

9<sup>th</sup> May 2023

**Delivered by email**

Mr Andrew Thompson  
Major Developments South Planning Team  
Development Management  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
OX15 4AA

Ref: HILR3002

Dear Mr Thompson,

## **RESPONSE TO CONSULTEE COMMENTS**

### **LAND NORTH OF 66 AND ADJACENT WATER EATON LANE, GOSFORD**

With respect to the current application ref. 22/03883/F, we have prepared this letter in response to comments received from statutory consultees, raised in relation to the proposed development of 96 dwellings at the site Land adjacent to Water Eaton Lane, Gosford. This submission focuses on technical matters raised and therefore elements related to wider design matters are not addressed at this stage.

The following plans have also been updated and are submitted with this letter for information:

Plan / Document	Reference
Geo-Environmental Report	CRM.1027.132.GE.R.001 rev A
Geophysical Survey Report	07 March 2023
BNG Metric	01-12-2022
FRA Appendix F – Attenuation Pond 1 Simulations	Rev A
FRA Appendix F – Attenuation Pont 2 Simulations	Rev A
FRA Appendix J – Surface Water Catchment Area Plan	571-P-505 Rev A
Landscape Management and Maintenance Plan	22027-GUA-DOC-L-001 P03
Response to Landscape Officer Comments (Guarda Landscape)	-
Response to LLFA (Phoenix Design)	571-LLFA-001 P01
Response to Ecology Consultation (TEP)	9733.003

6th Floor North  
2 Charlotte Place  
Southampton  
SO14 0TB

T 023 8072 4888 [turley.co.uk](http://turley.co.uk)

Response to Highways Comments (TPA)	1704-10/TN/04 B
Co-Wheels Car Club Letter	-
Written Scheme of Investigation	OGKC-23

## RESPONSE TO CONSULTEE COMMENTS

The comments received from BOB ICB, Waste Management and Education concern the S106 Agreement and this will be dealt with under a separate cover.

The comments received from Sports England, Land Drainage and National Highways raised no comments and are therefore not discussed further.

### Landscape

The comments received from the Landscape Officer, Tim Screen, on 16<sup>th</sup> February 2023, requested the following:

- At least a 5m buffer of woodland and greenspace between the cemetery and the plots and the road to allow the maximum amount of privacy for cemetery users.
- A combined LAP/LEAP play area facility. We note that it has previously been agreed through pre-application advice that a LAP is required on site in accordance with the approved Development Brief.
- The incidental green open spaces to be combined into a larger multifunctional open space with the play area situated within it
- A Maintenance and Management Plan
- Sustainable drainage system details, including maintenance details and any specialist operations

A formal response to these comments has been prepared by Guarda Landscape which addresses each of these points. A copy of the response is included at **Appendix 1**.

### Designing Out Crime

In response to the Crime Prevention Design Advisor's where relevant to technical matters these are addressed below. A separate response on wider design points will be provided in due course.

### Apartment Blocks

The apartment blocks will include secure entrances, and it is likely that the postal areas will comprise an external surface mounted post store with secure key locks.

### Bin & Cycle Storage

The cycle storage for the dwellings is provided within a secure garage or secure sheds located within the rear gardens, therefore, the cycle storage is within the secure boundary of the dwellings. To clarify, 26 dwellings have been provided with garages in which bicycles will be stored, and 42 dwellings have secure sheds for cycle storage in the rear gardens. All the sheds within the gardens are considered to be visible from the windows located at the rear of the dwellings and therefore covered by natural surveillance.

With regards to the apartments, the communal cycle storage is provided within each apartment building, at the ground floor. The southern block also includes an external cycle store which is accessible via a separate cycle store entrance door which will include a code locked system with the code issued to the allocated flats within the southern block only. It is also confirmed that the internal communal bin stores will be robustly secured with a

single leaf door to a minimum standard of LPS 1175 SR1 or equivalent. The annotated plan provided by the Crime Prevention Design Advisor suggests there is a cycle store located to the south of the apartment block, adjacent to the cemetery extension, to clarify, this building is a substation and a majority of the cycle storage is included within the apartment blocks, with only 9 cycle spaces included within the bin store building in close proximity to the east of the southern apartment block.

## Lighting

It is considered that details of any external lighting can be secured via an appropriately worded condition. The Crime Prevention Design Advisor suggested the following condition wording, which the applicant is happy to agree to, subject to changing the condition trigger to 'prior to occupation'.

*~~"Prior to commencement~~ Prior to occupation of the development, details of a proposed external lighting scheme shall be submitted to the local planning authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to local residents."*

It is noted that the Crime Prevention Design Advisor is not supportive of bollard lighting as they can be damaged by reversing vehicles, and do not provide sufficient light at the right height to aid facial recognition and reduce the fear of crime. Therefore, the detailed lighting design to be submitted post-determination as part of a condition will not include bollard lighting.

