

**Case Officer:** Andy Bateson

**Recommendation:** Approve

**Applicant:** Vistry

**Proposal:** Discharge of Condition 25 (Drainage Strategy) of 13/00822/REM – a first-phase development of 215 homes

**Expiry Date:** 27 May 2021

**Extension of Time:**

## **1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

1.1. The Longford Park site, which is otherwise known as Bankside (Phase 1), lies on the southeast edge of Banbury and northeast of Bodicote, on the east side of the A4260. It comprises a large mixed-use urban extension of the town that received outline consent in 2009 (Ref: 05/01337/OUT) for approximately 950 homes, then reserved matters consent in 2013 (Ref: 13/00822/REM) for a first-phase development of 215 homes and then a further reserved matters consent for its large country park in 2018 (Ref: 14/01833/REM). It is now nearing completion. The development includes a large country park area, which contains a series of swales and balance ponds designed to provide a drainage solution for the whole Longford Park development.

## **2. CONDITIONS PROPOSED TO BE DISCHARGED**

2.1 This application seeks to discharge Condition 25 to 13/00822/REM, which relates to the drainage strategy approved in association with the first-phase development of 215 homes at Bankside/Longford Park. The approved surface water drainage strategy for the Phase 1 development area was to follow the principles outlined in Figure 177 of the original Design Code document, the approved Flood Risk Assessment and site wide masterplan.

2.2 Condition 25 states: *“Development shall not be occupied until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed”*.

2.3 The approved drainage strategy was based upon a new surface and foul water sewer network, provided mostly in the highway network extending throughout the Phase 1 development area and draining by gravity in accordance with the natural topography of the land. The surface water sewer network was to be laid out so that flows were conveyed to the northeast and into a ditch network which discharges to the River Cherwell. In order to deliver that outfall, a connection route beneath the Oxford Canal was provided and a flow control device installed to control surface water flows to a maximum discharge rate 69.5lps, which is in accordance with the approved Flood Risk Assessment. That rate represented a 25% betterment over pre-existing greenfield run off rates from the full Longford Park development area. To ensure water flows were attenuated accordingly, 3 large attenuation basins (with storage capacity for 10,500m<sup>3</sup> of water) were to be provided in accordance with Figure 117 of the Design Code and the approved masterplan for Longford Park within its country park. The foul sewer network was to drain by gravity to a new

pumping station located to the east side of the phase 1 development area, which would pump foul flows to the Thames Water adopted 0.5m diameter rising main crossing the wider Longford Park area to the east.

- 2.4 Notwithstanding the pre-occupation restrictive nature of this condition, the development proceeded, as have subsequent phases and the entire development is now virtually completed and occupied. The associated drainage works in the country park alongside Phase 1 have been constructed in a varied form from that initially approved but have been deemed to be acceptable (22/02846/F refers) and the Phase 1 development scheme shown on the plans accompanying this application drain into that wider drainage network.

### **3. RELEVANT PLANNING HISTORY**

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

**05/01337/OUT** – Outline planning permission for a residential led development of approximately 950 homes with associated facilities including primary school, playing fields, local shops and community facilities, 2,200m<sup>2</sup> of employment provision (B1) (as amended by further information received 10.11.05) – Approved 30 September 2009.

**13/00822/REM** – Reserved matters consent for a first-phase development of 215 homes including a site-wide drainage strategy for Bankside/Longford Park – Approved 20 September 2013.

**22/02846/F** – Retrospective application for construction of revised drainage proposals previously agreed for the Longford Park country park and the associated phase 1 development of 215 homes.

### **4. RESPONSE TO PUBLICITY**

- 4.1 No publicity has taken place in respect to this condition discharge application.
- 4.2 No comments have been raised by any third parties.

### **5. RESPONSE TO CONSULTATION**

- 5.1. CDC Land Drainage commenting in respect to the subsequent accompanying application Ref: 22/02846/F for a retrospective approval of a revised Phase 1 development drainage scheme that had initially been approved under Ref: 14/01833/REM commented that: *“I have now been to the site to see what has been done and can confirm it is what I agreed should be done and appears to be working well. So, in my opinion, the Condition can be discharged.”*
- 5.2. OCC as LLFA – Initially Objected on grounds that the submitted drawings needed to be accompanied by a drainage report which discusses the drainage scheme and a detailed surface water management strategy, incorporating SuDS.
- 5.3. OCC as LLFA further commented in respect to application Ref: 22/02846/F, which is for the retrospective approval of a revised Phase 1 development drainage scheme that had initially been approved under Ref: 14/01833/REM commented that: *“I understand Cherwell’s Drainage Officer has visited site and inspected construction, which has been found to be acceptable. The LLFA therefore have no further comment to make.”*

