

## **Introduction**

1. This note contains the response from South Hinksey Parish Council (SHPC) to the latest consultation on proposals for a flood alleviation scheme (regulation 25 notice). Our detailed views are listed in paragraphs 2-22 and our opinion and recommendations to the Planning Authority are at paragraphs 23-31.
2. South Hinksey Village lies at the heart of this significant scheme and in particular the construction of the secondary channel, the delivery of which gives SHPC significant and serious concerns and reservations. We outlined these in our response of May 2022. We asked for these issues to be addressed before approval is given. We wish to restate here that language used by the applicant such as 'temporary' or 'minor' to describe some of our concerns with the scheme and its construction in our Parish is in our view incorrect. The significant disruptions will affect South Hinksey for at least 4½ years, and some forever. This is a timescale well beyond what could accurately or reasonably be described as 'temporary'. We disagree with these descriptions used by the applicant, as they give a potentially false narrative on the lasting nature of what is proposed.
3. We shall not reiterate our concerns in detail here. They are on record for the planning committee to read and are known in detail by the applicant, but in brief they are:
  - The movement of and processing of the very large amount of spoil in and from our village and onto the A34/ring road, with HGV movements as frequent as every three minutes.
  - The loss or diversion of rights of way in the local area, commonly used by our parishioners for access to the city, and for exercise.
  - Significant road access issues for a community whose access is already significantly restricted, with no possibility of mitigation.
  - The significant and noisy compound with spoil storage and processing area that will be established within 15m of the bottom of the closest gardens for an estimated period of at least 4½ years.
  - The haul route for the movement of the excavated spoil around South Hinksey and into and out of the compound in the village, cutting across the floodplain and Green Belt close to homes and gardens.
  - The almost continuous disturbance with working hours set at 7am to 7pm Monday to Friday and 7am to 1pm on Saturdays. The applicant's noise maps show the whole of South Hinksey Village to be within the area of the greatest noise effects.
  - The lack of a plan for ongoing maintenance of the scheme beyond the 10 years detailed in the application, so that residents can hold bodies to account for the environmental gains promised and the conditions maintained to ensure the scheme is effective
  - The need to provide more comparative data on alternative schemes in particular to save the important and rare meadows and avoid all the difficult consequences to our communities of the digging of a secondary channel.
  - The lack of any detail on the of the plan to movement spoil by rail.

## **Response to the questions in the Regulation 25 notice**

4. We would like to place on record our thanks to the Planning Officer for his diligence in raising gaps, issues and clarifications with the applicant to ensure the application can be properly and diligently considered.
5. The regulation 25 notice asked in particular for our Parish for “further clarification on the impacts on South Hinksey Village and its setting caused by the compound (including HGV movements), potential flood walls/embankments and potential new haul route. The response to this from the applicant is to simply restate what is already in the original application. The applicant has not contacted or consulted SHPC on this question. SHPCs understanding is that this regulation 25 notice is statutory in nature and applicants must answer the questions to the satisfaction of the Planning Authority before the application can move forward. Clearly this question has not been answered and it is our firm view that until it is the application should not move forward.
6. Detailed in the original application and this further iteration are comments from the applicant on traffic plans, environmental pollution, noise and disruption. As they relate to South Hinksey all are said to be not measured currently or are deemed minimal or will be monitored as things go along or have been mitigated as much as is possible. In amongst this there are many questions to be answered within the regulation 25 notice question and this non-response is unacceptable. The only assumption that can be made is that the applicant intends to do no more than stated in the application.
7. SHPC will have no influence on the traffic plans that will be commissioned after consideration by the Planning Authority, and are not even listed as a partner. Being a consultee once the plan has been devised by partners is meaningless in our view. Additionally the inevitable increases in pollution, noise and nuisance in South Hinksey will not be capable of being mitigated once the scheme is in progress. The residents of South Hinksey have a right to the quiet enjoyment of their homes and gardens, to have reasonable access to the road and walking/cycling network, to have their health and well-being respected and protected in the planning process, and to have our setting and environment - developed over many hundreds of years – to be taken seriously and not dismissed as a price worth paying. We repeat that this level of disruption will not be tolerable for the significant construction period proposed.

