

From: SGPC [<mailto:sibford.gower.pc@thesibfords.org.uk>]
Sent: 30 November 2018 15:46
To: Bob Neville
Subject: Application 18/01894/OUT Hook Norton Road, Sibford Ferris

Dear Bob

Ref : 18/01894/OUT Application for Outline Planning Permission – Hook Norton Road, Sibford Ferris
Submission by Sibford Gower Parish Council

Sibford Gower Parish Council OBJECTS to this planning application.

The application has been identified with land in the adjoining parish of Sibford Ferris, but would have significant infrastructure impact on the village of Sibford Gower. It would, furthermore, profoundly affect the character of the village community as a whole, and set a precedent that would have potential repercussions throughout both villages. This would be in direct contradiction of the expressed wishes summarized in the Sibfords Community Plan 2012, referred to in Section 4.0 of the response to this application from the Sibford Ferris Council.

The Sibford Gower Council concurs with the interpretation made by the Sibford Ferris Council that the application is not in accordance with the Development Plan (Adopted Cherwell Local Plan 2011-2031 (Part 1)). We note that although allowance is made within the plan for material considerations to be taken into account, under Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Partial Review of the Local Plan Part 1 is not relevant to the assessment of this proposal because this Plan relates to Oxford's unmet housing need and Sibford Ferris is located outside Search Areas A and B for the Plan. We further note that the Local Plan has not yet been submitted to the Secretary of State for Examination and so is not close enough to adoption to be a material consideration of any weight.

Having considered this application, we also share with the Sibford Ferris Council a number of significant concerns:

- **Size of development** We see no justification for the change from the approval for 8 houses granted in 2014 (to comprise 6 affordable [75%] + 2 market sale houses) to the current application for 25 houses comprising 9 affordable [36%] + 16 market value. The increase of 3 affordable houses [+50%] is entirely offset by the proposed increase of 14 market sale houses [+700%]. Just on these grounds alone, we believe this application should be refused.
- **Development Policy** Cherwell Local Plan 2011-2031 Part 1 identifies Sibford Ferris as a Category A village, being suitable for occasional minor development, infilling and conversions, and only within the built-up limits of the village. The proposed figure of 25 houses would appear to be well beyond "minor development" in the context of this village, rendering it disproportionate. The proposal involves the development of greenfield land outside the built-up limits of the Village, and is in direct contradiction of Policy Villages 2: the land has not been previously developed and is classed as Grade 2 agricultural land, of which there is a presumption against the development of such land for residential purposes, as it is classed as the 'best and most versatile' agricultural land.

- Housing density** While a range of housing density figures are offered by the applicant for different elements of the current proposal, the essential focus of the 2014 approval, supported at the time by the local community, has been entirely corrupted by incorporating 19 market value houses (64%) of varying size and potential value.
- Setting a precedent** When viewing the proposed site in conjunction with the immediately surrounding area, it becomes evident that there are adjacent parcels of land which could lead to further development. Indeed, it can be legitimately inferred that this constitutes an implicit intention on the part of Land & Partners South East Ltd. The applicant's "Statement of Community Involvement 2018" clearly states "it is considered to be sensible to design this proposal so that it would not prejudice future development in the longer term". It is evident, therefore, that the current proposal, with its new access to the Hook Norton Road, would set a precedent that would significantly weaken the intended constraints of Cherwell District Council's Development Plan.
- Village infrastructure** We are supportive of the Sibford Ferris response on the issue of village infrastructure in every detail. Although the present extremely limited local amenities are able to meet with current resident requirements, with the level of significantly increased population envisaged they would be overwhelmed by the infrastructure requirements of the proposed development, – a level of impact that would be experienced as much in the village of Sibford Gower as in Sibford Ferris. Sibford Gower contains the village surgery, the two churches, the village primary school, the Wykham Arms pub and the village hall – all serving the communities of both Ferris and Gower. None of these amenities are readily available on foot, and there is no footpath for dangerous parts of the very steep Burdrop Hill. The only access road itself is narrow, steep and with several blind bends.
- Additional traffic** While traffic observations have been conducted at identified peak morning and evening times, this fails to acknowledge traffic movements associated with the Sibford School at other times, particularly associated with the end of the school day. Any additional traffic will further compromise existing "pinch" points eg adjacent to the shop.
- Village character** Although the current proposal identifies a response to the potential built environment, there is no guarantee that any subsequent developer would respect the proposals as they seek to gain full planning permission. Land & Partners' application states "all matters reserved for approval" There are a number of points at which the application leaves open the possibilities for further development - for example, the layout of the internal road layout, including roads that lead only into the adjacent agricultural land area. But in our view, the use of this terminology in the application by Land and Partners SouthEast Ltd is the most significant because it would have immediate implications for the design and build of the present application, and carries a direct threat to the integrity of the

village. From our understanding of the term 'all matters reserved', the development remains open to being changed entirely both in layout and in character in the process of their furthering the application.

Our anticipation and our greatest concern with this entire application is that, were Land & Partners South East Ltd to be successful in this first stage in gaining outline permission it would leave open the possibility they would be in a position to sell on the site to a home builder having gained outline planning permission. We are persuaded that there would then be nothing to prevent the home builder using this clause in the agreement to dilute the design during detail design applications – regardless of any conditions the District Council might place on the development and with no guarantee that the scheme proposed would actually be built as currently presented by Land and Partners.

Given the sum total of these considerations, we do not believe it to be an exaggeration to conclude the character of the entire area, a listed area of outstanding natural beauty would be directly threatened by this proposal. It is our belief that, were Land & Partners South East to gain outline permission at this point, both at District and Parish level the Councils would lose significant control and influence over the character of any consequent build.

Given our identified concerns, we have to advise that we strongly object to this proposal.

Kind regards

Vanessa Mulley
Clerk to Sibford Gower Parish Council

Sent from [Mail](#) for Windows 10

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villages; Sibford Ferris is a small settlement and is not obliged to take high density housing developments.

The plan demonstrates that the development would increase the size of Sibford Ferris by approximately a quarter. This is disproportionate, in sustainability and actual terms. The village only has approximately 470 inhabitants, increasing such a small village by 25 dwellings is unnecessary and goes far beyond meeting the needs of the village.

The new plans state that they envisage approximately 12 cars in the morning and 12 cars in the evening. This is ridiculous, 25 houses could have more than 50 cars if there are families with teenagers aged 17 or more living in the larger houses.

Parking on the road in the area is high now, more cars will cause mayhem.

I believe it will be dangerous as the entrance to the estate is at the top of a blind hill where traffic is already high and used as a rat run. Through traffic speed down the hill and up the other side into Sibford Ferris to then encounter parked cars opposite an entrance to a school.

The green area next to the land will probably be built on as well (a right of way is to be made into this area). Our village will be a small town before we know it, will lose its history and peacefulness, this will be awful for all of us who have made the village the thriving, friendly, safe-haven that it is.

Regards

Karen Irons

From: llocks
Sent: 02 December 2018 17:57
To: Bob Neville; DC Support
Subject: Sibford Ferris - Land and Partners planning application

Dear Mr. Neville,

I'm sure you've already heard many salient points and objections from Sibford residents regarding the planning application made by Land and Partners in Sibford Ferris.

I would like to add some of my own points:

The Cherwell area from Banbury to Shipston on Stour is being increasingly bombarded with housing developments - It is now so depressing to live here.

All the new developments in our region look the same and the Cherwell region is becoming a homogeneous sprawl of houses.

I am hoping that you care enough to protect our countryside, to protect our way of life and to protect our country for the future.

I have spoken to representatives from Land and Partners a few times. They present themselves as a jolly nice and caring company, the best of a bad bunch. Somehow they think they are improving our lives and the countryside by building all over it. They said that it is selfish of village residents to retain houses with bedrooms that are not be occupied. This was an interesting insight into the thinking of an organisation that wants to build new and large, profitable executive houses in a small, rural village. There is also a general feeling amongst Sibford residents that we have been deceived because the original plan was just for a small amount of affordable housing for young people raised in the village. Land and Partners haven't to my knowledge defined or clarified "affordable housing" or "local" when it comes to providing housing for the young people of the village. They gloss over these points along with the years of disturbance caused by the development itself. They are only interested in selling their portfolio of large executive houses with space for a multitude of 4x4 cars - With two schools we already have severe problems with traffic in Sibford and now it's going to get a lot worse. We still hold onto a sense of community, however that will also be eroded just like what has happened in other former villages in the region and elsewhere.

Pave every square inch of this region with a million houses and you will solve nothing - The developers will still want to build more and more and more houses. Anti-social behaviour, crime, mental health problems and depression are all on the rise as we are increasingly surrounded by concrete and losing touch with the countryside. Build build build houses, yet you close our hospital facilities.... The developers tell you what you want to hear, build their houses and then just come back for more, so they build even more houses and they just get richer and richer. At the last village meeting, Land and Partners said they expect to expand their plans to build more houses in Sibford in the future. This planning application is about profit of course it is, not social and regional planning. You only have to take a look at Mr. Jeff Fairburn of Persimmon Homes to see the truth about the quality of our housing developers. They take far too much profit and we are left with sad, uniform, cheap, condensed housing with no gardens and no greenery across the country. Where can I go to see a landscape without houses in Oxfordshire now?

Our wildlife is now dying and our climate is destabilising, but we keep destroying our natural resources.

What about decreasing water pressure, increasing traffic, less infrastructure, harmful light, noise and air pollution - Well don't worry, keep building and just thinking about today, keep creating more environmental and infrastructure problems for the future as well as making a small group of private enterprise companies a lovely profit.

So we're in the spotlight now, the developers are closing in on the Sibfords as we become the new Bloxham or Hook Norton, they are attacking us from all sides. We are too small to defend ourselves and our fields and trees from big business, government and the lure of massive profits to be made as per HS2. We know this is the start of a major development for years to come as we see the developers have got their teeth into our village. We will lose our community and we will lose any sense of belonging as they change our village into another housing estate with more cars, more litter, more light pollution and less reason to be feel proud of our home.

So I plead with you Mr. Neville to please protect us from developers who want to expand our small village with large houses for people from the cities - Please protect our villages and communities, this scheme is the first of many in the Sibfords and is irreversible. It will be forever so there will be nothing left for future generations.

But who cares, right?

Thank you for reading my email, I doubt I have made any difference to your perspective as you're not able to act against the government and the developers know this.

So I'm sad that our future is destined to be forever worse.

Best Regards,
Lindon Locks

**Holly Bank
Barley Close
Sibford Gower
Oxfordshire
OX15 5RZ**

Mrs K Winter
Cels Bield
Back Side Lane
Sibford Gower
Banbury
Oxon OX15 5RS



29th Nov 2018

Mr Bob. Neville
Housing Dept.
Cheswell District
Council

White Post Rd
Bodicote.

Ref 18/01894/04

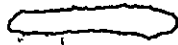
Dear Bob Neville.

I have very mixed feelings
on the proposed building for
Sibford Green.

It is crazy to bring people to
live very much in the country
at the Sibford where every
activity, outside their home, ~~and~~ ^{can}
walking will require transport.

Twenty-five houses - 50 cars?

The government at one point



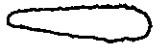
43 Saxon Avenue,
Stotfold,
Hitchin,
Herts.
SG5 4DD

was trying to cut down on
car travel!

The proposed builded: who
checks that the builder has all
the up-to-date qualifications for
the job. Who checks that the
inspectors also have these and
are not receiving back handlers
for closing their eyes?

There are still newish houses in
this village where the occupants
are exhausted trying to get
faults put to rights in their homes
and according to the radio.
they are not alone, many new
builds have serious faults.

What about the site: are
there springs - later to come up
in houses?

