

# Natural Environment Topic Paper

SOUTH OXFORDSHIRE LOCAL PLAN 2034  
PUBLICATION VERSION 2<sup>ND</sup>  
JANUARY 2019

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## 1.0 INTRODUCTION

- 1.1 The protection and enhancement of the natural environment is a key objective of the planning system and integral to achieving sustainable development.<sup>1</sup>
- 1.2 This topic paper explains the background to some of the key natural environment policies in the South Oxfordshire Local Plan 2034 Publication Version 2<sup>nd</sup> (January 2019). It sets out relevant national policies and guidance and the evidence base documents that have shaped policy production. It also sets out comments received at the previous stage of consultation (October 2017) and how these have been taken into consideration in the latest iteration of the Local Plan.
- 1.3 This natural environment topic paper focuses on the following themes:
- Flood risk
  - Landscape
  - Green Infrastructure
  - Pollution
- 1.4 Each section of the topic paper follows the following format:
- **National Policy Context:** a brief summary of relevant National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) requirements that policies need to be consistent with.
  - **Evidence:** summarises the purpose and role of key pieces of evidence.
  - **Emerging Local Policy Context:** outlines relevant policies in the emerging Local Plan 2034 Publication Version 2<sup>nd</sup> (January 2019).
  - **Sustainability Appraisal:** summarises the conclusions of the Sustainability Appraisal of the relevant policies in the emerging Local Plan 2034.
  - **Summary of Consultation:** summarises key issues identified through consultation on the Final Publication Version Local Plan 2033 in October 2017 and how they have been taken into consideration in producing the latest version of the plan.
  - **Conclusions**

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<sup>1</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 8

## 2.0 FLOOD RISK

- 2.1 This section summarises the process the council has followed to formulate its approach to flood risk in the emerging Local Plan 2034.

### National Policy Context

#### *National Planning Policy Framework (NPPF)*

- 2.2 A key aim of the NPPF is for plan-making to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change<sup>2</sup>.
- 2.3 The NPPF requires Local Plans to take into account the long-term implications of flood risk<sup>3</sup> and to ensure the future resilience of communities and infrastructure to climate change impacts. For example: by providing space for physical protection measures; or by making provision for the possible future relocation of vulnerable development and infrastructure<sup>4</sup>.
- 2.4 The NPPF states that strategic policies should be informed by a Strategic Flood Risk Assessment (SFRA) and should manage flood risk from all sources<sup>5</sup>.
- 2.5 The NPPF also requires planning policies to consider the cumulative impacts of development in or affecting local areas susceptible to flooding.
- 2.6 The NPPF is clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future high risk areas)<sup>6</sup>. The NPPF requires Local Plans to apply a sequential, risk-based approach to the location of development, taking into account the current and future impacts of climate change to avoid, where possible, flood risk to people and property<sup>7</sup>.
- 2.7 The sequential test should steer new development to areas with the lowest risk of flooding. The NPPF is clear that development should not be allocated or permitted if there are reasonable alternative sites available that are appropriate for the proposed development in areas with a lower risk of flooding<sup>8</sup>.

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<sup>2</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 148

<sup>3</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 149

<sup>4</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 149

<sup>5</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 155

<sup>6</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 155

<sup>7</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 157

<sup>8</sup> MHCLG (2018) The National Planning Policy Framework (NPPF), paragraph 158

### ***Planning Practice Guidance (PPG)***

2.8 The PPG provides additional guidance on how to take account of and address the risks associated with flooding in the planning process. This includes additional guidance on the management and mitigation of flood risk.<sup>9</sup> The preparation of a Strategic Flood Risk Assessment (SFRA) is a key part of the consideration of flooding in the plan making process.

2.9 The PPG is clear that an SFRA should:

- Determine the variations in risk from all sources of flooding across their areas, and the risk to and from surrounding areas;
- Identify areas of functional floodplain, taking into account local circumstances;
- Identify the types of measure which may be appropriate to manage risk taking into account location, site opportunities, constraints and geology;
- Inform the Sustainability Appraisal of the Local Plan so that flood risk is considered in the site selection process and in the preparation of planning policies;
- Identify the requirements for site-specific flood risk assessments in particular locations, including at risk from sources other than river flooding;
- Consider opportunities to reduce flood risk to existing communities and developments, through management of surface water and storage for flood water; and
- Be prepared by the local planning authority in consultation with the Environment Agency and the Lead Local Flood Authority (Oxfordshire County Council).

2.10 The PPG states that there are two levels of SFRA:

A Level 1 Assessment should be carried out in local authority areas where flooding is not a major issue and where development pressures are low. The Assessment should be sufficiently detailed to allow application of the Sequential Test to the location of development and to identify whether development can be allocated outside high and medium flood risk areas, based on all sources of flooding, without application of the Exception Test.

Where a Level 1 Assessment shows that land outside flood risk areas cannot appropriately accommodate all the necessary development, it may be necessary to increase the scope of the Assessment to a Level 2 to provide the information necessary for application of the Exception Test where appropriate. A Level 2 Strategic Flood Risk Assessment should consider the detailed nature

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<sup>9</sup> MHCLG (2014) Planning Practice Guidance, available at: <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

of the flood characteristics within a flood zone including: flood probability; flood depth; flood velocity; rate of onset of flooding; and duration of flood.

- 2.11 The PPG states that local planning authorities and developers should seek flood risk management opportunities, such as the safeguarding of land or reducing the causes and impacts of flooding through the use of sustainable drainage systems in developments.<sup>10</sup> Further guidance relating to the use, design, management and maintenance of sustainable drainage systems is set out in the PPG.

## **Emerging Local Policy Context**

### ***Emerging South Oxfordshire Local Plan 2034: Final Publication Version 2<sup>nd</sup> (January 2019)***

- 2.12 Strategic Objective 8.2 in the emerging Local Plan seeks to increase resilience to the likely impacts of climate change, especially flooding (amongst other things).
- 2.13 Policy EP4 (Flood Risk) seeks to define how flood risk should be addressed as part of new development proposals, to ensure development is directed away from areas of the highest risk and to ensure that development does not increase the risk of flooding elsewhere. Policy EP4 also requires new development to incorporate sustainable drainage systems.
- 2.14 Policy STRAT4 (Strategic Development) ensures that strategic scale development proposals are supported by a site-specific flood risk assessment that takes into account recommendations set out in the SFRA and an integrated water management plan to include foul and surface water drainage strategies.

## **Evidence**

- 2.15 A Strategic Flood Risk Assessment (SFRA) has been prepared to support the preparation of the South Oxfordshire Local Plan 2034. The SFRA is a key piece of evidence that was used to inform the plan-making process, including the site assessment process (which incorporated the sequential test) and policy development (including site-specific policy requirements for strategic allocations). The SFRA has considered all sources of flooding including fluvial, surface water, groundwater, sewers and reservoirs.
- 2.16 The SFRA will also be used, alongside policies in the emerging Local Plan, when determining planning applications for development in the district and by neighbourhood plan groups identifying potential site allocations.

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<sup>10</sup> MHCLG (2014) Planning Practice Guidance, Paragraph: 002 Reference ID: 53-002-20140306

### ***Strategic Flood Risk Assessment (2017)***

- 2.17 A Level 1 SFRA was published alongside the Publication Version Local Plan 2033 (October 2017).<sup>11</sup> It investigated the extent of flood risk from all sources across the district and explored measures for minimising flood risk where necessary. It also considered the potential effects of climate change.
- 2.18 The SFRA (2017) replaced (within South Oxfordshire) the previous Level 1 SFRA (2013) which was jointly published by South Oxfordshire District Council and the Vale of White Horse District Council.

