

Mr Andrew Lewis
Cherwell District Council
Planning & Development Services
Bodicote House
White Post Road
Bodicote
Banbury
OX15 4AA

Our ref: WA/2016/123334/03-L01
Your ref: 16/02446/F
Date: 21 August 2018

Dear Mr Lewis

**Erection of 297 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.
Heyford Park, Camp Road, Upper Heyford, Bicester.**

Thank you for consulting the Environment Agency. We have reviewed the drainage report prepared by BLBB Consulting Ltd dated 17 February 2017.

Environment Agency position

In light of the above report we are able to **withdraw our objection** to the proposed development subject to the following conditions being imposed on any planning permission granted:

1) Condition: No development approved by this permission shall be commenced until a scheme for the improvement and extension of the existing sewerage system has been submitted to and approved in writing by the local planning authority. This includes work to reduce levels of infiltration into the existing sewer system. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the scheme for improvement and extension of the existing sewerage system has been completed.

Reasons: To ensure development is phased in line with sewer improvements in order to prevent deterioration to receiving water bodies.

2) Condition: No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

Cont/d..

- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of groundwater from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 180, 178.

3) Condition: No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect and prevent the pollution of groundwater from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 180, 178

4) Condition: The development hereby permitted shall not be commenced 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.

Reason: To protect the groundwater aquifer from mobilisation of contamination due to the use of soakaways.

Informative

Environmental permit – Foul drainage

The foul drainage and contaminated surface water associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. This is a separate consent from planning permission. The applicant is advised to contact the Environment Agency on **08708 506 506** for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted. Additional ‘Environmental Permitting Guidance’ can be accessed via our main

website (<http://www.environment-agency.gov.uk>).

Advice to applicant and LPA for condition 2

Note: The Environment Agency has reviewed Waterman Infrastructure & Environment Limited Preliminary Environmental Risk Assessment Proposed Residential Dwellings at Land South of Camp Road dated November 2016 Document Reference: WIB14371-100-R-3-3-2.EB and Chapter 10 of the Environmental Statement dated November 2016 and is satisfied that part 1 of this condition has been fulfilled.

The site is underlain by the Great Oolite Limestone (Principal Aquifer). Previous site wide monitoring of groundwater has confirmed that there is currently no significant impact on the aquifer from the previous historic contaminative activities that occupied this site. However, we need to protect this Principal Aquifer from any accidental spills of fuel during development from underground structures that could still be in place on this site.

Item 3.2.4 of Chapter 3 considers that this site falls within the residential area of the former military air base. Whilst, the boiler house (associated with the houses/classrooms) has been identified as the most recent potentially contaminative activity, we note that before these buildings occupied this site this parcel of land was part of the airfield. The POL system was decommissioned on the wider site (including POL 21A, B and C just to the north of this parcel of land). However we are unaware of any decommissioning works to POL on this 'Educational site'. The presence of the runways on the historic map (provided) suggests that the POL system may have extended into this south west corner of the airfield and indeed the POL system could still be in situ. This possibility should be explored since it is important that no accidental release of petroleum hydrocarbons occurs during the enabling works for this development.

The national oil pipeline entered the airbase through this site and we are aware that significant fuel spills occurred in the fuel entry compound to the north of this site. There is the potential that fuel could have migrated back along the outside of this pipeline and soils may be contaminated along its length. Whilst the reports state that the POL system has been disconnected from the National fuel pipe network, we need to know exactly where this disconnection took place. There is increased risk of accidental release of fuel if the national oil pipeline that runs across this site is still connected to the network.

We are pleased to see from the Environmental Statement that a further intrusive site investigation is planned for the site prior to demolition and construction works and that where necessary remediation will be carried out on the site.

Advice to applicant and LPA for condition 3

The site is underlain by the Great Oolite Limestone (Principal Aquifer). Previous site wide monitoring of groundwater has confirmed that there is currently no significant impact on the aquifer from the previous historic contaminative activities that occupied this site. However, we need to protect this Principal Aquifer from any accidental spills of fuel during development from underground structures that could still be in place on this site.

Advice to applicant and LPA for condition 4

The site is underlain by the Great Oolite Limestone (Principal Aquifer). In order to protect this aquifer from mobilisation of contamination due to the use of soakaways, we need to know the contaminative status of this parcel of land.

Final Comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us.

Please quote our reference number in any future correspondence.

If you have any queries please contact me.

Yours sincerely

Ms Michelle Kidd
Planning Advisor

Direct dial 02030259712

E-mail planning_THM@environment-agency.gov.uk

cc Pegasus Planning Group