

Case Officer: Andy Bateson

Recommendation: Approve

Applicant: Heyford Park Commercial Developments Limited

Proposal: Discharge of Condition 25 (verification report) of 10/01642/OUT (Village Centre (North) only)

Expiry Date: 30 January 2019

Extension of Time:

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application seeks to partially discharge Condition 25 (contamination testing and remediation verification report) of 10/01642/OUT, which is the approved first stage development of 1,075 homes and associated commercial and community use developments at Heyford Park on the former RAF/USAF airbase at Upper Heyford. It specifically relates purely to the Village Centre North POS proposals developed on the north side of Camp Road on a parcel of land formerly occupied by former RAF/USAF Buildings 100-102, which has now been fully developed with shops, car parking and other community facilities.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. Condition 25 to planning permission 10/01642/OUT requires that prior to the occupation of any new building works, a verification report demonstrating completion of all works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the LPA. In this instance, the proposed discharge relates to the Village Centre (North) development only.

3. RELEVANT PLANNING HISTORY

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

10/01642/OUT – Outline planning permission granted for a proposed new settlement of 1,075 dwellings, including the retention and change of use of 267 existing military dwellings 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 22 December 2011.

4. RESPONSE TO PUBLICITY

- 4.1 This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **14 December 2020**, although comments received after this date and before finalising this report have also been taken into account.

- 4.2 No comments have been raised by third parties.

5. RESPONSE TO CONSULTATION

- 5.1. **CDC Environmental Health** – Objected to the initial submission, dated 14 November 2018 on the grounds that it recommended further works to be carried out to complete the remediation due to exceedances found in the soil samples taken at the time. The EHO was unable to agree to the discharge of the condition until the works specified had been carried out and written confirmation of such was received.
- 5.2. The additional remediation work was subsequently undertaken, and the results provided in the supplemental report, dated 20 October 2020 and received by the LPA on 30 November 2020. The EHO was reconsulted at the time but did not respond to that reconsultation.

6. APPRAISAL

- 6.1. Condition 25 – This condition required a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation to be submitted to and approved, in writing by the Local Planning Authority.
- 6.2. This submission included an initial Dorchester Buildings 100-102, Remediation Completion Report completed by Smith Grant LLP Ref: R1742B-LO9, dated 14 November 2018, which the EHO objected to on the grounds that it did not demonstrate complete remediation adherence across the whole of the Village Centre (North) area. Accordingly, further work was undertaken, and a supplemental report also by Smith Grant LLP entitled Topsoil Validation Record Ref: R1742d – Soil Certificate-Village Centre North POS Area, dated 20 October 2020 was submitted which provided the requisite written confirmation of contamination remediation across the full application site area. In the absence of any further objection from the Council's EHO in respect to the supplemental detail provided, Officers are satisfied that the terms of the condition have been fully complied with.
- 6.3. The condition was imposed on the advice of the Council's Environmental Health Officer who has liaised closely with the applicant's consultant on the verification report. They considered the initial report to be largely satisfactory but requested further detail in respect to small areas where full remediation had not been demonstrated in the 2018 report. That additional remediation evidence was duly provided in the supplemental report dated 20 October 2020 and in the absence of any further objection it is deemed that the condition can now be discharged.
- 6.4. The original application was EIA development. 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.

7. RECOMMENDATION

That planning Condition 25 of 10/01642/OUT be partially discharged in respect to Village Centre (North) only based upon the following:

Condition 25 (Village Centre (North) only):

In accordance with the initial Dorchester Buildings 100-102, Remediation Completion Report completed by Smith Grant LLP Ref: R1742B-LO9, dated 14 November 2018, as supplemented by the Topsoil Validation Record completed by Smith Grant LLP Ref: R1742d – Soil Certificate-Village Centre North POS Area, dated 20 October 2020.

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