

Radley Parish Clerk
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Our ref: WA/2006/000281/PO-02/PO1-L01

Date: 10 February 2017

Dear Sir/Madam,

Draft Radley Neighbourhood Plan

Thank you for consulting us on your draft Neighbourhood Plan. We aim to reduce flood risk, while protecting and enhancing the water environment.

Together with Natural England, English Heritage and the Forestry Commission we have published joint advice on neighbourhood planning. This sets out sources of environmental information and ideas on incorporating the environment into neighbourhood plans. This is available at:

http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf

We have identified some issues that need to be addressed with the plan going forward, which I have outlined below. We would also like to provide you with some specific guidance on some of the matters within your plan.

Flood risk issues

We have identified flood risk issues with the proposals in the Neighbourhood Plan to 'support' the commercial redevelopment of the John Curtis site and also the proposal for a new road between the John Curtis site and Audlett Drive.

The site – and the proposed routes for a new road – are both located in Flood Zones 2 and 3.

You should refer to the Planning Practice Guidance for flood risk in relation to Neighbourhood Plans that can be found at: <https://www.gov.uk/guidance/flood-risk-and-coastal-change#considered-in-neighbourhood-plan-area>.

The overall approach in paragraph 100 of the National Planning Policy Framework applies to Neighbourhood Planning. In summary, the qualifying bodies involved in Neighbourhood Planning should:

- Seek to ensure Neighbourhood Plans and neighbourhood development/community right to build orders are informed by an appropriate assessment of flood risk.
- Ensure policies steer development to areas of lower flood risk as far as possible.



- Ensure that any development in an area at risk of flooding would be safe for its lifetime taking account of climate change impacts; be able to demonstrate how flood risk to and from the plan area/ development site(s) will be managed, so that flood risk will not be increased overall, and that opportunities to reduce flood risk, for example, through the use of sustainable drainage systems, are included in the plan/order. Where the Strategic Flood Risk Assessment, or other available flood risk maps or information, indicates that part or parts of a Neighbourhood Plan area may be at risk of flooding, the qualifying body will need to have regard to the National Planning Policy Framework's policies on flood risk. Where they are considering proposing development, they should show that this would be consistent with the local planning authority's application of the Sequential Test and if necessary, the Exception Test for the Local Plan.

Where areas under consideration for development are not consistent, or the relevant Local Plan is inconclusive, it is likely that the qualifying body will need to provide further information to demonstrate that any development proposed by the Neighbourhood Plan passes the Sequential Test, and if necessary the Exception Test.

Local planning authorities should provide advice to qualifying bodies on where and how they should demonstrate that policies and any site allocations in Neighbourhood Plans and Orders would satisfy the Sequential Test and, if necessary, the Exception Test, including the appropriate area to apply the Sequential Test. This will depend on a number of factors, including:

- the size of the Neighbourhood Planning area
- the flood risks in the area and/or in its vicinity
- the nature of the Neighbourhood Plan policies or Order proposals
- the degree of conformity with strategic policies of the Local Plan, including site allocations, and whether these have been subject to the Sequential Test

In providing advice, local planning authorities should have regard to flood risk across the whole of their areas. In particular, there may be places outside the Neighbourhood Planning area at lower flood risk which are suitable and reasonably available for the development proposed.

Given these requirements, we would insist that any proposals for the redevelopment of the John Curtis – including any indication of 'supporting' redevelopment proposals – and the potential construction route for a new road, would need to pass the Sequential Test (and Exception Test where required) and be subject to a Level 2 Strategic Flood Risk Assessment.

We would strongly advise that you liaise with Vale of White Horse District Council on these matters at the earliest opportunity. If these developments are put forward in future versions of the plan without sufficient evidence that flood risk has been properly accounted for, we are likely to find the Plan unsound.

Contamination, including historic landfill sites

We have records that landfilling has probably taken place at the allotment and John Curtis sites within the Plan area – both of which are identified for potential development. There are other historic landfill sites within the Plan area, but there is no indication that these areas will be developed. For your information, I have attached with the e-mail accompanying this response copies of the landfill records that we hold for these sites.

These records indicate that any landfilling at these sites are likely to have occurred prior to landfill licensing being required (from 1976). As such we hold only very limited information on these sites. Records do indicate an application for a licence to carry out landfilling in a specific area of the John Curtis site was submitted in the 1980s, but was withdrawn prior to infilling. Infilling in parts of this area though could have taken place historically.