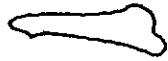


42 Saxton Avenue,
Stotfold,
Hitchin,
Herts.,
SG5 4BB

What about the wild life,
who have made this unused
land their home. There must
be a corridor for wild life or
it will be like Africa, habitats
that have elephants walking
through the lobby (old right of way)

The roads in the village are
narrow, twisty, some with no
pavement, some with only one
narrow pavement. This is
dangerous for children walking
to school. Many cars have to
be parked by the kerb, making
the roads even narrower.

The roads in all three sublords
are in an atrocious condition.
They all need completely re-doing
from the foundations up. They
were not made for the traffic
they are taking now



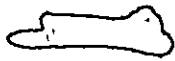
42 Saxon Avenue,
Stotfold,
Hitchin,
Herts,
SG5 4BD.

The bus service is poor.
It goes to Banbury - a very
limited run down town now,
compared to what it used to be.
None of the local buses run
by a couple market so a car
is inevitable.

Here, the village shop, is
very limited, though pleasant.
A long way to carry heavy
shopping bags if you go on.
Foot Parking here is often
difficult.

There is no work in the
Stotfold. There is little in
Banbury.

On the plan, the smallest
houses have the littlest gardens
why? These will be young



45 Saxon Avenue,
Stotfold,
Hitchin,
Herts.
SG5 4DP

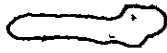
people with plenty energy
wanting to grow their own
food they also may have
children who need room to
run about. An allotment is
not always a solution.

Why do the villages have to
become dormitories for the
nearest town Hook Norton,
Adderbury, Bloxham these have
all been spoilt by over build.
There are many empty houses
throughout the land that could
be used first.

The S.b. roads are historically very
old. They should be preserved
Yours faithfully

[Redacted signature line]

R. To (all)



43 Saxon Avenue,
Stotfold,
Hitchin,
Herts.
SG5 4DD

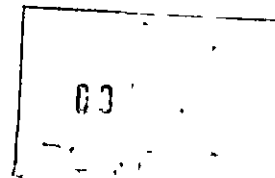
No one knows what Brexit
may bring but it might be
that every bit of agricultural
land, regardless of quality,
may be needed for food!

PLANNING & HOUSING & ECONOMY			
HDC	PLANNING	HOUSING	ECONOMY
- 3 DEC 2018			
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ACK	FILE		

Home Close
Main Street
Sibford Ferris
OX15 5RE

29 November 2018

Mr Bob Neville
Development Management
Cherwell District Council
Bodicote House
Bodicote, Banbury
OX15 4AA



BY EMAIL AND POST

Dear Mr Neville,

Re: Application No 18/01894/OUT

We object to the above application for the following reasons

1. The proposed development would be against the wishes of the community and the needs of the village

I refer to the the Sibfords Community Plan (2012) 64% of people would be willing to envisage up to ten new houses, 31% up to 20 and only 3% over 20 houses This proposal is clearly against the democratic wishes of the community and the Parish Councils

The developer has already been granted permission to develop 8 houses on the proposed site with the majority of the homes to be affordable housing with preference given to people with a connection to the village The permission already granted would meet the needs of the community

2. The narrow roads through Sibford Ferris cannot accommodate the additional traffic, which would also increase the danger to child and adult pedestrians

In order to travel to M40 Gaydon junction, the Sibford Ferris village shop, the nearest primary school, GP, church, village hall and pub, or to take the shortest route to Banbury shops, Banbury Station and M40 south at Banbury, traffic will need to drive along the narrow Main Street of Sibford Ferris which in many places either does not have or cannot accommodate, pavements

As there are two schools in the near locality (in Sibford Ferris and Sibford Gower), many school children walk along these un-paved roads to walk between home and local schools, to walk to the school bus stops for schools further afield, and also to walk to the

village shop at break times. There is therefore a very high number of child pedestrians who walk on the narrow Sibford Ferris Main Street and along the connecting road between Sibford Ferris and Sibford Gower, every day.

The additional traffic from this development will not only add further congestion that the village is not able to handle, but also increase the danger to these pedestrian users.

The Transport Statement has used assumptions based upon the 2011 Census travel to work data that only 17% of development traffic would travel northbound towards Sibford Ferris; however, this does not account for the many journeys which need to go through Sibford Ferris to access the aforementioned local services.

3 The Size of development is Disproportionate to the Size of the Village

The village of Sibford Ferris only has approximately 470 inhabitants; increasing such a small village by 25 dwellings is disproportionate, and unnecessary.

4. The proposal is contrary to the Cherwell plan 2011-2031:

The overall plan clearly directs development towards Bicester and Banbury, and other already built-up areas, not Category A villages. Furthermore, this application does not meet the policies which apply to Sibford Ferris (Policy Villages 1, 2, and 3).

Policy villages 1 allows only minor development, infilling and conversions within the built-up areas of the village. This application is not within the built-up area of the village.

Policy villages 2 allocates 750 dwellings to Category A villages, of which at least 736 have already been permitted. There is therefore no requirement for a village of circa 160 existing homes to have a high-density development of an additional 25 homes.

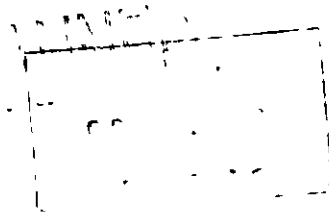
Availability of public transport is poor, and the additional danger to pedestrians of the vehicular access through Sibford Ferris to local services (referred to earlier) is contrary to policy 2.

Policy villages 3 - this application does not meet policy 3 as it contains too high a proportion of market homes, and it does not have the support of the local community, as evidenced by the Sibfords Community plan.

We trust that you will find these objections sufficient grounds to refuse the application.

Yours sincerely,

Graham White and Carolyn White



Fielding House
Sibford School
The Hill
Sibford Ferris
Banbury
OX15 5QL

Mr Bob Neville
Cherwell District Council
Bodicote House
White Post Road
Bodicote
Banbury
OX15 4AA

PLANNING - HOUSING & ECONOMY			
HDCM	HEDE	HBOE	HHS
- 3 DEC 2018			
COPY TO			
ACK	FILE		

27th November 2018

Dear Mr Neville

Hook Norton Road Planning Application (Outline) Ref 18/18094/OUT

I write with reference to the Hook Norton Road, Sibford Ferris, planning application Reference No 18/18094/OUT

As a long standing resident of Sibford Ferris (10 years) and Business Manager at Sibford School for thirteen years I write to express my objections to the proposed development with some considerable personal knowledge of the area

My objection to the application is based on two points under the Cherwell Local Plan 2011-2031 (Part 1) in relation to policy villages 2

- Satisfactory vehicular and pedestrian access/egress could be provided

The site is located at the top of a hill on the entrance to the village spanning the 30MPH speed limit dependent upon where the access or accesses might be established. Vehicles entering the village from the South often do so at some speed, sight is not good for any vehicle accessing Hook Norton road. This was demonstrated on a number of occasions during my time at Sibford school when near misses took place when cars leaving the site failed to see vehicles entering the village. The line of sight is restricted by vehicles parked on the road side, trees and other road furniture, an additional access road on the West side of the road either opposite or near to the school entrance would present further hazards in addition to increased usage of an already busy country road.

There is inadequate parking for vehicles belonging to residents living on the Hook Norton road which means traffic flow is often compromised, this is accentuated by the number of buses accessing and egressing the school site in many instances for the purpose of use of the swimming pool. The school's facilities are used extensively by state schools as part of public benefit.

There are no footpaths beyond the turning for Cotswold Close which presents a significant pedestrian hazard.

During hours of darkness the Hook Norton road is dark with very limited street lighting.

With a proposed development of 25 houses it would be reasonable to see an additional 35 to 40 cars using the Hook Norton road on a daily basis. Whilst it is claimed that the majority of transport would turn South out of the development, this is simply not true, the limited village facilities, school, shop, public house, village hall and surgery are all to the North and therefore traffic would head in this direction, secondly the direct route to Banbury is through the village as is travel to Stratford, Shipston and the M40.

The roads in Sibford Ferris are narrow with frequent congestion between Lanes End Corner and Holmby House, with particular problems created by the absence of a footpath and poor street lighting.

All of these points demonstrate that it is either not possible or unlikely that any development could adhere to the policy requirement to provide satisfactory vehicular and pedestrian access and egress.

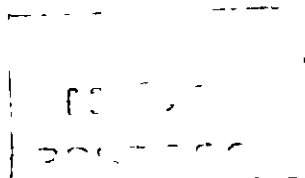
My second objection relates to **facilities and amenities**, the bus service between Banbury and Stratford has been reduced in recent years, Sibford Ferris has only one shop and limited other services, the village would not be able to support such an increase in demand without a review of existing services taking place.

An aside but a critical factor is that one of the school's boarding houses (Girls) is located on the Hook Norton road directly opposite the proposed development and would therefore be overlooked. This is not a question of loss of view but one of safety and safe guarding and should not be overlooked by anyone considering this application.

I trust that the views of those who express their concern about this application are considered.

Yours sincerely

Peter Robinson



The Vine House
Sibford Gower
Oxon OX15 5RW

29 November 2018

Dear Mr Neville

Sibford Ferris Development Application Ref 18/01894/OUT

I write to oppose most strongly the above Development. I have been a daily resident in Burdrop and Sibford Gower for nearly 30 years and have actively taken part in a great many local projects throughout this time covering these villages and Sibford Ferris. I believe I know as much about the villages of Sibford Gower, Sibford Ferris and Burdrop as most other residents here.

The reasons for my objections are as follows:

1. 25 new houses is far too great a number in a village the size of Sibford Ferris. There is virtually no public transport in the area with the nearest railway 7 miles away in Banbury and about 3 buses per day. There is only one shop, a village convenience store, in all three villages. The only practical way to reach the nearest three towns for shopping, Cinemas and other amenities Banbury, Chipping Norton and Shipston-on-Stour are by car. Already the traffic through the villages is excessive as both villages are used for "Rat runs" by outsiders. Frequently there is a complete jam of traffic in the main street of Sibford Ferris due to volume of cars passing through, residents and visitors parked cars, large farm vehicles and the bus service.

The development could easily mean in excess of 50 extra cars which would make the existing serious problem worse.

An assumption that traffic from the development would turn right is unlikely to be correct as much of it will head towards Banbury as well as Shipston and the North, quite apart from the Primary School, Doctor's Surgery and Village Hall and the only pub/restaurant in the three villages, all of which are in Sibford Gower and all of which would mean a left turn straight into the heart of the village.

Entrance to the site is extremely close indeed almost opposite that of the Sibford School, a school with many day pupils and such considerable extra traffic could be a serious hazard.

2. It is true that some extra housing of an affordable character has long been needed in the village but as many as 25 are completely excessive to the need which is probably nearer 7 or 8, a number for which it is understood Development Permission was granted to the proposed developer. If this is uneconomic for the developer then an unsuitable larger development should not be allowed on these grounds and the right number of affordable homes should be financed and built by another developer with different financial needs.

3. It is understood that by law Small Villages are not obliged to take large developments inappropriate to the existing size.

PLANNING, HOUSING & ECONOMY				
HDCE	HR	IEDF	HBCE	HHS
- 3 DEC 2018				
PAGE 1	OF 1			
AGI	FILE			

BN

RECEIVED

30 JAN 2019

Brenda Vandamme
Partway House
Swalcliffe OX15 5HA

Mr. Paul Seckington
Cherwell District Council
Planning Department
Bodicote House
Bodicote
Banbury, OX 15 4AA

Dear Sirs :

Ref: Planning Application 18/01894/ OUT

We are firmly against the above planning application and we hope that Cherwell Council will listen to the residents of Sibford Ferris and Sibford Gower and its surrounding Conservation villages and come to the same conclusion, particularly given those results of its own Conservation Department Survey two years ago that determine tranquillity and country landscape were the 2 most important reasons residents were living in these villages. Historic England despite this Application being for development greater than 1,000 sq meters has not had any Consultation from Historic England: impact on Conservation environment and character and looking at building materials considered for the Area.

