

HILL TOP ROAD RESIDENTS' ASSOCIATION RESPONSE TO:

06/01540/OUT: Warneford Playing Field – Residential Units Class C3 (Assisted housing)
150 Units

06/01559/OUT: Warneford Meadow – Student Accommodation 1950 Units

06/01559/OUT: Warneford Meadow – Residential 300 Units (key worker housing)

06/01560/OUT: Warneford Meadow – Medical/Academic Research/Education 24,500 m2.

Our response and comments in this paper are structured under the following headings:

1. Overarching objections
2. Introduction to detailed objections
3. Traffic, parking, access and cycle/footpaths
4. Ecological and environmental considerations
5. Density and impact on character of local area, quality of life and amenities
6. Land use and need for development
7. The consultation process

1. OVERARCHING OBJECTIONS

1.1 Complete rejection of the proposals

Hill Top Road Residents' Association formally **STRONGLY OBJECTS** to **ALL** and **EACH** of the proposals described in the Outline Planning Applications.

- The applications are for developments of a completely unacceptable scale and density.
- If the developments proceed, they will destroy both a unique green field site in an urban area, and the current character and amenities of Hill Top Road.
- The justifications and mitigations of the developments by the applicants are ill-considered and ill-researched and have been “spun” disingenuously both by the representatives of the Health Service and their planning consultants. Consultation has been inadequate, and when we have been consulted our responses have too often been misrepresented or ignored.

1.2 The Oxford Local Plan

We recognise that the current Oxford Local Plan identifies the Warneford Meadow site as potentially developable (DS87), but we do not believe that the outline planning proposal accords with either the spirit or the letter of the Plan. The proposal claims to meet the requirements of the plan, but in fact occupies all of the land generally understood by local residents to be the meadow – the grass land. The proposals claim to preserve 47% “open space”, but in fact hardly any of this space is meadow, consisting of perimeter trees, the brook, paths and paved areas.

1.3 Overall scale and size of proposals

The scale of what is being proposed is fundamentally too big. The schemes' collective and individual scale will unquestionably have permanent, significant detrimental impact on

- the local environment and ecology
- the overall character of the community and local area
- traffic impact, congestion and linked pollution

1.4 Need for these developments?

We believe that the proposed developments are motivated by the need to resolve financial problems in the Oxford and Thames Valley Health Economies and not by the need for any of the proposed types of accommodation in this location.

1.5 Green Field vs Brown Field Sites

The two sites are green-field sites and under Government Policy (PPG3) where there is a need for development, brown field sites should be developed first. The Warneford sites should be preserved as green open space.

1.6 Unacceptably framed applications

Although two separate proposals have been submitted for the Warneford Meadow, we believe they need to be considered as three different proposals: student accommodation or key worker accommodation or a mixture of both (possibly implying up to 2250 units in total on Warneford Meadow). They each have very different implications on the local area and we oppose all possible permutations.

1.7 Size and complexity of documents submitted

The very large quantity of complex and often contradictory documentation has proved a considerable challenge for normal lay people to read, digest, research and counter. We urge the council to allow committees and councillors proper time to consider the documentation in full in order to appreciate its true impact, its inconsistencies and its 'spin'.

2. INTRODUCTION TO DETAILED OBJECTIONS

Residents of Hill Top Road have contributed detailed objections, already read and approved by their neighbours, describing the enormous detrimental impact of the proposals. Some are experts in relevant areas; others speak from their long residence in the street. The style of these contributions has not been standardised so that you can register the full range of detailed objections to these applications.

● TRAFFIC, PARKING, ACCESS AND CYCLE/FOOTPATHS

This section covers specific objections to the applicants' transport assessments, together with residents' severe concerns about increased traffic and parking difficulties. Residents are completely opposed to vehicle access to the sites from Hill Top Road. Concerns about preservation of public footpaths are also described.

● ECOLOGICAL and ENVIRONMENTAL ISSUES

This section describes the irreparable loss of wildlife corridors and habitat and amenity for people by the effective destruction of the meadow, spelling out how the site and the species who live there would be destroyed by construction work and then by the density of permanent development. It also analyses the false arguments in the assessments conducted by the applicants.

● DENSITY AND IMPACT ON CHARACTER OF LOCAL AREA, QUALITY OF LIFE AND AMENITIES

This section characterises Hill Top Road's current atmosphere and expresses strong concern that this will be utterly lost if these developments are allowed to proceed as proposed.

● LAND USE AND NEED FOR DEVELOPMENT IN THE CONTEXT OF HEALTH SERVICE MANAGEMENT

Many unconvincing and inconsistent arguments have been presented by the Oxford Health Economy to justify the sale and development of these sites on the proposed scale. The need for these types of development on this site at this time is unproven

and has not been open to discussion at any level. The proposed development is the worst kind of 'short-termism' leading to huge permanent damage to our neighbourhood.

● **THE CONSULTATION PROCESS**

This section describes the inadequacy of the consultation process offered by the local Health Economy as residents have experienced it.

3. TRAFFIC, PARKING, ACCESS AND CYCLE/FOOTPATHS

From the residents' perspective, the Traffic and Transport issues are one of our greatest concerns, and we wish to express our disappointment at the inadequate and biased assessment produced as part of the outline proposals.

