


Oxford Core Strategy Examination Statement of Oxford City Council		www.oxford.gov.uk  OXFORD CITY COUNCIL
C/M8/2	Matter 8 – The Strategic Locations Issue 2 – West End	

i) What process led to the identification of this area?

The West End was identified as a key priority in the very first Local Development Scheme (2005) produced by the City Council given the benefits it offers and the momentum that built up with the various parties involved. The Area Action Plan (CD7/5) was the city's first Development Plan Document to be examined and adopted.

The key reasons for focussing development in the West End briefly include:

- the juxtaposition of a number of development sites identified in the Local Plan (2001-2016) and brought forward to the AAP;
- the highly sustainable nature of its location (ideally situated in terms of the PPS6 (CD11/5) sequential test and in terms of transport that it includes a mainline railway station and is served by local buses, park and ride and scheduled coaches);
- the proximity of a wide range of services and amenities (being part of the City centre); and:
- the current under-utilisation of the area and poor quality street environment.

As the West End is part of the centre of our historic city, its renaissance is important to the long-term success of the whole city.

The proposed redevelopment of the area termed the West End has a long history. It has long been apparent that this area of the City centre has been somewhat overlooked and that the opportunities it presents have gone unrealised. Over the past ten years in particular there have been a series of studies, initiatives and more recently policy documents, to try and remedy the situation. These include:

- West Central Oxford Urban Design (1999) Roger Evans Associates;
- Oxpens Development Guidelines (2001) Scott Wilson;
- Oxford West End Project (2003) John Walker;
- West End Area Development Framework (2005) David Lock Associates;
- Oxford Local Plan (2005) Oxford City Council; and most recently:
- West End Area Action Plan (2008) Oxford City Council.

ii) What land/sites are likely to be available? What capacity do they have and what is the likely scale of development?

The table below shows the 24 sites identified in the Area Action Plan (taken from Appendix 2 of the AAP). These sites range in size from 0.1 hectares to over 7 hectares, and in total measure some 25 hectares. Work carried out in preparing the Design Code (Appendix 3 of the AAP) suggests that these sites should be on average developed to around 3-4 storeys.

The list is not exhaustive; as the renaissance of the West End builds momentum, more sites are expected to come forward as landowners and developers grasp the potential of this project. There are already examples of additional sites with planning applications and in pre-application discussions.

	Town houses	Flats	Public space	Community energy	Student accommodation	Amenities for housing	Offices	Public offices	Retail	Food and drink	Museums	Arts/other cultural uses	Hotels	Conference	Leisure	Education	Transport
1. Oxford Railway Station			S														P
2. Fire Station, Rewley Road	S	M		S		S	M									S	
3. Beaver House, Hythe Bridge Street							P										
4. Island site (Park End St/Hythe Bridge St)		S				S	S		M	S	S		S				
5. Worcester Street Car Park		S	P				S			S	S					S	
6. Odeon Cinema, George Street									M	M		P					
7. New Theatre, George Street												P					
8. Becket Street Car Park	P	M					M						S				P
9. Ocean and Collins, Hythe Bridge Street										S	S						
10. Macclesfield House, New Road		S					S	S			S						
11. Cooper Callas Site, Paradise Street		S					S			S	S						
12. County Hall, New Road		S					M		P	S	S					S	
13. St Aldate's / Queen Street		S			S		S		P	S							
14. Town Hall, St. Aldates							S			S	S			P			
15. Nursery, Osney Lane	S	S				S											
16. Osney Warehouse, Osney Lane	P																
17. Oxpens	P	M	P	P		S	S	P		M	S		P	P	P		
18. OCVV remainder	P	M				S	M										
19. Oxford and Cherwell Valley College			S													P	
20. Westgate Shopping Centre		S	S						P	S							
21. Albion Place and Magistrates' Courts		S					S				S					S	
22. Speedwell House, Speedwell Street		S			S												
23. Telephone Exchange, Speedwell Street	S	S					S				S						
24. Police Station, St Aldate's	S	S					S		M								