This application is not for necessary housing as determined in the Cherwell Local Plan 2011-2031 (Part1). The Local Plan has already been satisfied.

The local development plan has in fact been ignored by this developer. They have ignored that the real need in the country is for affordable housing .

This Development is only purely for greed .

The villages of Sibford Ferris and Sibford Gower are not appropriate for this type of housing because of unsustainable resources such as only fee paying school , one very small inadequate village store, poor roads, dangerous intersections for any and all road users . Particularly for school children, bike riders, horses and riders, and all other farm equipment, any additional road traffic and parking issues will cause the infrastructure to be at breaking point.

They are also Conservation Villages.

This planning proposal is contrary to the National Planning Framework.

The Oxfordshire housing requirements have already been met by approved schemes elsewhere closer to Bicester and Oxford.

The loss of valuable agricultural land for the protection of the environment, the wildlife, the views of the countryside, and the protection of the Conservation aspects of these priceless villages to the local heritage will be devastating.

All of this type of reckless and piecemeal building of houses for no reason other than the financial gain of developers and farmer.

The proposed plan is not in keeping with the size of the village. It would dramatically increase by 30% the number of homes and people overnight .

It will change the feel of the countryside around us forever. The land is not sufficiently in the centre of either Sibford Ferris or Sibford Gower under Policy Villages 2 of the Local Plan.

Already parking at certain times is extremely difficult in the village and traffic is horrendous at times with all of the agricultural and public traffic. The residents who want to enjoy country activities such as walking, running, biking are already very hard pressed in our area and this will limit again their enjoyment of the very countryside they chose to live in.

We request that Cherwell Council turn down this planning application as totally unsuitable and firmly contrary to those guidelines given in the NPPF (2018) OF SUSTAINABLE DEVELOPMENT.

Sincerely yours,

Brenda Vandamme

For all the above reasons, I submit that a 25 house development should not be allowed to take place

Yours truly

Norman C R Nash

Mr Bob Neville,
Cherwell District Council,
Bodicote House,
White Post Rd,
Bodicote,
Banbury OX154AA.

SUE COOK

Mr Bob Neville
Senior Planning Officer
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 5AA

PLANNING, HOUSING & ECONOMY				
PLANNING	HP	ED	HOUSING	ECONOMY
- 3 DEC 2018				
				FILE

27 November 2018

Planning Ref: 18/01894/OUT

OS Parcel 4300 North of Shortlands and South of High Rock, Hook Norton Road, Sibford Ferris.

Proposal. Outline planning permission with all matters reserved for up to 25 dwellings with associated open space, parking and sustainable drainage

Dear Mr Neville

As a resident of Sibford Ferris living close to the proposed development, I write to object to this application on the following grounds:

- 1 The increase in the number of inhabitants would be seriously disproportionate. An additional 25 households would radically alter the intimate 'feel' of our small village of Sibford Ferris, which is exceptional for its neighbourliness and supportive, caring residents
- 2 Weight of traffic Given that most households now own two cars each, this would represent a hefty increase of 50 cars in this part of the village. In addition, the junction between Woodway and Hook Norton Road, adjacent to the proposed development, is already known to be a hazardous one
- 3 Better alternatives To permit a development like this on a greenfield site would set a most unwelcome precedent; also an unnecessary one, since usable brown field sites exist within a three mile radius of this particular spot
- 4 Rural outlook Finally, a beautiful view, much appreciated by local walkers like me, will be lost for ever

I hereby reject this proposal absolutely

Yours sincerely

Susan L Cook

----- Forwarded message -----

From: **Elizabeth Eastbury**

Date: Tue, 4 Dec 2018, 22:48

Subject: Fwd: Password Change Confirmation Request

To: <www.cherwell.gov.uk@gmail.com>

Hello I have tried for the past few hours to put my views on the planning application at Sibford Ferris. My comments are

What a lovely site for houses not cramped up. It will help the younger generation to get on the property ladder, which in time will help the school with more pupils which I understand needs more pupils. The shop and the public houses will also benefit from more people living in the village. I do hope I will be able to purchase a house on this site. What a wonderful idea of the orchards and allotments I will put my name down for one of these I have looked at other sites and never found these at all.

The layout of the site is the best I have seen, looked everywhere in Oxfordshire never seen that lay out before. I hope the residents of Sibford realise how lucky they are to get such a site in their village. I hope this gets passed as I for sure will be the first to purchase a home there. Please take my views in consideration.

Yours faithfully

Mrs S E R Eastbury

From: Elisabeth Irons
Sent: 01 December 2018 22:18
To: Bob Neville; DC Support
Subject: Hook Norton Road. Reference 18/01894/OUT

Dear Sirs

As a resident of Sibford Gower I am disappointed to see that after the village agreed to the previous plan of up to 10 houses, that the planning has been changed to 25 houses which include only 9 affordable homes, of which 'half' are for current or previous residents of the village.

Permission was granted to develop 8 houses on the proposed site with stipulation that the majority of the homes were to be affordable housing with preference given to people with a connection to the village.

The planned development of 25 houses goes against the Policy set out in the Cherwell Local Plan 2011-2031 (Part 1), this clearly directs development towards Bicester and Banbury, and other already built-up areas, not Class A villages; Sibford Ferris is a small settlement and is not obliged to take high density housing developments.

The plan demonstrates that the development would increase the size of Sibford Ferris by approximately a quarter. This is disproportionate, in sustainability and actual terms. The village only has approximately 470 inhabitants, increasing such a small village by 25 dwellings is unnecessary and goes far beyond meeting the needs of the village.

The new plans state that they envisage approximately 12 cars in the morning and 12 cars in the evening. This is ridiculous, 25 houses could have more than 50 cars if there are families with teenagers aged 17 or more living in the larger houses.

Parking on the road in the area is high now, more cars will cause mayhem.

I believe it will be dangerous as the entrance to the estate is at the top of a blind hill where traffic is already high and used as a rat run. Through traffic speed down the hill and up the other side into Sibford Ferris to then encounter parked cars opposite an entrance to a school.

The green area next to the land will probably be built on as well (a right of way is to be made into this area). Our village will be a small town before we know it, will lose its history and peacefulness, this will be awful for all of us who have made the village the thriving, friendly, safe-haven that it is.

Regards
Karen Irons
Meadow Cottage
6 The Colony
Sibford Gower
Banbury
Oxon
OX15 5RY

From: TOBY SPENCE
Sent: 12 December 2018 16:09
To: DC Support
Subject: Sibford Village Plan

Dear Cherwell District Council,

On behalf of Sibford School

We would like to put on record our broad support for the position of the Sibford Action Group regarding the proposed building development on Hook Norton Road.

Further to endorsing the position of the Sibford Action Group we are particularly concerned by the desire to build upon greenfield sites when we believe that there are alternative and more sustainable sites.

We are conscious of the volume of traffic which filters through the villages of Sibford Ferris and Sibford Gower which at times is already a significant challenge to the community. We do not believe that our current road network would provide a safe and manageable network in its present state. This has the real potential of putting members of our community, not least our pupils at an unacceptable level of risk.

Whilst we are not averse to seeing managed growth of the villages we believe that the proposed development of 25 new houses does not fit into the agreed Village Plan for 2020 and beyond.

In Friendship,

Toby Spence
Head

Sibford School, Sibford Ferris, Banbury, Oxfordshire, OX15 5QL, [Tel:+44 \(0\)1295 781200](tel:+441295781200)
tspence@sibfordschool.co.uk

-----Original Message-----

From: james maciver

Sent: 10 December 2018 13:20

To: Bob Neville

Subject: Ref 18/01894/OUT Proposed Housing Development Sibford Ferris

James Maciver,
1 Stewarts Court,
Off Hook Norton Road,
Sibford Ferris,
OX15 5QX

Dear Mr Neville,

I would like to voice some concerns I have with the proposed development of houses in the field that is almost next to my house on Hook Norton road. I understand you requested feedback by 30 November but will take views from those in Sibford. Please find below a summary of the points I would like you to take into consideration:

1. I understood there was a previously agreed proposal for 8 houses with a focus on affordable living to encourage people to stay within the villages in this area. This falls with specified guidelines stating that small dwellings are more suited to this site.
2. I don't understand why the original proposal was sidelined and replaced by this proposal. Are the developers greedy and their profit and wealth is at the detriment of those in the village. The values of the community should be given due consideration.
3. The traffic presently entering the village is a concern. Vehicles speed through the village especially around peak times in the m mornings and afternoons. Additional houses will add complexity and volume of cars. Having a development opposite a school drop off point doesn't make any sense and is an accident waiting to happen.
4. The village will lose it character especially the closeness between the Ferris, Gower and Burdrop. By allowing so many houses in one go will have a detrimental affect on the character of the village.
5. The facilities of the village do not cater for such an influx of people.
6. This isn't a sustainable proposal and such should not be allowed. There are many sites in and around Banbury more suited that easily add several houses. These building sites have the facilities required to cater for the influx of people. Villages should be about local people and giving those the opportunity to stay in their communities. Developments like this are just lining the pockets of greedy house builders and developers with little or no thought to the environment.

Thanks for taking the time to ready my points. This development isn't right for Sibford.

Kind regards,
James

From: Sibford Action Group [mailto:sibfordactiongroup@gmail.com]
Sent: 21 December 2018 00:24
To: support@landandpartners.com
Cc: Sibford Action Group
Subject: Sibford Action Group communication (please confirm that you received this email.)

Dear Tobias and the team at Land and Partners,

On behalf of the Sibford action group, as their secretary, I would like to thank you for your communication over concerns that the villagers have regarding the application for planning development on Hook Norton road 18/01894/OUT.

It is the size and scale of this development that concerns the villagers. It is clear that this site with 25 houses has an access road to a second site with potential for another 20 houses and therefore sets a precedent for future development.

This is not in accordance with the villagers wishes as shown by the 74 well written letters of objection posted on the CDC site. In a village of this size I am sure that you understand that this equates to a large population of the village?

The Sibford Action group is formed of a core group of concerned villagers and we have been well supported by both the Ferris and Gower village parish councils.

We cannot share email addresses due to data protection and I am sure that you are aware of this. Many villagers have contacted us directly and asked how they can support our concerns.

We are open to discussion and are not opposed to small scale, appropriate development that is sustainable in accordance with policy and meets the needs expressed in the Sibford local plan.

In a recent email to us you acknowledged concerns about the traffic and said "we estimate that most of the traffic will travel south on Hook Norton Road and not come through the village." Those travelling to Banbury train station or the M40 at the Gaydon junction will turn left and go through the village. Also, as most of the amenities are in the Gower (the primary school, village hall etc) many people will need to pass through the village to reach them with narrow roads, few footpaths, bad lighting and congested traffic including school buses etc.

We acknowledge the highway authority comments but still have grave concerns about the traffic. This point was echoed in a letter to the case officer, Bob Neville, by the headmaster of Sibford Friends school particularly expressing concern for the safety of the students.

As I mentioned before, we are happy to engage in conversation, however, the fundamental objections remain the same.

We hope you have a good Christmas and will no doubt be hearing from you in the New Year.

Katherine (Secretary for The Sibford Action Group.)