### ***Strategic Flood Risk Assessment (2018)***

- 2.19 The SFRA was updated to take into account the additional strategic sites considered through the preparation of the Local Plan 2034 Publication Version 2<sup>nd</sup> (January 2019).<sup>12</sup> The SFRA contains both a Level 1 and Level 2 assessment. A Level 2 assessment was required as several of the proposed strategic sites included a small percentage of Flood Zone 2 or 3.
- 2.20 The SFRA was used to inform the site selection process and the sequential test.
- 2.21 The SFRA has identified site-specific requirements relating to flood risk and drainage which have informed the strategic site allocation policies in the emerging Local Plan and their supporting concept plans.
- 2.22 The SFRA (2018) also takes account of the latest requirements relating to flood risk and drainage as set out in the revised NPPF (July 2018). In particular, the updated SFRA has considered the cumulative impacts of development in or affecting local areas susceptible to flooding in accordance with paragraph 156 of the NPPF. This assessment is included in Appendix N of the SFRA (Cumulative Impacts of Development on Flood Risk)<sup>13</sup> and provides an assessment of the potential cumulative impacts of development proposed in the emerging Local Plan, in combination with development proposed by adjoining authorities. The cumulative impact assessment recommendations set out in Appendix N of the SFRA have informed the site-specific requirements set out in the main SFRA report.<sup>14</sup>

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<sup>11</sup> JBA Consulting (2017) South Oxfordshire District Council Strategic Flood Risk Assessment Update – Final Report, available at: [http://www.southoxon.gov.uk/ccm/support/dynamic\\_serve.jsp?ID=774108643&CODE=F736D00805647842BBBE0DF9286CB691](http://www.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=774108643&CODE=F736D00805647842BBBE0DF9286CB691)

<sup>12</sup> JBA Consulting (2018) South Oxfordshire District Council Strategic Flood Risk Assessment – Final Report, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/evidence-studies>

<sup>13</sup> JBA Consulting (2018) South Oxfordshire District Council Strategic Flood Risk Assessment, Appendix N: Cumulative impact assessment to inform site selection process

<sup>14</sup> JBA Consulting (2018) South Oxfordshire District Council Strategic Flood Risk Assessment, Appendix L: SFRA Level 2 Site Summary Sheets

- 2.23 The SFRA (2018) replaced the previous Level 1 SFRA (2017) which was prepared to support the Publication Version (October 2017) of the Local Plan 2033.

### ***Flood Risk Sequential Test***

- 2.24 The council has applied a comprehensive approach to site selection informed by technical evidence (including the SFRA) and engagement with key stakeholders (including the Environment Agency and Oxfordshire County Council). The council's approach to site selection is set out in the Site Selection Background Paper.<sup>15</sup>

- 2.25 The Council has applied the Sequential Test, informed by the evidence within the SFRA, through its site selection process as follows:

- The initial stages of site selection included the identification of potential sites based on their high-level suitability, availability and achievability as assessed through the Strategic Housing and Employment Availability Assessment (SHELAA).<sup>16</sup> Where an identified site fell wholly within Flood Zone 3b (functional floodplain) it was discounted from further assessment. Where more than 50% of a site was located within Flood Zone 3b or 3a (high probability of flooding) it was identified as unsuitable for development.
- A high-level desktop assessment of site constraints (including flood risk) was then undertaken for all sites that were identified as suitable, available and achievable in the SHELAA and which met the council's criteria for strategic sites.<sup>17</sup> This assessment was informed by available technical evidence (including the SFRA) and engagement with key stakeholders (including the Environment Agency and Oxfordshire County Council). It was found that the council's housing needs could be met entirely within Flood Zone 1.\*

- \* It is recognised that the proposed strategic development sites at Berinsfield, Culham, Land North of Bayswater Brook, Grenoble Road and Northfield include areas of Flood Zone 2 and 3. However, due to the strategic scale of these sites it is possible to focus development within the site boundary entirely within Flood Zone 1 and to preserve areas of Flood Zone 2 and 3 as areas for biodiversity and green space. This approach is clearly set out in the strategic site allocation policies and the concept plans which accompany them and is in accordance with the recommendations of the SFRA which was produced in consultation with the Environment Agency.

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<sup>15</sup> South Oxfordshire District Council (January 2019) Site Selection Background Paper

<sup>16</sup> Strategic Housing and Economic Land Availability Assessment (SHELAA), January 2019

<sup>17</sup> South Oxfordshire District Council (January 2018) Site Selection Background Paper – Stage 1: Identification of reasonable strategic sites



The proposed strategic allocations at Chalgrove and Wheatley are entirely within Flood Zone 1.

## **Sustainability Appraisal (SA)**

- 2.26 A Sustainability Appraisal (SA) was undertaken for all policies set out in the Local Plan. The SA identifies, describes and evaluates the likely effects of implementing the Local Plan on sustainability objectives and tests reasonable alternative policy approaches.
- 2.27 An SA was published alongside the Publication Version Local Plan (October 2017).<sup>18</sup> This Report has been updated to inform the Publication Version 2<sup>nd</sup> Local Plan (January 2019),<sup>19</sup> taking into account additional reasonable alternative sites, updated technical evidence (including the SFRA, 2018) and the revised NPPF.
- 2.28 The SA concludes that Policy EP4 (Flood Risk) will have a significant positive effect in relation to Sustainability Objective 11 (to reduce the risk of, and damage from, flooding) as it sets out a requirement for developments to be at minimal risk of flooding, through careful design and siting.

## **Summary of consultation and engagement**

### ***Memorandum of Understanding between South Oxfordshire District Council and the Environment Agency (April 2018)***

- 2.29 A Memorandum of Understanding (MoU) was signed between South Oxfordshire District Council and the Environment Agency (EA) on 26 April 2018.<sup>20</sup> The MoU supported the Publication Version Local Plan 2033 (October 2017).
- 2.30 The MoU demonstrates that the council and the EA have worked positively and collaboratively through the preparation of the Local Plan, including the preparation of technical evidence such as the SFRA and the Water Cycle Study.
- 2.31 The council did not receive any comments relating to the SFRA (2017) at the previous Regulation 19 stage (October 2017). The MoU confirms the EA's view that the SFRA (2017) was robust and proportionate to the Local Plan process.

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<sup>18</sup> Amec Foster Wheeler Environment & Infrastructure UK Limited (2017) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan – Final Report for Consultation – Main Report, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

<sup>19</sup> Wood Environment & Infrastructure Solutions UK Limited (2018) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan

<sup>20</sup> South Oxfordshire District Council (2018) Memorandum of Understanding between South Oxfordshire District Council and the Environment Agency

The same approach has been rolled forward in 2018, updated only to reflect changes to sites and national policy requirements.

- 2.32 The EA stated its support for the principle of a flood risk policy in the Publication Version (October 2017) of the Local Plan, which the EA considered was consistent with national policy. The EA did suggest that this policy could be made more locally specific and suggested some modifications to the wording of the policy relating to the application of the Sequential Test.
- 2.33 The EA also suggested that there should be specific reference to the requirements relating to Climate Change Allowances as set out in the Planning Practice Guidance.
- 2.34 This MoU confirmed EA's support for the proposed amendments to Policy EP4 (Flood Risk). The suggested amendments provided by the EA at this stage have been incorporated into the revised policy and/or supporting text in the Local Plan Publication Version 2<sup>nd</sup> (January 2019).
- 2.35 The council will seek to update the MoU with the EA alongside the submission of the emerging Local Plan 2034 in March 2019.

***Local Plan 2011-2033 Final Publication Version (October 2017)***

- 2.36 The council published the Final Publication Version Local Plan 2033 in October 2017 for public consultation. A number of comments were received relating to Policy EP4 (Flood Risk) which highlighted some key considerations that have helped to refine the policy for inclusion in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019).
- 2.37 Key considerations identified through the comments received are summarised in Table 1 below. The representations received are also summarised in the relevant Consultation Statement<sup>21</sup> and can be viewed in full on the council's website.