Residents experience traffic in this area to be already at saturation point, particularly at peak times of the day and during term-time.

Residents strongly oppose any vehicular access from Hill Top Road to the proposed sites for any purpose, and are also very concerned about overspill parking and increased noise, litter, vandalism and petty crime resulting from cycle and pedestrian access between these sites and Hill Top Road.

Without implying any support for the proposals, the proposed means of access are unsuitable due to their proximity to residential areas and the damage to the environment and ecology of the area.

3.1 Incompleteness of the applicants' Traffic Impact Assessment

We have read the Traffic Impact Assessment document relating to the Warneford Playing Field proposals for 150 Units and the traffic assessment in Chapter 9 of in the Environmental Assessment for the Warneford Meadow. It is unclear from these documents if the possible scenarios of each proposed scheme have been assessed and evaluated in an interrelated way, and what the impact of different combinations of development would be.

Clearer and combined documentation on the traffic impact and transport issues is absolutely essential for a true understanding of the impact of the proposed developments.

3.2 Lack of independence of the applicants' Traffic Impact Assessment

The Traffic Impact Assessment (TIA) conducted by Steer Davies Gleave, was commissioned by the Oxford Health Economy (the exact client Trust is unclear). It is clear from the language, tone and conclusions of the document that the consultants have been asked by their clients to demonstrate the least detrimental impact. For this reason, this TIA cannot be regarded as independent and unbiased. Such matters should not be left to organisations that cannot clearly establish neutrality of objective.

Moreover, Oxford City Council in conjunction with Oxfordshire County Council, should not approve any plans that lead to an increase in traffic; rather, positive policies should be actively encouraged to reduce traffic flows in this area.

We urge the Oxford city Council to undertake its own more objective and comprehensive professional survey and impact assessment, on behalf of its residents.

3.3 Objections to the methodology of the applicants' Traffic Impact Assessment

3.3.1 Location of traffic flow surveys

The consultants surveyed current traffic flow survey at only five traffic-lighted junctions. There are many other junctions where residents currently experience significant traffic problems that have not been included in the survey, including a range of residential side-

roads leading onto Old Road, the top and bottom of Divinity and Southfield roads, and the bottom of Morrell Avenue at St Clements.

3.3.2 Time of traffic flow survey

The total length of the peak times assessed are too short (8.00 to 9.00 and 16.30 to 17.30) to derive meaningful data from which to make projections for the future, and it was done only on one day, which also provides insufficient data.

What is meaningful for residents of the area are:

- the likely *total* increase in traffic flows in a (proposed) post-construction phase – that is, not just the increase at very limited periods, but at other times;
- total traffic flows, and the nature of these, due to (proposed) construction phase, estimated to be of the order of 3-5 years: for example, how many construction lorries, how many heavy earth-moving vehicles and so on.

3.3.3. Traffic growth projections to 2008 and local future developments in area

We do not agree with or believe the consultants' traffic projections to 2008.

Steer Davies Gleave mainly use a national traffic projection model (TRICS) from which to predict future increases in traffic by 2008. However, for a national model to be effective it should surely also take into account other real future planned changes in any given locality. It is unclear if the projections have done this.

There are a number of **known** local developments which must be taken into account in projecting future traffic impact. These have not been considered by the consultants – yet they mostly derive from significant health-service related developments, all known by the applicant. These include the major new (additional) NHS and Hospital development, re-siting of a large hospital to the area and general growth and new types of health-service provision in the area. These include:

- The relocation of the Radcliffe Infirmary's inpatient and outpatient services (and associated patient and staff activity and travelling) across to both the John Radcliffe & Churchill Hospital sites, leading to a significant increase in staff and patient/visitor journeys. This is quantifiable.
- Significant increase in traffic flows and journeys (patients and staff) between John Radcliffe and Churchill sites when the JR is working as a designated 'hot site' for emergencies and Churchill become the 'cold' site for elective surgery. Staff, especially surgeons, anaesthetists, etc, will need to travel a great deal between hospital sites to be able to provide both elective and emergency services effectively. This is currently not the case.
- Additional patients in the local area due to the opening of the Regional Cancer Centre at the Churchill Hospital site (to well over 5000 patients per year plus visitors). The Trust will need to encourage additional activity in order to sustain the costs of the build. Projected patient numbers are outlined in the Trust's own Final Business Case approved by the Strategic Health Authority.
- Additional approved private patient facilities on the Churchill site (including 5 additional operating theatres and associated beds/wards, parking, staff, etc.) This is part of the overall private patient strategy developed by the ORH and is needed to support the funding of the Churchill developments and offset NHS expenditure.
- Additional work into the 10 new NHS operating theatres on Churchill site. This is not just part of the cancer-centre development, but means a significant shift of work currently being carried out on the JR site onto the Churchill site.

- The Manor Hospital (private hospital) already has an important traffic impact on the area, as consultants and other staff work between both sites and have to drive there. Again, for this private facility to be financially sustainable they need to build up their activity and are actively 'encouraging' consultants to develop their work there.
- The growth of Oxford Primary Care Trust as it incorporates staff from 4 other Primary Care Trusts (presumably on its present site in Old Road).
- Development and opening of a range of University Research facilities on the Churchill site.
- General expansion of workforce to support growth in facilities and additional activity (including NOC).
- Proposed changes and development of regional Mental Health Services at the Warneford as part of the Application for Foundation Trust status – which will require them to attract additional work (patients) in order to be financially viable.

