

Case Officer: Andrew Lewis

Recommendation: Permit

Applicant: Elgin Investments LLP

Proposal: Discharge of Condition 12 (surface water disposal theme) of 16/02446/F
- Heyford Park Phase 9

Expiry Date: 27 May 2021

Extension of Time: 17 June 2022

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 allocated within the emerging Mid-Cherwell Neighbourhood Plan. It is within the RAF Upper Heyford Conservation Area and lies adjacent to the Rousham Conservation Area.
- 1.2. Full planning permission was granted last year on a parcel of land at the west end of Camp Road for 296 dwellings (and associated infrastructure) of which 89 of the dwellings will be affordable (30%). 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 Phase 9 of Heyford Park of which this application seeks approval for use of materials on the first two sub-phases of seven.
- 1.3. It is understood that groundwork has already commenced.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. Condition 12 states: Except for works relating to demolition and site clearance, no development shall take place within a phase or sub-phase hereby approved until such time as a scheme to dispose of surface water that ensures that soakaways are not constructed into contaminated land has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved, prior to the occupation of the relevant phase or sub-phase to which it relates.
- 2.2. The application was submitted with the following document and plans:
 - Heyford Park Phase 9 – Remediation Strategy R1742d-R03-v1;
 - Heyford Park Phase 9 – POL Pipeline supplementary site investigation R1742b-R21-v1; and
 - Heyford Park, Phase 9 Dog Walking Area R1742B-L07.

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 1,075 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 1,075 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.

4. RESPONSE TO CONSULTATION

4.1 The final date for comments was **10th May 2021**. The comments raised by third parties are summarised as follows:

Environment Agency: responded to the original submission stating there was a lack of information. A number of contaminated land reports are provided for this area of the site, no drainage strategy is included with the submission. While we note that much of the area is uncontaminated there is still some uncertainty around the area of the boiler house at the school and further investigations are proposed (Section 4.4.2 of the Remediation Strategy). We need to know which areas are going to be used for soakaways and infiltration before we can confirm the drainage strategy will not impact contaminated land.

4.2 Subsequently the applicant confirmed there would be no infiltration and the Environment Agency responded:

“We note that it has been confirmed by Dorchester Living that no infiltration drainage is proposed in the area of the former boiler house. We assume as no new drainage plans have been submitted, the drainage scheme remains as shown on drawing 0521/PH9/320 submitted with the original application 16/02446/F. The main area of

soakage will be in the area of the infiltration basin to the southeast of Phase 9 through which the POL pipeline passes. This part of the site was investigated by both POL Pipeline Supplementary Site Investigation by Smith Grant Jan 2021 and the Supplementary Geo-Environmental Assessment (Ground Investigation) Report Phase 9, Upper Heyford, OX25 5BS by Jomas September 2021, which concluded that there was no evidence of significant contamination along the southern part of the POL. In addition, it is assumed that if any residual soil contamination were discovered during the removal of the POL, it would be excavated during the construction of the attenuation basin. Therefore, given the remedial works also carried out along the POL to date in the northeast of the site, we are satisfied the site provides a low risk of mobilising pollution from infiltration drainage. We are therefore satisfied that condition 12 can be discharged in relation to groundwater quality.”

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. This application is to discharge a condition requested by the Environment Agency. Their original objection has been overcome and they now recommend the condition be discharged.

6. RECOMMENDATION

That Planning Condition 12 (surface water disposal theme) of 16/02446/F - Heyford Park Phase 9 be discharged based upon the following:

- Heyford Park Phase 9 – Remediation Strategy R1742d-R03-v1;
- Heyford Park Phase 9 – POL Pipeline supplementary site investigation R1742b-R21-v1;
- Heyford Park, Phase 9 Dog Walking Area R1742B-L07.

Case Officer: Andrew Lewis

DATE: 14 June 2022

Checked By: Andy Bateson

DATE: 16th June 2022
