ground water comments, policy does state that to minimise the impact upon the Iffley Meadows SSSI, proposals will be expected to incorporate SuDS and, depending on the details of the proposals, may be required to be accompanied by a groundwater study.</p> <p>The policy already refers to the requirement for a buffer along the watercourse, in relation to impacts on the watercourse from construction, we have reviewed and consider that this is covered by policy R7 without explicit need for cross-reference. Requirements of surface water drainage will need to comply with policy G8. As such we propose no further amend in this regard.</p> <p>On OFAS point , we are unclear on what would be expected of applicants and have not been able to ascertain from the EA what the wording for this allocation could say in relation to this. We flag that our proposed modifications to G7 as outlined against your main OFAS comments will apply in this situation and should ensure any considerations are picked up at DM stage. We are unable to propose further amend.</p>	
<p>Policy SPS18</p>	<p>Flood risk - The site is within FZ2. The ingress / egress routes are within FZ2. The min site level elevation is 0.16m above the FZ3 level. Consider the impacts of climate change and to demonstrate that the occupants are safe for the lifetime of the development without increasing flood risk.</p> <p>Ground water protection – Refer to overarching comment at top of table</p>	<p>Policy G7 requires proposals to take the sequential approach to locating development; ensure no increase in flood risk elsewhere (FRA criteria a), consider impacts of climate change and safety of occupants. To make these requirements particularly clear, we propose to add cross reference to G7 and will amend the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p>	<p>Minor</p>

		<p><i>A site-specific flood risk assessment <u>will be required should also be submitted as part of any planning application (Policy G7). In accordance with Policy G7 this should set out any mitigation measures- that explore appropriate resistance and resilience features to address flood risk and make occupants safe. A drainage strategy will be required to manage additional run-off arising from the development, to be informed by the FRA.</u></i></p> <p>To ensure that access/egress concerns are fully considered by applicants, we will also add additional wording to the supporting text of the policy, we will insert new final paragraph in relation to flood risk after current paragraph 8.176 (which discusses the Urban Greening Factor Assessment) as follows:</p> <p><i><u>Residential development at this site has been justified through the sequential test as the site is wholly located within Flood Zone 2. Any proposal should therefore include a site-specific flood risk assessment which should also consider the site's access from Cowley Road because it lies in Flood Zone 2.</u></i></p>	
Policy SPE1	<p>Ecology and Biodiversity- we would look for reassurance that the ordinary watercourse just south of the site has been adequately considered and that the hydrology and water quality have been adequately assessed. Opportunities for the creation or enhancement of wetland features may exist.</p>	<p>Policy states there should be no adverse impact to New Marston Meadows SSSI. Dev proposals should reduce surface water runoff in the area and should be accompanied by an assessment of groundwater and surface water flows – this should also help to protect the ordinary water course you outline. Impacts on water quality will need to be mitigated in line with requirements of policy R7 and as such, do not need to be repeated here.</p> <p>We are unclear on how wetland features could practically be incorporated into this site though the provision of such features would be an option if applicants chose to do so, without need for explicit reference in policy. As we have been unable to attain further detail from the EA, we propose no further amend at this time</p>	No action
Policy SPE2	<p>Flood risk - 5% AEP along main river - may be all or mostly in 10m buffer zone. Small CC beyond that, likely to be able to deliver development here. Awaiting exception test.</p> <p>Ground water protection - This site has been the subject of prior site investigations. An updated desk study and site investigation may be warranted. Subject to the</p>	<p>In relation to exception test, similar to SPS15, this site was not included in the Level 2 SFRA as most of the site in FZ1. (7% in FZ2 and 5% in FZ3b). As such, we did not plan to undertake further work on exception test.</p>	

findings, further remediation or soils or controlled waters, may be required to bring this site into use.

Ecology and Biodiversity- In regard Ecology, we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (minimum 10m from bank top) are included in the development brief. Any development should also assess and take account of hydrological and connectivity issues that could be impacted by work in the corridor of the main river on the western boundary. Any design brief should ensure that no new river crossing structures are required over the watercourse.

Other - Enhancement of land adjacent to watercourse to help reduce flood risk

In addition, we have reviewed and the small parts of the site in the flood zones are adjacent to the river so would likely be part of the 10m buffer anyway. It is considered that the development of site is possible all in FZ1. Access/ egress is not a problem. However, to ensure clarity to applicants and align with other allocations, **we propose to amend the penultimate paragraph of the "Open space, nature and flood risk" section of the policy as follows:**

A site-specific flood risk assessment will be required. ~~should also be submitted as part of any planning application (Policy G7). This should set out any mitigation measures.~~ In accordance with Policy G7 a sequential approach should be taken to locating development on the site, with more vulnerable uses away from the highest flood risk.

We will also update the supporting text to the policy and **propose to amend fourth sentence of paragraph 8.189 and add an additional sentence immediately afterwards as follows:**

A small area of the western part of the site lies in flood zone ~~3b and 2~~, with a smaller part in flood zone 3b. Any proposal should therefore include a site-specific flood risk assessment which must demonstrate how the development will be safe.

For this site, we do not reference land contamination, we have of course independently checked with our environmental health team and this did not raise concerns. The overarching requirements of policy R5 would still apply where contamination is uncovered of course. We have been unable to ascertain from the EA whether there is additional information that they are aware of to warrant bespoke requirements in the allocation and as such **are unable to propose a modification at this time.**

In relation to groundwater, the policy does state that to minimise the impact upon the New Marston SSSI, proposals will be expected to be accompanied by an assessment of groundwater and surface water.