Key (indicative): P=priority use; S=Secondary use; M=Minor element

The approach was taken in the AAP to set levels for different uses (including limiting some) across the West End as a whole as opposed to allocating particular sites. This

approach was taken to allow an element of flexibility for developers and in recognition that it was the overall balance of uses that was the key to delivering the vision, rather than necessarily being prescriptive about particular sites. The policies of the AAP therefore set measurable “targets” for the various uses proposed. The additions made to the text of Policy CS5 at the Proposed Changes to the Submission Stage have drawn on this work and elaborated on the scale of development expected. The list of key outputs on page 38 identifies the key uses and scale of development for instance referring to 700-800 new dwellings.

iii) What potential constraints/opportunities are there?

The potential constraints to development in the West End were identified and assessed through the AAP process. Briefly these include:

- Impact on the strategic road network (SRN)
An assessment of the impact on the SRN was carried out – it found that the policies and measures of the AAP resulting in increases at the SRN junctions in a “worst case scenario” are relatively small;
- Building heights
A detailed area-specific policy framework that refines the Local Plan approach of restricting high buildings in the central area was set out in the Design Code;
- Archaeology and conservation
Any application in the West End will require an archaeological assessment as it is wholly in the City Centre Archaeological Area; a historic buildings and area appraisal paper of the West End was carried out supporting the AAP;
- Flooding
An area-wide SFRA found that there were some large areas of potential flood risk in the West End (particularly when climate change is factored in). With this information the Sequential Approach was used to assess the West End against other broad areas for development that are subject to lower flood risk. The Sequential Test and then the Exceptions Test were applied to the West End as a whole. These concluded that the West End compared favourably to other locations as an area for new housing and that there was not the potential in the city to direct the West End development elsewhere;
- Brownfield site complications
The West End is dependant on brownfield redevelopment. Such development brings risks associated with demolition, unknown ground conditions and de-canting of existing uses. Whilst these issues bring some degree of risk to programming and budgets of individual developments, it is considered that the locational and sustainability benefits far out-weigh these; and:
- Impact of construction on the city centre
The juxtaposition of so many development sites in a relatively constrained area of a busy city centre could potentially cause congestion and other problems of nuisance during the construction phase. This effect could be exacerbated if the

construction phases of several sites overlap. The co-ordination of projects and timescales will be key.

The West End as a strategic location offers a range of great opportunities for Oxford:

- **Large-scale brownfield redevelopment**
A redevelopment opportunity on the scale of the West End in such a central location is very rare. After the West End it is highly unlikely that such an opportunity will be repeated in Oxford. West End redevelopment offers the opportunity to accommodate a good deal of the housing, employment, retail and other needs of Oxford in a sustainable location;
- **Collection of individual sites**
The juxtaposition of such a collection of individual development sites offers the opportunity to co-ordinate these developments and ensure that the resulting West End is greater than the sum of it's parts;
- **Investment in transport and public realm projects**
Having so many sites in one area offers real opportunities to lift the character and quality of the area through for example investment in expensive transport and public realm projects that would be difficult to fund if not for the co-ordination and pooling of funding. In addition the West End Partnership structure has been successful in attracting funding from third parties to support this work;
- **Design and welcome**
Large-scale redevelopment in the West End presents the opportunity to make a big improvement to the quality of welcome the city offers to visitors. Many visitors to the city first arrive in the West End whether at the railway station, coach station or from the park and ride to the west of the city. Currently the quality of the welcome is somewhat lacking for such a world-famous city; improvements in the West End will significantly change this;
- **Sustainability**
In addition to the locational sustainability, the mixed-use and compact nature of the West End makes it suited to the development of an area-wide scheme for sustainable energy. The West End Partnership is progressing plans for a community energy scheme.

iv) What does delivery depend upon?

The project has progressed thus far through the success of the established West End Partnership. This partnership of landowners, developers, local authorities, statutory agencies and other interest groups has been very helpful in defining the vision, galvanising support and securing outside funding for the project. It is considered that the successful delivery of the vision is dependant on the continued work of the West End Partnership.

