

DJR/CIR.P20-3152

15th December 2020

Public Protection & Development Management
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

Planning Portal Ref. PP-09235322

For the attention of Mr. Andrew Lewis, Principal Planning Officer – Major Projects

Dear Sir,

**Town and Country Planning Act 1990
Application for Non-Material Amendments to Full Planning Permission
16/02446/F with regards to:**

**Dorchester Phase 9, Land South West of Camp Road, Heyford Park, Upper
Heyford, Bicester, Oxfordshire, OX25 5HD**

Please find enclosed an application submitted on behalf of our client, Elgin Investments LLP, for Non-Material Amendments (NMA) to full planning permission 16/02446/F with regards to Dorchester Phase 9 of the development at Land South West of Camp Road, Heyford Park, Upper Heyford, OX25 5HD.

Application documentation

Forming part of this application, please find enclosed the following documentation:

- Application Forms duly completed;
- Planning Layout - drawing ref: 0521-PH9-102 Rev.K;
- External Works Layout (Sheet 1 of 4)– drawing ref: 0521-PH9-104-1 Rev.E;
- External Works Layout (Sheet 2 of 4)– drawing ref: 0521-PH9-104-2 Rev.F;
- External Works Layout (Sheet 3 of 4)– drawing ref: 0521-PH9-104-3 Rev.E;
- External Works Layout (Sheet 4 of 4)– drawing ref: 0521-PH9-104-4 Rev.E;
- Detailed Tree Planting Proposal – drawing ref: 1619 A6 03 Rev.J;
- Eastern POS Proposal – drawing ref: 1619 A6 05 Rev.I;
- Trim Trail Detailed Landscape Proposal – drawing ref: 1619 A6 06 Rev.F;
- Detailed Planting Proposals (Sheet 5 of 7) – drawing ref: 1619 A6 16 Rev.G;

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

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- Detailed Planting Proposals (Sheet 6 of 7) – drawing ref: 1619 A6 17 Rev.F;
- Detailed Planting Proposals (Sheet 7 of 7) – drawing ref: 1619 A6 18 Rev.H;

The application fee of £234 for an application of this type has been paid direct to the Planning Portal in line with the requirements of an online submission.

Background

As part of the acknowledged on-going development of Heyford Park as a new settlement under Policy Villages 5 of the adopted Cherwell Local Plan 2011-2031, land south of Camp Road is identified as an area with potential for future additional development as part of the overall delivery of circa 1600 new dwellings on the former USAF base.

In connection with this allocation, an application for full planning permission for the erection of 296 residential units was submitted to the Council in December 2016 and allocated reference 16/02446/F. Following formal consideration of the proposals and the completion of an associated S106 Legal Agreement, full, conditional, permission was granted on the 7th April 2020.

As part of permission 16/02446/F, condition 2 specifies the approved drawings for the development with condition 11 requiring the submission and approval of a detailed surface water drainage scheme prior to the commencement of development.

The approved Planning Layout (drawing ref: 0521-PH9-102 Rev.G) indicates that the scheme was to consist of 296 units arranged in a series of rectangular parcels served by two primary access roads running north-south through the site from Camp Road with secondary and tertiary routes linking the parcels in an east-west orientation. Footpaths links are to be provided along the western and southern boundaries with a various recreation facilities (trim trail and a LAP) situated along the paths at suitable intervals.

These facilities were supplemented by a substantial area of public open space located to the eastern side of the scheme, in which a NEAP, LEAP and MUGA were positioned alongside the proposed attenuation basin serving the scheme. The attenuation basin provided the main means of surface water collection and catchment prior to controlling its discharge into the adjacent brook and beyond.

Although the permission has yet to be implemented, the applicant is currently reviewing the permission as part of the preparation of suitable condition discharge applications to enable works to commence on site as soon as possible.

Purpose of the application

This application seeks to amend Condition 2 of the full planning permission (application ref. 16/02446/F) in so far as the plans and particulars of the permission for Dorchester Phase 9 are to be amended by those drawings hereby submitted.

In this regard it is highlighted, that for the reasons explained below, this Non-Material Amendment application should be viewed in conjunction with an associated full application submitted under Planning Portal reference PP-09235154 for the creation of an additional drainage attenuation basin on land to the immediate east of Phase 9.

For the avoidance of doubt, the table below identifies those drawings that were previously consented under the Phase 9 permission and those drawings forming the subject of this

NMA application. Those drawings greyed-out are proposed to be superseded by this NMA application.