		The policy already refers to the requirement for a buffer along the watercourse, coupled with G8's SuDS requirements (in relation to the enhancement opportunity you identify). In relation to impacts on the watercourse from construction, we have reviewed and consider that this is covered by policy R7 without explicit need for cross-reference. As such we propose no further amend in this regard.	
Policy SPE4	Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration around the main river and ordinary watercourse and that ecological buffers zones (minimum 10m from bank top) are included in the development brief. Any development should also assess and take account of hydrological and connectivity issues that could be impacted by work in the corridor of the main river.	We have been unable to clarify from the EA the particular watercourse of concern in this comment. SPE4 is a fully developed site already, we note that there is a watercourse that extends out to the east, but appears to be culverted when it passes east-west to south of allocation and site context would not appear to suggest opening this up is practical. Likewise, impacts on the corridor of main river comment is unclear to us. Overarching requirements of policy G2 would apply of course where relevant. As such, we propose no amend.	No action
Policy SPE6	Ground water protection – Refer to overarching comment at top of table Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration around the main river and ordinary watercourse and that ecological buffers zones (minimum 10m from bank top) are included in the development brief. Any development should also assess and take account of hydrological and connectivity issues that could be impacted by work in the corridor of the main river. The development brief should also have strong protection for the continuity of the river corridor of the Boundary Brook and ensure that any essential new crossings are clear span bridges with no new culverts being created.	In relation to groundwater, in addition to requirements of R5 touched upon in our response to overarching ground water comments, due to proximity to Lye Valley SSSI, policy already sets out that an assessment of groundwater and surface water should accompany dev proposal. SuDS must be incorporated with an acceptable management plan. The policy already refers to the requirement for a buffer along the watercourse. Policy states: additional protective and enhancement measures for river and wetland restoration as required around the watercourse and ecological buffers zones (minimum 10metres from bank top). Culverting is addressed via policy G7 and any impacts on water quality from construction would need to be mitigated in line with policy R7. As such we propose no further amend in this regard.	Minor
Policy SPE7	Ground water protection – Refer to overarching comment at top of table	In relation to groundwater, in addition to requirements of R5 touched upon in our response to overarching ground water comments, policy also indicates that proposals should have no adverse impact upon surface and groundwater flow to the Lye	No action

		Valley SSSI and be accompanied by an assessment of groundwater and surface water. SuDS must also be incorporated with an acceptable management plan.	
Policy SPE14	Ground water protection – Refer to overarching comment at top of table	In relation to groundwater, in addition to requirements of R5 touched upon in our response to overarching ground water comments, this allocation policy also indicates that proposals should have no adverse impact upon surface and groundwater flow to the Lye Valley SSSI and be accompanied by an assessment of groundwater and surface water. SuDS must also be incorporated with an acceptable management plan.	No action
Policy SPE15	Ecology and Biodiversity - we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (minimum 10m from bank top) for the Bayswater Brook are included in the development brief. Monk's Wood local wildlife site its due south of the site - it is water dependant and may be hydrologically linked to the proposed site.	<p>Thanks for flagging the buffer requirement, we will add in cross reference to G2 buffer requirements at end of the open space, nature and flood risk section of policy as follows:</p> <p><u><i>A 10m ecological buffer should be left alongside the watercourse in accordance with Policy G2.</i></u></p> <p>In addition, we will amend para 8.269 of the supporting text to flag that Monk's Wood may be hydrologically linked via the watercourse, as follows:</p> <p><i>A previous study has shown that the site is of particular value to wildlife and contains great crested newts and multiple bat roosts. Although this site is not designated it lies close to the CS Lewis Nature Reserve, and as such, recreational impacts from new development will need to be assessed and appropriate mitigation measures implemented where necessary to preserve the nature reserve. <u>The site is also likely to have hydrological connections with the Monk's Wood Local Wildlife Site to the south, particularly via the watercourse to the east, proposals will therefore need to consider and mitigate for any impacts on hydrology that could occur.</u></i></p> <p>Upon further consideration, any impacts on water quality from construction would need to be mitigated in line with overarching</p>	Minor

		policy R7 and as such there is no specific need to cross reference here.	
Policy SPE19	Ecology and Biodiversity - We are aware that the pond on the northern boundary of this site and the ordinary watercourse leading north will be hydrologically linked to the Bayswater Brook. We would expect any proposals to detail how surface water will be dealt with to avoid pollution to the watercourse	<p>Policy already mentions the potential to enhance the value of the ponds should be considered. In addition, we will amend para 8.289 to flag the presence of the watercourse leading north and its hydrological linkages to Bayswater Brook, additional sentence to be added to end of para as follows:</p> <p><u><i>In addition, there is a watercourse beyond the boundary to the north of the site which is likely to be hydrologically linked with the Bayswater Brook. Proposals will therefore need to consider and mitigate for any impacts on hydrology that could occur.</i></u></p> <p>As with response to SPE15, any impacts on water quality from construction would need to be mitigated in line with overarching policy R7 and as such there is no specific need to cross reference here.</p>	Minor
Policy SPE20	Ground water protection – Refer to overarching comment at top of table Ecology and Biodiversity - we note that the western boundary of the site is bordered by an ordinary watercourse which is not mentioned in the local plan description. We would look for reassurance that additional protective and enhancement measures are in place for the watercourse and its corridor and that ecological buffers zones (min 10m from bank top) for the watercourse are included in the development brief. The development brief should also have strong protection for the continuity of the river corridor and ensure that any essential new crossings are clear span bridges with no new culverts being created.	<p>In relation to groundwater, in addition to requirements of R5 touched upon in our response to overarching ground water comments, this policy acknowledges that the site is within an area where development could exacerbate surface and/or foul water flooding and that there is an opportunity to address excess of runoff.</p> <p>Thanks for flagging the buffer requirement, we will add in cross reference to G2 buffer requirements at end of the open space, nature and flood risk section of policy as follows:</p> <p><u><i>A 10m ecological buffer should be left alongside the watercourse in accordance with Policy G2.</i></u></p> <p>Culverting is addressed via policy G7, no further change proposed here.</p>	Minor
Policy SPCW3	Flood risk - There is mention of possible ground raising for part of the site. If this occurs, then compensatory storage will need to be demonstrated through FRA. A 10 m buffer is required next to the stream. Suggested policy text: <i>Development should only be located in an appropriate flood zone in accordance with national policy and guidance. Level for level compensation should be provided for any loss of floodplain</i>	Policy G7 requires proposals to take the sequential approach to locating development; ensure no increase in flood risk elsewhere (FRA criteria a), and not permitting culverting of open watercourses. To make these requirements particularly clear, we propose to add cross reference to G7 and will amend the first two	Minor