It is considered that there are no real showstopper issues that would prevent the West End development coming forward. It is important to recognise that the strength of the West End comes from its make-up of many individual sites under different ownerships and tenancies. This spreads the risk of delivery being delayed through site-specific circumstances or through market downturns. Even in the current climate with such uncertain economic conditions there are still some developers who are able to progress their sites. When the market picks up others will become viable and the West End project itself can continue.

Delivery of the West End vision in its entirety is dependant on the vast majority of identified sites coming forward for development (or others taking their place). The AAP makes it clear that the renaissance as envisaged in the AAP entails investment in some significant infrastructure projects, particularly transport and public realm projects. Without these infrastructure projects, new developments will not be able to operate efficiently and opportunity will have been lost to maximise improvements to the area and secure the vision. It is possible that the sites would still be developable even without some of the infrastructure projects so far identified – what would be compromised is the vision and the quality of the end product.

Whilst the AAP Inspector was satisfied with the evidence on the flooding issue supporting the AAP, the Environment Agency has raised some concerns over securing dry access to some of the identified sites in times of flooding (based on the 1 in 200 year flood zone). Significant work on the flooding issue has been carried out through the AAP process and discussions are on-going with the EA to come to some agreement on taking this forward. (See the most recent correspondence attached at Appendix 1.) The City Council consider that through the careful design of schemes for sites (Flood Risk Assessments will be required through the planning process) and the public realm projects planned (where streets and spaces will be redesigned and re-laid), it will be possible to secure an access route from sites in the West End to the remainder of the city centre which lies outside the area of risk. The City Council have suggested to the EA that we look together at the possibility of drawing up a Flood Risk Management Plan (or something similar) for the West End to take this to the next step.

v) When is development likely to come forward?

It has always been recognised that the West End is an extended process, not a short-term event – this is not a single development project but a collection of many individual ones. It is considered that the bulk of development will be complete or underway by 2016 (the end date of the AAP) and at that point the framework set by the AAP is likely to need to be reviewed as so much will have changed by then.

The SHLAA suggests that the bulk of sites with an element of housing in the West End (two thirds of the 24 identified sites) will be delivered in the five-year period 2009/10 to 2013/14. There are other sites that are identified for the following five-year period of 2014/15 to 2018/19.

As a current picture of progress, at June 2009, of the 24 identified sites in the West End, there are 2 planning permissions (including one built out), one application with decision pending, 5 sites with active pre-application discussions on-going, and two further sites going through acquisition discussions with the proposed developer. In addition to the 24 sites, there is another major site with permission (the Said Business School extension) and another planning application pending decision (Pembroke College expansion).

Outside of the development sites, progress has been made elsewhere. The redevelopment of Bonn Square has been completed (AAP policy WE5) and the construction of a shared space scheme in New Inn Hall Street is almost finished. The County Council are due to start work on delivering major changes (in advance of complete pedestrianisation) to Queen Street in the summer (AAP policy WE3). Improvements have also been made to the pocket park at the end of Oxford Canal by the West End Partnership and British Waterways (AAP policy WE7).

vi) Does the Core Strategy need to say more about this area, given that there is an adopted Area Action Plan for it?

It is considered that the additions made to Policy CS5 and the supporting text in the Council's Proposed Changes to the Submission Core Strategy help greatly in setting out some of the detail of what is proposed in the West End and its relationship to the spatial strategy for the rest of the city. The Core Strategy makes clear reference to the West End AAP and explains that it forms an integral part of the Local Development Framework for the city (page 7 and page 39). Given that this area already has an adopted Area Action Plan giving much more detail than could be realistically accommodated in the body of the Core Strategy, it is considered that the correct balance has been struck.