## Utility Meters

The private utility meters for each dwelling will be located in an easily accessible location, visible from the public realm. It is anticipated the meters will be located on the return of each building which whilst this is not directly on the front elevation, it will be at front of the property to ensuring maximum visibility.

## **Archaeology**

Comments received from Oxford County Council Planning Archaeologist on 24<sup>th</sup> January 2023 recommend that prior to the determination of the application an archaeological field evaluation should be implemented in order to define the character and extent of the archaeological remains within the application area.

In response to this, the applicant commissioned a geophysical survey across the site with the Written Scheme of Investigation (WSI) having been approved by the County Archaeologist in December 2022. The results of these assessments are provided within Geophysical Survey Report (March 2023) which is submitted alongside this response letter. It is considered any requirement for trial trenching can take place post-determination and secured by an appropriately worded planning condition. A WSI for the archaeological trial trenching is also enclosed (OGKC-23) with this submission and from correspondence with the County Archaeologist we understand they are in agreement this work can be secured via an appropriately worded condition. An updated consultation response is awaited to reflect this updated position.

## **Drainage and Flood Risk**

The Council Drainage Officer has confirmed that the proposed surface water infrastructure details are acceptable.

Design related matters including the buffer on the southern boundary will be responded to in the separate design response.

Phoenix Design have also prepared a response to the LLFA comments (see **Appendix 2** for reference). The LLFA highlighted some missing information, as such the Flood Risk Assessment appendices are included with this response letter and have been issued to the case officer under a separate cover for the LLFA review and comment.

The submitted Flood Risk Assessment and Drainage Strategy (ref. 12.12.22 rev C) includes drawing ref. 571-P-010 (Appendix E) which provides details of the proposed drainage strategy. Details of the micro-drainage simulation are included within Appendix F of the Flood Risk Assessment and Drainage Strategy (ref. 12.12.22 rev C) and include all storm events up to and including the 1:100 year storm event, plus 40% climate change. Pipe numbers and details of the surface water catchment area also shown on drawing ref. 571-P-505-A (Appendix J). In response to the LLFA comments, the surface water catchment plan has been updated to allow 10% urban creep, in addition the calculations have been updated to reflect this. The submission of the Flood Risk Assessment and Drainage Strategy appendices is therefore considered to address these comments raised by the LLFA.

With regards to surface water discharge, it is proposed that the surface water run-off generated for the site will replicate the existing greenfield run-off which discharges to the existing ditch. The proposed surface water run-off has been restricted to the Qbar greenfield run-off rate providing significant reduced surface water run-off post development. At the detailed design stage of the surface water layout, Land Drainage Consent, to discharge into the existing ditch will be applied for.

Further ground investigation works, and infiltration testing, has been completed in relation to ground water flood risk. The Geo-Environmental Report (ref. CRM.1027.132.GE.R.001.A) is included with this letter and should be issued to the LLFA for comment.

## Highways

Comments in relation to the planning application have been received from Oxfordshire County Council (OCC) Highways and Stagecoach. The key points raised include traffic impact, parking, walking and cycle facilities.

The applicant understands that OCC are in the process of completing transport modelling. This was due to be completed in 2022, however, has been significantly delayed. It is anticipated that the transport model results will be issued within the next few months, however this is not guaranteed. To aid in the determination of the application, the applicant completed their own traffic surveys and provided a separate traffic model which is considered to provide sufficient information to allow determination of the planning application. The highways consultant, Transport Planning Associates, notes that the trip generation details used within the model have been agreed with OCC. The model also includes details of the adjacent sites' traffic flows and has included mitigation for the impact of the development. As such it is requested that full comments are issued by OCC Highways in advance of the completion of their own transport modelling to allow the determination of the planning application as it is considered sufficient information has been provided to them to date.

The comments received also raised concerns pertaining to vehicle and cycle parking, including:

- The location of the parking bays being a hazard when it comes to manoeuvres associated with parallel parking on the bend. On-street parking along the carriageway was expected to be on the outside bend rather than the inside.
- The level of cycle parking does not meet the county's standard. Cycle parking in accordance with the standard would result in the loss of amenity space and would require the provision of an additional or bespoke shed within the garden of each dwelling.

A formal technical response to comments received from OCC Highways on 6<sup>th</sup> March has been prepared by Transport Planning Associates and is included at **Appendix 3**.

It is considered that the internal walking and cycling facilities are in keeping with LTN1/20. The location of internal crossing will be resolved during detailed design stages and details of the exact location can be secured via an appropriately worded condition. The link to Water Eaton Lane is accessing onto existing infrastructure, which is not LT1/20 compliant which is in keeping with the existing pedestrian and cycle infrastructure.

