



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Name and Address of Agent/Applicant:

Mr Nick Wyke
Framptons
Oriol House
42 North Bar Street
Banbury
OX16 0TH

Planning Condition(s) Determination

Date Registered: 16th February 2023

Proposal: Discharge of Conditions 15 (Contamination), 16 (Contamination Remediation), 22 (Construction Phasing Plan), 23 (Surface Water Management Strategy), 24 (Flood Exceedance Plan), 25 (Infiltration Testing), 26 (Drainage Layout), 27 (Water Quality), 32 (Permeable Paving) and 33 (SuDS Maintenance and Management Plan) of 22/01144/F

Location: OS Parcel 5700 South West of Grange Farm, Street Through Little Chesterton, Chesterton

Parish(es): Weston on the Green Chesterton Wendlebury

CONFIRMATION OF CLEARANCE OF PLANNING CONDITION(S)

The Cherwell District Council, as Local Planning Authority, hereby **CONFIRMS** the clearance of the above condition(s), **IN ACCORDANCE WITH THE DETAILS OVERLEAF.**

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA

David Peckford
Assistant Director – Planning and
Development

Date of Decision: 12th April 2023

Checked by: Andy Bateson

SCHEDULE OF DETAILS

Condition 15:

Ground Investigation Report V04 and Technical Note Addendum

Condition 16:

Remediation Strategy & Verification Report V1.0

Condition 22:

Construction Phasing Plan – Phase 1 13-222 SGP ZZ ZZ DR A 131020
Construction Phasing Plan – Phase 2 13-222 SGP ZZ ZZ DR A 131021

Condition 23:

Surface Water Management Strategy V1

Condition 24:

Flood Exceedance Route Plan T/20/2407 51-01 Rev P1

Condition 25:

Infiltration Testing Soakaway Results dated 29 September 2021 & Infiltration Testing Soakaway Results Plan

Condition 26:

Proposed Water Course Sections Plan T/21/2407 60 04 Rev P3
Pond Section Plan T/20/2407 CIV SK 103 Rev P1
Drainage Layout Plan T/20/2407 55-1 Rev P5
Drainage Construction Details Sheet 2 T/21/2407 55-03 Rev T2

Condition 27:

Surface Water Management Strategy V1 (Section 5)

Condition 32:

Impermeable Areas Plan T/20/2407 51-02 Rev P1

Condition 33:

Storm Water/SuDS Maintenance Plan

EA Informatives

Material disposal – advice to applicant

The Tier Environmental Report discusses the need for any materials taken off site to be assessed. Contaminated soil that is (or must be) disposed of as waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Boreholes – advice to applicant and Planning Authority

As part of the investigation multiple boreholes were installed across the site. If these boreholes are not decommissioned correctly, they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because it is very shallow. Once these are no longer required, there must be a factual report documenting the decommissioning of these to prevent any migration of contaminants to depth.

Infiltration testing (Condition 25) and Infiltration (Condition 6) – advice to applicant and Planning Authority

Shallow groundwater depths were measured across the site (in October 2021), and infiltration SuDS were also not deemed viable from the infiltration testing data: *None of the soakaway tests demonstrated sufficient reduction in water height to be considered viable.* Therefore, if the applicant seeks to discharge condition 6 (infiltration) in the future, we will not be able to be discharge the condition.

Storage of oils and fuels – advice to applicant

Since the groundwater at this site is very shallow and vulnerable, any storage of oils or fuels should be very precautionary, with adequate controls and mitigations in place. More information on oil storage regulations are available at GOV.UK here:

<https://www.gov.uk/guidance/storing-oil-at-a-home-or-business>