Appendix 1 – Correspondence between the City Council and Environment Agency
regarding flooding issues in the West End

Mark Jaggard – Planning Policy Manager
Oxford City Council
Planning Policy
10 St. Ebbes Street
Oxford
Oxfordshire
OX1 1PT

Our ref: WA/2006/000013/SD-
02/PO1-L01
Your ref:
Date: 05 January 2009

Dear Mark

**West End Streamlined Contributions SPD
Dry Access Infrastructure in the West End (during flooding)**

We are aware from your new LDS that you are currently gathering evidence and consulting stakeholders on the West End Streamlined Contributions SPD. As you are aware, flooding is a key constraint for new development in the West End of Oxford. We have previously highlighted the fact that not all proposed development in this area has inherent dry access for pedestrians during times of flooding, and therefore infrastructure is required to provide this. We have raised this matter both in relation to the production of the West End Area Action Plan, and the Oxford Core Strategy.

To date you have been unwilling to take any action to ensure that this matter is addressed in a strategic way through the planning policies of the Council.

We are writing to set out the reasons that we believe this is a strategic planning issue and the benefits you would gain from addressing it as such. We wish to put on record our concerns and encourage you to use the Streamlined Contributions SPD as an opportunity to resolve this matter and provide a plan for delivery of the necessary safety infrastructure.

Background - Flood Risk in the West End

It has been known for some time that the West End of Oxford is at risk of flooding. The Strategic Flood Risk Assessment you have produced as evidence for your LDF documents has shown that the extent of the risk in the West End covers a larger area than previous flood maps had shown, and that in some places there are areas which would remain dry but would be surrounded by flood waters.

The preparation of the West End Area Action Plan showed that it would be necessary to develop in the flood plain in the West End. This will require flood

mitigation to be provided as part of all new development, to reduce the risks. However, as you were not allocating sites for development, you did not go so far as to demonstrate whether the proposed development could be made safe.

It is clear from the SFRA that during a flood there are a number of proposed developments that would not inherently have a dry access route for pedestrians and residents. The requirement for dry access is found in PPS25 (paragraph E3) and we recommend you review the further detail provided in the PPS25 Practice Guide (starting at paragraph 4.53) and in the DEFRA guidance FD2320 (guidance note S3.3).

Dry access would usually require a walkway raised above the flood level, from the development to the nearest dry place with access to shelter and facilities.

PPS25 refers to Safe access as a matter to be addressed in an Exception Test or development specific Flood Risk Assessment. However, it is evident from the SFRA maps that the extent of flooding in the West End would require large scale dry access infrastructure scheme serving a significant number of proposed developments. Therefore we think it is wise to consider this matter now and use the opportunity of the Developer Contributions SPD to provide a solution, rather than wait until later in the spatial planning process and miss this opportunity.

Difficulties created by Oxford taking no action

If we take for example the Oxpens site, a dry access route would be required to make this development acceptable in planning terms. A raised walkway would need to be provided to the city centre as this is the nearest area at low risk of flooding, with access to refuge and facilities. The diagram attached separately shows 2 routes from the Oxpens site to the nearest safe area. We do not have the SFRA flood maps in a suitable format to allow us to show you the flood outlines here, but this map can be compared to Appendix G of the SFRA. The walkway would have to be designed so that the flow of flood water is not disrupted.

Such a walk way would be a requirement as part of the development, and we would object to development proposals where this was not provided. If the Council wished to recommend approval in contradiction of our objection on anything other than minor development, the application would have to be “called in” and the decision made by the Secretary of State.

Safe access would also need to be provided for emergency vehicles to service the area in the event of a flood.

Now consider the number of developments that this would apply to. The following table shows all the proposed sites from the WEAAP that appear to require such dry access infrastructure, and there may be other sites that also come forward for development:

Oxford Railway Station
Fire Station , Rewley Road
Beaver House, Hythe Bridge Street
Island Site, Park Ens St, Hythe Bridge Street

Becket Street Car Park
Oceans and Collins, Hythe Bridge Street
Cooper Callas Site, Hythe bridge Street
Nursery, Osney Lane
Osney Warehouse, Osney Lane
Oxpens
Oxford and Cherwell Valley College
OCVC remainder
Albion Place Magistrates Court
Speedwell House, Speedwell Street
Telephone Exchange, Speedwell Street
Police Station St Aldates

In addition, the Infrastructure could affect any street environment improvements that fall on the route to the nearest safe place. For example the proposals for Frideswide Square may need to take this infrastructure in consideration.