3.3.4 Use of national, regional and local policies

The documents refers to and quotes from - repeatedly – a number of national, regional, and local policy papers on traffic and transport. Then - with no clear evidence as to how they have arrived at their positive conclusions - the consultants simply conclude that all the proposals meet all aspects of current policy and legislation. They do so without providing any apparently relevant information or analysis as to how they have arrived at such a positive conclusion. **Residents need to have the confidence that professional expert scrutiny will be applied to this anecdotal and 'spun' section of the TIA.**

3.3.5 Use of the TRICS model and database in these traffic projections

Chapter 9 of the Environment Assessment for the Warneford Meadow application describes (as it must) the methodology required to model projected traffic for the area. It would seem that the TRICS model was initially used to make estimated projections for the 300 residential units proposal, but because the projected traffic numbers were unappealingly high, another model (using the 'Little Oxford' as a similar development for purposes of comparison) was used instead. This suggests difficulties for the consultant in making the case that their client wanted, and confirms our view that the report is biased and ill-conceived. Further, we believe that 'Little Oxford' is not comparable to the various proposed developments in any respect; the extremely low figures supplied for journeys in and out of that development are either inaccurate or not comparable with likely journeys to and from the proposed developments.

The report has gone to lengths to prove that the student accommodation (1950 units) would cause more traffic than the 300 residential units without convincing evidence. This is based on the assumption that student car use would not be restricted. On the other hand, the allocation of 35 parking places only for the student accommodation proposal, in contrast with 450 parking places for the residential proposal, suggests that there is an assumption of restricted student car use elsewhere in the application. Residents are extremely concerned about the increased traffic and overspill parking, and the contradictory handling of this in the applicants' own documentation is yet another cause for concern. All these conflicting assumptions need considerable clarification before planning decisions are made.

The concluding figures for projected leaving and returning vehicles for the 300 residential units are not credible - the consultants have estimated more 'arrivals' (78) than 'departures' (45) (presuming per day) – meaning that there would be an ever increasing accumulation of vehicles on the site!

3.4 Vehicle access via Hill Top Road

None has been proposed in the applications. Residents strongly oppose any such access, permanent or even temporary (during construction). As a general point of principle, in respect of these and any other proposals, there should be no further points of access from Hill Top Road.

3.5 Bus routes and public transport access

The consultants conclude that public transport access is very good and close by and therefore would need no improvement if the developments went ahead. This is not the experience of local residents. The main and potentially most used bus will be the No 15 – into central Oxford (which does not even go to the rail-station). The experience of local residents at peak times is that this bus is often over-full and does not stop to pick people waiting at the bus-stops along Warneford Lane and Morrell Avenue. The reliability of this key bus is also poor. The evening and night time service is also poor.

Incidentally, the applications assume that bus number 14 still runs around the Churchill Hospital site. However, since this route was taken over by Stagecoach, the route was changed, and it no longer goes anywhere near the Churchill. It is irrelevant to these applications.

The walk to bus stops on the London Road outside Headington School from the Golf Club end of Hill Top Road is not 700m as claimed. It is 1200m and takes approx 15 minutes to walk. This is walking at a normal speed – without bags, buggies and without disability. It is the same distance to the Mecca Bingo Hall bus stops in the Cowley Road.

In these ways the proposals create an illogical and mendacious picture of a site that does not need new public transport links, when in fact public transport connections would be fairly poor. There is an unclear suggestion in the plans (ref 9.5.6) that buses should be redirected into the Warneford Meadow site. It is unclear if the consultants are in favour of this proposal or not (and unclear if this is up to them in any event). We reject this suggestion. It would add traffic congestion problems and additional pollution.

3.6 Parking

Residents have a number of serious concerns about overspill parking should the development go ahead. The likely problems show the double-bind that the proposed development on these sites creates: either green-field sites are turned into car parks, an act of environmental vandalism, or predictable overspill parking creates serious problems in neighbouring streets.

The Warneford Meadow residential proposal suggests either 450 parking spaces for 300 units, or 35 spaces for 1950 student units. The Playing Field site proposal suggests a maximum of 90 spaces.

The provision of 35 spaces in the student accommodation proposal suggests that students will be forbidden or prevented from bringing cars into Oxford. This is well known to be impossible to implement: it has not worked for Sinnet Court in Southfield Road, the problem has been confirmed by a pro-Vice Chancellor of Brookes, and in fact the possibility is ignored in the transport assessment modelling by the applicants' consultants. Not providing adequate parking spaces for the 1950 student units means that students will park in nearby streets – exacerbating already serious parking concerns and problems. Hill Top Road will be the street most affected by this, being the closest and with no parking permit restrictions.

- Thus, the proposed student accommodation will result in parking saturating the local roads either by their cars or those of their visitors.