	<p><i>storage in design flood event, to ensure development does not increase flood risk elsewhere.</i></p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (minimum 10m from bank top) for the Holywell Mill Stream are included in the development brief. This is especially critical as this section of the brook is likely to be hydrologically connected to the water dependant local wildlife site Magdalen Meadow. The development brief should also have strong protection for the continuity of the river corridor of the Boundary Brook and ensure that any essential new crossings are clear span bridges with no new culverts being created.</p>	<p>sentences of the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><i>A site-specific FRA <u>flood risk assessment</u> will be required. <u>In accordance with Policy G7 a</u> A sequential approach should be taken to locating development on the site, with more vulnerable uses away from the highest flood risk.</i></p> <p>Thanks for flagging the buffer requirement, we will add in cross reference to G2 buffer requirements at end of the open space, nature and flood risk section of policy as follows:</p> <p><u><i>A 10m ecological buffer should be left alongside the watercourse in accordance with Policy G2.</i></u></p> <p>Any impacts on water quality from construction would need to be mitigated in line with overarching policy R7 and as such there is no specific need to cross reference here.</p>	
Policy SPCW4	<p>Flood risk - Majority of site within FZ2 and whole site within 1% AEP plus 84% CC. Higher CC allowance of 41% should be applied as vulnerable development is proposed in a site with FZ3b. CONCERNED about deliverability - note voids no longer appropriate so would need level for level compensation which required land outside the floodplain. Ingress / egress routes within FZ2 & danger for some. . Vulnerable development is proposed in a site with FZ3b – whilst we understand you do not intend to put ‘more’ or ‘less vulnerable’ development in FZ3b, this should be clearly stated in the site policy. Mixed use proposed. More vulnerable will likely be in FZ2. Possible ground raising for part of the site – is there sufficient space for level-for-level compensation?</p> <p>A 10 m buffer is required next to the stream. Planning applications must be accompanied by a site-specific flood risk assessment and development should incorporate any mitigation measures. The FRA should look at options for early warning. A sequential approach should be taken to locating development on the site, with more vulnerable uses away from higher risk areas where possible. A drainage strategy will be required to manage run-off and may need a raised floor level for some of the site, to be informed by the FRA. Development should only be located in an appropriate flood zone in accordance with national policy and guidance. Level for level compensation should be provided for any loss of floodplain storage in design flood event, to ensure development does not increase flood risk elsewhere.</p>	<p>This principal of this mixed-use site has already been established by its extant planning permission, and the flooding issues raised have already been explored via a site-specific FRA, with more vulnerable development to be located away from Flood Zone 3.</p> <p>The Level 2 SFRA notes that development may need to be set at a floor level to provide an appropriate freeboard above the flood level for the 100-year (+26% climate change) design event. The majority of the site is higher than these levels, so ground raising should be limited and can be reduced by locating development outside of low-lying areas.</p> <p>Policy SPCW4 already sets out that a site-specific FRA which addresses flood risk considerations including sequential approach, options for early warning, and will need to be addressed. As we have touched on elsewhere, G7 then sets out wider flood risk considerations (e.g. no increase in flood risk elsewhere). We propose to add cross reference to G7 and will amend the first sentence of the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p>	Minor

	<p>Ground water protection – Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- Care should be taken to protect and enhance the canal on the western boundary of the site and to avoid any additional crossing structures.</p>	<p><i>In accordance with Policy G7 Planning applications must be accompanied by a site-specific flood risk assessment and development should incorporate any mitigation measures.</i></p> <p>In relation to climate change allowances. The SFRA level 2 for the site sets out an assessment with a 100 year design flood and 26% and 84% allowance. We have included maps in a separate document as part of this response to show the condition under a 41% allowance. Under 41% allowance, there is some additional encroachment of flood risk. We have included a copy of a map showing the 41% and 26% scenario in a separate document to help highlight this. The approach we have set out in the policy for applicants to deal with flood risk would still be relevant in this higher scenario, site-specific FRA will of course also need to consider climate change impacts more specifically for any proposed development.</p> <p>In relation to your comment about the need for a buffer to the watercourse, this is the other side of the canal and away from the allocation. The constraints of the site suggest it is unlikely to be able to accommodate a full buffer from the canal and as such we do not propose adding this reference into the policy for the allocation.</p> <p>Para 8.335 of supporting text is quite clear on the importance of considering impacts on the canal and the policy discusses enhancing the interface with it in the urban design section. The policy also sets out that: <i>planting that enhances the waterside and promotes connections between it and the wider area are encouraged, as well as habitat features that can support the foraging and shelter of wildlife of the adjacent ecological designated sites. As such, we propose no further amends in relation of the canal boundary.</i></p>	
Policy SPCW5	<p>Flood risk - Most of the site is in FZ1 with FZ2&3 located mainly in the centre to southern boundary (and eastern side in extreme CC event). FZ3b is approximately 1/5 of the site. Ingress / egress route through an area at flood risk as site surrounded by FZ's 2 and 3. Sensitive area due to local heritage. Includes 10m buffer zone along River Thames. It is not low hazard so concerned regarding development on site in relation to access. A sequential approach should be taken to locating development on the site.</p>	<p>A large proportion of this site is in Flood Zone 1, so it is possible to direct development away from areas at greatest risk of flood. The Level 2 assessment does indicate that there are pockets of hazard along the proposed access/ egress route which can be highlighted in the policy, we erroneously referred to this as being low hazard when it should say danger to most to align with the classification</p>	Main

More vulnerable development will be expected to be located away from the areas at highest risk of flooding and shall not be located in Flood Zone 3b. A drainage strategy will be required to manage run-off and may need a raised floor level for some of the site, to be informed by the FRA. Some of the access route is at risk of flooding (with low hazard - should this read danger to some?) so an evacuation strategy should be included as part of the FRA. Level for level compensation should be provided for any loss of floodplain storage in design flood event, to ensure development does not increase flood risk elsewhere.

Ground water protection - Refer to overarching comment at top of table

Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and wetland restoration and that ecological buffers zones (minimum 10m from bank top) are included in the development brief. Any development should also assess and take account of hydrological and connectivity issues that could be impacted by work in the corridor of the main river.

Ecology and Biodiversity- River and wetland restoration opportunities.

used in the SFRA and **we propose to make a modification to ensure this is clearer to applicants, modification to be made within open space and flood risk section of policy as follows:**

Some of the access route is at risk of flooding (assessed as danger to most within the SFRA~~with low hazard~~) so an evacuation strategy should be considered as part of the FRA.

Policy SPCW5 already sets out that approach to flood risk considerations will need to be informed by site-specific FRA and that sequential approach will need to be taken. It flags that some of the access route is at risk of flooding (with low hazard) so an evacuation strategy should be considered. Policy G7 sets wider strategic considerations that will need to be considered. **We propose to add cross reference to G7 and will amend the first two sentences of the penultimate paragraph of the "Open space, nature and flood risk" section of the policy as follows:**

A site-specific flood risk assessment will be required. In accordance with Policy G7 a ~~A~~ sequential approach should be taken to locating development on the site. More vulnerable development will be expected to....