The table above constitutes more than half the proposals referred to in the WEAAP. We believe the scale of the infrastructure required and the number of developments affected makes this a strategic matter, which the LDF should provide leadership on.

If a strategic plan to providing this infrastructure is not developed, the first site to come forward will have to provide its own route, working with the land owners of all sites it passes across, and it may not be designed in a way that benefits provision of the same infrastructure to nearby sites as they come forward. In a worst case scenario you could end up with a number of uncoordinated projects causing disruption and putting a greater than necessary cost on each individual developer.

There is clearly a need to proactively plan for a single coordinated solution, which benefits all proposed developments in the West End, and is equitably funded through developer contributions.

There may also be a case for extending the scheme to benefit existing development in this area.

LDF responsibility for Infrastructure

As you know, we have objected to the Oxford Core Strategy for a number of reasons, one of which is the lack of evidence base exploring this infrastructure need. The Core Strategy is required by PPS12 to provide evidence to support the policy on infrastructure. It should as far as possible, consider the need and cost of infrastructure, the phasing of development, funding sources and responsibility for delivery.

Action recommended for the Streamlined Contributions SPD and Core Strategy

We recommend that the use the Core Strategy and Streamlined Contributions SPD to plan strategically for the delivery of safe access during times of flood, for new development in the West End of Oxford.

The Streamlined Contributions SPD would provide the mechanism for funding the dry access infrastructure.

If the Planning Policy Team assess the need and cost etc of this infrastructure as required by PPS12, and make provision for its delivery in the Streamlined Contribution SPD, we could be satisfied that the matter was being addressed, and be in a position to remove our objection to the Core Strategy.

We believe that through undertaking this work, The Policy Planners would be providing a clear framework for developers, that would ensure development is safe, development provides a cost effective infrastructure scheme, developers know what funding will be required, and avoid lengthy negotiations and “call –in” proceedings for planning applications.

We would be happy to advise on the assessment of need for this infrastructure and to advise on the use of the flooding information you have already generated in the SFRA, for this purpose.

Yours sincerely

Emily Dartnall
Planning Liaison Officer

& Jon Mansbridge
Major Projects Officer

Planning Liaison
Environment Agency

CC

Matthew Bates - Senior Planner Oxford CC

Niko Grigoropoulos - DM Team Manager Oxford CC

Richard Gosling – Emergency Planner Oxford CC

Nikki Richards – Planning and Corporate Services Manager. EA

Vicky Boorman – DC Team Leader. EA

**City Development
Planning Policy**

Miss E Dartnell
Environment Agency
Red Kite House
Howberry Park
Wallingford
OX10 8BD

Date: 20th March 2009
Your reference: WA/2006/000013/SD-02/P01-L01
My reference:
Please ask for: Mark Jaggard
Direct line: 01865 252161
E-mail: mjaggard@oxford.gov.uk

Dear Emily,

**RE: WEST END STREAMLINED CONTRIBUTIONS SPD
DRY ACCESS INFRASTRUCTURE**

Thanks for your letter dated 5th January. I apologise for the delay in responding. As I mentioned in my initial response to you, we have been very tied up in the work on the Core Strategy and have been unable to respond in full until now.

Just to recap, in line with PPS25 and the companion guide (which were published part way through our work on the Area Action Plan) the City Council produced (with Atkins) a Strategic Flood Risk Assessment for the West End (2007). The West End SFRA has subsequently been superseded by the City-wide SFRA (2008). The SFRA found that there were some large areas of potential flood risk in the West End, particularly when climate change is factored in to the calculations. With this information we used the Sequential Approach to assess the West End against other broad areas for development to see whether the objectives could be achieved through development in other parts of the city that are subject to lower flood risk. The Sequential Test and then the Exceptions Test were applied to the West End as a whole. These concluded that the West End compared favourably to other locations as an area for new housing and that there was not the potential in the city to direct the West End development elsewhere. (See document produced for West End Examination "Flood risk sequential approach applied to the West End".)

