

298

Policy SP28

SUMMARISED

View Response

Response Details

From Roy Darke

Date Started: 09 Dec 2018 18:12. Last modified: 09 Dec 2018 18:12

Status Complete

Response ID #671630

Visibility Response visibility: **Unknown.**

Email Address [REDACTED]

Postal Address The Oak Barn
80 Edgeway road

Postcode OX3 0HG

Gender [REDACTED]

What is your age? [REDACTED]

If you are under 16,
what is your date of
birth?

What is your ethnic
group? [REDACTED]

Your ethnic group (if
you answered other)

Are you disabled? [REDACTED]

Organisation Name Oxford City Council

Job Title / Position Councillor
within the Organisation

Areas of Interest Local economy and Business Issues, Council Budget and
Priorities, Environment, Housing, Sports and Leisure,

Planning and Regeneration, Transport and Parking, Council
Tax and Benefits, Community Issues, Equalities

Survey Types Online Consultations, Postal surveys, Group discussions,
Face to face interview surveys

1

Which part of the document do you wish to comment on? (please give the relevant paragraph or policy number in the comments box below)

- Paragraph Policies Map
 Policy Number Sustainability Appraisal

Please give the relevant paragraph or policy number

SP28

2

Do you consider that the document:

Select the most applicable option in each row.

	Yes	No
(a) is legally compliant?	<input type="radio"/>	<input checked="" type="radio"/>
(b) is sound?	<input type="radio"/>	<input checked="" type="radio"/>
(c) complies with the duty to co-operate?	<input type="radio"/>	<input checked="" type="radio"/>

298.1
- 1150

3

Do you consider that the document is **unsound** because it is **not** (tick as appropriate)

(a) positively prepared?

(b) justified?

(c) effective?

(d) consistent with national policy?

4

Please tell us below why you consider the document to be unsound, not legally compliant or fails to comply with the duty to co-operate. If you do believe the document is sound, legally compliant, or complies with the duty to co-operate you may use the box to explain why.

Specifically we believe that policy SP28 breaches / is at odds with:

- The approach set out within NPPF towards loss of green belt which requires only water-compatible uses and essential infrastructure work in Flood Zone 3 (Park Farm field is in Flood Zone 3);
- The procedures set out in NPPF requires that where development is proposed in Flood Zone 3 the LPA should show that it has searched alternatives sites in Flood Zone 1. We have not found (in the Submission Plan 2036) where or whether that search took place with respect to policy SP28;
- Para. 102 of NPPF because any development at Park Farm will inevitably increase flood risk elsewhere and certainly not reduce flood risk overall;
- The considerable body of local and other evidence that Park Farm field is frequently flooded after heavy rain and that pluvial flooding sits for long period in parts of the field, specifically in the furrows of the ancient cultivation remnants;
- The public health responsibilities of the local authority and TWU by allowing the

continued and continual sewage flooding of private properties and gardens in New Marston and the public highway, footpaths and cycleway;

- NPPF policy on protection of the green belt with respect to three of the five purposes laid out in para. 136;
- Policy S1 of the Submission Plan 2036 because it does not “secure development that improves the economic, social and environmental condition of the area”;
- Policy G1 of the Submission Plan 2036 because, if implemented, it would result in loss to the Green and Blue Infrastructure network of the city without effective or acceptable mitigation:
 - Policy G3 of the Submission Plan 2036 because, if implemented, it would mean development detrimental to the green belt;
 - Policy G8 of the Submission Plan 2036 because it would result in the loss of green infrastructure features such as hedgerows and trees that would have a significant adverse impact upon public amenity or ecological interest of the area;
 - Policy G9 of the Submission Plan 2036 (and, indeed the whole of the chapter 5 on protection of the green infrastructure) because it would affect public access, health and well being, biodiversity, linkages in the green infrastructure, the need to take account of climate change, and the character / sense of place of the New Marston Meadows locality;
 - The value of New Marston Meadows as set out in the City Council report (A Character Assessment of Oxford in its Landscape Setting, Land Use Consultants, 2002) that endorsed the significance of the river valleys for Oxford’s character. The report specifically sets out the value of New Marston Meadows and environs, including specific mention of Peasemoor Brooks which borders the Park Farm;
- Policy M1 if Park Farm is developed there will be an increase in vehicular across a key vehicle-segregated cycleway between the city centre and Old Marston (with thousands of users every week) and not promote the sustainable transport

outcomes favoured by the Council. Safety for walkers and cyclists will be seriously compromised;

- The test of 'effectiveness' because there are serious questions about the feasibility of building on the site without affecting the integrity of the Flood Plain;

- The test of effectiveness. because we do not consider the alternative access proposed in the Plan (in the WHS analysis of Park Farm) via Purcell Road could be implemented;

- The test of effectiveness because implementation of SP 28 could undermine the viability of the current farm use by loss of the 'home field'. The tenant farmer provides good management and husbandry of the SSSI at New Marston Meadows by a regime of hay-taking and aftermath animal grazing yet the business may be made less sustainable if the field is lost from farm use:

- The Council's responsibility to protect the SSSI and SLINC overall (including its hinterland) by putting these at potential risk from development impacts;

- The 'needed' justification that should be provided with a policy that puts the integrity of the SSSI and SLINC at risk;

- The test of the Plan being 'positively prepared' by not taking account of the long-standing complaints by and impacts upon New Marston residents of sewage flooding:

- The long-standing principle of town planning that puts positive planning above private financial gain (by basing the whole approach on sites with potential for development in the Plan on 'developers' willingness to sell').

5

What change(s) do you consider necessary to make the document sound or legally compliant? Please explain why this change will achieve soundness or legal compliance. (Please note that non-compliance with the duty to co-operate is incapable

of modification at examination.) It would be helpful if you could suggest revised wording for the policy or text in question.

SP28 should be taken out of the Local Plan 2036.