- Parking is already reaching saturation point, and already poses a problem for access by public service and emergency vehicles.
- Problems of highway safety will occur as people will inevitably park their cars right up to the corners as has been the case with the residents/ visitors at Sinnet Court in Southfield Road.
- Wheelie bins (soon to be introduced) have to be wheeled out to the refuse lorries and this is impossible where cars are parked bumper to bumper and partly on the pavement.
- If development does proceed, despite our objections, the developers must be required to mitigate the impact on parking in the area as they cannot show that they can control it. If a residents' parking scheme is unavoidable, then any developer should be required to fund its implementation and ongoing management by committing a sum of money that will generate sufficient interest to fund this.
- Specifying 5 parking spaces for 'staff' servicing student accommodation implies that it is considered adequate for 5 staff to manage an enormous site of students. We consider this a completely inadequate number.

3.7 Footpaths and cycle routes

The footpaths across Warneford Meadow have been used for many years by the local population for access to Headington and recreation – a unique rural setting in the middle of a densely built-up area of East Oxford. With so much open space now lost in Oxford, the value of this field as a 'green lung' with its varied footpaths is even more important. The Meadow now has long grass in summer, a rare habitat for wildlife with a varied plant and insect population. Thirty years ago the Meadow was farmed with cows and a cow-shed, and later used as a hay-meadow. In this way it differs markedly from a city park – it provides the experience of a walk in the countryside.

Footpath 111 (confirmed in 2002) behind the Hill Top Road houses to the west and beside the orchard along the northern boundary has been omitted from the plans. The proposed replacement by a short link to join the central road through the site in no way compensates for this loss. Footpath 111 is through rough grass and woodland with all the wild life they harbour; a tarmac road through the development has no wild life or long grass. The Environmental statement [Warneford_residential ES, page8] states that FP111 is not clearly evident on site, as if this somehow detracts from the value of the path. It is visible and used. A tarmac road is no replacement. Moreover, the removal of this path illustrates the lack of consultation or representation of the views of the residents (see also section 7. below).

4. ECOLOGICAL and ENVIRONMENTAL ISSUES

4.1 Green field site

Warneford Meadow and Playing Fields are classified green field areas, thus by definition they have never been built upon, except that there is some evidence of a small Roman settlement on the Meadow. It is a matter of national and local policy that in such cases the presumption is these sites are *not* developed, as provided by PPG3 (a Government policy document): *"Developing more housing within urban areas should not mean building on*

urban green spaces.” (PPG3). Warneford Meadow and the Warneford Hospital playing fields are such ‘urban green spaces’.

4.2 Applicants’ motivation: Ecological impact

The clear and identified aim of the developer is to maximise their sale income by receiving outline planning permission on these sites; without it, the valuation can only be at rates calculated by reference to amenity land. Thus, the granting of OPP gains the applicants, at current estimates, over £30 million. Various consultants have been employed by the applicants to enhance their aims to achieve this sum (referred to below, for simplicity as ‘the consultants’). It is clearly not in their interests to provide evidence or subjective judgements that run counter to the aim of their employers. As a result, a number of key ecological and environmental impacts are downgraded to minor or negligible impact when by a more balanced judgement, the impacts are clearly major.

4.3 Recent development context

The meadow is all that is left of a much larger meadow and linked green space that has been quite devastatingly destroyed over the last 10-15 years. Recent developments include ‘Little Oxford’, multiple developments at the Churchill Hospital site, including large-scale car parking, the Guide Posts Trust nursing home (which directly incurred onto the meadow), and multiple developments associated with the University of Oxford. Reference to the OS map of the area shows that an area equivalent in size to the Meadow has already been lost through such development in the last fifteen years and thus what is really being decided is whether only a small remnant of the overall green space should remain.

4.4 Nature of the meadow

The Meadow is described by the developers in pejorative terms as ‘rough grass’ or similar terms; in fact, it is very unusual on at least two criteria, as follows.

*It has not, for at least thirty years, been subject to a process of pesticide or herbicide application or artificial fertilisation. Such meadow land is sometimes referred to as being ‘unimproved’, but it is important to understand that this is a description not a judgmental term. The meadow is thus of district-wide, and possibly region-wide, significance as evidenced by the very large number of invertebrate species. Indeed, the applicants’ own survey found over 295 species and had to recognise the ‘richness’ of invertebrate life, including 4 species on the ‘nationally scarce’ list and 30 on the ‘locally scarce’ list. For example, *Ommataoilulus sabulosus* is a millipede that has only been recorded on 6 sites in the whole of Oxfordshire.*

To our knowledge there are no other such sites within the Oxford ring road, which hold such an important linking place in Oxford’s ecology either for fauna and flora or for amenity use.

The proposed development destroys the integrity of the green link that extends from the Slade down through the Lye Valley, onto the Meadow and playing fields, through into South Park, Headington Hill and on through Marston. It is a key part of the overall green finger that runs through East Oxford and out through North Oxford. The importance of this link is recognised at various points in the consultant’s report.

4.5. Destroying the Wider Viability of Habitats

4.5.1. Only disjointed strips of grassland are left

After the proposed development, all that will be left are token and unviable ‘strips’ broken at key points by several metalled roads and a metalled cycle path, encased by a development that will then involve an extensive built-up area, with its associated noise, cars, roads and lighting.

