

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-09235154

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

Dear Sir,

**Town and Country Planning Act 1990
Full Planning Application for construction of attenuation basin including
associated infrastructure and landscaping at:**

**Land adjacent 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 full planning permission with regards to Land adjacent to Dorchester Phase 9, 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;
- Site Location Plan – drawing ref: P20-3152_01 Sheet 01 Rev.A ;
- Attenuation Basin Site Location Plan - drawing ref: P20-3152_01 Sheet 02 Rev.A ;
- Topographical Survey – CUB-RBS-DL-004;
- Detailed Planting Plan – drawing ref: 1619 A15 01 Rev.P02;
- Flood Risk Assessment and Drainage Strategy Compliance Note. November 2020 Version 1. (including appendices) – document ref: 16871/FRA-C-PH9 dated 20.11.20;

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

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The application fee of £468 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 RAF Upper Heyford air 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 and conditional, permission was granted on the 7th April 2020.

The approved Planning Layout (drawing ref: 0521-PH9-102 Rev.G) indicates that the scheme is 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 various recreation facilities (trim trail and a LAP) situated along the paths at suitable intervals.

In respect of drainage infrastructure, drawing 0521-PH9-102 Rev.G showed that the proposed drainage strategy consisted of a conventional drainage network and SuDS, which used the natural topography of the site to convey surface water to a strategically placed single attenuation basin positioned adjacent to the existing outfall to the Gallos Brook on the southern boundary. This approach was set out in the Flood Risk Assessment prepared by Peter Brett Associates approved as part of the application, and fully complied with the comprehensive FRA previously prepared for the wider Heyford Park development.

In connection with the creation of a dedicated area of public space around the attenuation basin to the eastern side of the scheme, the approved layout also indicated the creation of dedicated NEAP, LEAP and MUGA recreation facilities centred on the basin with footpath creation to the surrounding area.

This drainage approach and strategy was fully accepted as part of permission 16/02446/F, with condition 11 of the permission requiring the subsequent approval of the detailed engineering and phasing arrangements across the scheme as a whole.

The Application Proposals

In connection with the preparation of this detailed engineering information, a technical review of the drainage infrastructure for Phase 9 was undertaken. 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 as identified in the earlier FRA, the drainage arrangements required from the dwellings in the north eastern section of the site would involve abnormally large conveyance pipework and complex crossing points.

In seeking to address this and increase the rate of delivery, 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 approved 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 Gallos Brook as originally intended.

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. With regard to these associated amendments to the original basin as well as the NEAP, LEAP and MUGA arrangements, these are the subject of a separate application for a Non-Material Amendment to permission 16/02446/F and are covered within Planning Portal application reference PP-09235322.

The suitability of this modified drainage strategy and its overall nature is set out in the submitted Flood Risk Assessment and Drainage Strategy Compliance Note, with the layout and form of the new basin and its relationship with the reduced approved basin shown on drawing HEYF-5-1259 Rev. H (Engineering Sheet 4) contained in Appendix B thereof. The details of the site wide drainage arrangements are also set out on the accompanying drawings within Appendix B.

As can be seen the basin would consist of an unlined drainage pond constructed by way of 1 in 3 and 1 in 5 sloped sides, surrounded by a 900mm high metal handrail, providing an overall storage capacity of 1449m³. The feature would be landscaped with a wetland meadow mix and evergreen shrub and bush planting to the perimeter supplemented by new tree planting.

Overall, the proposals would provide a visually acceptable form of alternative sustainable drainage for Phase 9 of Heyford Park with the degree, rate and final point of surface water discharge remaining consistent with that previously approved, and the overall proposals in full accordance with Local Plan Policies ESD 6, ESD 7 and Policy Villages 5.

The Provision of Outdoor Sports Provision

During the course of pre-application discussions with Council Officers, the applicant's attention was drawn to the obligations contained in the Deed of Variation (DoV) dated 27th June 2014 completed in respect of the creation of the Heyford Park Free School education facilities in former building 583 to the east of the current Phase 9 site and their relationship to the proposed additional attenuation basin.

The 2014 DoV was signed in connection with the approval of full planning permission 13/00343/F for the use of building 583 and its environs as an education facility, with the DoV amending the original indoor and outdoor sports facilities obligations secured as part of the earlier outline permission 10/01642/OUT and the S106 Agreement dated 22nd December 2001 attached thereto.

In summary the DoV contains obligations requiring the provision of a series of outdoor sport pitches across the whole of the Heyford Park development including multi-use tennis courts, multi-use football pitch, multi-use grass pitches and a football pitch. The DoV requires the outdoor sport facilities to be provided on various parcels of land within Heyford Park, including an area referred to as 'The Adjoining Land' located between Building 583 and the eastern boundary of Phase 9.

The extent of 'The Adjoining Land' is shown on drawing D.0341_3-2 contained in Appendix 3 of the DoV and includes the area of the current attenuation basin proposals.

Also within Appendix 3 is drawing K.0158_34C-4, which indicates the location of the outdoor sports pitches across Heyford Park with direct reference to the obligations set out in the DoV as well as public access routes around the pitches.

When viewed alongside the current proposals, drawing K.0158_34C-4 indicates that the proposed attenuation pond would be located in the extreme north western corner of 'The Adjoining Land' in area devoid of pitch provision.

Although pitch provision is indicated to the south and east of the basin's location, the application site itself is not required to fulfil the outdoor pitch requirements set out in the DoV.

In respect of the potential for the basin to prejudice the delivery of the adjacent pitches, the nearest provision relates to the creation of a 7 a-side football pitch to the south of the basin along the remaining western boundary of 'The Adjoining Land'. By way of demonstrating that the ability to provide this provision remains unfettered by the current application, the submitted landscaping drawing (ref: 1619 A15 01 Rev.P01) provides a clear indication as to how this pitch facility could be provided to an appropriate standard in full accordance with the DoV obligations. In addition the drawing provides an indication as to the potential public footpath networks around the basin and future pitch, which again accord and reflect the details shown on DoV drawing K.0158_34C-4.

Thus, whilst the provision of the adjacent football pitch and footpath network fall outside of the scope of the current application, as indicated by the extent of the red line application boundary on site location plan P20-3152_01 Sheet 02 Rev.A and would be subject to separate applications in their own right, it is evident that the provision of the attenuation basin would not effect the wider outdoor sports provision in line with the obligation contained in the June 2014 DoV.

With regard to the timing of the determination of this application, it is acknowledged that given the relationship of this application to the associated NMA for Phase 9, the Council may wish to determine this application in advance of the NMA so as to ensure that the wider 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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