

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

**Our ref:** WA/2019/126444/01-L01  
**Your ref:** 19/00446/F  
**Date:** 09 April 2019

Dear Sir/Madam

**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 (phases 5d & 8c)  
Heyford Park, Camp Road, Upper Heyford, Bicester OX25 5HD**

Thank you for your consultation, which we received on 21 March 2019.

The previous use of the proposed development site as an RAF base presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. From our archive reports for this RAF base we know that this part of the site was previously occupied by buildings used for 'General Industrial Storage and Distribution'. Controlled waters are particularly sensitive in this location because the proposed development site is located over a Principal Aquifer.

### **Environment Agency position**

We have **no objections** to the proposed development providing the following conditions are applied to any planning decision granted. Without these conditions we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

### **Condition 1**

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses

Cont/d..

- 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 written consent of the local planning authority. The scheme shall be implemented as approved.

### **Reason**

To ensure 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 line with paragraph 170 of the National Planning Policy Framework.

### **Condition 2**

Prior to any part of the permitted 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.

### **Reason**

To ensure 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 line with paragraph 170 of the National Planning Policy Framework.

### **Condition 3**

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

### **Reason**

Until the contaminative status of this parcel of land is established, the surface water drainage plans for this site should not include the use of soakaways. This condition is necessary to ensure 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 line with paragraph 170 of the National Planning Policy Framework.

### **Final comments**

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

We ask to be consulted on any details submitted in compliance with these conditions.

Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

If I can be of any further assistance, please contact me directly.

Yours faithfully

**Mrs Cathy Harrison**  
**Planning Advisor**

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