On the consultants' own estimates, 62% of the rough grassland habitat within the site will be destroyed; and the remainder will be affected by likely changes in micro-climate, for example, shading from tall buildings will alter the sunlight reaching the remaining grassland (Warneford EIA, para 6.6.30, paragraph references throughout are to this document)

It should be noted that DEFRA do not allow marginal strips of land to be counted as "set aside" land for wildlife conservation.

In addition, the wildlife corridor illustrated in the proposals is not wide enough to be meaningful for recreational use or for practical amenity value. More generous areas of open space would create a healthy environment for people to live in with a green infrastructure – the plan shows a narrow corridor that isn't usable as a wildlife corridor as it will contain a footpath and which will have to be lit for safety reasons.

We do not want a gated community like Sinnet Court. For a healthy environment, the development should be permeable.

4.5.2. Underestimates of the development footprint

Our own estimates indicate that the claimed area for development is in fact very much larger as a proportion of the available meadow than that reported in various documents associated with these plans, and thus the estimates of impacts should be interpreted as being at the lower end of the likely outcomes. The consultants' figures should be checked by an objective, neutral authority.

4.6. The Impact of Habitat Losses

4.6.1. Three major effects

The loss of the meadow and playing fields will have three primary effects on wildlife and flora:

- It will remove habitat directly: that is the meadow will simply not be there any longer to support populations of ground and shrub nesting birds (for example, skylark and meadow pipit), mammals (for example, various voles and shrews), and invertebrates (for example, butterflies, grasshoppers, moths and beetles).
- It will remove species at a higher level in the food chain by removing their food sources; examples here include barn owls, sparrowhawks and kestrels, badgers, foxes and deer.
- It will provide a physical obstacle that is insurmountable for most species, and certainly critically destructive in terms of existing numbers.

4.7. The destruction of the meadow is contrary to the UK's Biodiversity Action Plan

The meadow provides a rich and unique habitat for many wildlife and botanical species. This benefits the local neighbourhood in particular and Oxford more generally. Its uniqueness comes from its position within the City boundaries and the combination of fauna and flora that it supports; it makes a contribution from the City of Oxford to the United Kingdom's Biodiversity Action Plan (BAP). The proposed development would destroy this recognition of responsibility that Oxford has toward a wider and important goal.

The meadow offers a unique green space within Oxford. For an urban environment, it is rich in wildlife species, offering a habitat to a wide range of mammals, birds, insects, grasses and wild flowers.

4.8 Protected species

“The presence of protected species (including all native reptiles) is a material consideration which must be addressed by local planning authorities when considering a development proposal which would be likely to result in harm to a species or its habitat.” (English Nature)

The proposed area for development presently supports a large number of species that are protected species under the meaning of the Wildlife and Countryside Act (WCA, 1981), and several are afforded protection under the Berne convention and various European Directives. Schedule 5 of the WCA protects species covered by that act, from intentional killing or injury, and the development of land known to provide habitat to these species is an unlawful act. Recent observations confirm that the Meadow is a habitat for a number of species covered by Wildlife and Countryside Act (1981), as well as a number of other species. Protected species include: mammals, for example, badgers and bats (which have additional special protection under the law); birds, for example, song thrush, skylark, redwing, field fare; and reptiles, for example, grass snakes.

4.9 Assessing Ecological Value

4.9.1 A valuable habitat

As will be detailed below, the area is of considerable ecological value:

- It harbours bird species on the Red and Amber lists. Examples from the *Red* list include: Skylark, Bullfinch, Song Thrush, Starling, Less Spotted Woodpecker. Examples from the *Amber* list include Hedge Sparrow, Green Woodpecker, Kestrel, Meadow Pipit, Redwing.
- It provides populations of at least 295 different invertebrate species, with several that are ‘nationally scarce’, and more that are ‘locally scarce’.
- It provides habitat for nesting and foraging for a number of species protected by the WCA (1981).
- It provides important foraging habitat for badgers, with active latrines and possibly active sets.
- It provides an essential dry grass ‘buffer’ for the wetter land closer to Boundary Brook.
- It provides essential foraging and roost sites for bats, which are afforded special protection under the WCA (1981).
- There are populations of invertebrates of national and European scarcity value.
- It supports a valuable population of amphibians and snakes.

4.9.2 Further problems with the Environmental Impact Assessment (EIA)

Faced with this wealth of wildlife and the importance of the site, the consultants’ Environmental Impact Assessment has some difficult corners to turn. On the one hand it cannot but acknowledge the diversity of species supported by this habitat, and its uniqueness in the urban environment, on the other hand it cannot possibly conclude that the site is of particular ecological value because that is counter to its remit. This is well illustrated in the following quotation, dealing with bird species:

“Because the site provides valuable foraging for a number of bird species, including BoCC amber and red listed species, the site is considered to be of Low conservation value for birds. (6.5.9, emphasis added)

The difficulty faced by the consultants is evident: they find it difficult to be frank and bite the hand that feeds them. Evidently, the presence of breeding species on the Red list is a difficulty that is better ignored or played down. This becomes such a difficult corner to turn that, faced with the evidence on invertebrates, where there is evidence of nationally and locally scarce populations, they have to conclude that the site is of ‘Moderate’ interest/significance in nature conservation terms.