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<sup>21</sup> The Consultation Statement that supports the Final Publication Version 2<sup>nd</sup> (January 2019) of the Local Plan 2034 is available to view and access at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

**Table 1: Summary of consultation responses related to the flood in the Local Plan**

Consultation Response Summary	Council response
The EA supports the principle of a flood risk policy which is consistent with national policy. The EA considered that the policy could further reflect local circumstances.	Noted. The supporting text to Policy EP4 has been amended to highlight locally specific flood risk considerations, as discussed with the EA. This is reflected in the revised Local Plan 2034 Final Publication Version 2 <sup>nd</sup> (January 2019).
The EA welcomed reference to climate change but commented that the policy should make specific reference to the climate change allowances as set out in the PPG.	Noted. The supporting text to Policy EP4 has been amended, as set out in the signed Memorandum of Understanding between South Oxfordshire District Council and the EA, to reference climate change allowances in the PPG. This is reflected in the revised Local Plan 2034 Final Publication Version 2 <sup>nd</sup> (January 2019).
The EA also suggested an amendment to the supporting text to clarify their role as a statutory body in the management of flood risk.	Noted. The supporting text to Policy EP4 has been amended, as set out in the signed Memorandum of Understanding between South Oxfordshire District Council and the EA, to clarify the EA's role as a statutory body. This is reflected in the revised Local Plan 2034 Final Publication Version 2 <sup>nd</sup> (January 2019).
The EA raised concerns that land safeguarded for specific highway schemes are located within Flood Zones 2 and 3 without any evidence that a Sequential Test or Level 2 SFRA has been undertaken. The EA suggested an amendment to the final paragraph of Policy TRANS3 (Safeguarding of Land for Strategic Transport Schemes) to provide clarity that as the options for schemes progress, the impact of the schemes will be subject to thorough assessment, and for schemes located in areas of Flood Zone 2 and 3, the sequential test and exception test should be undertaken as part of the option appraisal process.	Noted. The Council agrees to the amendments suggested by the Environment Agency as set out in the signed Memorandum of Understanding between South Oxfordshire District Council and the EA. This is reflected in the revised Local Plan 2034 Final Publication Version 2 <sup>nd</sup> (January 2019).
Some comments questioned the appropriateness of housing targets for neighbourhood plans as the Sequential Test should be applied across the district, and not restricted to designated	The council has prepared an SFRA to support the preparation of the Local Plan. As well as providing guidance for applying the sequential test in the preparation of the Local Plan, the SFRA also provides guidance for neighbourhood plan steering

Consultation Response Summary	Council response
<p>neighbourhood plan areas, as this could force future development into higher flood risk areas if there are a lack of alternative sites available within the neighbourhood plan area. Comments suggested that if neighbourhood planning groups are unable to identify sites in low flood risk areas, the council should provide guidance on alternative sites beyond the designated neighbourhood plan area.</p>	<p>groups for applying the sequential test in the preparation of their neighbourhood plans.</p> <p>Section 4, Figure 4-1 in the SFRA main report sets out the process of applying the Sequential Test to allocate development within a Neighbourhood Plan.</p> <p>It should be noted that in setting housing targets to be delivered through neighbourhood plans, paragraphs 5.16 and 5.30 of the Local Plan 2034 (January 2019) state: <i>'some villages are constrained by factors such as Green Belt, Areas of Outstanding Natural Beauty and flood zones. In these villages a 15% growth may not be fully achievable'</i>. This provides sufficient flexibility to ensure future development is not forced into higher flood risk areas through neighbourhood plans. There is a sufficient buffer in the Local Plan's housing supply to accommodate this.</p>
<p>A number of comments raised concerns that the proposed allocation at Chalgrove Airfield would increase the risk of flooding to Chalgrove village.</p>	<p>The preparation of the Local Plan is supported by an SFRA undertaken in line with national guidance and based on the most up-to-date flood risk mapping data available from the Environment Agency.</p> <p>A Level 2 SFRA has been undertaken for the proposed site allocation at Chalgrove in line with national guidance and best practice. This assessment is set out in Appendix L of the SFRA report. The assessment has concluded that this site is at the lowest risk of flooding as no area is within Flood Zone 2 and 3. The site is at risk from surface water flooding, but the SFRA has concluded that this can be appropriately mitigated through the application of Sustainable Drainage Systems (SuDS) to discharge locations for surface water from the site.</p> <p>Policy EP4: Flood Risk requires a site-specific flood risk assessment for all development proposals of 1 hectare or more and ensures development proposals consider all sources of flooding. Policy STRAT4: Strategic Allocations also requires an integrated water management plan to be submitted for each strategic allocation, including the proposed allocation at Chalgrove.</p>
<p>A few comments suggested that Sustainable Drainage Systems (SuDS) are not appropriate on the proposed site allocation at Chalgrove Airfield.</p>	<p>The preparation of the Local Plan is supported by a SFRA undertaken in line with national guidance and based on the most available and up-to-date flood risk mapping data by the Environment Agency.</p>

Consultation Response Summary	Council response
	<p>SFRA Appendix L (SFRA Level 2 Site Summary Sheets) identifies that an exemplar scheme for SuDS could be implemented on this site. The SFRA has identified that a SuDS scheme can deliver multiple benefits including biodiversity and recreation. The report makes reference to best practice guidance available at Oxfordshire County Council and the CIRIA SuDS Manual (2015).</p> <p>The recommendations set out in the SFRA have informed the site-specific policy requirements for each strategic allocation in the Local Plan. For example, for the proposed site allocation at Chalgrove Airfield, criteria (xi) of Policy STRAT7: Land at Chalgrove Airfield ensures the site delivers specific mitigation and management of surface water and runoff for the benefit of the existing village at Chalgrove.</p> <p>Policy STRAT4: Strategic Allocations also ensures the strategic allocations are supported by a site-specific flood risk assessment which considers the recommendations and findings set out in the SFRA.</p>
<p>A number of comments considered that the proposed site allocation at Culham should be designed to avoid increased risk of flooding to the surrounding area.</p>	<p>The preparation of the Local Plan is supported by an SFRA undertaken in line with national guidance and based on the most available and up-to-date flood risk mapping data from the Environment Agency.</p> <p>The SFRA provides an assessment of the potential cumulative impacts of development proposed in the emerging Local Plan, in combination with development proposed by adjoining authorities. The SFRA identifies potential for development at Culham, in combination with other development planned in the catchment area (for example at Kennington, South Hinskey, Botley and Wolvercote and west Kidlington), to have a significant impact on flood risk in the sub-catchment area. To mitigate the potential cumulative impact of development, the development of these sites should strive to limit discharge rates and volumes to greenfield. The SFRA provides site-specific guidance for making development safe, and also identifies opportunities for flood risk betterment. The recommendations set out in the SFRA have informed the site-specific policy requirements for each strategic allocation in the Local Plan</p>

## **Conclusions**

- 2.38 The consideration of the long-term implications of flood risk and ensuring the future resilience of communities and infrastructure to climate change impacts are a key part of the plan making process. These are key themes throughout the emerging South Oxfordshire Local Plan 2034, with particular emphasis provided by Policy EP4 (Flood Risk). The consideration of flood risk has also formed a key element of the council's site assessment process, which included the application of the sequential test.
- 2.39 In developing the latest iteration of the Local Plan, consideration has been given to updated national policy and guidance, the latest available evidence (including the SFRA) and consultation responses received in relation to the Final Publication Version Local Plan 2033 (October 2017) as set out above (including from the Environment Agency). The approach to flood risk in the South Oxfordshire Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019) is therefore positively prepared, justified, effective and consistent with national policy.

## 3.0 LANDSCAPE

- 3.1 This section summarises the process the council has followed to formulate its approach to landscape in the emerging Local Plan 2034.

### National Policy Context

#### ***National Planning Policy Framework (NPPF)***

- 3.2 A core objective of the National Planning Policy Framework (NPPF) is to contribute to protecting and enhancing the natural, built and historic environment.<sup>22</sup>
- 3.3 The NPPF states that strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for the conservation and enhancement of the natural built and historic environment, including landscapes.<sup>23</sup>
- 3.4 Section 15 of the National Planning Policy Framework (NPPF) sets out the Government's policies on 'Conserving and enhancing the natural environment'. Key aims of the NPPF are to protect and enhance valued landscapes and to recognise the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services.
- 3.5 To ensure development recognises the intrinsic character and beauty of the countryside, the NPPF suggests planning policies should:
- protect and enhance valued landscapes<sup>24</sup>; and
  - give great weight to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest protection in relation to landscape and scenic beauty<sup>25</sup>.

#### ***Planning Practice Guidance (PPG)***

- 3.6 The PPG requires councils to include strategic policies for the conservation and enhancement of the natural environment, including landscape and the wider countryside<sup>26</sup>.
- 3.7 The PPG also requires councils, through plan-making, to prepare Landscape Character Assessments (LCA) to help understand the character and local

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<sup>22</sup> MHCLG (2018) The National Planning Policy Framework (NPPF), paragraph 8

<sup>23</sup> MHCLG (2018) The National Planning Policy Framework (NPPF), paragraph 20

<sup>24</sup> MHCLG (2012) The National Planning Policy Framework (NPPF), paragraph 109

<sup>25</sup> MHCLG (2012) The National Planning Policy Framework (NPPF), paragraph 115

<sup>26</sup> MHCLG (2014) Planning Practice Guidance, Reference ID: 8-001-20140306

distinctiveness of the landscape, and to identify the features that give it a sense of place<sup>27</sup>.