In line with recommendations set out by the proposed car-club provider, there will be one car club car available on site, with the potential to add a second car at a future date as additional dwellings are completed pending review of the utilisation on the first car. This will allow residents to view the car club as part of the development rather than something which is added later and can be viewed by residents as an afterthought rather than an integral part of the neighbourhood. The car-club provider, Co-Wheels, are supportive of the proposal as set out in the letter at **Appendix 4**.

## ECOLOGY

The comments received from the Ecology Officer, Dr Charlotte Watkins, on 27<sup>th</sup> March 2023, outlined the following:

- Clarification as to the current habitat on site.
- Farmland birds have not been surveyed and so their presence must be assumed. No mitigation is proposed, and some measures should be sought.
- The Biodiversity Impact Assessment metric has not been submitted.
- A full lighting strategy will need to be conditioned which shows how light spill onto habitats is avoided.
- The Landscape Management and Maintenance Plan has been produced independently of the Biodiversity information.
- The proposals within the Ecological Assessment are not exemplary and fall short of what is expected for biodiversity in the built environment.
- There must be permeability for wildlife between gardens.

A formal response to these comments has been prepared by The Environment Partnership (TEP) which addresses each of these points. A copy of the response is included at **Appendix 5**.

Policy ESD10 of the Local Plan sets out the Council's aspirations in respect of the protection and enhancement of biodiversity and the natural environment. The application has been accompanied by a full suite of ecological surveys as set out in the Ecological Assessment which also details the ecological mitigation and enhancements which are proposed. Whilst Policy ESD10 of the Local Plan seeks a biodiversity net gain it does not stipulate the level of gain and therefore the 10% gain proposed through this planning application goes above and beyond the current policy requirements. Policy PR7a of the Local Plan Partial Review relates to the site itself and again simply refers to the achievement of a net biodiversity gain. The policy, and the Development Brief for the site, provide further guidance on the approach to the protection and enhancement of biodiversity and the natural environment. The application submission and the response from TEP clearly set out how the scheme meets all of the aspirations for the site. Whilst the proposals do not include green walls and roofs these are just one potential design response and as discussed, the proposals achieve a biodiversity net gain in excess of requirements and a wider package of ecological benefits. As such it is considered the scheme represents an appropriate design response.

## ENERGY AND SUSTAINABILITY

With regards to Energy and Sustainability, the planning application is supported by the Energy Statement (December 2022) which provides details of the energy efficiency measures, overheating assessment, renewable technologies, and water efficiency. The proposal is considered to be in compliance with Local Plan Policy EDS 2 (Energy Hierarchy and Allowable Solutions), Policy EDS 3 (Sustainable Construction), Part L of the 2021 Building Regulations and the emerging Future Homes Standard.

In accordance with Policy EDS 2, the development proposal has been developed in line with the 'energy hierarchy'. This hierarchy outlines the first step as 'reducing energy use, in particular by the use of sustainable design and construction measures'. The development proposal has been designed using passive design techniques (see Section 3 of the Energy Statement), in addition, the hot water and heating for all the houses will be provided through Air Source Heat Pump technology, which is a form of renewable energy. It is therefore considered the proposal meets the sustainable design and construction requirement of Policy EDS 2. This approach to construction is also in line with Policy EDS 3.

Overall, the scheme is 58.1% better than Part L of the 2021 Building Regulations and this ensures that the scheme will be compliant with Building Regulations in 2025. **Appendix 6** contains a table comparing the proposed development against the Future Homes 2025 standard, as well as Part L of the Building Regulations.

The adopted Local Plan 2011 – 2031 does not include a specific requirement for the provision of PV panels on development proposals. However, the design of the development will provide and support the opportunity for future owners of the dwellings to install their own solar PV on the roofs of appropriate buildings. To help inform and encourage future residents, Hill Homes will include details of PV provision within the sales pack and will also offer the option for installation of PV as an additional extra at the point of purchase. With regards to electric vehicle charging points, the layout includes capacity for on-plot charging points on the site. This will allow future occupiers of the dwellings to install charging points, likely on the garage walls, if desired. The applicant has reviewed the option to provide of EV charging point within the communal parking area for the apartments at the west of the site, however, efficient management of the charging points is not feasible. It is anticipated that the registered provider which will take on the affordable housing units, will also prefer to avoid EV charging points within the apartment parking area due to management and maintenance difficulties and the resulting additional costs this would provide to future residents via management fees.