Cherwell District Council

Planning Department

Attn: Bob Neville

Bodicote House

Bodicote

Banbury, OX 15 4AA

PLANNING HOUSING & ECONOMIC DEVELOPMENT				
HDCMD	HPAHP	HEDE	HBCE	
27 DEC 2017				
PASSELED		COPY		
ACK		FILE		

Park Farm House

Burdrop

Oxfordshire

OX15 5RN

Dear Sirs :

Ref: Planning Application 18/01894/ OUT

I would like to register my objection to the above planning application and I hope that Cherwell Council will listen to the residents of Sibford Ferris and Sibford Gower and the compelling reasons to support this opinion. Indeed your own Conservation Department Survey two years ago highlighted that tranquility and country landscape were the 2 most important reasons residents were living in these villages.

This application is not for required housing as determined in the Cherwell Local Plan 2011-2031 (Part1). The local development plan has in fact been ignored by this developer as the real need in the village is for affordable housing . The villages of Sibford Ferris and Sibford Gower are not appropriate for this development primarily due to poor roads, dangerous intersections for any and all road users . Particularly for school children, bike riders, horses and riders, and all other farm equipment, any additional road traffic and parking issues will cause the infrastructure to be at breaking point.

This planning proposal is contrary to the National Planning Framework.

The Oxfordshire housing requirements have already been met by approved schemes elsewhere closer to Bicester and Oxford.

The proposed plan is not in keeping with the size of the village. It would dramatically increase the number of homes and people overnight and have a detrimental effect on the Sibfords.

The land is not sufficiently in the centre of either Sibford Ferris or Sibford Gower under Policy Villages 2 of the Local Plan.

Already parking at certain times is extremely difficult in the village and traffic is very busy with the school and traffic from surrounding villages driving through the village to reach the M40 at Gaydon and heading for Banbury station.

I request that Cherwell Council turn down this planning application as totally unsuitable and firmly contrary to those guidelines given in the NPPF (2018) OF SUSTAINABLE DEVELOPMENT.

Yours sincerely

Nick Harley

From: robingrimston
Sent: 07 January 2019 17:11
To: Bob Neville

Subject: Reference 18/01894/OUT

ELM FARM, SIBFORD FERRIS, BANBURY, OXFORDSHIRE OX15 5AA

7 January 2019

Mr Bob Neville, Cherwell District Council, Bodicote House, White Post Rd, Bodicote, Banbury OX15 4AA.

Dear Mr Neville

Proposed development of 25 houses in Sibford Ferris

Reference 18/01894/OUT

The poor water pressure in Sibford Ferris was brought home to us when we found ourselves without water for 48 hours over the New Year. Elm farm is situated at an elevation of about 205 metres. To compensate for the insufficient mains water pressure to reach us we installed a booster pump some years ago. Our booster pump failed hence the no water.

Has anyone investigated how a proposed significant housing development in Sibford will affect the water supply and pressure for the whole village?

Yours Sincerely

Robin Grimston

From: Sibford Action Group
Sent: 14 January 2019 07:37
To: Bob Neville; Bob Neville
Subject: Hook Norton Rd. 18/01894/OUT

Dear Cllr Bob Neville,

The Sibford Action Group, supported by 76 villagers, who have written letters of objection and both the Sibford Ferris and Sibford Gower parish councils who have stated their objections, strongly object to the planning application 18/01894/OUT for the development of 25 houses on Hook Norton Road, Sibford Ferris.

Please see the attached document which highlights the reasons why this application goes against policy as well as the community wishes. You have already received a report by David Lock Associates (who are representing us), however we hope you will take time to read the attached paper which highlights our main concerns again.

We sincerely hope that you will recommend to reject this proposal.

The Sibford Action Group Committee. (January 14th 2019)

John Perriss,

West Town House, Woodway Road, Sibford Ferris, Oxfordshire, OX15 5RF

Helen-Louise Pearce,

Hook Norton Rd, Sibford Ferris, Oxfordshire, OX15 5QR

Robin Grimston,

Elm Farm, Sibford Ferris, Oxon, OX16 5AA

Brenda Vandamme,

Partway house, Swalcliffe, OX15 5HA

Andrew and Clare Evans,

Faraday House, Woodway Rd, Sibford Ferris, Oxon, OX15 5RF

David Long,

Mulberry House, Sibford Ferris, Oxon, OX15 5RE

Stewart and Katherine Roussel,

Bramley House, Stewart's Court, Sibford Ferris, Oxon, OX155QX

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Reasons to Reject the Hook Norton Road Planning Application 18/01894/OUT

1) The proposal contravenes Policy Villages 1

Policy Villages 1 states that proposals for residential development are acceptable in Category A villages only if they are Minor Development, Infilling and Conversions and providing they are within the built-up limits of the village. This proposal is not a minor development and is classified by the Oxfordshire County Council as a major development and this proposal is not within the built-up limits of the village. Therefore the proposed development contravenes Policy Villages 1 on two counts. Policy Villages 2 of the Local Plan Part 1 is the most relevant policy for the assessment of this proposal.

2) The proposal contravenes Policy Villages 2 because the quota for housing has already been met

Policy Villages 2 outlines that 750 homes will be delivered at Category A villages over the Plan period to 2031. This quota has been met. The sustainable housing growth strategy inherent in the Local Plan Part 1 would be compromised by exceeding this figure, causing excessive or unbalanced growth too early in the Plan period, which is the principal objective of the strategy.

3) The proposal is not in accordance with Policy BSC 2

The Policy BSC 2 states: *'Housing development in Cherwell will be expected to make effective and efficient use of land'*. This proposal is neither on brownfield land nor in a sustainable location. The density of the proposal is also so low that it conflicts with the policy in that it is not an efficient use of land. In accordance with Section 38(6) of the *Planning and Compulsory Purchase Act 2004*, decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case, there are no material considerations to indicate a decision should be made in accordance with anything other than the Development Plan (Cherwell Local Plan 2011-2031 Part 1) and the proposal clearly conflicts with the principal policy – Policy Villages 2.

4) The Application goes against the Sibford's Community Plan

The District Council is able to demonstrate 5.4 years' housing land supply (July 2018) when Oxfordshire Authorities need only demonstrate a 3-year housing land supply following the Written Ministerial Statement on Housing Land Supply in Oxfordshire (HLWS924). Therefore, there is no pressing need for a major development in this location or at this time. There is also no desire from the local community either. In the Sibford's Community Plan (2012), 64% of people said they would be willing to envisage up to 10 new houses, 31% up to 20 and only 3% over 20 houses.

This proposal would clearly be against the wishes of the local community and the local Parish Councils' both of which have written to Bob Neville completely rejecting the proposal.

Please note; The site has been subject to a previous resolution to grant planning permission for **eight dwellings**, (six affordable local needs dwellings and two market dwellings) categorised as a "rural exception site" 14/00962/OUT

That application was withdrawn before any planning permission was granted as the necessary s106 agreement to secure the affordable housing in perpetuity was not completed. As Lord Steyn noted in the House of Lords' discussion of the case *R v London Borough of Hammersmith and Fulham and Others, Ex P Burkett and Another* [2002] UKHL 23:

'Until the actual grant of planning permission the resolution has no legal effect.'

Furthermore, the previous scheme was significantly different to the current proposal. The scale of the proposed development in comparison to the size of Sibford Ferris is disproportionate, in sustainability, physical and new housing terms. The village only has approximately 476 inhabitants (Census, 2011), so increasing such a small village by 25 no. dwellings would mean a 13% increase, which is disproportionate and unsustainable.

5. Sustainability concerns

Sibford Ferris and Sibford Gower were amalgamated and considered together to form one Category A Settlement, for the purposes of Policy Villages 1.

Whilst the Category A settlements are considered to be the more sustainable villages, there is a wide disparity between the services, facilities, accessibility and other sustainability characteristics of say Adderbury, Bloxham and Deddington as opposed to the Sibfords yet they are all grouped as Category A settlements. Even considered together, the Sibfords are not considered to be suitable or capable of absorbing:

- the growth produced by the 25 no. dwellings currently under consideration;
- any further development that would follow if an undesirable precedent was created by the approval of the current proposal; **(Please see the point about setting precedent below)**
- windfall development that may come forward within the built-up limits of the villages.

Both Sibford Ferris and Sibford Gower have limited capacity to sustain a major development, lack of facilities and poor accessibility.

The majority of services in the locality are in Sibford Gower (see Appendix 2 in David Lock's report on the CDc website). It is unlikely that Sibford Gower will be accessed on foot, due to the lack of continuous public footpaths along the route between the

villages, the distance and uneven topography. Therefore, the potential residents of the new development would most likely drive to reach the Nursery, Primary School, Public House, Village Hall, Church, Quaker meeting house and the GP Surgery in Burdrop.

Land and partners suggest that 80% of traffic will turn right out of the development towards Hook Norton, clearly this is not correct. As well as the above points, Banbury train station and the M40 at Gaydon will also be accessed by driving through the villages.

Allowing this development clearly could set a precedent for more development

It is clear that this development – confirmed by the Illustrative Masterplan with its link to the adjacent, smaller field which may be ‘suitable’ for development - would provide the access necessary to bring this adjacent site forward. The proposal would not only have a significant impact on this part of the village in itself but is also more than likely to lead to further undesirable development, if approved, as not only physical access would be facilitated but a precedent for more development on adjoining land would be established, which would be very difficult for the Council to resist if it approved this scheme. It should also be noted that the site forms part of a much larger agricultural field, with no sub-division or boundaries, except a sparse hedgerow along Hook Norton Road. If the principle was established for development in this location, there is the risk that further development could ensue to the south towards Hook Norton.

A full report by David Lock Associates, representing the Sibford Action Group, can be read on the Cherwell district council website. Or feel free to email thesibfordactiongroup@gmail.com for more information.

We, The Sibford Action Group, supported by 76 villagers who have written letters of objection and both the Sibford Ferris and Sibford Gower parish councils who have stated their objections, strongly object to the planning application 18/01894/OUT for the development of 25 houses on Hook Norton Road, Sibford Ferris, and recommend that it should be rejected.

Sibford Action Group Committee

John Perriss,

West Town House, Woodway Road, Sibford Ferris, Oxfordshire, OX15 5RF

Helen-Louise Pearce,

Hook Norton Rd, Sibford Ferris, Oxfordshire, OX15 5QR

Robin Grimston,

Elm Farm, Sibford Ferris, Oxon, OX16 5AA

Brenda Vandamme,

Partway house, Swalcliffe, OX15 5HA

Andrew and Clare Evans,

Faraday House, Woodway Rd, Sibford Ferris, Oxon, OX15 5RF

David Long,

Mulberry House, Sibford Ferris, Oxon, OX15 5RE

Stewart and Katherine Roussel,

Bramley House, Stewart's Court, Sibford Ferris, Oxon, OX15 5QX

From:**Sent:** 30 January 2019 08:11**To:** Paul Seckington**Cc:** Bob Neville**Subject:** Sibford Ferris housing objection

Dear Paul Seckington

Please find attached my letter of objection for the recent proposed housing on the Hook Norton Road. I understand that you are now taking over from Bob Neville at Cherwell District Council. The residents of Sibford are keen for you to be aware of the groundswell of opinion against this proposal as 25 houses in a small village is significantly different to the 10 agreed, I thank you for taking the time to read my original letter below.

Regards

Maggie Guy

Sent from Yahoo Mail for iPad

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Bob Neville

Cherwell District Council, Bodicote House,
White Post Rd, Bodicote,
Banbury OX154AA

28 November 2018

Dear Bob Nevill

Following the Sibford Ferris Parish Council Meeting, at which the development plans for the Hook Norton Road were overwhelmingly rejected by the community, I write as a resident of over 12 years to present my individual strong objection to the proposed development.