The policy already refers to the requirement for a buffer along the watercourse. Any impacts on water quality from construction will need to be mitigated in line with R7, which does not need to be cross referenced here. **As such we propose no further amend in this regard.**

The policy already sets out that: *proposals should demonstrate how green and blue infrastructure will be integrated across the site in particular opportunities should be taken to create links between the river with the city centre.* To address the opportunity you flag further, **we will amend para 8.365 with an additional sentence at end as follows:**

As part of new green infrastructure provision, there may be opportunities to incorporate new wetland features as well as

		<u>restoration of the riverbank, which will also support new biodiversity.</u>	
Policy SPCW6	<p>Flood risk - The site is a multi-part site (1,2 &3). Should the individual sites be assessed separately e.g., the west part to 100% in FZ2. The other two site clip FZ3a&b. A 10 m buffer is required next to the stream / canal. This is not demonstrated to be sound. Concerns regarding proposed land raising set out in the exception test, this could increase risk elsewhere.</p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for the Castle Mill Stream and the Wareham Stream and their corridors. Opportunities exist for the creation of effective ecological buffer zones to provide new habitats, and this should be a critical part of any development brief. This site has significant restoration opportunities for removal of hard bank protection which should be included in any new development. Any development should also assess and take account of hydrological, water quality and connectivity issues that could be impacted by work in the corridor of the main river.</p>	<p>For context, one of the sites, (Land South of Frideswide Square) is completely within Flood Zone 2, however is already developed with buildings that contain a more vulnerable, housing use within their upper floors. It is envisaged that proposed redevelopment would be able to locate more vulnerable uses to the Worcester Street Car Park element of the site, most of which lies within Flood Zone 1, the exception being land on the western boundary of the site adjacent to the Oxford Canal which would fall within the 10m buffer zone. In relation to your point about needing to assess parcels on site individually, as part of allocation process we can confirm that this is the approach that has been taken.</p> <p>Ensuring no increase in flood risk elsewhere is a requirement of policy G7 (FRA criteria a), as such your concern about land raising will need to be addressed by applicants in accordance with this where relevant. Policy SPCW6 already sets out that flood risk considerations including sequential approach and flood warnings will need to be addressed as part of an FRA, but to make these requirements particularly clear, we propose to add cross reference to G7 and will amend the third and fourth sentence of the final paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><u>A site-specific flood risk assessment will be required. In accordance with Policy G7 a A sequential approach should be taken to locating development on the site. More vulnerable development will be expected to....</u></p> <p>Policy does already reference that greening policies will look for opportunities to improve access to Castle Mill Stream, however we note that there is no explicit reference to buffer requirement. Upon further review, the constraints of the site may make a full buffer challenging. Impacts on water quality from construction will</p>	Minor

		<p>need to be mitigated in line with policy R7 without need for cross ref. As such we do not propose to amend further here.</p> <p>In relation to restoration opportunities for the watercourse, para 8.376 of supporting text already flags that: Development at this location would provide an opportunity to deliver significant enhancements along the stream corridor, which could include the provision of a natural buffer to the adjacent development. This would appear to address your comment already and as such, we propose no further amend</p>	
Policy SPCW7	<p>Flood risk - Need higher CC allowance (41%) so 78-95% of site in design flood event. Would not be able to increase footprint much if at all (note voids are no longer supported as compensation in accordance with PPG update). Would the proposed development be achievable in existing footprint size? Concerned on land raising that maybe proposed for the site. Can safe access be provided and is there sufficient space for level-for-level compensation (unlikely to be able to increase built footprint without increasing flood risk elsewhere). There is a significant proportion of FZ3b and that the access and egress hazard rating include 'danger for most' in many areas.</p> <p>Ground water protection – Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and its corridor, opportunities exist for the creation of an effective ecological buffer zones (minimum 10m from bank top) and this should be a critical part of any development brief. This site has significant restoration opportunities for the removal of hard protection which should be included in any new development. Any development should also assess and take account of hydrological, water quality and connectivity issues that could be impacted by work in the corridor of the main river.</p> <p>Other 1 - Relocate buildings out of FZ3b and into areas of site at lower flood risk. Design buildings to be resilient to flooding and create floodplain storage in functional floodplain</p> <p>Other 2 - The allocation site is adjacent to OFAS which includes a flood embankment and flood wall in close proximity to the allocation site. For purposes of accuracy and clarity this should be acknowledged in the supporting text for the site and within the policy as OFAS is an important infrastructure development for Oxford</p>	<p>As we discussed in our last couple of catch ups, the Osney Mead site is currently utilised as a brownfield employment site. It is acknowledged that the site, as well as the surrounding access/ egress, is already at high risk from flooding, with a number of buildings already located within Flood Zone 3b. An important part of the rationale for regenerating this dated site that has been historically developed (and which currently benefits from little in the way of flood mitigation or greening features), is the chance to secure a more holistic approach in relation to urban design, green infrastructure and flood mitigation across the whole site as well as wider sustainability benefits. In this way, careful redevelopment would provide significant betterment opportunities than what currently exists e.g. by introducing more green features onto the site to help mitigate flood risk (e.g. creating a 'floodable landscape' in GI corridors across the site). Being a large site, there are also some opportunities to re-locate buildings outside of the highest areas of flood risk and direct them to areas of lower flood risk. A strategic approach that can secure these benefits would not be possible without allocation for development.</p> <p>The policy requires proposals to be informed by a masterplan, which needs to be in accordance with the West End SPD, which itself talks about a strategy to address flood risk. The policy also requires a sequential approach to development, a drainage strategy, and for proposals to be informed by an FRA which looks at options for early warning and flood evacuation plans. These requirements will ensure that more vulnerable development will be directed towards the areas with the lowest flood risk and cumulatively, deliver a vastly improved situation. Furthermore, in</p>	Minor

accordance with G7, the footprint of the buildings in Flood Zone 3b would not be increased and we are proposing amendments to G7 that will not allow a change of use to a higher vulnerability category within Flood Zone 3b. **As with other allocations, we propose to add cross reference to G7 and will amend the second sentence of the first paragraph of the "Open space, nature and flood risk" section of the policy as follows:**

A 10-metre buffer to the watercourse should be maintained or re-instated where possible. In accordance with Policy G7 Planning applications must be accompanied by a site-specific flood risk assessment and development should incorporate any mitigation measures.

In relation to climate change allowances. The SFRA level 2 for the site sets out an assessment with a 100 year design flood and 26% and 84% allowance. We have included maps in a separate document as part of this response to show the condition under a 41% allowance. With 41% central higher allowance, there are some additional areas of hazard, compared to the 26% scenario, and flood risk is not as extensive as the 84% extreme. In the context of the site at present as set out above, the various policy requirements we have set out (including the G7 reference) are still pertinent under the 41% scenario and do not readily suggest any change to the approach we have taken. A site-specific FRA will also, of course, have to consider the impacts of climate change specifically in relation to any proposal that comes forward.