Drawing Title	Consented drawings under 19/00438/REM	Proposed amendments
Planning Layout	0521-PH9-102 Rev.G	0521-PH9-102 Rev.K
External Works Layout (Sheet 1 of 4)	0521-PH9-104-1 Rev.D	0521-PH9-104-1 Rev.E
External Works Layout (Sheet 2 of 4)	0521-PH9-104-2 Rev.D	0521-PH9-104-2 Rev.F
External Works Layout (Sheet 3 of 4)	0521-PH9-104-3 Rev.D	0521-PH9-104-3 Rev.E
External Works Layout (Sheet 4 of 4)	0521-PH9-104-4 Rev.D	0521-PH9-104-4 Rev.E
External Works Layout (Sheet 1 of 4)	0521-PH9-104-1 Rev.D	0521-PH9-104-1 Rev.E
Detailed Tree Planting Proposal	1619 A6 03 Rev.G	1619 A6 03 Rev.J
Eastern POS Proposal	1619 A6 05 Rev.D	1619 A6 05 Rev.I
Trim Trail Detailed Landscape Proposal	1619 A6 06 Rev. D	1619 A6 05 Rev.F
Detailed Planting Proposals (Sheet 5 of 7)	1619 A6 16 Rev.E	1619 A6 16 Rev.G
Detailed Planting Proposals (Sheet 6 of 7)	1619 A6 17 Rev.E	1619 A6 17 Rev.F
Detailed Planting Proposals (Sheet 7 of 7)	1619 A6 18 Rev.E	1619 A6 18 Rev.H

A copy of drawing HEYF-5-1259 Rev.H (Engineering Layout Sheet 40 is also provided for illustrative purposes.

The nature of the proposed amendments from the approved drawings relate to the following:

- Reduction in size and extent of southern attenuation basin;
- Relocation of pumping station and emergency storage tank;
- Associated reconfiguration and repositioning of LEAP with southern area;
- Associated rearrangement of seating area and repositioning of NEAP equipment;
- Realignment of footpath through south eastern LAP;
- Associated repositioning of LAP and trim trail equipment;

- Repositioning of trim trail equipment along southern boundary footpath opposite plot 632;
- Associated amendments to planting and landscaping arrangements;
- Minor renumbering of parking spaces for plots 576-580 and 747-751;

The key factor giving rise to these amendments, is the reduction in the extent of the attenuation basin originally proposed in the southern area of public open space. A reduction in the space required for the basin, has enabled the layout of the NEAP, LEAP and the footpath to be repositioned whilst maintaining identical levels of play equipment provision as previously approved. Through the availability of additional space, the layout of the public open space provides for a great ease of circulation for use with an enhanced approach area complete with cycle parking, proposed immediately adjacent to the north-south footpath.

In this manner the amendments seek to ensure that the approved quantum of play equipment can be provided in a manner equally if not more accessible to users and ensure that a range of play provision for all age groups, including the trim trail, can be provided in full accordance with the requirements of permission 16/02446/F. Indeed the nature and form of the provision remains unchanged, merely its positioning within the same area of public open space changing.

The Amended Attenuation Pond

With regard to the ability to reduce the extent of the attenuation basin, this has arisen following a detailed technical review of the drainage infrastructure for Phase 9. This detailed and post decision review, has indicated that whilst the outfall point for surface water drainage at the south east of the site and its onwards progression to the existing brook remains entirely suitable for the scheme, the drainage arrangements required from the dwellings in the north eastern section of the site would involve unacceptably large conveyance pipework and convoluted crossing points.

In seeking to address this, it is now proposed that a second attenuation pond is created on land to the immediate east of Phase 9 on land opposite the eastern aspect of Plot 617. Water from this new basin would then be fed, at an appropriately controlled rate, into separate drainage pipework prior to ultimately discharging into the brook as originally intended. Overall the degree, rate and final point of surface water discharge from the development would remain consistent with that previously approved but with the site infrastructure comprising two attenuation ponds and not one as originally envisaged.

In recognition of the location of this new attenuation pond outside the application site of the extent of the original Phase 9 permission, the pond is subject to a separate application for full planning permission submitted via Planning Portal reference PP-09235154 and is accompanied by an FRA compliance statement and supporting drainage infrastructure drawings demonstrating the acceptability of the scheme.

The overall nature of this amended drainage infrastructure is indicated on drawing HEYF-5-1259 Rev.H (Engineering Layout Sheet 4) extracted from the associated FRA Compliance Statement. A copy of this drawing is provided with this NMA application for the purposes of clarity only and is not intended to form part of the application package for approval.

As is evident from the proposed new drainage arrangements, the use of an additional attenuation pond reduces the volumetric requirements of the single pond originally

proposed, thereby enabling its land take to be reduced and the surrounding public open space uses amended accordingly.

Summary of the Proposed Minor Amendments

Given the nature of the amendments and their consistency with permission 16/02446/F, the proposed changes, individually and cumulatively, are considered to be non-material and the resultant development would have no greater impact than that previously approved and would remain in-keeping with the character of the local and wider area.

With regard to the timing of the determination of this application, it is acknowledged that the Council may wish to determine the related application for the new attenuation pond first, before this minor amendment so as to ensure that the Phase 9 development can be served via a satisfactory drainage scheme. We would of course welcome discussion on such matters during the course of the consideration of this application.

I trust you find the above and enclosed covers all the relevant and necessary particulars to allow you to validate the application. However, should you have any questions or require any further information, please do not hesitate to contact me.

Yours faithfully,



Darryl J. Rogers
Principal Planner

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