Taking these investigations to the next level of detail, the sequential approach was also taken to locating development within the West End. Even though the West End Area Action Plan does not allocate sites as such, Appendix 2 does provide an indication of which uses may be appropriate on which sites. The document makes it clear (as a response to Environment Agency comments) that further site investigations (at planning application or masterplan stage) will be required to confirm that the indicative uses are appropriate in all regards. As such the Sequential Test and Exceptions Test (where appropriate) have been used to assess these indicative uses. 16 of the 24 sites conform to the Sequential Test as their indicative uses are considered under PPS25 to be appropriate for their identified flood risk level. 5 of the sites required an Exceptions Test and the conclusions (in brief) were that these sites could be designed so as the more vulnerable uses were away from the areas of

the sites at risk of flooding and that there were no other sites that the more vulnerable use could be swapped with. The remaining 3 sites were classed as being within Flood Zone 3b and thus inappropriate for the indicative uses. In these 3 cases it was considered that they could offer unrivalled sustainability benefits and that with careful planning, development could be kept out of the high-risk flood zones (in all 3 cases the area of each of the sites within Flood Zone 3b was below 20% of the total site area).

Even though it has now been over a year since the AAP examination, I'm afraid in the current climate we are unfortunately no clearer on what development will come forward on which site. As such we have no more information about which sites will be seeking to accommodate vulnerable uses and as such what additional infrastructure would be required.

Appendix K of the SFRA contains a user guide (which helps to steer developers through the Sequential Approach) and a guidance note. The guidance note explains how to use the SFRA and takes them through PPS25. It goes on to provide advice on issues such as designing floor levels, compensatory storage, surface water drainage and on selection of appropriate mitigation measures including access and egress.

Although there is no specific section in the SFRA about access and egress, Appendix J illustrates the 100 year indicative flood depths for the West End. It shows that the majority of the 24 sites would be unaffected and also be able to be evacuated to higher ground in the existing city centre along a safe route. The SFRA does not contain a similar map for the 200 year (therefore including climate change) indicative depths however a simple comparison with Appendix C shows that the 200 year flood extents make an important difference not just to the sites, but to the potential routes to higher ground. In particular it seems that the potential flooding of Hythe Bridge Street, Park End Street, Oxpens Road and Speedwell Street could cause problems for the evacuation of several West End sites. However, these streets happen to be among those where major transport and public realm projects are planned. The West End Partnership has a clear commitment to carrying out major works to these and other streets and thus it would seem appropriate to ensure that the designs for these streets have fully considered the issue of safe routes and incorporated the appropriate measures to assist in evacuation during flooding events. If you consider this helpful, I could ask Atkins to produce a similar map to Appendix J but incorporating the 200 year indicative flood depths; this could assist with the design of the street improvement projects.

Beyond the SFRA work, our approach has always been to require planning applications to submit site-specific Flood Risk Assessments incorporating appropriate mitigation measures (through policies WE14 and CS12). We see this as the most appropriate and accurate mechanism through which to assess the requirements of a proposed development. In practice it is possible that the development of (at least some of) these sites will raise their own ground levels to above the flood level and so help contribute to the creation of safe routes to the higher ground in the existing city centre.

The City Council and its West End Partners have been aware throughout the work on the AAP and beyond, that development in the West End will require significant investment in various types of infrastructure, which should be provided in a smooth and timely manner (see Section 6 of the AAP). As such we have developed a clear and comprehensive approach towards the funding and delivery of infrastructure. This includes: adopting a streamlined approach to securing developer funding (through the Streamlined Contributions SPD); a policy to pool contributions to enable easier delivery of larger pieces of infrastructure; a commitment to investigate ways to forward fund important projects in advance of securing sufficient funding from elsewhere (see Policy WE30) and pursuing alternative sources of funding. Thus far the partners have been very successful in securing

funding from other bodies (including central government) and we aim to see this success repeated over the coming years.