The policy already refers to the requirement for a buffer along the watercourse. Impacts on water quality will need to be mitigated in line with policy R7 without need for cross reference. **As such we propose no further amend in this regard.**

On OFAS point, we will add wording to the end of supporting text para 8.395 as follows: In addition, this site is adjacent to the proposed site of the Oxford Flood Alleviation Scheme (OFAS) therefore the design of proposals should have consideration for any impacts on the delivery of this scheme in line with policy G7.

		<p>In relation to restoration opportunities for the watercourse, we will amend para 8.392 of supporting text with an extra sentence at the end as follows:</p> <p><u><i>As part of new green infrastructure provision, there may also be opportunities to incorporate restoration and renaturalising of the riverbank, which will also support new biodiversity.</i></u></p>	
<p>Policy SPCW8</p>	<p>Flood risk - Need higher CC allowance (41%) so 69-87% of site in design flood event. May not be able to increase footprint much (note voids are no longer supported as compensation in accordance with PPG update). Would the proposed development be achievable in existing footprint size? We have concerns that access and egress is through FZ3b - may not be able to increase built footprint much without increasing flood risk elsewhere). The site is in FZ 2, FZ3a and FZ3b with problems for access and egress and a hazard rating of 'danger for most' in part of the site.</p> <p>Ground water protection – Refer to overarching comment at top of table</p> <p>Ecology and Biodiversity- we would look for reassurance that additional protective and enhancement measures are in place for river and its corridor, significant opportunities exist for de-culverting the ordinary watercourse and the creation of an effective ecological buffer zones (minimum 10m from bank top) and this should be a critical part of any development brief. Any development should also assess and take account of hydrological, water quality and connectivity issues that could be impacted by work in the corridor of the main river</p> <p>Other 1 - Relocate buildings out of FZ3b and into areas of site at lower flood risk. Design buildings to be resilient to flooding and create floodplain storage in functional floodplain</p> <p>Other 2 - The allocation site is adjacent to OFAS. The policy mentions OFAS and says that the site allocation redevelopment 'should have consideration about the potential impact from the OFAS'. The wording of this policy should be amended as it is not the impact of OFAS that needs to be considered but the impact of the redevelopment of the site on OFAS. For purposes of accuracy and clarity the close proximity of OFAS should be acknowledged in the supporting text for the site and within the policy as OFAS is an important infrastructure development for Oxford.</p>	<p>It is acknowledged that a large part of the site and its surrounding access/ egress lies within Flood Zone 3 and is at high risk of flooding. This site is brownfield and it either covered with tarmac or large retail units – some of which have currently shut. No housing is proposed on this site, only the less vulnerable use type which falls into the same category as the existing retail units. A number of units are located in Flood Zone 3b and there is an opportunity to redevelop this site and re-direct some of the development towards the part of the site located within Flood Zone 1. The built footprint of existing buildings in Flood Zone 3b will not be increased and there is a chance to provide betterment and flood mitigation opportunities that don't exist on the current site.</p> <p>The policy does already set out expectations for addressing flood risk on the site, including need for an FRA and taking a sequential approach, drainage strategy, exploring emergency alert and evacuation options. We are happy to add a cross-reference to policy G7 into the allocation policy and will amend the first sentence of the second paragraph of the "Open space, nature and flood risk" section of the policy as follows:</p> <p><u><i>In accordance with Policy G7 planning applications must be accompanied by a site-specific flood risk assessment and development should incorporate any mitigation measures.</i></u></p> <p>In relation to climate change allowances, as with SPCW7, the SFRA level 2 for the site sets out an assessment with a 100 year design flood and 26% and 84% allowance. We have included maps in a separate document as part of this response to show the condition</p>	<p>Minor</p>

		<p>under a 41% allowance. With 41% central higher allowance, there are some additional areas of hazard on west and eastern sides with central portion of site remaining outside of flood risk, compared to the 26% scenario, but the risk is not as extensive as the 84% extreme. As with SPCW7, the context and policy requirements we have set out above (including the G7 reference) are still pertinent under the 41% scenario and do not readily suggest any change to the approach we have taken. A site-specific FRA will also, of course, have to consider the impacts of climate change specifically in relation to any proposal that comes forward.</p> <p>The policy already refers to the requirement for a buffer along the watercourse. Impacts on water quality will need to be mitigated in line with policy R7 without need for cross reference. As such we propose no further amend in this regard.</p> <p>We will amend the wording in relation to OFAS, and for consistency will relocate this to the supporting text of the policy to align with the modifications to other policies you have flagged. Text to be relocated to end of para 8.400 and incorporate amend as follows:</p> <p>This site is adjacent to the proposed site of the Oxford Flood Alleviation Scheme (OFAS) therefore any future master planning of these sites should have consideration about the potential impact from the OFAS <u>for any impacts on the delivery of this scheme in line with policy G7.</u></p>	
--	--	---	--

Appendix C - Environment Agency Reg 19 Feedback (Evidence base) and Oxford City Council responses

SFRA Level 1

Four sites flagged as awaiting exception test (SPS10 Knight Road, SPS11 Cowley Marsh Depot, SPS15 Redbridge Paddock and SPE2 Land Surrounding St Clement's Church)

Sequential test should contain all sources of Flooding

We believe your Sequential Test can be found within your Background Paper 9b. We are concerned that a full Sequential Test that considers all sources of flood risk and the impacts of climate change, in accordance with paragraphs 023 to 026 of the Flood risk and coastal change section of the PPG, has not been undertaken. The sequential test has to be undertaken for all sites, including those at risk from other sources of flood risk than fluvial/river flooding, and those that are in Flood Zone 1 but are at risk of flooding in the future due to the impacts of climate change. Without this, we find your Local Plan to be unsound as the allocations are not justified.

In addition, Background paper 9b does not appear to prevent intensification or increase in vulnerability within Flood Zone 3b (FZ3b). We are concerned with Figure 3 which states there is capacity for 759 dwellings in FZ3b. This implies introducing 759 new homes to the functional floodplain. We do not support this approach as there should be no new dwellings in FZ3b as this would put more people at risk of flooding. Whilst it may be possible to raise finished floor levels above the design flood level, there are other factors such as access and egress and damage to property such as cars, sheds, gardens etc that would be at high flood risk. (We have already provided comments about this situation in our comments on Policy G7).