The difficulty is again apparent in para (6.5.16):

“In terms of ecological interests present within the site the most notable are the relatively diverse invertebrate community, the relative importance of the site for wintering and *breeding* songbirds and the use of the site by foraging badger.” (emphasis added)

However, even this admission is not a complete summary of the key factors; for example, the site is an important resource for feeding bats, which are afforded particular protection under the relevant wildlife legislation.

4.10 Evaluation of Impacts

4.10.1 Construction phase: Major adverse impacts on wildlife

The construction phase is extensive both in territory and time. The ‘footprint’ itself covers some 4 hectares, but this is likely to spread, and covers the ‘heart’ and ‘body’ of the meadow. As to construction time, the applicant’s own estimates are three years.

The nature of the site and the scale of the proposed buildings are also relevant factors in assessing ecological damage. The site is not level, about a 13 metre drop as the Meadow runs down to Boundary Brook. The current proposals involve 4-storey apartment-type blocks or equivalent.

These factors show that there will be:

- Damaging impacts for a very extensive period lasting 3 years, probably longer.
- Construction will be on an extensive terrestrial scale, usurping all normal conditions that have existed in the area bearing in mind that it is a *green-field* site.
- Extensive levelling of the site involving heavy earth moving equipment and thousands of lorry movements.
- Extensive digging to provide foundations or pile supports for the proposed buildings.
- Extensive vibration travelling outside the footprint of the site. (Vibration problems resulting from current construction on the Churchill site at a property in Hill Top Road have already been acknowledged by Environmental Health.)
- Very large cranes and associated movements of building materials to service a large site.
- Extensive noise pollution from construction activities and related lorry movements, including noise from pervasive reversing signals, generators, drills, pneumatic tools.
- There will also be light pollution over a large area.

Given such an extensive site and development period, the considerable negative impacts must be classed as ‘Major adverse’ in the language of the various reports. There is no evidence to downgrade such impacts to the ‘negligible’. Even three years is a non-negligible period of time over which to incur a considerable set of external costs; and, in practice, the development period will probably last much longer. Once habitats are disturbed on such a large scale, wildlife will not return, in part because there is simply almost nothing to return to.

4.10.2 Post-construction phase

“**A clearly significant loss**” : The consultant’s report acknowledges that ‘high density’ residential construction is most likely and, as a result:

“it might be expected that pressure on the surrounding area will be far greater than other potential uses.” (6.6.29)

Again the consultants have some difficult corners to turn. They note:

“It is estimated that approximately 4ha of the predominantly grassland habitat will be lost to accommodate the development. This is approximately 62% of the rough grassland habitat within the site. This area is clearly significant as a proportion of the total area of the site (7.49ha). ... the loss of any areas of semi-natural habitat in the context of an urban area where such areas are rare, and in particular where they are linked to a wider mosaic of habitats and sites of nature conservation value, is potentially of greater significance.” (6.6.30)

The only way this rather awkward corner can be ‘turned’, given the welcome honesty in the assessment, is to change the remit. In simple arithmetic terms, if the numerator of 4ha can’t be changed then they have to change the denominator (from 7.92ha to something larger). How do they achieve this? Answer, by substituting ‘region’ for the ‘meadow’; then the affected area is bound to become smaller! This is rather deceitful and certainly disingenuous.

4.10.3 Summary of losses

In summary the losses, once construction is complete, which are to be added to the construction phase losses include:

- Virtual destruction of the grassland habitat
- Destruction of populations of existing wildlife, many protected species and including birds on the red and amber lists, known to be at risk in national terms.
- Destruction of important plant habitats, of value in themselves and providing food sources for other species.
- Strips of land are left, which are themselves cut and disjointed by metalled roads, cycle paths, car movements and street and house lighting.
- The height of the proposed development, combined with the increased use of energy within the site boundaries, will change the micro-climate of the remaining area.
- There will be increased shading from buildings expected to be 40 feet or so in overall height.
- There will be discharges from energy sources (for example central heating boilers), emissions from cars (for example 450 car parking spaces involving several movements a day) and numerous other energy or emission discharges.

4.11 Overall: A Major Ecological Loss: a litany of negative impacts

Given the litany of negative impacts, even the consultants are forced to admit that this development will result in a major and serious loss to the ecology of the area:

“the unmitigated impact is predicted to be of Major magnitude and **Moderate Adverse** significance.” (6.6.31, emphasis in report).

Given that the consultants themselves are admitting to a Major loss, the loss must indeed be serious. Moreover, this assessment of a major loss does not include any allowance for the costs of the lengthy construction phase, which are also costs to the environment and ecology of the area, and are borne outside the project.

Taking construction phase and post construction losses into account the result is a disaster in ecological terms: in planning terms the losses cumulate across all areas to be of **Major Adverse** importance and significance.

4.12 “Mitigation”? None is practically feasible

Losses on such a scale cannot be effectively ‘mitigated’. The basic problem is that there are non-negotiable items; that is, construction scale involving numbers of ‘units’ and length of time to construct. The loss of habitat is so extensive and widespread (consultants’ estimate of 62%, which is anyway likely to be on the low side) and the remaining grassland so disconnected, that little can be done to recover the situation.

