

Case Officer: Richard Greig

Recommendation: Approve

Applicant: Heyford Park Developments Ltd

Proposal: Discharge of Condition 6 (full specification details) and 8 (verification report) of 19/00446/F

Expiry Date: 7 June 2023

Extension of Time: 7 June 2023

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The former USAF/RAF Upper Heyford airbase site is located 7km northwest of Bicester, in an isolated rural location, within the parishes of Upper Heyford, Somerton and Ardley.
- 1.2. The former airbase is located at the top of a plateau and is set within otherwise open countryside. Land to the west falls sharply to the Cherwell valley and Oxford Canal (the Canal itself has been designated a Conservation Area). The Grade I listed Rousham Park is located in the valley to the southwest of the site. The Rousham, Lower Heyford and Upper Heyford Conservation Area adjoins the airbase site, whilst the airbase itself has been designated a Conservation Area in view of the international importance of the site and the significant Cold War heritage interest.
- 1.3. There are several designated Scheduled Monuments and listed buildings, and other non-designated heritage assets of national importance on the former airbase site, as well as other unlisted buildings that make a positive contribution to the character or appearance of the conservation area, and much of the airfield is also of ecological importance including a Local Wildlife Site.
- 1.4. The parent permission (ref: 19/00446/F) to which this application relates secured consent for the provision of 57 residential units, comprising a mix of open market and affordable housing, set across three parcels of land, namely Dorchester Phases 5D and 8C, together with Trenchard Circle.
- 1.5. Phase 5D equates to 0.29 hectares and consists of 11 dwellings located on the northern side of the internal east-west estate road known as Camp Road, to the wider Phase 5 development.
- 1.6. Phase 8C consists of 15 apartment units, with associated landscaping and car parking on a site of 0.25 hectares.
- 1.7. Trenchard Circle consists of the erection of 31 dwellings with associated car parking and landscaping on a 1 hectare site.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. This application seeks to discharge Condition 6 (parking and manoeuvring areas) and Condition 8 (verification report) of planning reference 19/00446/F.

3. RELEVANT PLANNING HISTORY

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

Application 19/00446/F

- Erection of up to 57 residential units (Use Class C3) comprising a mix of open market and affordable housing, together with associated works including provision of vehicular and pedestrian accesses, public open space, landscaping, infrastructure and site clearance.
- Approved 24 December 2019.

DISCHARGE OF CONDITION 4 (Remediation) to all three land parcels

Application 20/02393/DISC (Trenchard Circle only)

- Discharge of condition 4 (contamination and remediation) of 19/00446/F.
- Approved 7 February 2022.

Application 20/00128/DISC (Phase 5D and 8C only)

- Discharge of Condition 4 (Remediation) of 19/00446/F.
- Approved 24 February 2023.

DISCHARGE OF CONDITION 8 (Verification) to two of three land parcels

Application 20/01941/DISC (Phase 5D only)

- Partial discharge of condition 8 (verification report) of 19/00446/F - Phase 5D Only.
- Approved 24 February 2023.

Application 22/00592/DISC (Trenchard Circle only)

- Discharge of condition 8 in relation to Trenchard Circle (verification report) of 19/00446/F.
- Approved 19 April 2022.

4. RESPONSE TO CONSULTATION

- 4.1 Environment Agency – first response dated 30 April 2023

'In order to discharge condition 8 for Phase 8a and 8c there will need to be submitted reports that first relate to the discharge of condition 4, namely a Remediation Strategy specifically for this part of the site (assuming that the Remediation Strategy: Upper Heyford, New Settlement Area(Planning Consent 0/01642/OUT) Remediation Strategy is not specific to this area, which it does not appear to be), and also a verification plan. With receipt of these reports we will be able to assess the discharge of condition 4 and then the outcome of any remediation undertaken (verification) for the discharge of condition 8.'

- 4.2 Environment Agency – second response dated 27 May 2023

'You advised us that Condition no4 of the parent permission was also discharged in respect of the two other parcels of land, namely 'Phase 5D' and 'Phase 8C' under planning application reference 20/00128/DISC. For ease of reference, you attached the approved 'Remediation Strategy (Ref: R1742-R01-v3).'

We assume therefore that condition 4 (remediation strategy) has been discharged for all areas of the site including Phase 8a. Please confirm if this is not the case?

In our previous response we also stated: "The validation report submitted Upper Heyford – Dorchester Phase 8a & 8c Validation Completion Report. Ref: R1742B-L12. 15th June 2021 covers only Phase 8a & 8c. Therefore other phases are not discussed below."

Given the above, we are satisfied that this validation meets the expectations of the verification plan and has not revealed the need for further work (other than: "Independent depth validation of the soil cover system within this area will also be required to confirm the appropriate thickness of soil cover has been placed.) These phases (8a & 8c) have now been investigated, and validated. The residual risks to controlled waters from these phases can be considered to be low. We therefore can recommend the discharge of condition 8 for phases 8a and 8c only. We will expect further reporting for the outstanding phases of the site.'

5. APPRAISAL

- 5.1 As referenced above this submission seeks to discharge two conditions (i.e., Nos.6 and 8).
- 5.2 Firstly, condition 6, wherein the parent permission requires the submission and approval of full specification details of the parking and manoeuvring areas to serve the dwellings. In response to the above the applicant has specified by means of a series of detailed drawings, the construction, layout, surfacing and drainage associated to the respective parking and manoeuvring areas to serve the dwellings.
- 5.3 These proposals are deemed to be acceptable in the interests of highway safety, ensuring the provision of adequate off-street car parking, in accordance with the requirements of condition 6.
- 5.4 Turning to condition 8. Firstly, it should be noted that the remediation strategy required under condition 4 provides a basis for the verification report under condition 8. For the avoidance of any doubt and in response to the initial comments from the Environment Agency, a remediation strategy has previously been submitted and approved in respect of each of the three parcels of land, as set out under section 3 of this report.
- 5.5 In turn a verification report has previously been submitted and agreed in respect of Parcel 5D and Trenchard Circle, as set out under section 3 of this report. Consequently, this submission relates to parcel 8C, wherein the Environment Agency have confirmed that they are '*satisfied that this validation meets the expectations of the verification plan*' and they recommend the discharge of condition 8, thereby ensuring that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution – in accordance with the requirements of Condition 8.

6. RECOMMENDATION

That Planning Conditions No.6 and No.8 of application 19/00446/F be discharged based upon the following:

Condition No.6:

In accordance with:

- External Works Layout (DWG No: 0521-PH8A-8C-104)
- Fire Access Layout – Sheet 1 (DWG No: 0521-PH8A-8C-116)
- Fire Access Layout – Sheet 2 (DWG No: 0521-PH8A-8C-117)
- Typical Road Details (DWG No: HEYF/5/951 C)

Condition No.8:

In accordance with:

- Upper Heyford – Dorchester Phase 8a & 8c Validation Completion Report (dated 15 June 2021) reference: R1742B-L12.

Case Officer: Richard Greig

DATE: 31 May 2023

Checked By: Andy Bateson

DATE: 31st May 2023