As well, can further information be provided on how the classification of low, moderate and high flood risk bands have been defined? Paragraph 3.3 of BGP 9b Flood Risk and Sequential Test of sites states; 'if the proportion of the site in the highest risk Flood Zone is less than 20%, it has been classed as being within the next lowest area of flood risk that covers more than 20% of the site.' Does this include the impacts of climate change and can the development be delivered without using 20% of the site?

We are also concerned that your Level 1 SFRA does not assess safe access and egress in detail. We are particularly concerned as many of your proposed allocations do not have dry access and egress during a flood event. An assessment should be provided on if

City Council response

We have responded directly in the comments against the relevant allocations on our approach to exceptions test and why we have not completed these for the four sites you highlight (see Appendix B - more specifically responses against SPS10, SPS11, SPS15, SPE2).

For sequential test, we have mainly discussed the risk from fluvial flooding which is the major source of flood risk in the city, although Stage D in the paper 9b also discusses the other sources of flooding and how these affect the city as does background paper 9a. Of course, the SFRA itself also considers risk from all sources of flooding as is required through national policy. It is difficult to ascertain how the test can go further in these considerations, although we have also addressed the point in further detail within the addendum produced for the SFRA which we have commissioned in response to your feedback.

The 759 'new homes' to be located in FZ3b refer to sites that for the purposes of the Sequential Test have been noted as Flood Zone 3b, as more than 20% of the site lies within this flood zone. It does not, however, mean that this more vulnerable development is to be located within the area lying in FZ3b. Of these five sites to which this figure relates, only one is immediately relevant as: one has no housing allocated (Botley Road Retail Park allocation (SPCW8)), two have been completed (Barton Park (Phase 1) and Wolvercote Paper Mill) and one is under construction (Littlemore Park). The fifth site, Osney Mead is a mixed-use site with the housing element predominantly for student accommodation. For clarity we have set out the justification for allocating this site in the wider response to comments against this particular site in Appendix B (see allocation SPS7).

In relation to the low, moderate and high-risk rating of sites in the Level 2 SFRA: Each site assessment has taken into consideration a number of factors in assessing whether a site is at low, moderate or high risk of flooding and it's essentially a judgement of the combination of these factors which include the flood zone the site lies within, percentage of site modelled to be inundated, hazard rating for the site taking into account velocities and depths etc. We have also ensured the differences are made clearer via the addendum produced for the SFRA.

this is appropriate and if so, what measures are required to ensure occupants will be safe.

We are pleased to see that an online map is available that shows the policy layers. We advise that the Risk of Flooding from Surface Water should be added to the "Flooding" group.

The SFRA states that there are no formal flood defences within the LPA. Natural Flood Management (chapter 4.1) is included as opportunities to reduce flood risk in Oxford, however there is no detail on land identified for this flood management.

The Conclusion and Recommendations chapter 5 of the SFRA includes recommendations on how to reduce flood risk in development. Please note the following.

5.1.4 (page 36) states that the Littlemore Brook poses a risk to flooding in the Blackbird Leys area. Can the Northfield Brook be included in this text as this watercourse is also a source of flood risk in this area?

5.1.13 - there are also two additional warning areas (River Cherwell from Lower Heyford down to Cherwell Bridge) that overlap with the administration boundary.

5.2.2 – there is mention of an Emergency Flood plan during significant flooding. More detail should be provided on safety during flood events in relation to access and egress.

5.2.3 – we support the use of sustainable drainage to safeguard against flooding onsite and downstream. Please note that the Lead Local Flood Authority is responsible for issues in relation to surface water drainage and flooding.

The SFRA references both the National and Local Flood Risk Management Strategies and the Flood and Water Management Act. It also references the Thames Catchment Flood Management Plan. The CFMPs have not been updated for a while and are not referenced in the latest FCERM strategy. We would advise against mentioning them. The Thame River Basin Management Plan and associated Flood Risk Management Plans (FRMP) are not referenced. The FRMPs for the Oxford area can be accessed at: Oxford, Thames (RoFRS) [Flood Risk Area – Flood Plan Explorer \(data.gov.uk\)](https://data.gov.uk).

On the 20% calculation used in assessing sites for the sequential test, no this does not include climate change. We are unclear on your query '*can the development be delivered without using 20% of the site?*' For clarity, the 20% is used to assess how the site should overall be classified in terms of risk for the purposes of the sequential test, its not saying that they cannot develop in the 20%, however a sequential approach would require applicants to develop away from areas of highest flood risk.

Access and egress is not considered in detail at the level 1 SFRA stage, this would require more detailed modelling/assessment of sites that comes through at stage 2 for those sites where high flood risk is identified. As we have set out, Oxford does not have sufficient land to accommodate all of its development need within Flood Zone 1, which required us to consider sites with higher flood risk that may have challenges for access/egress. Before allocating, we have considered these sites within the Stage 2 SFRA. We have also undertaken extensive urban design assessment to help understand the capacity of these sites based on their local context of constraints/opportunities. We have set out specific flood risk mitigation requirements in the allocation policies where relevant, and will incorporate additional modifications based on your specific comments against those sites (as captured in the allocations table of comments). The addendum produced for the SFRA further explores this issue including further guidance for applicants to consider which they can refer to when making an application.

On natural flood management opportunities, the Local Plan protects a network of green spaces via policy G1 for multi-functional benefits they provide, these would include natural flood management. Green spaces need to perform multiple roles in a constrained setting like Oxford, the SFRA identifies natural flood management as a potential opportunity which could then arise from these spaces, we do not feel it would be appropriate to identify areas for any one specific purpose alone through the Local Plan process and do not envisage going any further at this stage.

Your comments against the conclusions chapter are noted. Any site allocations in the area already reference Northfield Brook where relevant and this watercourse has been considered where needed as with Littlemore. Again, further guidance on access/egress and emergency evacuation has been incorporated into the SFRA addendum.

