

Case Officer: Andrew Lewis

Recommendation: Approve

Applicant: Cat Vince

Proposal: Discharge of condition 10 (contamination remediation strategy) of 16/02446/F

Expiry Date: 27 November 2021

Extension of Time: 17 January 2022

1.1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site forms part of an allocated site for a new settlement in the Local Plan. The site is also within the emerging Mid-Cherwell Neighbourhood Plan area. It is within the RAF Upper Heyford Conservation Area and lies adjacent to the Rousham, Lower Heyford and Upper Heyford Conservation Area.
- 1.2. Full planning permission was granted in 2020 on a parcel of land at the west end of Camp Road for 296 dwellings (and associated infrastructure). Vehicular access is from Camp Road with secondary access to Izzard Road. Pedestrian and cycle links are proposed to Kirtlington Road and the existing settlement. The development will constitute the first elements of the Phase 9 development of Heyford Park and the two land parcels are identified in blue and green on the annotated photograph below.

Figure 1.1 Approximate boundary of Phase 9



Red – Phase 9 area
Blue – Phase 9 Baseball Pitch (report ref. R1742b-R22)
Green – Area covered by this report (ref. R1742-R23)

- 1.3. It is understood that groundwork has already commenced on site.

2 CONDITION PROPOSED TO BE DISCHARGED

2.1. Condition no.10 of the permission stated:

“No development shall take place within a phase or sub-phase hereby approved until a remediation strategy that includes the following components to deal with the risks associated with contamination of that phase or sub-phase has been submitted to and approved, in writing, by the Local Planning Authority:

a) A preliminary risk assessment which has identified: • all previous use • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination affecting that phase or subphase

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved”

2.2. The applicant submitted as part of the application 3 documents:

- Heyford Park – Western Development, Phase 9, 10, 16 and 16A Desk Study and Ground Investigation
- Heyford Park – Western Development Phases 9, 10, 15, 16 and 16A Remediation Method Statement
- Upper Heyford – Dorchester Phase 9 – Basketball Pitch Supplementary Site Investigation

2.3. Following initial objections by the Environment Agency these were superseded by two remediation documents submitted in November 2021:

- Heyford Park Dorchester Living: Phase 9 – Baseball Pitch Remediation Earthworks Completion Report for Urban Regen Ltd - June 2021
- Heyford Park Dorchester Living: Phase 9 Remediation Earthworks Completion Report for Urban Regen Ltd - August 2021

3. RELEVANT PLANNING HISTORY

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

07/02350/CAC - Demolition of existing structures as part of lasting arrangement of Heyford Park - Allowed at appeal.

08/00716/OUT - Outline application for new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure - Allowed at appeal

10/01642/OUT – Outline proposed new settlement of 1075 dwellings including the retention and change of use of 267 existing military dwellings to residential use Class C3 and the change of use of other specified buildings, together with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure – Approved.

10/01619/CAC - Demolition of existing structures (as per Conservation Area Consent Schedule and Drawing No. D.0291 38-1) – Approved.

16/02446/F - Erection of 296 residential dwellings (Use Class C3) comprising a mix of open market and affordable housing, together with associated works including provision of new and amended vehicular and pedestrian accesses, public open space, landscaping, utilities and infrastructure, and demolition of existing built structures and site clearance works – Approved.

18/00825/HYBRID - Demolition of buildings and structures as listed; Outline planning permission for up to 1,175 new dwellings; 60 close care dwellings; 929m² of retail; 670m² comprising a new medical centre; 35,175m² of new employment buildings, (comprising up to 6,330m² Class B1a, 13,635m² B1b/c, 9,250m² Class B2, and 5,960m² B8); 2.4ha site for a new school; 925m² of community use buildings; and 515m² of indoor sports, if provided on-site; 30m in height observation tower with zip-wire with ancillary visitor facilities; energy facility/infrastructure with a stack height of up to 24m; additional education facilities (buildings and associated external infrastructure) at Buildings 73, 74 and 583 for education use; creation of areas of Open Space, Sports Facilities, Public Park and other green infrastructure; Change of Use of buildings and areas: 20.3ha of hardstanding for car processing; and 76.6ha for filming activities; the continuation of use of areas, buildings and structures already benefiting from previous planning permissions, associated infrastructure works including surface water attenuation provision and upgrading Chilgrove Drive and the junction with Camp Road – Resolution to approve subject to securing s106 agreement, which is still outstanding but nearing completion.

21/02299/DISC - Discharge of condition 22 (verification report for the relevant phase or sub-phase) of 16/02446/F-Phase 9a – Approved.

21/03858/DISC - Discharge of condition 10 (Remediation Strategy) of 16/02446/F-Phases 9C, 9D, 9E, 9F and 9G – Approved.

4. RESPONSE TO CONSULTATION

4.1 The following responses have been received:

- CDC - Environmental Health and Licensing: satisfied the condition can be discharged;
- Environment Agency: Originally lodged a strong objection. Upon receipt of the additional information, they advised: they were satisfied with the conclusions of the reports that historic hydrocarbon contaminated soils and underground storage tanks have been removed and advise that condition 10 can be discharged.

5. APPRAISAL

5.1 The original application was EIA development. 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.

5.2 Both the Council's Environmental Officer and the Environment Agency have reviewed the latest reports and found their recommendations to be acceptable. It is therefore recommended that the application should be approved in accordance with the relevant condition.

6. RECOMMENDATION

That the following reports be approved in accordance with condition 10 of application reference 16/02446/F:

- Heyford Park Dorchester Living: Phase 9 Remediation Earthworks Completion Report for Urban Regen Ltd. August 2021 by Smith Grant
- Heyford Park Dorchester Living: Phase 9 – Baseball Pitch Remediation Earthworks Completion Report for Urban Regen Ltd. June 2021 by Smith Grant.

Case Officer: Andrew Lewis

DATE: 12 January 2022

Checked By: Andy Bateson

DATE: 14th January 2022
