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Planning & Development Services  
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OX15 4AA

**Our ref:** WA/2018/125527/01-L01  
**Your ref:** 18/01090/F  
**Date:** 09 August 2018

Dear Shona,

### **Vehicle Repair Workshop**

#### **The Old Scrapyard, Bunkers Hill, Shipton On Cherwell OX5 3BA**

Thank you for consulting us with this application. We have reviewed the information submitted in relation to development on land where the past use may have caused contamination.

The site is located above a secondary aquifer which overlies a principal aquifer. These are controlled water receptors which could be impacted by any contamination present on this site.

#### **Environment Agency Position**

We have **no objections** to the proposed development subject to the following **planning conditions** being imposed on any planning permission granted. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to this application.

#### **Condition 1**

No development shall take place until a scheme 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:
  - all previous land uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and
  - 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 written consent of the local planning authority. The scheme shall be implemented as approved.

### **Reason 1**

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 170 of the National Planning Policy Framework.

### **Condition 2**

Prior to any part of the proposed development being brought into use a verification report demonstrating the 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 2**

To ensure that the site does not pose any further risk the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

### **Condition 3**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

### **Reason 3**

To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not cause unacceptable levels of water pollution. This is in line with paragraph 170 of the National Planning Policy Framework.

### **Advice to Applicant and Local Authority**

Past activities at this site may have resulted in contamination. In particular, the site has been identified as a former vehicle workshop. The part of the site immediately around the existing building has an authorised use for storage and preparation of cars, whilst the remainder of the site has in the past been used as a scrapyards. This was not authorised and there has been enforcement intervention on the site to clear it in the past. Therefore, we require more information as to what past uses and potential

contaminants are within the site. Above and below oil ground tanks, may be present.

Further investigation would be required to determine the extent of any contamination present and to what extent it pose a risk to controlled waters. Any risk identified would need to be adequately resolved to ensure that side does not impacted on controlled water receptors. This may include remedial works to resolve contamination issues.

Planning Application Ref 18/01091/F

We note that another planning application has been submitted for this site, for a Workshop/ Storage Building (your ref: 18/01091/F). Any preliminary risk assessments or resultant submissions could encompass both the storage building aspect and vehicle repair workshop, to avoid duplication.

**Final Comments**

Once again, thank you for consulting us on this application. We ask to be consulted on any details submitted in compliance with these conditions.

Please send us a copy of the decision notice.

Yours faithfully

**Mr Alex Swann**  
**Planning Advisor**

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