	<p>The reference to the Thames catchment flood is noted – whilst this is referred to in the SFRA, this is as part of a suite of different information sources. As far as we are aware, it is not mentioned elsewhere e.g. in the LP but we will bear your suggestion in mind in future.</p>
<p>SFRA level 2</p> <p>It is not clear how within Table 2 of the SFRA - low, moderate and high has been defined? Can this be clarified?</p> <p>Also, with regards to the ‘traffic light’ system, red is defined as ‘Proposed development is not appropriate and is unlikely to pass the Exception Test’ however in Table 2 SPCW 7 and 8 are red and still proposed? can this be rectified or clarified?</p> <p>Central (26%) or Higher (41%) Climate Change allowances are required. Sites with FZ3b requires higher, however this is not in site assessments.</p> <p>We note the use of 84% which is a precautionary approach however Oxford City could use lower.</p> <p>Please clarify the intended use of your additional hydraulic modelling undertaken for your Level 2 SFRA. Is this only to support your Local Plan or do you intend to let developers use it?</p> <p>Details should be provided to demonstrate whether safe access and egress can be provided. Your hazard maps show multiple sites would not have dry access and egress. It is not sufficient to only state an emergency flood plan should be provided. This should be justified, including in your SFRA.</p> <p>A demonstration of how the development will not increase flood risk offsite. For example, can the development be delivered without building in the design flood event OR can sufficient level for level compensation be provided to prevent increases in flood risk elsewhere? Please be aware that following an update to the PPG in August 2022, voids are not appropriate for compensating for any loss of floodplain storage, therefore level for level compensation should be provided instead. In summary it is not clear that the scale of development proposed is possible without increasing flooding elsewhere. This is linked to concerns on land raising referenced in the exception test.</p> <p>A conclusion on whether the Exception Test has been passed at the Local Plan stage. It is not sufficient to leave this to the planning application stage in accordance with</p>	<p>City Council response</p> <p>In relation to definitions of low, moderate, high risk, see response above against SFRA level 1 comments.</p> <p>SPCW7 (Osney Mead) and SPCW8 (Botley Road Retail Park) are identified as red in the exception test because these sites are clearly more challenging to deliver in relation to flood risk. However, as we have discussed, there are additional circumstances of relevance which the Council considers justify them for allocation. We have set out this explanation against the relevant sites in our comments under Appendix B. The point has also been addressed within the addendum produced for the SFRA.</p> <p>In relation to your comments about the sites in FZ3b requiring higher allowances. As we set out in our comments above against the SFRA level 1, there are five sites noted as FZ3b for purposes of sequential test, one isn’t proposed for housing (Botley Road Retail Park), and three are not allocated as they are either built out or under construction (Barton Park, Wolvercote Paper Mill, Littlemore Park under construction). Osney Mead is the other site. Appendix B includes, within responses against Osney Mead, as well as Botley and Canalside, some commentary on the impacts of the higher 41% allowance when considered and the reasoning for why these are still allocated.</p> <p>We have not taken a decision on the future uses of the hydraulic modelling, but do not see any reason for not allowing developers to use it in principle.</p> <p>Regarding your comments on provision of safe access/egress - we would refer you to the response against SFRA level 1 above. We have also flagged in Appendix B where we propose to make further amends to specific allocations or have generally responded to site specific concerns you’ve raised.</p> <p>In relation to not increasing flood risk offsite – as we have proposed to add explicit cross-refs to policy G7 into the relevant allocations (as highlighted in Appendix B). G7 requires applicants to take a sequential approach to design and for FRAs to demonstrate no increase in flood risk offsite – this would naturally encapsulate</p>

paragraphs 170 and 172. It is important to note that, the findings of your site assessments and Exception Tests should be carried through to your local plan to ensure the developments are safe and do not increase flood risk. This also helps provide clarity to developers on key considerations for a site. Further information on how development will be safe (including access and egress) and not increase flood risk elsewhere is required before some of your sites can pass the Exception Test. The exception Test has not been passed for 'more vulnerable' site allocations within Flood Zone 3.

consideration about level-for-level compensation and mitigating impacts of land raising where relevant.

In terms of the conclusion on whether the Exception Test has been passed. NPPF paras 170-173 sets out that this can be determined at either plan making or decision making stage and we do not consider our approach to be contrary to this. We've set out in Appendix B why we consider there to be wider sustainability benefits to the development of the proposed sites, as required to meet part a of the exception test. The allocations then set out expectations for addressing flood risk where relevant, which applicants will have to accord with alongside meeting general requirements of policy G7 (which requires proposals to meet exception test, demonstrate safety for occupants and no increase in flood risk elsewhere via a site-specific FRA). As such, they will need to meet these requirements to pass the second element of exception test (e.g. demonstrating safe for lifetime of the development).

Water Cycle study

We do not consider this report as a reliable evidence base to determine the effects of development on the quality of the water environment. The report is titled as a 'scoping report' however it does not include much of the information that would be expected from a scoping report. It also does not have the level of detail that would be expected from a full stage 2 Water Cycle Study. The guidance on gov.uk sets out what is expected from a scoping report, the evidence that is required to inform it, and partners that need to be engaged. While there is not an expectation to carry out 'detailed monitoring or technical analysis' at this stage, there is an expectation to understand the evidence gaps that are needed to make an assessment and recommend further, more detailed study if required.

The report does make some reference to the South Oxfordshire and Oxford City Council Water Cycle Study, however none of the data, evidence or technical conclusions have been included in this report. These documents have not been reviewed as part of this review as they were not provided. It is understood these were conducted in 2018 or 2019. If these are to be used as a platform for this assessment, they should be updated to include any up-to-date evidence and reflect any changes or additions to legislation since they were published.

If a Water Cycle Study Scoping Report did not recommend a Stage 2 study, this would often be because the risk from development was low, or mitigation measures to prevent deterioration to WFD waterbodies could be proposed at this stage. For this report,

City Council response

The new Local Plan does not plan for significant additional development above and beyond that of the existing adopted Local Plan. The majority of proposed allocations are sites that have been carried forward from the existing Local Plan with only a few new sites and the additional numbers of dwellings, when taking account of numbers delivered in the intervening years since the LP2036 adoption result still fall within projections of what has been assessed previously.

A water cycle scoping study was undertaken in support of the existing Local Plan 2036 which assessed the impacts of planned growth scenarios and that the Council considers would comfortably incorporate the additional growth planned for through the new Local Plan. The Council therefore determined that for the new Local Plan, bearing in mind existing resources and the limited time that has passed since the LP2036 work, a more concise and focused update study would be a pragmatic and appropriate means of assessing where things had changed.

In producing the new Water Cycle Study report to support the Local Plan 2040, we acknowledge that our reliance on the previous work without re-publishing this again in the body of the new study was perhaps unhelpful for your review. A significant amount of that previous analysis addresses the focus of your comments – particularly in relation to the potential growth impacts on WFD status of the water environment – which the LP2040 WCS then revisited. The impacts of the planned growth scenarios for the city were assessed in terms of impacts on different WFD elements, for example, and conclusions presented which would still

neither of those are the case. Oxford Sewage Treatment Works -STW has significant long-term performance concerns and requires major investment, the water environment within the Oxford area is under significant pressure, and no detailed or specific mitigation measures identified within this document/the report.