## Evidence

- 3.8 A significant amount of landscape assessment work has been undertaken to inform the production of the Local Plan:

***Landscape Capacity Assessment: Sites on the Edge of Larger Villages of South Oxfordshire (2015)***

- 3.9 The Council commissioned Kirkham Landscape Planning Ltd/Terra Firma Consultancy to produce a Landscape Capacity Assessment of Sites on the Edge of Larger Villages<sup>28</sup>. This study considered 113 sites on the edge of South Oxfordshire's 12 larger villages and provided a high-level and detailed assessment.

***Landscape Character Assessment for the Local Plan 2033 (November 2017)***

- 3.10 The Council commissioned LEPUS Consulting to prepare a Landscape Character Assessment to identify and describe the variation in the character of the district's landscape<sup>29</sup>. This study was an update to the previous landscape character assessment published in 1998.
- 3.11 The assessment divided the district into 11 Landscape Character Areas (LCA) and 24 Landscape Types (LT) and provided detailed guidance for the planning, management, protection and enhancement for each of the 11 LCAs.

***Landscape Sensitivity Assessment: Potential Strategic Allocations (2018)***

- 3.12 The Council commissioned Kirkham Landscape Planning Ltd/Terra Firma Consultancy to prepare a landscape sensitivity assessment of potential strategic allocations to be considered in the Local Plan 2033<sup>30</sup>. This included ten potential strategic development sites at Berinsfield, Chalgrove Airfield, Culham, Grenoble Road, Harrington, Lower Elsfield, Northfield, Thornhill, Wick Farm and Wheatley Campus.
- 3.13 The assessment provided an initial, high-level assessment of the landscape and visual constraints and merits for each potential allocation. The proposed strategic allocations were also subject to further detailed assessment.

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<sup>27</sup> MHCLG (2014) Planning Practice Guidance, Paragraph: 001 Reference ID: 8-001-20140306

<sup>28</sup> Kirkham Landscape Planning Ltd and Terra Firma Consultancy (2015) Landscape Capacity Assessment: Sites on the Edge of the Larger Villages of South Oxfordshire, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/evidence-studies>

<sup>29</sup> LEPUS Consulting (2017) Landscape Character Assessment for the Local Plan 2033, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/evidence-studies>

<sup>30</sup> Kirkham Landscape Planning Ltd and Terra Firma Consultancy (2018) Landscape Sensitivity Assessment: Potential Strategic Allocations, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/evidence-studies>



### ***South Oxfordshire Landscape Assessment (2017) and Update (2018)***

- 3.14 The South Oxfordshire Landscape Capacity Assessment<sup>31</sup> follows on from the Landscape Sensitivity Assessment – Potential Strategic Allocations published in 2018 and the Landscape Capacity Assessment – Sites on the Edge of the Larger Villages of South Oxfordshire published in 2015.
- 3.15 The South Oxfordshire Landscape Assessment<sup>32</sup> supports the development of planning policies in the Local Plan 2034 and has been prepared alongside the Local Plan, taking into account requirements set out in the revised National Planning Policy Framework. The assessment identifies the key landscape features, including Landscape Character Types and Landscape Character Areas, to help understand the character and local distinctiveness of South Oxfordshire's landscape.
- 3.16 The Landscape Assessment will be used to assist the Development Management team when assessing development proposals that may impact upon the landscape. This ensures the specific character of the landscape is fully taken into consideration in accordance with Policy ENV1 (Landscape and Countryside).
- 3.17 The Landscape Assessment has also been updated to take account of revised boundaries to the proposed allocations at Berinsfield, Lower Elsfeld and Northfield and to provide a review of the ten strategic site options set out in the Local Plan.

### ***Oxfordshire Historic Landscape Characterisation Project (2017)***

- 3.18 The Historic Landscape Characterisation (HLC) Project was published in July 2017 and produced by Oxfordshire County Council and Historic England<sup>33</sup>. The HLC provided an understanding of the historic and cultural origins and development of the local landscape through a desk-based programme of digital mapping, description and analysis. The HLC forms part of the evidence base to support the Local Plan and will be a material consideration when deciding on planning applications.

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<sup>31</sup> Hankinson Duckett Associates (2018) South Oxfordshire – Landscape Assessment Update

<sup>32</sup> Hankinson Duckett Associates (2018) South Oxfordshire – Landscape Assessment Update

<sup>33</sup> Oxfordshire County Council and Historic England (2017) Oxfordshire Historic Landscape Characterisation Project, available at: <https://www.oxfordshire.gov.uk/residents/environment-and-planning/archaeology/landscape-characterisation>

### ***South Oxfordshire and Vale of White Horse Green Infrastructure Strategy (2017)***

- 3.19 The Vale of White Horse and South Oxfordshire Green Infrastructure Strategy<sup>34</sup> has been prepared and supports the policies in the emerging Local Plan 2034. The Strategy sets out a strategic approach for South Oxfordshire, for the creation, protection, enhancement and management of a Strategic Green Infrastructure Network.
- 3.20 Green Infrastructure (GI) is an integral part of the landscape that strongly influences landscape character and makes places distinctive.

### **Emerging Local Policy Context**

- 3.21 The natural landscape is central to the rural character of South Oxfordshire.
- 3.22 South Oxfordshire includes parts of two Areas of Outstanding Natural Beauty (AONB) designations and part of the Oxford Green Belt.

### ***Emerging South Oxfordshire Local Plan 2034: Final Publication Version 2<sup>nd</sup> (January 2019)***

- 3.23 Strategic Objectives 5.2 and 7.1 of the emerging Local Plan seek to support development that respects the scale and character of towns and villages, enhancing the special character of historic settlements and the surrounding countryside, and protecting and enhancing the natural environment, with particular importance on the value of the Oxford Green Belt, the two Areas of Outstanding Natural Beauty and the River Thames.
- 3.24 The emerging Local Plan's primary landscape policy is Policy ENV1: Landscape and Countryside, which seeks to ensure that the district's landscape, countryside and rural areas will be protected against inappropriate development and, where possible, enhanced.
- 3.25 In addition to Policy ENV1, there are a number of other Local Plan policies which relate to the protection and enhancement of South Oxfordshire's landscape:
- **Policy ENV6: Historic Environment** seeks to protect, conserve and enhance the district's heritage assets, including landscapes.
  - **Policy ENV10: Historic Battlefields, Registered Parks and Gardens and Historic Landscapes** seeks to ensure proposals conserve or enhance the special interest, character and setting of specific assets, including historic landscapes.

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<sup>34</sup> Chris Blandford Associates (2017) South Oxfordshire and Vale of White Horse Green Infrastructure Strategy, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/evidence-studies>

- **Policy DES1: Delivering High Quality Development** seeks to ensure all new development proposals take account of the local character and existing features and to retain important local features within the landscape and built environment.
- **Policy STRAT4: Strategic Development** requires development proposals (including major and proposed strategic allocation) to be supported by a Landscape and Visual Impact Assessment (LVIA) to ensure development respects the surrounding character and setting.

3.26 Following a review of national policy and guidance (NPPF and NPPG), the Council considered it was important to strengthen the policy requirements in the landscape policy to ensure South Oxfordshire's distinctive and intrinsic landscape and key features continue to be protected from harmful development, including the wider countryside.

### **Sustainability Appraisal (SA)**

- 3.27 An SA was undertaken for all policies set out in the Local Plan. The SA identifies, describes and evaluates the likely significant effects of implementing the Local Plan on sustainability objectives and tests reasonable alternative policy approaches.
- 3.28 An SA was published alongside the Publication Version Local Plan (October 2017).<sup>35</sup> This Report has been updated to inform the Publication Version 2<sup>nd</sup> Local Plan (January 2019),<sup>36</sup> taking into account, additional reasonable alternative sites, revised site boundaries and proposed capacities, updated technical evidence (including the Landscape Assessment Update, 2018) and the implications of the revised National Planning Policy Framework.
- 3.29 The SA concludes that Policy ENV1 (Landscape and Countryside) would have a significant positive effect on Sustainability Objectives 1 (providing decent places for people to live), 3 (accessibility for facilities for recreation, health, culture and community), 4 (health and wellbeing), 7 (biodiversity), 8 (protecting the district's countryside and landscapes) and 16 (tourism).