## **Biodiversity**

8. The further responses also confirm that there will be a net biodiversity loss in for our Parish and neighbouring fields and that the transplantation of the irreplaceable MG4 grassland is highly unlikely to work.
9. The recalculation of biodiversity losses and gains is welcome and does show clearly that as a consequence of digging the channel there will be a net biodiversity loss in the meadows between North and South Hinksey. The irreplaceable and high-value MG4 grassland loss is significant and the effects on the remaining rare grassland are unclear to us. The applicant gives more data on the tree canopy and confirms that 351 individual trees will be lost and replaced with 225 mature trees, a loss of about a third. The remaining tree planting will not be mature trees and we assume, as is the likely case, many of these will not

reach maturity. SHPC would like more information on how much of the non-mature tree planting is likely to survive to maturity. Additionally, it is not clear to us where and how the loss of biodiversity below tree canopies is calculated whilst new trees reach maturity. The applicant estimates 15 years. Some greater clarity that is understandable to the public is required.

10. These meadows are more than just fields in a landscape. They are valuable and beautiful areas that have developed over maybe 1,000 years. They are home to rare and beautiful flora and fauna and valuable open areas for green recreation. We ask the Planning Authority to consider critically if a biodiversity loss in these ancient meadows fits within the National Planning Policy Framework (NPPF). It is not good enough in our view for the applicant to say it wishes to reduce biodiversity in such important ancient meadows and provide increases elsewhere. Once it is lost, it is lost.

### **Green Belt and the setting of South Hinksey**

11. South Hinksey sits within the important views/setting of Oxford and the greenbelt. The protection of this is important not only to SHPC but to Oxford and Oxfordshire. The maps provided in this additional information show clearly that the 4½ year construction period will significantly change these views for the worse and post this the excavated channel will change the landscape for ever. Whilst accepting that some things have to change, SHPC asks the Planning Authority to consider critically these important settings in both the medium and long term and decide if it agrees with SHPC that the industrialisation of South Hinksey for 4½ plus years and then the greater urbanisation of the Green Belt going forward is not a price worth paying and not within the spirit of the NPPF.
12. Additionally, SHPC is concerned about the loss of public open space and in particular “green space”. The additional information confirms that during the four-to-five-year construction-period this will be mostly lost to all with some remaining lost forever. It is not clear how re-providing this in some unspecific location is adequate to deliver on the NPPF requirements, when looked at critically. South Hinksey residents use these fields, they are on our doorstep and so do many others. To have to go somewhere else to do the same or similar things is not compensation.
13. SHPC urges the Planning Authority to see the plans of the applicant as they apply to the Green Belt for what they are. The applicant is clearly asking but not stating, that they propose a change of use from agricultural to industrial for large swathes of the western flood plain, butting up to South Hinksey, for a period of four to five years. In any terms, this would be unthinkable. SHPC asks the Planning Authority to refuse this. However, if this scheme, as stated by the applicant, is considered to be the only and best way forward by the Planning Authority, then the industrial elements of it must be accommodated elsewhere. It is unthinkable to SHPC that the Planning Authority would agree to the level of destruction and disruption caused by the digging of the channel, to a small community who do not benefit it.

### **Scheme Comparative Data**

14. The further comparative data provided on the two alternative schemes alongside the proposed scheme make it clear that the digging of the secondary channel

provides no flood protection to South Hinksey. Without the bunds/flood walls South Hinksey would still flood. All three of the schemes provide for these bunds/flood walls.

15. The digging of the channel disrupts lives in ways that are unreasonable, unacceptable and in large part unworkable. It gives us a poorer environment, restricts our reasonable expectations for access to the place we live, limits unreasonably the quiet enjoyment of our homes and gardens, pollutes our environment and dismisses SHPC concerns. For SHPC the digging of this channel gives serious harms with no benefits to our community. This is clearly evidenced within the application.
16. There are reasonable alternative schemes that can deliver sufficient flood defences, which are needed in the western flood plain. Two are posed in this application.