The Report makes mention of grassland ‘management’, but there is in effect so little left to manage, and what is left is disjointed, that the Major Adverse effects of the development cannot be drawn back, for example, by rotational cutting of the grassland.

Indeed, if where there are benefits to such cutting, it could be implemented *now* by a responsible owner interested in enhancing the bio-diversity of the Oxford area.

4.13 The Orchard

A large portion of the orchard area along the northern boundary has been taken into the development site. The Local Plan requires the retention of the orchard (Policy DS87).

5. DENSITY AND IMPACT ON CHARACTER OF LOCAL AREA, QUALITY OF LIFE AND AMENITIES

5.1 Fundamental detrimental change to the character of the area

The addition of a neighbouring dense development accommodating four to fifteen times Hill Top Road’s current population would certainly destroy the unique character of the area.

The Warneford Hospital was founded in 1828 by public subscription and was, until 1948, run entirely by public subscriptions and legacies. Over the years the hospital has purchased adjacent land from its own funds; the 18acre Warneford Meadow was purchased in 1918. “... *it was desirable to have more varied walks; the possibility of houses being built on vacant land so near to the hospital would greatly affect the amenities of the Asylum*” [Report of the Committee of Management for 1918, p.1]

Thirty years ago the Meadow was farmed with cows and a cow-shed and there was effectively an inner-city farm. Some of our residents still remember the farm.

- Residents of Hill Top Road, as all other residents in the locality, have benefited from the peaceful, open, semi-rural aspect of the neighbourhood.
- Any of the possible developments for the sites would have an irrevocable impact on the pleasant and tranquil character of the area.
- This is a quiet street, with a large number of long-standing residents and a strong community spirit.
- There is a substantial daytime presence, including a number of people like artists, academics, writers and musicians, who work in their homes and for whom the tranquillity is vital to their creativity and their ability to produce good work. They have chosen to live and retire here for this reason.

- Already, the overflow of Brookes parking during the teaching periods has given us a foretaste of what a large development on the Warneford Meadow would mean.
- The neighbourhood is not immune from urban problems such as rat-running, petty crime, noise and litter. But these are currently at a manageable level. The addition of a neighbouring dense development accommodating four to fifteen times the road's current population would certainly destroy the unique character of the area.

5.2 Distance from urban amenities

The corollary of Hill Top Road's tranquil character is that it is some distance from urban amenities.

Hill Top Road's tranquil character is maintained by its distance from urban amenities, but this will be at severe risk from incremental changes, for example further changes in infrastructure (for example, more roads and shops), in order to service the proposed large-scale development.

5.3 Visual Impact: a major adverse outcome

Several misleading statements are contained in the consultants' documents to the effect that the visual impact of the various proposed developments will have only a minor visual impact or will actually be beneficial. These statements are based on an opinion by someone or some organisation commissioned to deliver that conclusion.

These statements are not based on any objective opinion, let alone those who would have to live with multi-storey buildings rather than a tranquil meadow and playing fields. The consultants explicitly declined to consult those residents whose properties have a direct view of the meadow or playing fields, and also did not consult Southfield Golf Club. Moreover, they did not carry out a survey to establish the opinions of residents in any of the affected areas. Their statements about visual impact are but another example of a deliberate attempt to mislead.

Our own views, based on questioning many residents and visitors, is that the visual impact of what is proposed will be **devastating** and, in planning terms, will result in a **major adverse** outcome.

5.4 Air quality

Oxford has notoriously poor air quality. Dense development would worsen this problem. The Council should be pursuing its policy to improve Oxford's air quality by avoiding such dense developments.

5.5 Inadequacy of infrastructure

Infrastructure is already stretched in this area of Oxford in the provision of schools and primary healthcare. Gas and electricity supplies in London have this summer failed under the increasing pressure of dense development. The proposed developments would put further, potentially unsustainable, pressure on these and other aspects of infrastructure.

6. LAND USE AND NEED FOR DEVELOPMENT

6.1 Keeping the meadow as a meadow

Residents have repeatedly expressed a strong wish (canvassed by objective questionnaire) for the Warneford Meadow to remain an open Meadow.

This is a much-used and highly valued local amenity. It has been used for nearly a century by local residents as a public open space and a space for recreation and leisure. It has three footpaths used by the public, two of which are Rights of Way.

It is a green field site in a city where there are very few remaining. Residents wish this to be protected in an area which is already densely populated and built upon.

6.2 The need for more student accommodation?

Although the Oxford Local Plan and linked policies and the proposals suggest the need for additional student accommodation, there is no objective evidence provided that there is indeed a real need for more student accommodation in the inner city of Oxford (Oxford Brookes or Oxford University). Certainly no evidence is provided for the need for a development of this magnitude and scale, and grouped into one area in an inner city 'student village' site.

The question of whether any such accommodation is needed should be opened up as a matter of public debate, enabling a full range of views, openly expressed, on the implications for Oxford.

Most other university cities, where they demonstrate a need for more student accommodation build 'student villages' outside the inner city areas, and away from already densely built residential areas. This is for the obvious reasons that accommodating large numbers of young students together in one place is both challenging to manage and does not easily or happily sit within local, stable, quiet residential areas.

