

Case Officer: Linda Griffiths

Recommendation:

Applicant: Ms Sarah Griffiths

Proposal: Discharge of Condition 13 (remediation) of 14/01932/OUT

Expiry Date: 18 March 2021

Extension of Time: 18 March 2021

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. This application relates to the larger part of a significant area of land that has been allocated for residential development through the Cherwell Local Plan Part 1 2011-2031 under Policy Banbury 17 for up to 1,345 dwellings. This application comprises the western part and the majority of the allocation which is within the parish of Banbury town. Outline consent for up to 1,000 dwellings on this part of the allocation was granted in December 2019. The site comprises approximately 52.5ha of agricultural land.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. This application seeks to discharge condition 13 of the outline consent relating to contamination and remediation works. This is a pre-commencement condition. The application is accompanied by a number of plans and documents. This application is also considered along with the details and information submitted in connection with condition 10 (drainage – 20/01164/DISC) and condition 50 (earth works strategy – 20/01162/DISC).

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

14/01932/OUT – outline consent for the erection of up to 1000 dwellings and associated infrastructure.

4. RESPONSE TO CONSULTATION

- 4.1 CDC Environmental Health: No objection.
4.2 OCC Drainage: No objection.
4.3 OCC Highways: No comment.
4.4 Environment Agency: No objection.

5. APPRAISAL

- 5.1 Hydrock undertook ground investigation works in December 2017 on behalf of the applicant Gallagher. The Remediation Method Statement prepared by Hydrock states that 'no risks to groundwater were identified during previous works'. The

previous works referred to are those in the Site Investigation Report also prepared by Hydrock. It should also be noted that the Discovery Strategy at Appendix C of the Remediation Statement requires that any unexpected contamination that may be impacted by controlled waters will be reported to the Environment Agency for further remediation if necessary.

- 5.2 The application documentation has also been addressed by the Environmental Health Officer advises that provided the remediations highlighted in the report are followed that the condition can be discharged as submitted.
- 5.3 The original application was EIA development. The Remediation Method Statement and Materials Management Strategy submitted have been compiled having regard to the information available with the original outline submission and the ground excavations carried out in connection with this condition. No additional contamination risks have been found. Therefore, the EIA is considered sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application.

6. RECOMMENDATION

That Planning Condition 13 of 14/01932/OUT be discharged based upon the following:

Condition 13

Remediation Method Statement Parts 1-4

Materials Management Strategy Parts 1-3

Case Officer: Linda Griffiths

DATE: 15 March 2021

Checked By: Andy Bateson

DATE: 15 March 2021