Firstly, it is clearly against the needs of the community and the wishes of the community. The most recent proposal for 25 houses far exceeds the original scheme. The character of this village is unique and if permission is granted it could set a precedent for even further building. Small villages like the Sibfords are not obliged to take large developments, as Cherwell's local plan (part 1) clearly directs development towards Bicester and Banbury and other areas already built up. There is significant building happening in these areas meeting area needs. As a category A village Sibford is not obliged

to take high density housing developments. The proposed development would increase the size of the village by approximately 25%. This is completely disproportionate and goes well beyond meeting the needs of the village.

Secondly, the village infrastructure really cannot sustain an additional 25 houses. Regardless of promises to provide the necessary infrastructure, such agreements will never make the unacceptable somehow acceptable. It is utterly inconceivable that an additional 25 houses will not put huge pressures on existing infrastructure.

Thirdly, and perhaps going deeply to the heart of the village concerns, villages such as Sibford represent the very best of rural Oxfordshire and this development puts our heritage very much at risk. Sadly, it cannot be presumed that the building will enhance the environment. All control and influence will be lost by the village in the highly likelihood that the land is sold to a home builder; once outline planning permission has been successful the home builder can change plans as they see fit. Therefore, there is no guarantee that the scheme proposed will be build as presented by Land and Partners. There will be no turning back the clock - the character and appearance of the village will be unnecessarily and irreversibly altered. The stunning views of the open countryside will be destroyed by the proposed building. This plan goes against the policy for 'Greenfield' sites located beyond the built up limits of the village. The development will be visible from at least two public footpaths and the wider village, thus having a huge impact on the character of the village and stunning Oxfordshire countryside.

Fourthly is the question of increased traffic. The proximity to the Sibford School entrance is a real concern. At peak times many buses and cars use this entrance on the Hook Norton Road, a new entrance in the same area will create even more congestion and threats to pedestrian safety. The transport statement made the misguided assumption that traffic will turn right away from the village. However, those travelling to Banbury train station or the M40 will turn left and travel through the village. Our house is located on the main road just up from the village shop. During peak school times there is significant congestion in this area and often the road is blocked with large vehicles struggling to get through. A new housing development of 25 houses will turn this into a transportation nightmare. The proposed pedestrian footpath connectivity is helpful, but clearly not enough of a benefit to make villagers wish to accept the development proposal.

As Mid- Cherwell District's housing needs have already been met it seems untenable to have a village of circa 160 houses be massively increased by a high density development of an additional 25 new homes. Not needed and clearly not wanted!

I cannot state strongly enough my objection to this proposed development which is: disproportionate, unsustainable, threatening the character and layout of the village and potentially setting a dangerous precedent for future developments. I implore you to listen to the wishes of the community and the Parish Councils.

Yours sincerely
Maggie Guy

Lion's Den
Sibford Ferris

From: brenda marven
Sent: 29 January 2019 13:00
To: Paul Seckington
Cc: sibfordactiongroup@gmail.com
Subject: OBJECTION: SIBFORD FERRIS 25 HOMES DEVELOPMENT APP 18/01894/OUT

Hello Mr. Seckington,

Ref: Application 18/01894/OUT

I appreciate your reading my attached Objection Letter so as to underline the various issues that should be considered before your department makes their recommendation.

This application will dramatically increase by 25-30% the number of homes in an otherwise rural Conservation hamlet of 3 rural Conservation villages.

It will mean having to enlarge roads, build sidewalks, footpaths, etc which are not in keeping with the character and environment of these 3 Conservation Villages.

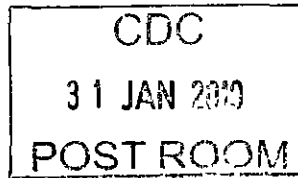
Why was Historic England not consulted , particularly in view of the fact that there are over 30 Listed Grade II buildings in the villages of Sibford Ferris and Sibford Gower.

People come for peace and tranquility and countryside views and this project destroys all 3 of these.

What is the point if the number of new homes has already been met under the Local Plan?

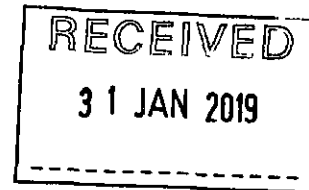
Sincerely,

Brenda Vandamme



Bishops Orchard
Woodway Road
Sibford Ferris
OX15 5RF

Mr Paul Seckington
Cherwell District Council
Bodicote House
Whit Post Road
Bodicote
BANBURY
OX15 4AA



30th January 2019

Dear Mr Seckington,

We refer to the planning application currently under consideration for a housing development between Hook Norton Road and Woodway Road in Sibford Ferris

Whilst we are conscious of the need for a small housing development , in proportion to the size of our village, we must strongly object to the current application to build twenty five houses (with all matters reserved for approval at a later date). **Your reference 18/01894/OUT.**

It should be mentioned here that when we refer to our village, we mean the village of Sibford Ferris which has its own Parish council and for the purpose of planning applications should not, and must not be considered as part of a larger area comprising The Sibfords and Burdrop

The developer has already been granted permission to build eight houses on the site on condition that the majority were to be affordable and reserved for purchasers with a connection to the village. He chose not to proceed. Our village currently has circa 160 houses, the proposed addition of 25 houses would surely be over development and contrary to the policy set out in the Cherwell Local Plan 2011-2031

The new application, if approved, would defy the wishes of the village community, who made it quite clear in response to the 2012 Community Plan that a maximum of ten houses would be acceptable and appropriate

In addition to our concern over the number of houses included in the current application, we are also concerned that, if approved, this development would become a precedent for further development on a much larger scale. The site under consideration has been extended to include recreation and amenity areas which could all too easily be the subject of further applications. We regard this extension to be a cynical device to facilitate future development grossly disproportionate to the size of our village. There is also an adjoining site which could become the subject of a future planning application once a precedent has been set. We feel that any approval for this site should not extend beyond the amount of land required for up to ten houses plus the usual access facilities and a children's play area

As currently presented, the development, once approved, need not necessarily conform to the plan submitted by the developer Land & Partners. We have seen many examples of sites such as this being sold off with outline planning permission to large home builders, at which point it appears the

local community ceases to have any control or influence, and the builder proceeds to change the plans as they think fit. You, as our representative, will surely understand and support our opposition to any scheme with such a possible outcome.

The transport statement submitted with the application makes the assumption that most of the traffic from these new houses would turn right and travel towards Hook Norton. We fail to see the logic in this. Most of the large employers in our area are in Banbury, Bicester, Stratford on Avon and even Oxford. To get to these destinations, traffic would have to turn left and drive through our village. Employment opportunities in Hook Norton and Chipping Norton would be modest by comparison. Some shopping and school transport would certainly turn towards Chipping Norton but again most would go towards Banbury. We have a very good village shop which is used by a majority of residents, but only as a convenience store for a small proportion of their overall needs, again residents of proposed new homes would need to drive through the village to access this shop, as they would to visit the Surgery in Burdrop, or the pub, church, nursery, primary school or village hall in Sibford Gower. Our narrow country streets are already congested at times, particularly so due to the movement of agricultural machinery, and we do not have a continuous provision of footpaths. More traffic would cause unacceptable congestion and present safety issues for pedestrians.

The land proposed for development is a "Greenfield Site" located beyond the built up limits of the village. Planning permission was only granted previously because it was considered to be a rural exception site, subject to conditions already mentioned. The current proposal would not meet the criteria to qualify as a rural exception site.

The Mid Cherwell Housing Needs Policy, Villages 2, allocated 750 dwellings to the Districts 23 category A settlements, which include Sibford Ferris. Last year the Council's Monitoring Report stated that 664 dwellings had been identified to meet these requirements. Since then a development of 72 dwellings has been approved at Launton and if 10 dwellings were to be approved at Sibford Ferris this allocation will have been all but met without imposing a high density development of 25 dwellings on a village which only has circa 160 existing dwellings.

Woodway Road already has a flooding risk due to run-off from the existing developments in the Hook Norton Road. Any further development will increase this risk and should therefore be minimised.

We would be most grateful if you would give consideration to the above before coming to a decision.

Yours sincerely,

Mr Peter Clacy

Mrs Philippa Clacy

From: Caroline Clarke
Sent: 31 January 2019 18:26
To: Paul Seckington
Subject: Housing development in Sibford Ferris

Dear Mr Paul Seckington
Reference 18/01894/OUT

I am writing to let you know that I am not happy that planning permission is in progress for houses to be built opposite my house.

Hook Norton Road gets very busy from early as 7.30am with the school traffic and people going to work, so when building starts this will be unbearable with only one way in and out for the lorry's.

I find it hard to believe you can not consider any where else suitable in the village to build. If you look around the village there are smaller plots of land which could be used for mini developments, this would help with the extra traffic in and out of the village.

I would also like to say if and when they sell the houses it will say with outstanding views, which will be taken away from me

Yours sincerely

Mr L M Clarke

(Mr L M Clarke 2Hook Norton Road, Sibford Ferris Nr Banbury OX15 5QR)

Sent from my iPhone

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From: charlesglazebrook
Sent: 06 February 2019 18:31
To: Paul Seckington
Subject: Planning Ref.18/01894/OUT

Dear Mr Seckington

I am writing to you as a resident of the Sibfords these last ten years to say I object wholeheartedly to the above planning application for 25 houses off the Hook Norton Road. It is way too many dwellings for the village and is contrary to our plan in which there was a consensus for developments of up to half a dozen houses a time in varying locations. This is totally rational given the tightness of the lanes round existing houses. Already there is gridlock through the village most mornings in term time, and the proposed entrance to the development opposite the Sibford School will exacerbate this further. Given the difficult topography of the landscape and totally inadequate infrastructure I would urge this plan be rejected in it's current form.

Yours sincerely

Charles Glazebrook
Meadowbank
Burdrop
Banbury OX15 5RN

Sent from my Samsung Galaxy smartphone.

From: Norman Nash
Sent: 31 January 2019 10:50
To: Paul Seckington
Subject: Sibford Ferris proposed development

Dear Mr Seckington

I attach a copy of the letter I sent to Mr Neville on 28th November 2018

I can only add that I have recently visited the Sibford Stores in Sibford Ferris a number of times. On each occasion the queues of traffic passing that area have been very large and there are normally a number of vehicles parked there on both sides of the road, both visiting the Stores and belonging to local residents. An extra number of cars on a daily basis of 50 or more will add enormously to the village traffic problem. A build of the required number of about 7 houses would be acceptable but 25 houses are out of the question.

Yours sincerely

Norman Nash
The Vine House
Sibford Gower

From: Chris Franklin
Sent: 30 January 2019 19:21
To: Paul Seckington
Cc: Briony Franklin
Subject: Proposed housing development in Sibford Ferris

I am writing to confirm to you my strong objection to the proposed development of 25 houses in Sibford Ferris.

Taken purely in isolation, due to its massive size, it will :

1. fundamentally change the nature of what is a small rural village.
2. cause a serious traffic problem in the very narrow Main Street of the village
3. put massive pressure on the village infrastructure

- water pressure

- sewage

- local school

- doctor

I am also very concerned that this development will lead inevitably to a similar proposal from the adjacent field, which has already been the subject of a planning proposal for a similar number of houses.

This likelihood cannot be ignored and the cumulative impact on the village would be catastrophic.

The amount of additional traffic pouring out of a dangerous turning onto an already busy narrow road would be a major hazard, as well as the further impact on the issues raised above.

The traffic estimates that were put forward in the proposal were very misleading and underestimated.

A more thorough assessment must be made before any development of this scale is considered.

Yours

Chris Franklin
Woodway Barn
Woodway Road
Sibford Ferris

From: Carol Evans-Gill
Sent: 30 January 2019 17:14
To: Paul Seckington
Subject: 18/01894/OUT

Dear Sir

I recently sent a letter to Bob Neville objecting to the above proposed planning application for 25 new houses in Sibford Ferris along the Hook Norton Road.