The draft Streamlined Contributions SPD recently went to our members for approval to go out for public consultation. As it is currently written, there is no reference to specifically requiring contributions towards the cost of flooding infrastructure through the streamlined contribution. However the major element of the streamlined contribution that will be sought, is identified for investment in transport and public realm projects including the streets mentioned above. I would be happy to incorporate a reference in the SPD that commits the designers of these schemes to addressing the concept of safe access and egress from adjacent sites in times of flood in their designs. The document will shortly be issued for a six-week period of consultation; it will then be reviewed and revised as appropriate in the light of comments made before it is adopted. I will ensure that you are notified of the commencement of the consultation on the SPD so that you have opportunity to comment on the draft if you so wish.

There may be an opportunity to put an item on flood risk and safe access on the agenda for a future West End Steering Group meeting. (Nikki Richards usually attends these meetings.) This could help in ensuring that the Partnership is fully conversant with this issue in advance of commissioning and designing major transport and public realm projects. If this is something that you feel would be helpful I could speak to the West End Project Manager to find a suitable opportunity for a presentation.

It could be possible that the additional work from Atkins, and the Partnership discussion mentioned above, could develop into a project to draw up a Flood Risk Management Plan (or something similar) for the area. There may be opportunities to formalise for example, an early warning system, agreed access and egress routes, and an emergency support plan for times of flood. Clearly there would need to be input and the support of various parties in the development of such a plan, including not just the EA and the City Council, but also the County Council, West End Partnership and emergency services. Perhaps this is something we can look into in more detail with you.

As this letter shows, we have been working on the West End project for several years now. We have been in dialogue with the Environment Agency over these issues throughout that period and I would expect to continue to be so, especially as projects come forward for pre-application discussions and planning applications. We believe that we have put in place: a significant body of investigative work; a strong policy on flooding requiring detailed FRA's (in both the AAP and the emerging Core Strategy); advice for developers; and a strong and comprehensive approach to securing funding for, and delivering, major infrastructure projects. I hope this shows that we do take this issue seriously and wish to continue working with you on these issues in the future.

Yours sincerely,

Mark Jaggard
Spatial and Economic Development Manager

Oxford City Council
Planning Policy
10 St. Ebbes Street
Oxford
Oxfordshire
OX1 1PT

Our ref: WA/2006/000013/SD-
02/PO1-L02

Your ref:

Date: 08 May 2009

Dear Mark

**West End Streamlines Contributions SPD and Core Strategy
Dry Access Infrastructure in the West End (during flooding)**

Thank you for your letter of 20th March. We find your proposals to address this matter very positive.

We acknowledge the situation, that although the West End Area Action Plan has been adopted, it is not yet clear which proposed sites may come forward for development. We understand that in this part of the city you do not intend to allocate sites for development, but to allow the regeneration to be developer led.

As the new LDF is developed and comes in to place, we would normally expect to see flood risk matters broadly assessed at the strategic level so that the strategy does not promote development which may later be refused on flood risk grounds. This approach also allows for strategic planning of any flood defences or other infrastructure needed to make a development acceptable.

You refer to the use of Flood Risk Assessments for each planning applications, to address safety and design issues. These have an important role in planning permission, but whilst we recognise they assess in more detail the provision of safe access routes, we find they fall short of being able to provide solutions for the delivery of safe access when it requires work outside the boundary of an individual proposed development

You also refer to the raising of ground levels on individual development, in order to contribute to flood mitigation and safe access. You should note that we do not support raising ground level in the flood plain because this reduces flood storage and disrupts the flow of flood water, increasing the flood risk in neighbouring areas. In some circumstances this can be mitigated by creating compensatory flood storage, but this depends on the details of the development location (see guidance starting on page 110 of the PPS25 practice guide). Perhaps you meant raising the floor levels in the properties, which we do see as an acceptable measure for reducing the impacts of flooding in developments, but would not contribute to safe access.

Your approach to development sites in the West End does not fit with the strategic approach we expect, and therefore it requires us to take a different path to help the delivery of the vision for the area.

