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21st May 2020

Dear Ms Burden,

BROMHAM NEIGHBOURHOOD PLAN EXAMINATION

Rainier Developments Limited (Rainier) are promoting Land South of Northampton Road, Bromham (referred to as Site 43) through the Bromham Neighbourhood Plan (BNP), which you will have seen from our representations to the Regulation 16 Consultation.

We are continuing to monitor the Examination of the BNP and write further to your letter of 30th April 2020 to Bedford Borough Council (BBC) as the Qualifying Body (QB) seeking points of clarification regarding the BNP and BBC's response of 13th May 2020. We note the response from BBC includes commentary from the developer of Beauchamp Park and we consider further clarification of these matters would assist your examination of the BNP.

i. Please confirm that there will be no vehicular access through the new development from Barker Drive/Peacock Road to Stagsden Road and the A428.

The developer's response to this matter states that:

"An outline application has been submitted for the Beauchamp Park site (ref. 19/01904/MAO) with all matters reserved except access. Two vehicular access points are proposed into the main part of the site, one from Stagsden Road and the other from Barker Drive. These accesses are proposed due to the fact that the creation of a cul-de-sac development of this scale would not be sound planning. This approach was supported by the Local Highway Authority when the applicant engaged with them prior to the submission of the application. Now that the application has been submitted the Local Highway Authority has further endorsed this approach."

We are not aware that the Local Highways Authority have 'supported' the route from Barker Drive/Peacock Road to Stagsden Road at either the pre-application stage nor in response to the planning application. The information from the pre-application meetings is available on the BBC website for the Beauchamp Park planning application.

The BBC pre-application response from 19th July 2019 states that the Highways Team have not provided a written response and notes of the meetings included with the pre-application material on the BBC website do not record their support for this approach.

Furthermore, at the time of writing there is no Highways consultation response for the Beauchamp Park planning application posted on the planning application portal of the BBC website.

ii. Is any part of the development site subject to contamination which could affect the viability or deliverability of the land for housing?

The developer has responded to this point as follows:

"A Phase 1 Contaminated Land Assessment has been submitted in support of the outline application and identifies an area of made ground. Investigations indicate this is most likely inert landfill made up of spoil from the A428 Bromham bypass construction during the 1990's. There are only limited sources of potential ground contamination identified on the site and within the immediate surrounding area. Monitoring would have taken place at the time the landfill was deposited in order to secure a licence from the Environment Agency. The Borough Council has considered the Assessment and has recommended that a standard condition be attached to any consent requiring further ground investigation prior to development commencing. There is no evidence that any ground contamination from the inert landfill would represent a hazard or a physical constraint to the delivery of the site."

As set out in Rainiers Regulation 16 representations, the Phase 1 Contaminated Land Assessment supporting planning application 19/01904/MOA confirms that:

"A wide range of contaminants may exist within the area of the former landfill such as heavy metals, hydrocarbons and asbestos. A risk to future Site users may exist if these contaminants are present at elevated concentrations. The presence of on-site and off-site landfilled or infilled material may also present a ground gas risk to future Site users since decomposition of material has the potential to produce methane and carbon dioxide. The risk to future Site users in the centre of the Site is considered to be Moderate".

The Assessment goes on to recommend that

"an intrusive ground investigation is conducted in accordance with the requirements of BS10175. This will enable characterisation of the Site and further assess the potential risks to future Site users and controlled waters. At least six rounds of subsequent ground gas monitoring and two round of groundwater monitoring should be undertaken to assess the ground gas and hydraulic regimes beneath the Site."

Rainier suggest that this recommendation for intrusive ground investigation and ground gas monitoring is undertaken before this site is allocated. This would allow the BNP to be satisfied that, as recommended by Planning Practice Guidance Paragraph: 006 Reference ID:33-006-2190722 to allocate land which is known to be affected by contamination only for appropriate development – and be clear on the approach to remediation.

Rainier have also raised concerns regarding the former use of part of the Beauchamp Park Site as a landfill. The planning application documents supporting planning application 19/01904/MOA state that the extent of landfill may be wider than shown on the historic plans; this is verified by the extent of 'made ground' identified on the geophysical survey appended to the Archaeology and Heritage Assessment.

It is also noted that a Viability Appraisal is submitted in support of the planning application. This is not publicly available but is referred to in the Planning Statement which states that *"The final level of affordable housing and tenure split that is to be agreed will be subject to the viability of the development, taking into account all other planning obligations and development costs that*

will be needed to deliver the new homes and mitigate any impacts of the development." The development costs are not qualified but could relate to contamination and/or the ground conditions.

I hope the above points of clarification are helpful to your Examination of the BNP.

Yours sincerely,

Gavin Gallagher
Planning Director
Rainier Developments Limited

cc.
Gill Cowie

Bedford Borough Council, Manager for Planning and Housing