I would like to reiterate, very strongly, that this development would be catastrophic to a village the size of Sibford Ferris. It is completely unsustainable and will add tremendously to the chaos that already prevails in the village regarding the heavy volume of traffic, lack of roadside parking, standstill "snarl ups"; experienced daily due to the fact that vehicles cannot pass because of the narrow road that runs through the village. Infrastructure, already insufficient, will escalate and life for the residents will suffer greatly - in many more ways.

Who said rural life is idyllic. Try living on a day to day basis, experience the frustrations first hand and then tell me how another 25 dwellings will be of benefit to our (already exasperated) community??

Carol Evans-Gill

Sent from my iPad

Aldsworth
Ferris Court
Hook Norton Road
Sibford Ferris
Oxon.
OX15 5QR
26th November

2018

Objection to planning application

Ref 18/01894/OUT

Proposal for 25 new houses on Hook Norton Road, Sibford Ferris

To Mr. Bob Neville

We are writing to express our concerns regarding the planning application, Reference 18/01894/OUT, which has been submitted to Cherwell District Council.

This is the development plan to build up to 25 houses on Hook Norton Road, Sibford Ferris.

We are local residents & have lived on Hook Norton Road in this village for 20 years since July 1998.

We wish to submit a **complete objection** to this planning application for 25 houses for the following reasons:-

Breach of current policy

The proposal goes against the Policy set out in the Cherwell Local Plan 2011-2031 which directs development to larger already built-up areas & not Class A villages such as Sibford Ferris. This small village is not obliged to take on high density housing developments.

An additional 25 houses is a significant proportion of the current number of houses & would be an over development of our village.

The Policy states that proposals for residential development within category A villages - Minor Development, Infilling & Conversions – within the built up limits of villages will be considered. This proposal is NOT within the built up limits of the village.

Size of proposed development is disproportionate to size of the village

It is our opinion that 25 more dwellings concentrated in this proposed area would be a significant proportion of the current number of village homes within Sibford Ferris & will impact negatively in terms of sustainability.

Against Community Needs & Views

The Sibfords Community Plan 2012 survey results outlines the consensus that the majority view was acceptance for small development of the village with up to 10 houses. This substantial

proposal is excessive and will not meet the needs of the village or wishes of the community. We are also concerned that should this planning proposal proceed, then it will set a precedent for further undesirable development in the proximity.

Unsustainability

We are extremely concerned that the village infrastructure will not support this growth in housing and will become overloaded. In particular our concerns are that it will impact on the following:-

- Drains

We have had personal experience of mains drain blockage some years ago causing properties in Ferris Court to have effluent backflow from their drains.

Severn Trent Water Authority advised us then that there were issues with the aging mains drainage along Hook Norton Road.

We are particularly concerned that the current mains drainage will not cope with the capacity from a further 25 houses

- Traffic

There are already issues with the volume of traffic through the village at peak times.

This proposed plan will significantly increase the amount of traffic using Hook Norton Road to commute to work and access the M40, access the village school & GP surgery in Sibford Gower, as well as the local village shop

The nearby Sibford School contributes to the extra traffic to a degree as cars pass from Shipston Road through the village to the school entrance on Hook Norton Road opposite this proposed development. This area is busy already and in the interest of Health & Safety, another access point in this proximity does not seem sensible.

On road parking on Hook Norton Road contributes to the congestion and we have experienced difficulties in exiting from our courtyard due to this problem.

In conclusion, we do not support the current development plan & we wish to submit a **complete objection to the proposal** for the reasons stated

Yours sincerely

Claire & Mark Simmons

From: llocks
Sent: 30 January 2019 10:04
To: Paul Seckington
Subject: !! Sibford Ferris - Land and Partners Planning Application !!

Dear Mr. Seckington,

I'm sad that our future is destined to be forever worse.

I'm sure you've already heard many salient points and objections from Sibford residents regarding the planning application made by Land and Partners in Sibford Ferris.

I would like to add some of my own points:

The Cherwell area from Banbury to Shipston on Stour is being increasingly bombarded with housing developments - It is now depressing to live here. All the new developments in our region look the same and the Cherwell region is becoming a homogeneous sprawl of houses. I am hoping that you care enough to protect our countryside, to protect our way of life and to protect our country for the future. Please could you consider people more than money.

I have spoken to representatives from Land and Partners a few times. They present themselves as a jolly nice and caring company, the best of a bad bunch. Somehow they think they are improving our lives and the countryside by building all over it. However, they have little or no understanding of village life. They said that it is selfish of village residents to retain houses with bedrooms that are not occupied. This was an interesting insight into the thinking of a blinkered commercial organisation that wants to build new and large, profitable executive houses in a small, rural village. There is also a feeling amongst Sibford residents that we have been deceived because the original plan was just for a small amount of affordable housing for young people raised in the village. Land and Partners haven't to my knowledge defined or clarified "affordable housing" or "local" when it comes to providing housing for the young people of the village. They gloss over these points along with the years of disturbance caused by the development itself. They are only interested in selling their portfolio of large executive houses with space for a multitude of 4x4 cars - With two schools we already have severe problems with traffic in Sibford and now it's going to get a lot worse. We still hold onto a sense of community, however that will also be eroded just like what has happened in other former villages in the region and elsewhere.

Your intention to pave every square inch of this region with a million houses will solve nothing - The developers will still want to build more and more and more houses. Anti-social behaviour, crime, mental health problems and depression are all on the rise as we are increasingly surrounded by concrete and losing touch with

the countryside. Build build build houses, yet you close our hospital facilities.... The developers tell you what you want to hear, build their houses and then just come back for more, so they build even more houses and they just get richer and richer. At the last village meeting, Land and Partners said they expect to expand their plans to build more houses in Sibford in the future. This planning application is about profit of course it is, not social and regional planning. You only have to take a look at Mr. Jeff Fairburn of Persimmon Homes to see the truth about the quality of our housing developers. They take far too much profit and we are left with sad, uniform, cheap, condensed housing with no gardens and no greenery across the country. Where can I go to see a landscape without houses in Oxfordshire now?

Our wildlife is now dying and our climate is destabilising, but we keep destroying our natural resources.

What about decreasing water pressure, increasing traffic, less infrastructure, harmful light, noise and air pollution - Well don't worry, keep building and just thinking about today, keep creating more environmental and infrastructure problems for the future as well as making a small group of private enterprise companies a lovely profit.

So we're in the spotlight now, the developers are closing in on the Sibfords as we become the new Bloxham or Hook Norton, they are attacking us from all sides. We are too small to defend ourselves and our fields and trees from big business, government and the lure of massive profits to be made as per HS2. We know this is the start of a major development for years to come as we see the developers have got their teeth into our village. We will lose our community and we will lose any sense of belonging as they change our village into another housing estate with more cars, more litter, more light pollution and less reason to be feel proud of our home.

So Mr. Seckington, please protect us from developers who want to expand our small village with large houses for people from the cities - Please protect our villages and communities, this scheme is the first of many in the Sibfords and is irreversible. It will be forever so there will be nothing left for future generations.

But who cares what the majority of village residents want, right?

Thank you for reading my email.

Best Regards,
Lindon Locks

Holly Bank

Barley Close
Sibford Gower
OX15 5RZ

From: Caroline Long
Sent: 30 January 2019 15:12
To: Paul Seckington
Subject: Sibford Ferris, Hook Norton Road, PlanningReference 18/01894/OUT

Dear Mr. Seckington,

We support Sibford Ferris Parish Council's total objection to the above planning application for the following reasons:

1. This planning application is not in accordance with the Cherwell Local Plan 2011-2031. As a Category A (Service) village, only proposals for minor development, infilling and conversions within the built-up limits of the village will be considered. The proposal is not within the built-up limits of the village, and is certainly not a minor development.
2. The proposed development is disproportionate to the size of the village – increasing the area of the village by a quarter.
3. Additional traffic is unsustainable. A census that was carried out recorded 199 vehicle movements in the village between 8 am and 9 am on a term-time weekday in September this year. Further development will exacerbate the problem, whilst increasing the danger for children walking to school.
4. Mid Cherwell District housing needs have already been met. The Cherwell District Council is able to display 5.4 years' housing land supply at a time when Written Ministerial statement HLW 5924 states that only a 3-year housing land supply need be displayed while the Joint Spatial Strategy Plan is being progressed. Sibford Ferris is located outside Search areas A and B for the Oxford Unmet Housing Need plan.
5. There will be a significant landscape impact from both the public rights of way and from far-reaching views across the village. The proposed development is in open countryside.
6. The proposed development is against the needs of the village and the wishes of the community. It is opposed by the Parish Council and is not compatible with the Sibford Community Plan adopted in 2012.

Your sincerely,

David and Caroline Long
Mulberry House, Sibford Ferris

Paul Seckington,
Cherwell District council,
Bodicote House,
White Post Rd, Bodicote,
Banbury OX154AA.
reference 18/01894/OUT

Ray Pearce
1, Hook Norton rd
Sibford Ferris
ox155qr
28/01/19

Dear Paul,

I am writing with reference to the planning application for 25 houses on Hook Norton rd, ref 18/01894/out.

I am strongly objecting to the proposed housing development on Hook Norton rd.

- Not only with this have a negative impact on the character of the village by increasing the size of the population by 25%, it will negatively impact on the environment in this beautiful area. There are so many concerns nationally about the loss of green space, wildlife and natural habitat.
- Traffic will increase also, when the village already experiences congestion at peak times. Most traffic turns right out of Sibford school to drive through the village
- The village is used as a rat run for people going to work in Banbury etc.
- **In the Sibford village plan, the majority of villagers agreed to up to 10 houses to meet the needs of local people with a proportion 30% being affordable. This application for 25 houses far exceeds that, is predominantly market housing and is also likely to give the green light to further development in the future.**
- **In addition, the mid Cherwell Districts housing needs have already been met therefore there is no need for a village of this size to have a high density development of a further 25 houses.**
- The village cannot sustain a development of this size, as we do not have the infrastructure available. We have one small shop, a very limited bus service with most working people having to drive to work.
- **Small villages like ours are not obliged to take larger developments according to the Cherwell local plan. Approval of this application would go directly against Cherwell's own policy.**

Regards,
Ray Pearce.

From: Helen Pearce
Sent: 29 January 2019 18:38
To: Paul Seckington
Subject: Objection letter to reference 18/01894/OUT

reference 18/01894/OUT

29/01/19

Dear Paul,

I am writing with reference to the planning application for 25 houses on Hook Norton rd, ref 18/01894/out.

As a resident who will be directly affected by this development, but also as a member of a small community, I would like to express my strong objection to the application.

To begin with, living on Hook Norton road where we already suffer from excess traffic at peak times due to the school traffic, we will be further impacted by an increase in vehicle movement as it is most likely that each of the 25 houses proposed will have a minimum of 2 cars plus possible service vehicles. This traffic will also impinge on the village as cars pass through the village which already suffers from congestion at peak time.

Then there is the landscape impact on an area of nob and 25 houses will be visible from at least 2 footpaths and the wider village which will affect the character of the village with its open countryside. In addition, every day we hear on the national media about the negative impact on the ecology, loss of wildlife and natural habitat including the badger population. In addition, the Flood risk Assessment provided by the developer has identified a risk of perched Groundwater flooding.

Also, the size of the development is disproportionate to the size of the village and there is not a sufficient infrastructure to support an additional 25 dwellings. The development would increase the size of Sibford Ferris by 25%!

In the Cherwell local plan 2011- 2031 it is clearly stated that developments should be directed towards Banbury and Bicester and other already built up areas. Sibford Ferris is a small settlement and not obliged to take high density housing developments. The policy 1 also states that minor development, infillings and conversions within category A villages (Sibford Ferris) will be considered. This proposal is not within the built-up limits of the village.