Residents are very concerned to keep a balanced diverse community, and the proposed scale of development for new student accommodation would upset this completely.

There is already a delicate relationship between local residents and the universities in relation to the conducts and effective integration of students. The magnitude of this proposed development has therefore triggered enormous concern in the street.

6.3 The need for key worker housing?

Though a compelling argument at an intuitive level, the need for key worker housing in this sort of potentially combined development is also not evidenced – and certainly not at the levels and density proposed. The Chief Executive of the Oxfordshire & Bucks Mental Health Trust told residents that the Oxford Health Economy (OHE) was undertaking a survey of its staff to determine need for Key Worker housing. This was due to have been completed before the application. This has not been produced. The types of housing and arrangements for purchase/ rent/ management for Key Workers are unclear and important in helping residents understand what this means. We cannot comment on a nebulous unclear proposal but we are extremely suspicious of the foundation of the proposal.

Moreover, no good reasons have been established in terms of town planning, that an appropriate way of meeting such a need, should one be objectively established, is through a single concentrated development. Indeed the evidence suggests that viable and sustainable communities develop gradually, and involve a mix of age groups and occupations.

6.4 Academic Research/Educational/Admin

The need for such facilities in this location is likewise not evidenced, nor at the scale envisaged. The traffic impact of such a scheme is not adequately addressed.

6.5 The “need” to release funding for capital developments and improvements to wards in the Warneford Mental Hospital

The proposals repeat the assertion that the fundamental rationale behind these proposals is the NHS's need to release capital funds in order to pay for the development of services and facilities at the Warneford Hospital, which otherwise would not be possible. This was presented as a compelling argument, expected to be attractive to the public.

However, despite repeated requests, no concrete written evidence has been produced to support the assertion that the Strategic Health Authority has agreed that the capital assets released from the sale of the land (estimated at £30.9m) will in fact be given to the Trust that manages the Warneford for the capital and service improvements suggested in the document. Capital developments of the nature suggested in the documents (amounting to £24.9m) have to be firstly approved by the local Primary Care Trust and then the Strategic Health Authority in outline, via a full business case development and approval process. These approvals seem very unlikely to be given, given the current and predicted negative financial situation within Oxfordshire and in the wider Thames Valley health economies.

Given the scale of the continuing local financial problems, the new organisational and decision-making structures for the NHS in Thames Valley/Central South Coast (with new Executive and Non-executives Directors) constrained by more rigorous financial targets and savings, **we do not consider it at all likely that the capital sum (amounting to over £30.9m) will be used in the ways suggested by the Mental Health Trust in their initial attempt to sugar the pill of development.**

In addition, NHS Trusts have to repay capital funding by paying annual capital charges from their revenue. It is therefore most unlikely that the Mental Health Trust has got now, or will have in the near future, sufficient additional revenue to fund these additional capital charges.

Finally, there is a view that the approximately £30.9m funds is more likely to be used (or may already have been factored in) as part of the balancing and 'off-setting' of the large financial deficits within the Oxfordshire Health Economy. Oxford City Council should ascertain the true overall position with the Strategic Health Authority.

7 THE CONSULTATION PROCESS

The Association is very unhappy about the public consultation processes of the Oxon & Bucks Mental Health Trust, acting on behalf of the Oxfordshire Health Economy on the sale of the assets.

The arguments that have been put forward are in the nature of moral pressure on local neighbourhoods, who are being asked to relinquish substantive objections to otherwise unacceptable proposals because of an apparent moral obligation to fund the National Health Service and mental healthcare facilities in particular.

Such arguments are invalid and reprehensible: funding of the NHS, at an appropriate level, is a national political concern NOT a matter for planning policy nor a means to apply pressure to local communities to ignore genuine local issues and planning objections.

There has been no effective and genuine public consultation in the development of these proposals, and certainly no proper stakeholder engagement processes. There was merely an initial statement of intention to engage and involve residents and the Trust's neighbours, that was not followed up with any consultative meetings. Although the planning applications state that there have been extensive public consultations, these have not in fact occurred. No draft plans were displayed and therefore no focussed discussion has been possible.

We completely reject the conclusions drawn by the professional development company at NHS expense (Atisreal) that residents are broadly sympathetic to proposals. They provide very little, or no evidence to support these statements.

The NHS has a duty (Section 11 of the Health and Social Care Act) effectively to consult and engage with the public and service users regarding significant changes. These proposals represent very significant changes to the locality and to current use of NHS assets.

Although some residents' meetings and area committee meetings were attended by the NHS Trust representatives, to, in their words "listen to residents' concerns", subsequent promises made by the Trust to ensure that residents' views would be taken into account when further developing the plans, were then blatantly ignored. This approach does not comply with the spirit of effective consultation and engagement and has only served to antagonise and alienate local residents.

During the earlier discussion with the Trust, residents clearly expressed their opposition to the development of student accommodation on this site. The OHE acknowledged these concerns verbally and in writing, but then ignored them through their putting a combined 'Residential' application (for students and/or key worker housing). This does not reflect an effective process for consultation.

Hill Top Road Residents' Association
7 September 2006