In order for us to be satisfied that flood risk is being planned for, we want to reach a position where the safe access problems in West Oxford have been identified by the LPA, and has been assessed to a degree that we are confident that a suitable solution is possible and there is a mechanism for delivery. This would involve having a broad plan of what will be delivered and where.

The mechanisms for the delivery through planning should be clearly established so that we have reasonable certainty that the matter will be addressed. These measures would support delivery of the expected redevelopment in this strategic location, and reduce the potential for problems with establishing the safety of individual developments at the planning application stage. This information would need to be widely available to developers, from the LPA. In affect this would be an assessment infrastructure needed to enable development, following the guidance in PPS12.

We find the proposals in your letter would contribute greatly to getting to the position stated above. I hope the above explanation of our perspective will help you understand what we are aiming for and why.

In order to overcome our concerns we would therefore welcome your proposals but add to them, as follows:

We would welcome the production of a flood depth map for the 1 in 200 (and therefore climate change) extent for the West End. This would be the correct map by which to determine the flood risk over the lifetime of development.

We would like this to be accompanied by some text explaining the implications for development in the area (specifically focussing on safe access), and indicating the suitable routes for provision of safe access. We would like this to be completed in time to support the Core Strategy at Examination, and it could be submitted to the Inspector in direct response to our objection to that document.

We would also welcome the suggested inclusion of reference in the Streamlined Contributions SPD, for transport and public realm schemes to address the requirements for safe access for adjacent sites. This would need to indicate that such infrastructure should be also carefully designed in liaison with ourselves, so it does not block flood flow routes or increase flood risk in any other way.

I hope that this response is in sufficient time for the suggested text to be included in the SPD

In effect we think these two measures meets some of the requirements of PPS12 by assessing the need for infrastructure, and identifying those responsible for delivery and identifying the funding source. The provision of some explanation and proposed routes for safe access will give the transport and public realm projects a steer on what will be required. This will allow safe access to be factored in to the proposed cost of the transport and public realm schemes, and into the calculations for developer contributions.

We welcome the inclusion of new text in the proposed changes to the Core Strategy Policy on Infrastructure. This gives us a clear general policy requirement for the entire city, for developer contributions for flood mitigation where necessary. In itself we do not find this sufficient to address the infrastructure issues in the West End, because the issue is already known about, the AAP is already adopted, and therefore the other measures in this letter are needed to provide the specific strategic direction needed.

The only remaining element of the PPS12 infrastructure planning process, is to identify the phasing of development. We understand from your letter that it is not clear which proposal sites will come forward at this point. We would ask you to acknowledge that development dependent of the delivery of safe access infrastructure will need to be phased to take this into account, and residential elements may not be inhabitable prior to the completion of the transport and public realm projects, in order to pass the safety requirements of PPS25. This acknowledgement could be provided in the extra evidence/flood assessment you submit to support the Core Strategy.

You also suggest in your letter, that we could work together on a Flood Risk Management Plan. This is a very positive proposal. The Plan would have to be based on the new mapping and indicative safe access routes discussed above. I would accept your suggestion on when to initiate this process.

We would also be pleased to accept the proposed invitation to present to the West End Steering Group, to raise awareness of the potential implications of this matter. Perhaps we can discuss whether this should be scheduled after the production of the new mapping and the accompanying information, or if something sooner would be more helpful.

Please let me know if you can agree to the arrangements and timescales discussed above, and we would be happy to advise on a scope of work, recognising the time and resource constraints. I look forward to hearing from you.

We will respond to the “proposed changes to the Core Strategy” consultation in a separate letter.

Yours sincerely

Miss Emily Dartnall
Planning Major Projects Officer
Planning Liaison

Direct dial 01491 828344

Direct fax 01491 828302

Direct e-mail emily.dartnall@environment-agency.gov.uk

CC

Rachel Williams – Principle Planner Oxford CC

Matthew Bates - Senior Planner Oxford CC

Niko Grigoropoulos - DM Team Manager Oxford CC

Richard Gosling – Emergency Planner Oxford CC

Nikki Richards – Planning and Communications Manager. EA

Vicky Boorman – DFR Team Leader. EA