Furthermore, the development goes against the needs of the village and wishes of the community. In the Sibford's community plan in 2012, 64% of residents were willing to envisage up to 10 new houses, with 30% being affordable or for the elderly. This proposal goes against the wishes of the local residents and Parish council. Approval of this application would, most likely, set a precedent for more development in Sibford Ferris and Gower resulting in even more traffic, loss of village character and natural green , open space. Once developers have got a foot in the door, it is almost inevitable that further planning applications will follow and impossible to stop them. Look around every village and town (Hook Norton, Bloxham, Adderbury, Chipping Norton etc) and you will see a plague of developments. Whilst we all recognise that there is a housing need, sustainable developments in brownfields sites should be the priority (Sibford is also outside of search areas A and B with regard to Oxford's unmet housing need) . The NPPF 2018 only supports sustainable developments and this proposed development is not sustainable.

I trust that you will take seriously the points I have raised here which are not about being a nimby but related to real concerns that myself and many of Sibfords residents share.

Yours sincerely

Helen Pearce.

I attach the above in doc form.

3 Sycamore Close – Sibford Gower – Banbury OX15 5SB

Mr Paul Seckington

29 January 2019

Cherwell District council
Bodicote House
White Post Rd
Bodicote
Banbury
OX154AA

reference is 18/01894/OUT

Dear Mr Seckington

I am writing in reference to the above planning application to build a development of 25 homes on the Hook Norton Road in Sibford Ferris. I would be most grateful if you would consider my points below:

Community Opinions on suitable and sustainable development in a Category A village

In 2012 the populations of Sibford Gower, Burdrop and Sibford Ferris were asked for their opinions on the suitable development of the villages over the coming years. You will no doubt be aware that the village provided a very clear response to these questions, in which it considered the impact on village life, impact and safety on roads, and the sustainability of amenities available. The survey concluded that 64% of village people were willing to envisage up to ten new houses, 31% up to 20 and only 3% over 20 houses. These responses make it clear that the village has no desire for a large scale development such as this. They also have a particular concern to make housing available to young families and for those with a connection to the village who struggle to afford property here. It is frustrating that the considered opinions of villagers are being disregarded by these developers.

The development goes against the policy for “Greenfield” sites located beyond the built-up limits of the village

I believe this developer has been granted authority to develop this site on the basis of 8 houses, which would seem to meet the recognised guidelines for development in a village on this scale. However, the developers are now keen to renegotiate this application to become a larger development (of 25 homes). As stated, this disregards the expressed views of residents of the village and, indeed, exceeds the National Planning Policy Framework (2018) that only supports sustainable development. If this planning is successful, it also sets a dangerous precedent for ours, and similar villages.

Landscape Impact from both the public rights of way and from far reaching views across the village

My home is in the lower end of Sibford Gower adjacent to a public footpath, and we have the privilege of wonderful open views from our home and garden that span right across this valley and towards this site. I can't imagine how our appreciation of this beautiful landscape will be enhanced in the slightest bit by this development. It is a terrible prospect.

Impact on the Ecology of the area and the local Badger population

I am also very concerned for the wildlife populations in this area. I am alarmed by the scale of wild animal casualties that I see on the roads, which I imagine is as a result of animals being driven from their homes by pressures on land and its development.

Badgers are a major feature of this village, with established setts all around and in particular very close to this site. I have also seen hares racing across the fields immediately opposite this site. Clearly these populations need areas to express their natural behaviour, forage, hunt and live healthily. We have a responsibility to ensure our wildlife communities continue to thrive here. I hope you are also aware that this land is very close to an Oxfordshire Wildlife Trust nature reserve also off Hook Norton Road (Woodford Bottom and Lambs Pool), and I find it hard to understand how the development of this agricultural land, especially at this scale, supports conserving this ecologically precious environment.

I do hope you will give your full consideration to my objections above, and I look forward to hearing about the outcome of this application.

Yours sincerely

Rachel Levell

From: Sibford Action Group
Sent: 29 January 2019 05:16
To: Paul Seckington
Subject: 18/01894/OUT Hook Norton Road.

Dear Mr Seckington,

We hear that Mr Bob Neville will shortly be finalizing his recommendations with regards to the proposed major development of 25 new houses in the village of Sibford Ferris Ref 18/01894/OUT.

We are concerned to hear, this morning, that Mr Neville maybe intending to write his report in favour of a development that clearly goes against both policy and the wishes of the community.

Just in case you are unfamiliar with the background to this proposal we wanted to draw your attention to the groundswell of objections from within the village to the scale and unsustainability of the poposed development.

The Sibford Ferris Parish Council have objected, the Sbford Gower Parish Council have Objected, Sibford School have Objected and 75 other local residents from a village of circa 160 homes have objected. Clearly there is a massive groundswell of opinion against a proposed development of 25 houses in a village of 160 existing houses which clearly also could set a precedent for future development.

The development is contrary to the Sibford's community development plan 2012.

We are sure that you are aware that the housing needs (deliverable, available, suitable and achievable projected sites) have already been exceeded with surplus?

We have studied the statistics closely and CDC have already exceeded in implementing their building quota targets, so approving a MAJOR development on a Greenfield site which is 5 miles from the nearest A road, extending a grade A village which is on the boundary of the Cotswolds AONB and completely goes against the wishes of the community hardly seems to be a credible possibility.

The exact policies that the proposed development breaches are described in detail within the report the David Lock and associates have presented to Bob Neville
(attached again for your interest.)

If Mr Neville's recommendation is one of approval then we will continue to represent the villagers to do whatever it takes to professionally object to this proposal.

We look forward to hearing from you and we will be in touch again soon,

The Sibford Action Group.

(Names and addresses of our committee members can be found on the CDC website in our most recent letter to Mr Neville.)

Mr Bob Neville
Senior Planning Officer
Development Management
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

30th November 2018

Our ref:
DAV001/VO/DC
Your ref:
18/01894/OUT

By email & post

Dear Mr Neville,

Outline planning application with all matters reserved for up to 25 dwellings with associated open space, parking and sustainable drainage - OS Parcel 4300, North of Shortlands And South of High Rock, Hook Norton Road, Sibford Ferris (Application No. 18/01894/OUT)

We write in connection with the above outline planning application on behalf of our clients, the Sibford Action Group. Our clients are a group of local residents and professionals, who have co-ordinated a response to this proposal on behalf of the many people living in both Sibford Ferris and Sibford Gower, who are seriously concerned about the likely impact of the proposal upon the villages and community.

This application follows a previous application four years ago on the same parcel of land (14/00962/OUT). The previous application was withdrawn following the Council's resolution to grant permission subject to the completion of a s106 agreement so was not approved. However, the previous application was also for a much smaller development of 8 no. dwellings of which 6 no. were affordable dwellings for local needs and the site, lying outside the built-up limits of the village, was considered as only as a "rural exception site". The previous proposal, being just 8 no. dwellings, was considered by the Council to be an appropriate scale of development for the village and important in meeting local needs. This current proposal is materially different, being three times larger and primarily developer-led speculative housing development.

Whilst the applicant has attempted to address some issues through minor alterations to the scheme following pre-application advice, the principle of development of this scale and in this location is completely unacceptable. This site and Sibford Ferris are not felt to be sustainable locations for a development of this size and permission for this development, which would not only be harmful in itself (see below), would also set a most undesirable precedent for similar development of adjoining land along Hook Norton Road and at Woodway Road, which would urbanise and radically change the character of this rural edge of Sibford Ferris. In addition, there are potentially serious impacts upon the local transport network, agricultural land, the landscape, archaeology and biodiversity.

As such, on behalf of the Sibford Action Group, we **STRONGLY OBJECT** to this latest and most unwelcome application for the detailed reasons set out in this letter. Dealing with each of these matters in turn:

DAVID LOCK ASSOCIATES LIMITED
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Central Milton Keynes
Buckinghamshire
MK9 3BP

☎ +44 (0) 1908 666276
✉ mail@davidlock.com
💻 www.davidlock.com

VAT Reg. No. 486 0599 05.
Registered in England No. 2422692.
Registered Office as above.

Principle of the Development

The starting point for the consideration and determination of any planning application like this is Section 38(6) of the *Planning and Compulsory Purchase Act, 2004 (as amended)*, which requires planning applications to be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.

The Development Plan for the area comprises the “saved” policies from the Cherwell Local Plan 1996 and the Cherwell Local Plan 2011-2031 Part 1, adopted originally in 2015.

This proposal is clearly contrary to the overall spatial strategy set out in the Local Plan Part 1, which directs the bulk of the proposed growth in the district to sites both in and around Bicester and Banbury. It limits growth in the rural areas, directs it towards larger and more sustainable villages and aims to strictly control development in open countryside. The Local Plan Part 1 seeks to change the pattern of recent housing growth in the district, as a disproportionate percentage (almost half) has taken place in smaller settlements, adding to commuting by car and congestion on the road network at peak hours.

Policy Villages 1 in the Local Plan Part 1 amalgamates Sibford Ferris and Sibford Gower for the purposes of “Village Categorisation” and this results in a joint categorisation as a Category A (service) village. The categorisation is questionable due to the fact the villages have poor walking and cycle links, are physically separated by the steep sides of the Sib valley and have separate Parish Councils. Nevertheless, Policy Villages 1 states that proposals for residential development (Minor Development, Infilling and Conversions) are acceptable in Category A villages, providing they are within the built-up limits of the village. This proposal is not within the built-up limits of the village, is not minor development or infilling and so Policy Villages 2 of the Local Plan Part 1 is the most relevant policy for the assessment of this proposal.

Policy Villages 2 outlines that 750 homes will be delivered at Category A villages over the Plan period to 2031, in addition to the rural allowance for small site ‘windfalls’ and planning permissions of 10 or more dwellings, as of 31st March 2014. The Policy describes that sites will be identified through the preparation of the Local Plan Part 2 [which is in the very early stages of preparation with an “Issues” consultation paper published in January-March 2016 and carries very little weight] through the preparation of Neighbourhood Plans [there is no Neighbourhood Plan in this instance] and through the determination of applications for planning permission.

As the other two elements do not apply, this proposal needs to be considered against the assessment criteria identified in Policy Villages 2 for identifying and considering sites, as the Local Plan says ‘particular regard’ will be given to these criteria. This also clearly demonstrates why we consider the proposal is unacceptable:

1. Whether the land has been previously developed land or is of lesser environmental value

The land has not been previously developed and is classed as Grade 2 agricultural land (see Appendix 1); there is a presumption against the development of such land for residential purposes, as it is classed as the ‘best and most versatile’ agricultural land. Therefore, the proposal conflicts with this criterion.

2. Whether significant adverse impact on heritage or wildlife assets could be avoided

The proposal is unlikely to affect the setting of the Sibford Ferris, Sibford Gower and Burdrop Conservation Area given that the Conservation Area is focused upon the historic core of the village(s). Wildlife assets are addressed below in the ‘Ecology’ section.

3. Whether development would contribute in enhancing the built environment

As the application is at the outline stage, the appearance, landscaping, layout and scale of the development are all matters reserved for approval, at a later date. At this stage, it cannot be presumed that the development will enhance the built environment and the details shown on the submitted drawings are not fixed or approved at this stage so are just illustrative and have no

planning status. The development will be substantial and outside the built-up limits of the village in open countryside on the southern approach to Sibford Ferris. Therefore, the proposal is likely to have a considerable physical and visual impact upon the environment on the rural edge of the village and, in the absence of any other information to the contrary, it can only be concluded that the development conflicts with this criterion.

4. Whether best and most versatile agricultural land could be avoided

The applicant comments that the vast majority of land around the Sibfords is Grade 2 or Grade 3. As demonstrated by Appendix 1, the land here is Grade 2 agricultural land so affects the best and most versatile land; the proposal therefore conflicts with the requirements of this criterion.