### **Movement of spoil by rail and road**

17. The agreed movement of some spoil by rail is still not detailed in an application. This is despite SHPC being told in the early spring of 2022 that details were imminent, then later to be told by the applicant that they will be public by the August 2022. They are still not available and SHPC's confidence in this small mitigation coming forward is now low. The applicant has informed us that this is now expected in the summer of this year but still with no view of how much can be moved and a caveat that that they are in the hands of the track operator. It seems likely that even if this does prove possible, we will not know until sometime after the planning application consideration the likely mitigation levels. The only reasonable assumption for SHPC is that the movement of spoil will be with HGVs through our parish and onto the A34 every three minutes, with no diversion for local traffic possible. Throughout this process we have been concerned about the movement of spoil onto the A34 as a plan of action, additionally to all the massive disruption and environmental pollution it gives within our parish. For those of us who live here and use the junction daily, the plan seems unworkable.
18. The fragility of Oxford's road network is obvious for all to see and experience, currently the closure of the Botley Road and difficulties with the bridge at Culham make this fragility very real. A plan such as this adds significantly to that vulnerability. The County Council's emerging Transport Plan relies on a functioning ring road, this plan works against that for a significant period of time. The Vale of White Horse Policy Core Policy 33: Promoting Sustainable Transport, requires developments not to have an unreasonable effect on the local road network. Local roads in South Hinksey will be unreasonably affected. With a heavily laden lorry needing to move onto the A34 every three minutes it is hard for SHPC to conceive of a transport plan that could accommodate local traffic throughout the day. This junction is our only ingress and egress, there is no possibility of diversion.
19. SHPC asks the Planning Authority in consultation with the Vale of White Horse District Council to consider critically if CP33: Promoting sustainable transport, has been met or could ever be met within these plans.

## **Compound and land retention**

20. SHPC has previously commented on provisions within the planning application to place a significant, noisy industrial compound bordering gardens on the northern side of Manor Road. Those views remain unchanged it will unreasonably affect the rights of residents to the quiet enjoyment of their homes and gardens, will be polluting, cause environmental damage and is an unacceptable development in the green belt. It will affect negatively the setting of Oxford and South Hinksey and the rural nature of the land and views. These changes are not temporary but for a period of four to five years. It is our view that given the importance of this area within Local Plans and the long period time, the Planning Authority should critically consider them as permanent within the balance of judgements on this application and the NPPF.
21. New information provided outlines that the applicant now plans to retain one of the compound fields to graze cattle that may be displaced because of flooding. SHPC has asked the applicant what other uses this field may be used for in the future and in particular if it could be used as a compound or some such for future projects. The applicant has responded that there are no plans for this. This of course does not rule it out, as we know plans change. SHPC is concerned that should planning permission be granted for use of this field, then precedent will have been set and opportunities for SHPC and the Planning Authorities to refuse permission would be limited by precedent.
22. SHPC urges the Planning Authority in the strongest terms not to grant the change of use required in the Green Belt and floodplain to permit this industrial compound. This will provide the protection needed and expected in Local Plans and the NPPF for the land and its setting both now and for the future.

## **Conclusions**

23. **At the last consideration of this application SHPC on balance supported this particular scheme with some serious reservations that we wished to see addressed. It is clear they have not been and will not be.**
24. **SHPC wants a flood alleviation scheme but now objects to this particular application. The secondary channel within it provides for significant harm within our Parish without benefit in terms of flood protection.**
25. **SHPC asks the Planning Authority to refuse the unstated but obvious request from the applicant for a change of use from agricultural to industrial for large swathes of the Green Belt around and butting up to South Hinksey for a period of five years and longer in some cases. In any circumstances, it is unacceptable. If this scheme, as stated by the applicant, is the only and best way forward then the industrial elements of it must be accommodated elsewhere.**
26. **SHPC asks that the Planning Authority seek answers to all the questions proposed in the regulation 25 notice and particularly for SHPC, the direct question on effects on South Hinksey, before the requirements of the regulation 25 notice are considered met and the application is allowed to progress.**

- 27. SHPC asks the Planning Authority to consider critically if a biodiversity loss in these ancient meadows fits within the NPPF. It is not good enough in our view for the applicant to say it wishes to reduce biodiversity in such important ancient meadows with promises of increases elsewhere. Once it is lost it is lost.**
- 28. SHPC asks the Planning Authority to consider critically the important setting of South Hinksey and Oxford in both the medium and long term and agree with SHPC that the industrialisation of South Hinksey for four to five years and then the greater urbanisation of the Green Belt going forward is not a price worth paying and not within the spirit of the NPPF.**
- 29. SHPC asks the Planning Authority to consider critically if re-providing elsewhere the lost open access to green spaces in these important and ancient areas is adequate to deliver on the NPPF requirements.**
- 30. SHPC asks the Planning Authority to be clear that the loss of habitat below tree canopies whilst trees reach maturity (15 years?) is reflected in the biodiversity loss/gains calculations.**
- 31. SHPC asks the Planning Authority in consultation with the Vale of White Horse District Council to consider critically if CP33: Promoting sustainable transport, has been met or could ever be met within the plans for the movement of spoil.**