### **Summary of consultation and engagement**

#### ***Informal Engagement***

- 3.30 Informal engagement was undertaken internally with development management officers and the council's specialist landscape officer. This engagement has helped to further refine Policy ENV1 (Landscape and

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<sup>35</sup> Amec Foster Wheeler Environment & Infrastructure UK Limited (2017) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan – Final Report for Consultation – Main Report, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

<sup>36</sup> Wood Environment & Infrastructure Solutions UK Limited (2018) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan

Countryside) for inclusion in the Local Plan Publication Version 2<sup>nd</sup> (January 2019).

- 3.31 The development management team suggested that consideration should be given to specifying the features that contribute towards valued landscapes within Policy ENV1. This was because the term ‘valued landscapes’ in the NPPF has been interpreted inconsistently at appeals. The development management team suggested that the policy should provide further clarity to assist with decision-making and that the policy should clearly define a hierarchy of international, national and locally designated sites in accordance with national policy.
- 3.32 The council’s specialist landscape officer provided technical advice on the features that contribute to the district’s valued landscapes and which should therefore be listed in Policy ENV1. This included reference to best practice guidance.

***Local Plan 2011-2033 Final Publication Version (October 2017)***

- 3.33 The Council published the Final Publication Version of the Local Plan 2033 in October 2017 for public consultation. A number of comments were received relating to the Policy ENV1 (landscape and countryside). These comments have identified a number of key considerations that have helped to refine the policies for inclusion in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019).
- 3.34 Key considerations identified through the comments received are summarised in Table 2 below. The representations received are also summarised in the relevant Consultation Statement<sup>37</sup> and can be viewed in full on the council’s website.

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<sup>37</sup> The Consultation Statement that supports the Final Publication Version 2<sup>nd</sup> (January 2019) of the Local Plan 2034 is available to view and access at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

**Table 2: Summary of consultation responses related to landscape policy (Policy ENV1)**

Summary of Consultation Responses	Council response
<p>A number of comments, including from the Chilterns Conservation Board, suggested that the Local Plan provides insufficient protection for Areas of Outstanding Natural Beauty (AONBs) located within South Oxfordshire.</p> <p>It was suggested that the Plan should include a single policy relating to the Area of Outstanding Natural Beauty which makes specific reference to tranquillity and noise in line with national policy.</p>	<p>Noted. The structure of this policy has been amended to reflect the hierarchy of landscape designations required by national policy.</p> <p>The first part of this policy now relates to the protection of the Areas of Outstanding Natural Beauty (AONBs) in accordance with national policy. This ensures the highest level of protection is given to their landscape and scenic beauty and reflects key elements of the model policy produced by the Chiltern's Conservation Board.</p> <p>This policy ensures all development proposals located within the AONB consider their setting and are supported by proportionate evidence in the form of a Landscape and Visual Impact Assessment (LVIA). This policy also ensures development proposals take into account relevant and up-to-date AONB Management Plans.</p> <p>The second part of the policy now relates to the district's landscape, countryside and rural areas more widely. The policy ensures features that may contribute to the nature and quality of the district's valued landscapes are protected and enhanced. This policy also ensures development proposals consider noise and tranquillity.</p> <p>These amendments are reflected in the revised Policy ENV1 in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019).</p>
<p>The Environment Agency supported the principle of this policy but suggested an amendment to criteria iii (d) to provide clarity that such proposals will only be permitted in exceptional circumstances and in agreement with the Environment Agency and Local Planning Authority.</p>	<p>Noted. The Council has updated criteria iii (d) within the policy, but consider this wording is more appropriate to include in Policy ENV4: Watercourses. This is reflected in the revised Policy ENV4 in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019).</p>
<p>A few comments suggested that the policy should make specific reference to the Oxford Green Belt.</p>	<p>Green Belt is a specific policy designation designed to prevent the unrestricted growth of major urban areas. Policy STRAT6 (Green Belt) in the emerging Local Plan provides specific protection for the Green Belt.</p> <p>As Policy ENV1 deals with landscape and countryside, and the Green Belt is generally countryside, there may be occasions when development proposals are considered</p>

Summary of Consultation Responses	Council response
	against both policies ENV1 and STRAT6. However, it is important to keep the two policies separate as they have different purposes.
A few comments suggested that this policy should provide sufficient flexibility when deciding on planning applications. It was suggested that 'where possible' be inserted into criteria (iii) to provide this flexibility.	Noted. The Council has amended paragraph 2 of the policy to provide sufficient flexibility when deciding planning applications for development proposals. This change is reflected in the revised Policy ENV1 in the Local Plan 2034 Final Publication Version 2 <sup>nd</sup> (January 2019).
Historic England welcomed the commitment to protect and enhance the North Wessex Downs AONB and Chilterns AONB. Historic England particularly welcomed criteria iii) of this policy as part of the positive strategy for the conservation and enjoyment of the historic environment.	Support noted and welcomed.
Wycombe District Council supported the principle and intention of this policy to mitigate the impacts of development within South Oxfordshire.	Support noted and welcomed.

## **Key Issues**

- 3.35 South Oxfordshire's countryside and landscape are an important part of the district's character and what makes it special. The protection and enhancement of the countryside and landscape are key themes throughout the emerging South Oxfordshire Local Plan 2034, with particular emphasis provided by Policy ENV1 (Landscape and Countryside).
- 3.36 In developing the latest iteration of the Local Plan, consideration has been given to updated national policy and guidance, the latest available evidence and consultation responses received in relation to the Final Publication Version Local Plan 2033 (October 2017) as set out above. The approach to landscape in the South Oxfordshire Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019) is therefore positively prepared, justified, effective and consistent with national policy.

## 4.0 GREEN INFRASTRUCTURE

- 4.1 This section summarises the process that the council has followed to formulate its policies in relation to green infrastructure, including watercourses.

### National Policy Context

#### *National Planning Policy Framework (NPPF)*

- 4.2 The NPPF defines green infrastructure as a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities<sup>38</sup>.
- 4.3 The NPPF states that strategic policies should make sufficient provision for the conservation and enhancement of the natural environment, including landscapes and green infrastructure<sup>39</sup>.
- 4.4 The NPPF highlights the many benefits that green infrastructure can provide and that planning policies should help to deliver. This includes supporting healthy lifestyles<sup>40</sup>, managing the effects of climate change<sup>41</sup>, and opportunities to improve/mitigate air quality issues<sup>42</sup>.

#### *Planning Practice Guidance (PPG)*

- 4.5 The PPG adds to the definition of green infrastructure, stating that Green infrastructure is not simply an alternative description for conventional open space. As a network it can include parks, open spaces, playing fields, woodlands, but also street trees, allotments and private gardens. It can also include streams, canals and other water bodies and features such as green roofs and walls<sup>43</sup>.
- 4.6 The PPG also requires councils to produce a green infrastructure framework or strategy through the plan-making process. This should provide an assessment of current green infrastructure provision, including the identification of any gaps in the network and opportunities for improvement. National guidance also encourages neighbouring councils to work collaboratively with other stakeholders under the Duty to Cooperate to consider how wider green infrastructure strategies can help to address cross-boundary issues<sup>44</sup>.

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<sup>38</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Annex 2: Glossary

<sup>39</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 20

<sup>40</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 91

<sup>41</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 150

<sup>42</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 181

<sup>43</sup> MHCLG (2014) Planning Practice Guidance, Paragraph: 027 Reference ID: 8-027-2160211

<sup>44</sup> MHCLG (2014) Planning Practice Guidance, Paragraph: 029 Reference ID: 8-029-20160211



## Relevant Legislation

### ***Natural Environment and Rural Communities Act 2006 (NERC Act)***

- 4.7 The Natural Environment and Rural Communities Act 2006 (NERC Act) places a duty on authorities to have regard to the purpose of conserving biodiversity in exercising their functions.<sup>45</sup> Through plan-making and policy-making, the Act requires that aquatic and semi-aquatic habitats are protected and enhanced, with a particular relevance to green infrastructure such as watercourses.