A key purpose of a WCS is to identify how development will either, lead to a deterioration of WFD status, or prevent the waterbody achieve its objectives in the RBMP. We do not see that an assessment or consideration has been made within this document/ the report as to how the effects of the development on specific WFD element status or RBMP objectives.

Within the document there is some reference to headroom and capacity. This can have several different meanings in this context, and it is important that all the different aspects are considered.

- Permitted headroom usually refers to how much additional capacity remains in the Dry Weather Flow (DWF) permit, and a calculation can be made to determine how many additional properties could be connected to the receiving STW before a new permit would be required.
- Infrastructure capacity can either refer to the capability of the existing sewerage network to convey the additional flows, and/or the capability of STWs or network pumping stations to pass flow forward to treatment (FFT). Reviewing this is often a way of determining if new developments are likely to lead to network failures or increase storm overflows.
- Environmental headroom or capacity relates to the ability of the receiving waterbody to accept additional nutrient loads without causing a deterioration of quality.

Within the document there is no mention of Dry Weather Flow, Flow to Full Treatment, or deteriorations of specific WFD elements. For these to be assessed properly, we would expect to see a full Stage 2 WCS that includes detailed modelling to show that the proposed developments will not cause an exceedance of the DWF permit, will not lead to an increase in storm overflows, and will not lead to a deterioration and/or prevent WFD elements achieving their objectives as set out in the RBMP.

As mentioned above, we have significant concerns about the performance of Oxford STW, and we suspect that currently it does not have any more capacity for new connections. Some improvement schemes have been ear marked for STW, which were due to be delivered by 2025 as part of Thames Water's Water Industry National Environment Programme (WINEP). However, the EA understand that these

be of relevance today when reviewed against the updated information (such as newer status condition assessments for the waterbodies that we have already presented). We intend to submit both the LP2036 and LP2040 Water Cycle work as part of the evidence base for examination.

A key theme running through your response is concern over the capacity and capability of the existing wastewater infrastructure to accommodate new growth. This is a topic the City Council concurs is an important consideration in ensuring the sustainability of the natural environment in light of planned growth in future. We have undertaken ongoing engagement with Thames Water in the production of the new Local Plan and have received no indication from them over capacity concerns or conflict between planned growth and future investment in their infrastructure. To clarify, the context the City Council has been working under in developing the new Local Plan and the WCS has stemmed from this. For example, the information provided to us through our engagement with them indicated planned upgrades to infrastructure were in process as we documented in the LP2040 WCS. There was no indication that the sewage treatment works was functioning outside of agreed permits with the EA either, though of course, this is a compliance issue between EA and Thames Water and it is difficult to ascertain the influence the Local Plan can have on this.

We acknowledge the EA's clear concerns on the issue of wastewater capacity. To that end, we organised an initial discussion between ourselves, the EA and Thames Water which we hope is a helpful first step in helping to clarify the issues, identify required actions, and enable closer engagement between responsible parties. There were a few outputs from that meeting:

- The EA was going to provide additional detail on their compliance concerns to Thames Water for them to directly respond to.
- It was agreed that a follow up meeting (scheduled for 22nd March 2024), and further meetings where necessary will be undertaken between the City Council, EA and Thames Water to facilitate ongoing discussion and action to resolve issues.
- A statement of common ground would be agreed between the three parties which the Council will submit alongside the Local Plan to document the above process and identify where ongoing action is needed.

We trust that the above, in addition to the ongoing joint discussions with Thames Water, will be sufficient in addressing the issues you have flagged.

improvements have been significantly delayed. The EA cannot support any additional development connecting to this works before improvements are made. This should have been noted and assessed within this report.

In conclusion this report does not contain the required information to be considered and effective Water Cycle Study Scoping Report. It is recommended that further work is done to identify the evidence base, evidence gaps, and partners to work with. It is also considered that a full Stage 2 Water Cycle Study will need to be done following the scoping report to provide detailed assessment of the impacts of growth on the water environment. Previous studies can be used as basis for these studies, but should be updated with the latest data, evidence, and legislative requirements.

Appendix D - Environment Agency unresolved concerns

Policies SPS2, SPS3, SPS5, SPS11, SPS13, SPS18, SPCW3, SPCW5 and SPCW6

We support adding references to policy G7. However, we are concerned with the inconsistency across all site allocation policies. For SPS2 it does include reference to the sequential approach and finished floor levels but it doesn't include references to losses of floodplain storage and compensation, and appropriate uses in Flood Zone 3b. These are all key considerations.

Policy SPS8

We thank you for confirming that there is no requirement for delivering more than 30 dwellings. Our main concerns for this site is floodplain storage and access. These should be clearly stated in the policy to make sure developers are aware of these requirements.

Policy SPS10

On the understanding that the planning permission has been granted and that works have already started, we are satisfied that the exception test is not required at this stage. This is because the exception test would have been passed at the planning application stage.

Policy SPS15

The site is at flood risk so a site assessment is required in your Level 2 SFRA. This is to demonstrate that site is justified and effective.

Policy SPE2

The site is at flood risk so a site assessment is required in your Level 2 SFRA. This is to demonstrate that the site is justified and effective. We welcome the information provided. This can be included in the Level 2 SFRA.

Policy SPCW4

We are concerned that there may not be enough space for the proposed new dwellings and a community centre without increasing flood risk. Most of the site appears to be in 1% AEP + 41%CC extent. An assessment should be provided that demonstrates there are sufficient space to build these buildings in line with policy G7. Whilst there is low hazard for most of the site there are areas of danger for some in the access route. We leave this to your emergency planners to determine if this is appropriate.

SPCW7

There is a hazard rating of danger for most along the access route. We leave this to your emergency planners to determine if this is appropriate. Thank you for sending the 41% CC. It is still not clear if the development can be achieved in the current footprint size. Can you confirm please.

SPCW8

Thank you for sending the 41% CC map that shows there is limited space outside the floodplain. Our main concern for this site is floodplain storage. This should be clearly stated in the policy to make sure developers are aware. There is a hazard rating of danger for most along the access route. We leave this to your emergency planners to determine if this is appropriate.

Policy Omission – Standalone policy for the Oxford flood Alleviation Scheme (OFAS)

OFAS is in an advanced stage with regard to planning application and compulsory purchase order (CPO), with decisions to be made on these during the next few months. NPPF paragraph 167 is clear that safeguarding land for flood risk management schemes current and future should be included in Local plans. The outline of the scheme area should therefore be included on any accompanying Policy map so that the safeguarded area is clearly known, and this must be linked to either a standalone policy or an addition to an existing policy.