## 6. APPRAISAL

- 6.1. The principle of the drainage proposals for the northern part of the Longford Park/Bankside country park and the associated Phase 1 development of 215 homes has already been established by virtue of the granting of planning permissions in 2009 and 2018 of the outline and reserved matters applications (Refs: 05/01337/OUT and 14/01833/REM).
- 6.2. The applicant advised that as developers began implementing the Country Park, seven natural springs were found on site that caused flooding onto the estate road for Phase 4 of Longford Park. Therefore, a revised drainage scheme was required to adequately drain that part of the site. As a result, catchment ponds were required to be installed which could not connect to the existing drainage system due to the adoptable highway drainage system having no spare capacity. The catchment ponds for the springs were designed and constructed to drain through the hill to an evaporation pond with an overflow into the existing swale. In addition, an additional ditch channel was installed to divert additional water toward an existing swale, to ensure that did not encroach on a farmer's track. A slight change to the approved final levels was also included in the amended scheme, in order to resolve a potential safety concern of steep gradients in the original scheme.
- 6.3. The revised drainage solution for the Phase 1 development and country park had been discussed and agreed with the CDC Land Drainage Officer and he subsequently visited the site and confirmed that the installed drainage system was working effectively, so recommended that consent ought to be granted.
- 6.4. Despite an initial concern raised by OCC as LLFA that the drainage drawings submitted with the application should be accompanied by a detailed Drainage Report, as the works had already been completed and subsequently inspected by the CDC Land Drainage Officer and found to be effective, LLFA commented that they had no further comment to make in respect to the proposals.
- 6.5. The original application was EIA development and was considered at the time sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application.
- 6.6. Since the original drainage designs for phase 4 of the country park and the associated phase 1 development alongside had been found by the developer to be deficient, a revised scheme was developed and implemented in conjunction with design input from CDC Land Drainage. The as-built works have subsequently been inspected and found to be working satisfactorily. Consequently, neither CDC Land Drainage nor OCC as LLFA have raised any objection to the revised as-built scheme. Accordingly, it is deemed that Condition 25 (the drainage strategy for the Phase 1 development) can now retrospectively be discharged.

## 7. RECOMMENDATION

That Planning Condition 25 of 13/00822/REM be discharged based upon the following:

### Condition 25:

- 20488\_02\_150 – Phase 1 Engineering Layout (Sheet 1 of 6)
- 20488\_02\_151 – Phase 1 Engineering Layout (Sheet 2 of 6)
- 20488\_02\_152 – Phase 1 Engineering Layout (Sheet 3 of 6)
- 20488\_02\_153 – Phase 1 Engineering Layout (Sheet 4 of 6)
- 20488\_02\_154 – Phase 1 Engineering Layout (Sheet 5 of 6)

20488\_02\_155 – Phase 1 Engineering Layout (Sheet 6 of 6)  
20488\_02\_015 – Spine Road & Storm Outfall Engineering Layout (Sheet 1 of 7)  
20488\_02\_016 – Spine Road & Storm Outfall Engineering Layout (Sheet 2 of 7)  
20488\_02\_017 – Spine Road & Storm Outfall Engineering Layout (Sheet 3 of 7)  
20488\_02\_018 – Spine Road & Storm Outfall Engineering Layout (Sheet 4 of 7)  
20488\_02\_019 – Spine Road & Storm Outfall Engineering Layout (Sheet 5 of 7)  
20488\_02\_020 – Spine Road & Storm Outfall Engineering Layout (Sheet 6 of 7)  
20488\_02\_021 – Spine Road & Storm Outfall Engineering Layout (Sheet 7 of 7)  
45431-001 Rev A – Typical Land Drain Details – French Drain  
45431-002 Rev A – Typical Land Drain Details for Non-Perforated Pipes  
45431-003 Rev A – Manhole, Access Chambers & Silt Trap Details  
45431-006 Rev A – Infiltration Swale & Basin Cross Section  
45431-007 Rev A – Gravel Column & French Drain for West Boundary Drainage  
45431-008 Rev A – Inlet Headwall Standard Detail  
45431-009 Rev A – Gravel Trench for Longdon Crescent  
45431-010 Rev C – Site Wide Drainage Layout Plan  
SK052-45431 Rev C – Infiltration Swale – revised configuration & backfill  
SK053-45431 Rev B – Infiltration/Evaporation Basin – revised configuration & backfill

Case Officer: Andy Bateson

DATE: 6 December 2022

Checked By:

DATE:

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