## Evidence

### ***South Oxfordshire and Vale of White Horse Green Infrastructure Strategy (2017)***

- 4.8 The Green Infrastructure Strategy<sup>46</sup> sets out the councils' vision for the future provision and management of Green Infrastructure (GI) in South Oxfordshire and the Vale of White Horse districts to 2031. The Green Infrastructure Strategy also sets out principles and guidance to assist in the planning, design and delivery of Green Infrastructure.
- 4.9 Following an analysis of current provision in South Oxfordshire, the Green Infrastructure Strategy has also identified deficits in Accessible Natural Green Space (ANGS). Deficits in ANGS have been identified for each of the market towns and larger villages within South Oxfordshire.
- 4.10 The Green Infrastructure Strategy recommends that new development proposals should seek to enhance links to existing and new green infrastructure assets. It identifies the districts' Strategic Green Infrastructure Network and establishes priorities for green infrastructure investment at three inter-related scales:
- Strategic corridors and links;
  - Strategic areas within which landscape-scale green infrastructure opportunities are identified; and
  - Detailed areas around settlements where growth is planned in the councils' Local Plans, which identify local opportunities for green infrastructure enhancement based on an analysis of existing needs and opportunities.
- 4.11 The Green Infrastructure Strategy also sets out a number of recommendations to support the protection and enhancement of the district's watercourses.

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<sup>45</sup> Natural Environment and Rural Communities Act 2016, available at: [http://www.legislation.gov.uk/ukpga/2006/16/pdfs/ukpga\\_20060016\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/16/pdfs/ukpga_20060016_en.pdf)

<sup>46</sup> Chris Blandford Associates (2017) South Oxfordshire and Vale of White Horse Green Infrastructure Strategy, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/evidence-studies>

### ***River Wye Advice Note (2010)***

- 4.12 The River Wye Advice Note published by Wycombe District Council in consultation with the Environment Agency is often cited as an example of best practice principles<sup>47</sup>. The Advice Note provides a useful source of good practice guidance for developers and landowners whose land adjoins river corridors and watercourses and it has informed policy development in the preparation of local plans.
- 4.13 The Advice Note highlights the importance of protecting river corridors for the ecological and recreational benefits that they can provide, including:
- The provision a range of habitats for wildlife: within the water itself, on riverbanks and also on associated areas such as reedbeds and wetlands;
  - The stability of channel banks and the protection of habitats created on/ in them; and
  - Appropriate bankside vegetation controls light penetration and so contributes to good water quality by controlling weed growth.
- 4.14 The Advice Note encourages wider buffer zones surrounding watercourses as they create more effective 'green' corridors within a wider green infrastructure network. It states that the Environment Agency recommends that for ecological and conservation purposes, the requirement should be a minimum distance of 10 metres (measured from the top of the river bank to the development) for all new development (buildings, car parking, etc). Every watercourse should ideally have continuous habitat in channel and along both banks.
- 4.15 In all circumstances Land Drainage Byelaws dictate that an 8-metre buffer zone is maintained, and the Environment Agency will oppose development within 8 metres of a main watercourse which compromises their ability to carry out their statutory duties of flood defence. This ensures adequate access for river maintenance and it is therefore the width within which Land Drainage Consent is required.

### ***South Oxfordshire Local Plan and Community Infrastructure Levy Viability Assessment (2018)***

- 4.16 The Council commissioned Aspinall Verdi to undertake an economic viability assessment of the Local Plan 2034<sup>48</sup>. The Viability Assessment tests the cumulative financial impacts of the policies in the Local Plan and whether they might put development delivery at risk.

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<sup>47</sup> Wycombe District Council and Environment Agency (2010) River Wye Advice Note, available at: <https://www.wycombe.gov.uk/uploads/public/documents/Planning/Planning-policy/Topic-based/River-Wye-advice-note.pdf>

<sup>48</sup> Aspinall Verdi (2018) South Oxfordshire Local Plan and Community Infrastructure Levy Viability Assessment, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

- 4.17 The Viability Assessment assessed Policy ENV4 (Watercourses) in relation to the provision of a 10m buffer adjacent to watercourses. The Viability Assessment concluded that this policy would have a direct impact on viability, but that the requirements should be deliverable within normal building costs, or if specific issues are identified on site, this should be factored into the land value.

## **Emerging Local Policy Context**

- 4.18 There are over a hundred watercourses within South Oxfordshire which provide a unique range of habitats and act as wildlife corridors which form an essential element of the district's ecological network. Watercourses can make a significant contribution towards the character of the landscape, form an important part of green infrastructure and help to improve water quality and provide drainage, flood management and green space for informal recreation.
- 4.19 However, it is estimated that only around a quarter of Britain's chalk streams are achieving 'good' ecological status under the Water Framework Directive. The health of watercourses is under pressure from a variety of issues including abstraction, pollution and increased disturbance.

### ***Emerging South Oxfordshire Local Plan 2033: Final Publication Version 2<sup>nd</sup> (January 2019)***

- 4.20 Strategic Objective 7.1 of the Local Plan seeks to protect and enhance the natural environment, including biodiversity, the landscape, green infrastructure and waterways, with a particular emphasis on the Oxford Green Belt, the two Areas of Outstanding Natural Beauty (AONBs) and the River Thames.
- 4.21 The emerging Local Plan's primary green infrastructure policy is Policy ENV5 (Green Infrastructure in New Developments) which seeks to ensure that development proposals contribute towards the provision of green infrastructure and protect and enhance existing green infrastructure assets.
- 4.22 In addition to Policy ENV5, there are a number of other Local Plan policies which relate to the creation, protection and enhancement of green infrastructure in South Oxfordshire:
- **Policy STRAT4: Strategic Development** requires development proposals (including major and propose strategic allocations) to be supported by a Landscape Management Plan to provide appropriate landscaping and an integrated network of green infrastructure.
  - **Policy INF1: Infrastructure Provision** requires development proposals to be supported by appropriate infrastructure provision and services, including requirements set out in the Infrastructure Delivery Plan and Green Infrastructure Strategy.

- **Policy ENV4: Watercourses** seeks to ensure watercourse are appropriately accommodated within new development proposals, including the requirement of a 10-metre buffer.
- **Policy DSE4: Masterplans for allocated sites and major development** ensures proposed site allocations and major development proposals are accompanied by a masterplan that demonstrates GI provision.

## **Sustainability Appraisal (SA)**

- 4.23 A Sustainability Appraisal (SA) was undertaken for all policies set out in the Local Plan. The SA Report identifies, describes and evaluates the likely effects of implementing the plan on sustainability objectives and tests reasonable alternative policy approaches.
- 4.24 An SA Report was published alongside the Publication Version Local Plan (October 2017)<sup>49</sup>. This Report has been updated to inform the Publication Version 2<sup>nd</sup> Local Plan (January 2019),<sup>50</sup> taking into account, additional reasonable alternative sites, updated technical evidence and the implications of the revised National Planning Policy Framework.
- 4.25 The SA concluded that Policy ENV5 (Green Infrastructure in New Developments) would have a significant positive effect against Sustainability Objectives 1 (creating decent places for people to live), 3 (access to recreation), 4 (health and wellbeing), 6 (sustainable travel), 7 (biodiversity), 9 (historic environment), 5 (climate change) and 16 (tourism)<sup>51</sup>.
- 4.26 The SA concluded that Policy ENV4 (Watercourses) would have a significant positive effect on Sustainability Objectives 5 (preventing environmental harm), 7 (biodiversity), 8 (countryside and landscape) and 11 (reducing flood risk)<sup>52</sup>.

## **Summary of consultation and engagement**

### ***Local Plan 2011-2033 Final Publication Version (October 2017)***

- 4.27 The council published the Final Publication Version of the Local Plan 2033 in October 2017 for public consultation. A number of comments were received relating to the green infrastructure policies. These comments have identified

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<sup>49</sup> Amec Foster Wheeler Environment & Infrastructure UK Limited (2017) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan – Final Report for Consultation – Main Report, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

<sup>50</sup> Wood Environment & Infrastructure Solutions UK Limited (2018) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan

<sup>51</sup> Wood Environment & Infrastructure Solutions UK Limited (2018) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan, Section 8.3

<sup>52</sup> Wood Environment & Infrastructure Solutions UK Limited (2018) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan, Section 8.3

some key issues that have helped to refine the policies for inclusion in the Local Plan 2034 Final Publication Version (January 2019).