Given the age of these sites, if landfilling did take place there is unlikely to be any containment (such as landfill liners), that could be breached by the proposed developments. This reduces our concerns regarding redevelopment of these sites, but there may still be contamination risks associated with redevelopment. Contamination issues from potential landfilling would still need to be resolved as part of any redevelopment.

Furthermore, the previous uses of the John Curtis site and the old coal yard could have resulted in contamination. This would also need to be resolved as part of any redevelopment. In our limited information on the John Curtis site, there is reference to a historic site investigation from 1994 (prior to the formation of the Environment Agency). This refers to contamination being present at the John Curtis site, but no further details are provided.

However, none of the sites are located in highly sensitive groundwater areas. The sites are generally located on some river terrace gravels (Secondary aquifer) over Ampthill Clay (unproductive strata). The presence of Secondary aquifers does mean that there may be controlled water receptors that need to be considered as part of the redevelopment of these sites. The most sensitive is likely to be the John Curtis site, as it is located next to Radley Lakes - a sensitive surface waters receptor.

We do not anticipate that contamination issues at these sites would preclude development, but such issues would need to be resolved as part of any redevelopment.

Given the above, we would recommend that the following sentence/requirement is included about the three potential development sites at the allotments, the John Curtis site and the Old Coal Yard – if the earlier identified flood risk issues can be overcome:

“Appropriate measures will need to be taken to remedy any contamination issues or instability from previous land uses”

We recommend referring to “contamination issues” as it is often not feasible to completely remove all contamination.

Foul drainage – the Old Coal Yard

Our maps indicate that there is currently no main foul sewer close to the Old Coal Yard site. This will need further consideration if the site is brought forward for redevelopment. We are keen to prevent the proliferation of non-mains drainage solutions and would always prefer that such development sites are connected to the main foul sewer network where this is possible. We would strongly recommend that there is a requirement in the Plan that the site developer must liaise with Thames Water to discuss and agree how foul discharges from the site will be managed in the future.

Biodiversity

Section 2.2 - It would be good if this section acknowledged the rich biodiversity found within the Parish as it is home to protected species, Local Wildlife Sites and areas of semi-natural ancient woodland.

Section 4.4.1 - It would be good here if the Plan acknowledges the local natural environment as a 'facility'. This includes the Thames path, Radley Lakes, and woodlands with footpaths through them, providing public access. These habitats provide 'Green Infrastructure' which encourages residents and visitors to explore the natural environment. The natural environment has been proved to have a positive impact on mental health and this should be embraced through the Neighbourhood Plan.

Section 4.4.2 - It is important that improving all facilities forms part of the Neighbourhood Plan, and improvements and enhancements to semi-natural habitats should be included in this. The Parish is home to important protected species including otters, water voles and hedgehogs, and these species can be used as an indication of the overall health of habitats. The Parish should seek to improve the network of Green Infrastructure by linking established routes, such as the Thames Pathway, with other footpaths. Small watercourses and ditch networks can often be easily incorporated into these networks and provide interesting features for both aquatic wildlife and people.

Section 4.6 Radley Lakes - The current value of this site should be celebrated in the Neighbourhood Plan as it is used by many protected species including otters and water voles and offers great opportunities for people to engage with their natural environment. The Lakes have a long-term management plan already in place which is a planning condition relating to the restoration of the site and the next plan should be long term and ambitious.

On the bullet point: *"If the road access is solved there is scope for permanent planning permission for commercial use in the north west of the area, without impacting adversely on the area as a whole;"* - this should ideally be removed as this area is a Local Wildlife Site that would be very sensitive to development and the statement is very vague and open to interpretation.

The Environment Agency should be included in the list of organisations to be involved in developing a Management Plan.

Radley Lakes can be busy and any increased access to this area should be carefully balanced with the needs of biodiversity and existing interests. There are non-native species in the Radley Lakes area, so any increased access should not increase the risk of spread of these species.

Section 4.13 Conserving the Natural Environment - There are areas of semi-natural ancient woodland within the Parish which should be recognised here. Please also note that there are four Local Wildlife Sites in the Parish, not three.

Section 4.13.3 Policies - It would be good to have policy which strengthens and builds upon the Local Plan policy for biodiversity as there are important areas within the Parish, which should be protected and enhanced.

I hope these comments help you as you continue to develop your Neighbourhood Plan. If you have any queries about this response – particularly our issues around flood risk – please do not hesitate to contact me.

Yours faithfully,

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cc Planning Policy – Vale of White Horse District Council