## **KIDLINGTON PARISH COUNCIL**

The response from Kidlington Parish Council on 14<sup>th</sup> March 2023 raised an objection to the proposed development and requested the following work is undertaken:

- Undertaking of all necessary site investigation work to form tier 2 and tier 3 risk assessment submission made to the EA to ensure they will approve the site to be used as a cemetery
- Details of all necessary roads and footpaths together with a road and footpath link over the existing ditch to link the existing and extension cemetery
- Details of how the site will be levelled and grassed over ready for use
- Drainage to be installed

The comments also raised concerns over the residential layout, including:

- The proximity of residential units to the identified cemetery extension
- A residential road that is detrimental to the security of properties in Water Eaton Lane
- An area of open space that is detrimental to the security of properties in Beagles Close
- The density of development

In response to these comments, HRL are undertaking an exercise with Enzygo, who are specialists in site investigation works, to explore the suitability of the cemetery extension. The applicant is also reviewing the design comments and a separate response to the Case Officer will be provided and also separately issued to the Parish Council.

## **ENVIRONMENTAL PROTECTION**

The consultation response received from Environmental Protection on 15<sup>th</sup> February 2023 raised no objection to the proposed development but outlined suggested conditions in relation to noise and contaminated land.

In response to this, the applicant accepts the requirement for a CEMP which will be provided as a condition. With regards to noise, the applicant also accepts the condition. A Geo-Environmental Report (CRM.1027.132.GE.R.001 rev A) and Geo-Physical Report have been submitted to the Case Officer and uploaded to the application file on 21<sup>st</sup> April 2023. A copy of these documents are also submitted alongside this letter.

## **THAMES WATER**

The consultation response received from Thames Water on 9<sup>th</sup> February 2023, outlined a condition due to the inability of the existing water network infrastructure to accommodate the needs of the development proposal. The applicant agrees to the implementation of this condition.

We trust that the above and enclosed information is of assistance in your consideration of the planning application. We look forward to continuing working with you towards the positive determination of the planning application at the earliest possible committee.

Yours sincerely,



Sarah Hockin  
**Senior Planner**

[sarah.hockin@turley.co.uk](mailto:sarah.hockin@turley.co.uk)

## Appendix 1: Response to Landscape Comments

## Appendix 2: Response to the LLFA comments

## Appendix 3: Response to Transport Comments

## Appendix 4: Co-Wheels Letter

## Appendix 5: Response to Ecology Comments

## Appendix 6: Future Homes Standard Review

KIDLINGTON – Future Homes Standard Review - Fabric				
ELEMENT	CURRENT PROPOSED U-VALUES (W/m <sup>2</sup> K) (1)	Part L 2013 Notional Dwelling (2)	Part L 2021 Notional Dwelling (3)	Future Homes 2025 DRAFT SPEC (4)
<i>Walls</i>				
External Wall	<b>0.17 W/m<sup>2</sup>K</b>	0.18 W/m <sup>2</sup> K	0.18 W/m <sup>2</sup> K	0.15 W/m <sup>2</sup> K
Sheltered Wall	<b>0.17 W/m<sup>2</sup>K</b>	0.18 W/m <sup>2</sup> K	0.18 W/m <sup>2</sup> K	0.15 W/m <sup>2</sup> K
Party Walls	<b>0.0 W/m<sup>2</sup>K</b>	0.0 W/m <sup>2</sup> K	0.0 W/m <sup>2</sup> K	0.0 W/m <sup>2</sup> K
<i>Floors</i>				
Ground Floor	<b>0.12 W/m<sup>2</sup>K</b>	0.13 W/m <sup>2</sup> K	0.13 W/m <sup>2</sup> K	0.11 W/m <sup>2</sup> K
<i>Roof</i>				
Main Roof	<b>0.12 W/m<sup>2</sup>K</b>	0.13 W/m <sup>2</sup> K	0.11 W/m <sup>2</sup> K	0.11 W/m <sup>2</sup> K
<i>Openings</i>				
Windows	<b>1.3 W/m<sup>2</sup>K</b>	1.4 W/m <sup>2</sup> K	1.2 W/m <sup>2</sup> K	0.8 W/m <sup>2</sup> K
<i>Air Permeability</i>	<b>3 m<sup>3</sup>/(hm<sup>2</sup>) @50Pa</b>	5 m <sup>3</sup> /(hm <sup>2</sup> ) @50Pa	5 m <sup>3</sup> /(hm <sup>2</sup> ) @50Pa	5 m <sup>3</sup> /(hm <sup>2</sup> ) @50Pa
<b>Sources:</b> <ol style="list-style-type: none"> <li>Kidlington Energy Report produced by NRG Consulting</li> <li>Approved Document - Part L1a 2013 - <a href="#">LINK</a></li> <li>Approved Document – Part L 1 2021 - <a href="#">LINK</a></li> <li>Future Homes Consultation Document (2019) - <a href="https://www.publishing.service.gov.uk">Title (publishing.service.gov.uk)</a></li> </ol>				