- 4.28 Key considerations identified through the comments received are summarised in Table 3 below. The representations received are also summarised in the relevant Consultation Statement<sup>53</sup> and can be viewed in full on the council's website.

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<sup>53</sup> The Consultation Statement that supports the Final Publication Version 2<sup>nd</sup> (January 2019) of the Local Plan 2034 is available to view and access at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

**Table 3: Summary of consultation responses related to green infrastructure policies (Policies ENV4 and ENV5)**

Summary of Consultation Responses	Council Response
<p>The Environment Agency commented that Policy ENV1: Landscape and Countryside should provide clarity that proposals for posts, earthworks or facing riverbanks will only be permitted in exceptional circumstances where in agreement with the Environment Agency.</p>	<p>Noted. The Council agrees to the amendments suggested by the Environment Agency (EA) as set out in the signed Memorandum of Understanding between South Oxfordshire District Council and the EA.</p> <p>The council has since re-written Policy ENV1 and considers this wording is more appropriate to be included in the policy on watercourses (Policy ENV4). This is reflected in the revised Policy ENV4 in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019).</p>
<p>One comment suggested that the definition of chalk streams as set out in the Glossary should provide clarity that the high clarity and quality and stable temperature regime of the water contributes towards the importance of South Oxfordshire's globally rare chalk streams.</p>	<p>Noted. The Glossary in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019) has been updated to reflect this point of clarification.</p>

## Conclusions

- 4.29 Green infrastructure can provide a wide range of social, environmental and economic benefits.
- 4.30 South Oxfordshire's green infrastructure assets should be protected, and opportunities taken to extend and/or enhance green infrastructure provision. These are key themes throughout the emerging South Oxfordshire Local Plan 2034, with particular emphasis provided by Policies STRAT4, INF1, ENV4, ENV5 and DES4.
- 4.31 In developing the latest iteration of the Local Plan, consideration has been given to updated national policy and guidance, the latest available evidence, best practice, and consultation responses received in relation to the Final Publication Version Local Plan 2033 (October 2017) as set out above.
- 4.32 Policies STRAT4, INF1, ENV4, ENV5 and DES4 in the South Oxfordshire Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019) are therefore positively prepared, justified, effective and consistent with national policy.

## 5.0 POLLUTION

- 5.1 This section summarises the process that the council has followed to formulate its policies relating to pollution. This includes the consideration of air quality and water quality issues.

### National Policy Context

#### *National Planning Policy Framework (NPPF)*

- 5.2 The protection and enhancement of the natural environment, including minimising waste and pollution, is a key objective for the planning system<sup>54</sup>.
- 5.3 Paragraph 170 of the NPPF requires that planning policies and decisions should contribute to and enhance the natural and local environment in various ways, including:
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
  - remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 5.4 The NPPF also includes a specific section on ground conditions and pollution<sup>55</sup>. This includes a number of requirements to ensure that:
- A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination;
  - Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner;
  - New development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development;
  - New development can be integrated effectively with existing businesses and community facilities; and
  - Planning policies and decisions sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into

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<sup>54</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraph 8

<sup>55</sup> MHCLG (2018) The National Planning Policy Framework (NPPF) Paragraphs 178-183



account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

- 5.5 The NPPF is clear that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes).

### ***Planning Practice Guidance (PPG)***

- 5.6 The PPG provides additional guidance to help inform the implementation of NPPF requirements. The PPG includes specific chapters relating to air quality, hazardous substances, land contamination, light pollution, minerals, noise, renewable and low carbon energy, waste, and water supply, wastewater and water quality. These chapters are of particular relevance to the consideration of pollution and have been taken into consideration in the production of the Local Plan 2034.

## **Evidence**

### ***Air Quality Action Plan (2014)***

- 5.7 The air quality of the district is generally very good. However, parts of Henley-on-Thames, Wallingford and Watlington have been designated as Air Quality Management Areas (AQMAs) as the air quality levels in these locations are not in line with European and UK regulations.
- 5.8 The council has produced an Air Quality Action Plan<sup>56</sup> to address the air quality issues in these locations, in order to improve air quality to meet current air quality standards, to encourage sustainable development, to encourage greener transport and to reduce air pollution.
- 5.9 Some of the actions identified in the Air Quality Action Plan include:
- Producing a 'Low Emission Strategy' that focuses on the reduction of transport emissions through integrated measures including planning, procurement and transport policies. (A Low Emission Strategy for South Oxfordshire was published in 2015.)
  - Requiring the installation of electric vehicle recharging points in development proposals and private car parks through planning conditions.
  - Parking permits and pricing incentives for green vehicles.
  - Producing a feasibility study for freight transport consolidation centre/freight quality partnership.
  - Improved use and enforcement of Traffic Regulation Orders.

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<sup>56</sup> South Oxfordshire District Council (2014) Air Quality Action Plan, available at: [https://oxfordshire.air-quality.info/documents/air\\_quality\\_action\\_plan.pdf](https://oxfordshire.air-quality.info/documents/air_quality_action_plan.pdf)

- Producing air quality planning guidance for developers<sup>57</sup>.

### ***A Low Emission Strategy for South Oxfordshire (2015)***

- 5.10 A Low Emission Strategy (LES) for South Oxfordshire was published in 2015<sup>58</sup>. The LES sets out an integrated approach to reducing transport emissions relating to both air quality and climate change across the district. The LES forms a key element of the council's Air Quality Action Plan.
- 5.11 The LES focuses not only on the three designated AQMAs, but also the district as a whole, to prevent further breaches in air quality levels and to support wider health benefits.
- 5.12 The following actions have been identified in the LES:
- supporting and promoting sustainable transport and accessibility through travel plans, and
  - supporting the uptake of electric and low emission vehicles for new development proposals through planning policies in the Local Plan.

### ***Air Quality Developer's Guidance (online resource)***<sup>59</sup>

- 5.13 The council has produced guidance for developers to help ensure that appropriate consideration is given to air quality in development proposals prior to the submission of a planning application. The guidance identifies instances where an air quality assessment might be required to support a planning application and ensures development proposals consider impacts on air quality and human health.
- 5.14 The guidance promotes a number of actions and initiatives for developers to consider, including:
- Producing travel plans for new developments to reduce vehicle movements;
  - Seeking investment in cycling and walking infrastructure;
  - Supporting and promoting sustainable transport and accessibility;
  - Promoting the use of low emission vehicles; and
  - Supporting the provision of electric car charging points.

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<sup>57</sup> Developers' Guidance is available on the council's website: <http://www.southoxon.gov.uk/services-and-advice/environment-and-neighbourhood-issues/air-quality>

<sup>58</sup> Ricardo Energy & Environment (2015) A Low Emission Strategy for South Oxfordshire, available at: [http://democratic.southoxon.gov.uk/documents/s7214/SODC%20LES\\_2015\\_V3\\_Final%20edited%202.pdf](http://democratic.southoxon.gov.uk/documents/s7214/SODC%20LES_2015_V3_Final%20edited%202.pdf)

<sup>59</sup> Developers' Guidance is available on the council's website: <http://www.southoxon.gov.uk/services-and-advice/environment-and-neighbourhood-issues/air-quality>

### ***Air Quality Annual Status Report (ASR) (2018)***

- 5.15 The council continues to monitor levels of nitrogen dioxide throughout the district and produces progress reports and annual reports that contain details of recent air quality monitoring. The latest Air Quality Annual Status Report (ASR) published in 2018<sup>60</sup> suggests that the air quality objective is breached in all three declared AQMAs at Henley-on-Thames, Wallingford and Watlington and also in other areas of the district. The report concluded that the AQMAs at Henley-on-Thames and Wallingford have experienced a downward trend in NO<sub>2</sub> concentration. The report has also concluded that the AQMA at Watlington has experienced increases in NO<sub>2</sub> levels.

### ***Oxfordshire Air Quality (online resource)***

- 5.16 Oxfordshire Air Quality<sup>61</sup> monitors levels of air quality across Oxfordshire. The information is presented on a live interactive website and a daily Air Quality Index records the current levels of air pollution within a particular site or region.

### ***South Oxfordshire Local Plan and Community Infrastructure Levy Viability Assessment (2018)***

- 5.17 The Council commissioned Aspinall Verdi to undertake an economic viability assessment of the Local Plan 2034<sup>62</sup>. The viability assessment tests the cumulative financial impacts of the policies in the Local Plan and whether they would put development delivery at risk.
- 5.18 The Viability Study has assessed the viability of Policies ENV11 (Potential Receptors of Pollution) and ENV12 (Potential Sources of Pollution) and concluded that the costs should be deducted from the site purchase price based on the 'polluter pays' principle. The assessment also concluded that the requirements of Policy EP1 (Air Quality) can be delivered within the benchmark of normal building costs.

## **Emerging Local Policy Context**

### ***Emerging South Oxfordshire Local Plan 2034: Final Publication Version 2<sup>nd</sup> (January 2019)***

- 5.19 Strategic Objective 8.2 of the emerging Local Plan 2034 seeks to minimise carbon emissions and other pollution such as water, air, noise and light, and to increase resilience to the likely impacts of climate change.

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<sup>60</sup> South Oxfordshire District Council (2018) Air Quality Annual Status Report, available at: <https://oxfordshire.air-quality.info/local-air-quality-management/south-oxfordshire>

<sup>61</sup> Oxfordshire Air Quality (online resource): <https://oxfordshire.air-quality.info/>

<sup>62</sup> AspinallVerdi (2018) South Oxfordshire Local Plan and Community Infrastructure Levy Viability Assessment, available at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/evidence-studies>

5.20 The emerging Local Plan 2034 sets out the following policies relating to pollution:

- **Policy ENV11: Pollution – Impact from Existing and/or Previous Land Uses on New Development (Potential Receptors of Pollution)** ensures development proposals are appropriately designed and located to ensure future occupiers are not subject to individual and/or cumulative adverse effects taking into account factors such as noise or vibration, air pollution, contamination of the site or its surroundings and any other relevant types of pollution.
- **Policy ENV12: Pollution – Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)** ensures development proposals are appropriately designed and located to ensure that they do not result in significant adverse impacts on human health, the natural environment and/or the amenity of neighbouring uses taking into account factors such as noise or vibration, air pollution, contamination of the site or its surroundings and any other relevant types of pollution.
- **Policy EP1: Air Quality** ensures all new development proposals adequately consider the individual and cumulative impacts on air quality.
- **Policy DES6: Residential Amenity** ensures development proposals do not result in significant adverse impacts on the amenity of neighbouring uses, including factors such as pollution, contamination or the use of/or storage of hazardous substances.
- **Policy DES8: Efficient Use of Resources** requires development proposals to make provision for the effective use and protection of natural resources including, achieving improvements in water quality (including groundwater quality) (criteria iv), taking account of the council's Air Quality Action Plan (criteria v) and ensuring land is of a suitable quality for development and to consider the remediation of contaminated land (criteria vi).

## **Sustainability Appraisal (SA)**

5.21 A Sustainability Appraisal (SA) was undertaken for all policies in the Local Plan. The SA identifies, describes and evaluates the likely effects of policy implementation on sustainability objectives and tests reasonable alternative policy approaches.

5.22 An SA was published alongside the Publication Version Local Plan (October 2017)<sup>63</sup>. This has since been updated to inform the Local Plan Publication Version 2<sup>nd</sup> (January 2019)<sup>64</sup>. The updated SA takes into account additional

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<sup>63</sup> Wood Environment & Infrastructure Solutions UK Limited (2018) Sustainability Appraisal of the Publication Version of the South Oxfordshire Local Plan

<sup>64</sup> Wood Environment & Infrastructure Solutions UK Limited (2018) Sustainability Appraisal of the Publication Version 2<sup>nd</sup> of the South Oxfordshire Local Plan 2034, Section 8.3

reasonable alternative strategic sites, updated technical evidence and implications of the revised National Planning Policy Framework.

- 5.23 The SA identifies that Local Plan policies which require the reduction and/or remediation of pollution perform well against sustainability objectives. In particular, Policies ENV11 (Potential Receptors of Pollution) and ENV12 (Potential Sources of Pollution) have a significant positive effect on sustainability objectives 4 (human health), 5 (reducing environmental harm) and 7 (biodiversity). Policy EP1 (Air Quality) also has a significant positive effect against many SA objectives as it requires new developments to reduce and mitigate any negative effect they have on air quality.

## **Summary of consultation and engagement**

### ***Consultation on the Local Plan 2011-2033 Final Publication Version (October 2017)***

- 5.24 The Council published the Final Publication Version Local Plan 2033 in October 2017 for public consultation. A number of comments were received relating to the policies on pollution which highlighted some key considerations that have helped to refine the policies for inclusion in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019).
- 5.25 Key considerations identified through the comments received are summarised in Table 4 below. The representations received are also summarised in the relevant Consultation Statement<sup>65</sup> and can be viewed in full on the council's website.

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<sup>65</sup> The Consultation Statement that supports the Final Publication Version 2<sup>nd</sup> (January 2019) of the Local Plan 2034 is available to view and access at: <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan>

**Table 4: Summary of consultation responses received which relate to the Local Plan's approach to addressing pollution**  
(Policies ENV11, ENV12, Policy EP1, Policy DES8)

Summary	Council response
The Environment Agency supported the principle of Policy ENV11 (Potential Receptors of Pollution) but commented that the need for development proposals to consider impacts on the natural environment, particularly controlled waters, was omitted.	Noted. The council has proactively worked with the Environment Agency (EA) to agree amendments to Policy ENV11 to ensure that impacts on the natural environment (including controlled waters) are fully considered. This agreement is set out in a signed Memorandum of Understanding between South Oxfordshire District Council and the EA. This is reflected in the revised Policy ENV11 in the Local Plan 2034 Final Publication Version 2 <sup>nd</sup> (January 2019).
The EA commented that policies in the Local Plan are silent on groundwater quality. The EA suggested an amendment could be made to Policy DES8 (Efficient Use of Natural Resources) and its supporting text to help rectify this.	<p>Noted. The council agrees to the amendments suggested by the EA as set out in the signed Memorandum of Understanding between South Oxfordshire District Council and the EA.</p> <p>Policy DES8 and its supporting text has been amended to ensure that groundwater quality is a key consideration. This is reflected in the revised Policy DES8 in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019).</p>
The EA commented that policies in the Local Plan are silent on groundwater quality. The EA suggested an amendment could be made to Policy ENV11 (Potential Receptors of Pollution) and its supporting text to help rectify this.	<p>Noted. The Council agrees to the amendments suggested by the EA as set out in the signed Memorandum of Understanding between South Oxfordshire District Council and the EA.</p> <p>Policy ENV11 and its supporting text has been amended to ensure that groundwater quality is a key consideration. This is reflected in the revised Policy ENV11 in the Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019).</p>
Some comments suggested that Policy EP1(Air Quality) should ensure that all development proposals minimise air pollution and that the Local Plan should seek to reduce air pollution levels by promoting car-free development and the use of electric vehicles.	<p>Policy EP1 ensures that development proposals appropriately consider impacts on air quality. The policy sets out how the council will consider development proposals that are likely to have a negative impact on air quality in accordance with Paragraph 181 of the NPPF.</p> <p>Policy TRANS5 (Consideration of Development Proposals) encourages developers to consider the provision of electric car charging points and how they might support other types of low-emission vehicles.</p>

## Conclusions

- 5.26 The prevention and remediation of pollution is a key part of protecting and enhancing South Oxfordshire's natural environment and of creating healthy places to live, work and play. These are key themes throughout the emerging South Oxfordshire Local Plan 2034, with particular emphasis provided by Policies ENV11, ENV12, EP1, DES6 and DES8.
- 5.27 In developing the latest iteration of the Local Plan, consideration has been given to updated national policy and guidance, the latest available evidence and consultation responses received in relation to the Final Publication Version Local Plan 2033 (October 2017) as set out above.
- 5.28 Policies ENV11, ENV12, EP1, DES6 and DES8 in the South Oxfordshire Local Plan 2034 Final Publication Version 2<sup>nd</sup> (January 2019) are therefore positively prepared, justified, effective and consistent with national policy.