5. Whether significant adverse landscape and impacts could be avoided

An LVIA has been produced, but it is unclear at this stage whether the CDC Landscape Officer deems the assessment satisfactory. Nevertheless, it should be noted that the land around the Sibford villages comprises a succession of steep-sided valleys and narrow valley floors with a pattern of small fields and mixed farming, predominantly permanent pasture. The proposal will have an urbanising effect on this rural edge of the village, which is on rising land and in a field with no sub-division or enclosure except for a sparse hedge along Hook Norton Road. The likely impact is exacerbated by the scale of the development and the size of the site, which is disproportionate to any similar such development in the village(s) in recent times. Indeed, the Sibfords' Community Plan (2012) concluded that only small to medium groups of development were preferred (1-6 or 7-10 houses). The proposal therefore conflicts with this criterion. See also 'Landscape Impact' section below.

6. Whether satisfactory vehicular and pedestrian access/egress could be provided

Although access proposals are shown on the Illustrative Masterplan, this is only for indicative purposes and therefore could be altered at reserved matters stage, if this application is approved in principle. The pedestrian footpath connectivity is positive but would not be a significant enough benefit to tip the balance of acceptability of the development proposal.

The access is sited only around 50m north of a change in the speed limit from the national speed limit of 60mph to 30mph and given the straight alignment and width of Hook Norton Road, the speed of northbound cars is likely to be higher than 30mph, meaning a longer sightline will be required. The only way to ascertain if this is necessary would be to perform an ATC speed survey to establish sightline requirements.

A concern is also raised about the proximity of the proposed access to the Sibford School entrance on Hook Norton Road. The Transport Statement submitted by the applicant has made the assumption that most traffic would turn right from the site down the Hook Norton Road, which could cause conflicts at peak times in conjunction with turning traffic arriving and departing from Sibford School. The Transport Statement has used assumptions based upon the 2011 Census travel to work data that only 17% of development traffic would travel northbound towards Sibford Ferris village and 83% will travel southbound towards the Whichford Road junction with the Hook Norton Road. Travel to work data would not include trips to Sibford Gower, accessible most easily through Sibford Ferris, where most of the services, including the village primary school and nursery for the Sibfords are located (see Appendix 2). Furthermore, anyone travelling north towards Stratford-upon-Avon, Banbury or to the M40 via Gaydon would turn left from the application site and drive through the village having to negotiate narrow

roads due to their alignment or parked cars restricting the width available for passing vehicles.



Figure 1 - The site in relation to the change in speed limit and Sibford School

It would be unreasonable to assume that the pedestrian connections between the villages are suitable, due to issues such as a lack of a pedestrian footpath along parts of the route e.g. Hawks Lane and the walking distance and topography involved. There are therefore considerable doubts about the proposal's compatibility with this criterion in a location which experiences peak School arrival/departure time congestion.

See the 'Transport' section below for further information.

7. Whether the site is well located to services and facilities

This is a particularly strong argument against the proposal. The applicants attempt to counter it in their Planning Statement by referring to the Taylor Review, which concluded that rural villages find themselves in a "Sustainability Trap", where policy dictates that development can only occur in locations already considered to be 'sustainable'. This Review is not planning policy and is now about 10 years old and has little, if any, weight. Furthermore, we cannot conceive how Sibford Ferris can be considered a sustainable location for the development of 25 no. dwellings, when previously a development of just 8 no. dwellings (as a rural exception site) was considered to be an 'appropriate scale'. The proposal is of a disproportionate and inappropriate scale and the site is not well-located in relation to services and facilities, including public transport, employment, etc. See 'Sustainability of Sibford Ferris', below.

8. Whether necessary infrastructure could be provided

Necessary infrastructure can be provided and secured through a s106 agreement providing it is necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

9. Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period

It is anticipated that the land is deliverable but this is not of significant weight given the housing land supply position in the district (5.4 years as at July 2018 Housing Land Supply Update).

10. Whether land the subject of an application for planning permission could be delivered within the next five years

Unknown – see 9 (above).

11. Whether the development would have an adverse impact on flood risk

An increase in hard-standing or impermeable land could increase flood risk elsewhere, due to the fact the site is currently permeable agricultural land. The Flood Risk Assessment has identified a risk of perched Groundwater Flooding, which requires further monitoring and mitigation measures.

The conclusion from this review of the proposal is that it clearly conflicts with virtually all of the principal criteria and is not in accordance with this key policy in the Development Plan for the reasons set out above and amplified below.

Policy Villages 2 allocated 750 dwellings to be provided in the District's twenty-three Category A settlements, until 2031. This is in addition to any windfall development within the built-up limits of the village. Cherwell District Council's Annual Monitoring Report (AMR, 2017) outlined that 664 dwellings have been approved towards meeting the requirement in Policy Villages 2. The Blackthorn Road, Launton appeal decision (Ref: APP/C3105/W/17/3188671) in September 2018 allowed the development of a further 72 no. dwellings, bringing the total permitted dwellings to at least 736 dwellings. This leaves an allowance of just 14 dwellings until 2031.

The Inspector in the Launton appeal, stated:

'The latest AMR figures demonstrate that completions and planning permissions outstanding in the two principal towns of Bicester and Banbury amount to in the region of two thirds of housing delivery. The remaining one third being delivery in the rural areas, a substantial proportion of which is at a strategic allocation location. This demonstrates that the overall intention of the strategy to deliver housing in the most sustainable locations of the main towns and strategic allocation and to limit development in the rural areas is succeeding.'

Although the 750 dwellings number in Policy Villages 2 is not an upper limit, it is unlikely that the District Council will be comfortable exceeding this number substantially in 2018/19, over ten years before the end of the Plan period. The sustainable housing growth strategy inherent in the Local Plan Part 1 could be compromised by exceeding this figure, causing excessive or unbalanced growth too early in the Plan period, which the principal objective of the strategy aims to avoid for various reasons, but underpinned by sustainability principles. The proposal therefore conflicts with the strategic objectives of the policy and Local Plan Part 1.

In addition to the material conflict with both the strategic intention and detailed criteria of Policy Villages 2, the proposal is not in accordance with Policy BSC 2 (The Effective and Efficient Use of Land – Brownfield Land & Housing Density). The Policy BSC 2 states:

'Housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations...'

This proposal is neither on brownfield land nor in a sustainable location. The density of the proposal is also so low that it conflicts with the policy in that it is not an efficient use of land.

Principle - Development Plan Conflict

As set out above, in accordance with Section 38(6) of the *Planning and Compulsory Purchase Act 2004*, decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case, there are no material considerations to indicate a decision should be made other than in accordance with the Development Plan (Cherwell Local Plan 2011-2031 Part 1 and the "saved" policies of the Cherwell Local Plan 1996). The proposal clearly conflicts with the principal policy – Policy Villages 2 – and the objectives of the Local Plan Part 1 and should be refused.

This is at a time when the District Council can demonstrate 5.4 years' housing land supply (July 2018) and when Oxfordshire Authorities need only demonstrate a 3-year housing land supply following the Written Ministerial Statement on Housing Land Supply in Oxfordshire (HLWS924). This is to protect the Council and the district whilst the Oxfordshire Authorities progress the Joint Statutory Spatial Plan (JSSP) funded by the Oxfordshire Growth Deal, which

will provide the long-term spatial development strategy for the area. Therefore, there is no pressing need for housing in this location, or at this time, especially unsuitable development of an inappropriate scale in such an unsustainable location.

Whilst the Government's objective is to significantly boost the supply of homes (Paragraph 59 of the National Planning Policy Framework, 2018 (NPPF)), this does not override the status of the Development Plan in this instance, which is up-to-date and supported by a 5-year supply of housing land. Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development. However, a development of this scale in this location is inappropriate, unsuitable, unsustainable and harmful to the village. It would also potentially inhibit development in a more sustainable location or Category A village. Therefore, the presumption in favour should not apply and, in any event, the proposal conflicts with the Development Plan for a variety of reasons.

Sustainability of Sibford Ferris

Sibford Ferris and Sibford Gower were amalgamated and considered together to form one Category A Settlement, for the purposes of Policy Villages 1.

Whilst the Category A settlements are considered to be the more sustainable villages, there is a wide disparity between the services, facilities, accessibility and other sustainability characteristics of say Adderbury, Bloxham and Deddington as opposed to the Sibfords yet they are all grouped as Category A settlements.

Even considered together, the Sibfords are not considered to be suitable or capable of absorbing:

- the growth produced by the 25 no. dwellings currently under consideration;
- any further development that would follow if an undesirable precedent was created by the approval of the current proposal; and
- windfall development that may come forward within the built-up limits of the villages.

Both Sibford Ferris and Sibford Gower have experienced very little development in recent years, which is largely a reflection of their limited capacity, lack of facilities and poor accessibility. Whilst being strong communities the settlements have survived relatively unscathed due to their relatively isolated hilltop location, surrounded by rolling countryside.

The majority of services in the locality are in Sibford Gower (see Appendix 2). It is unlikely that Sibford Gower will be accessed on foot, due to the lack of continuous public footpaths along the route between the villages, the distance and uneven topography. Therefore, the potential residents of the new development would most likely drive to reach the Nursery, Primary School, Public House, Village Hall, Church(es) and the GP Surgery in Burdrop.

The small food shop in Sibford Ferris, although within walking distance and valuable facility, is not sufficient for use as more than a small, local convenience store. The Sibfords' Community Plan (2012) detailed that nearly three quarters of respondents used the village shop, but only for up to thirty percent of their shopping overall. Villagers still drive to nearby settlements for a supermarket, or any other shops and most services for the other 70% of their shopping needs. Appendix 3 details the greater than average road distances to employment centres, a secondary school and other services. The lack of shops and services within walkable distance along with a lack of regular public transport services leads to a reliance upon vehicular transport amongst existing residents and this issue will only be compounded with a significant increase in residents.

It has been noted there is some support for the application due to its ability to sustain pupil numbers at the Village School. Whilst this is a potential benefit, it is of limited weight in the overall balance of benefits arising from the scheme compared with the adverse impacts that would arise from the development.

The lack of sustainability of the Sibfords is a clear argument weighing substantially against the proposal and in conjunction with the other items in this letter, comprise a compelling case to refuse this application.

Planning History of the Site

It has been noted by the applicant that the site has been subject to a previous resolution to grant planning permission for eight dwellings, six affordable local needs dwellings and two market dwellings categorised as a "rural exception site" (14/00962/OUT). It is appropriate to note that the application was withdrawn before any planning permission was granted as the necessary s106 agreement to secure the affordable housing in perpetuity was not completed. As Lord Steyn noted in the House of Lords' discussion of the case ***R v London Borough of Hammersmith and Fulham and Others, Ex P Burkett and Another*** [2002] UKHL 23:

'Until the actual grant of planning permission the resolution has no legal effect.'

It is therefore clear that a previous resolution to grant planning permission has no legal standing as a consideration in support of this application. Furthermore, the previous scheme was significantly different to the current proposal. The previous scheme was primarily affordable or local needs homes and of a much smaller scale. In contrast, this proposal is primarily for developer-led, market homes, 16 no. in total and a smaller proportion of 9 no. affordable dwellings. While there may be a need in The Sibfords for affordable dwellings it is imperative that the differences between the two applications are understood. In the previous case, the market housing was argued to make the provision of affordable homes viable. This is not the case here. Although affordable housing would be a significant benefit, this should not outweigh the harm that would be caused to the site, the village and the surroundings, in sustainability terms, by such a large development and a significant number of market dwellings in this location.

Precedent of the Development

Whilst each application must be considered on its own individual planning merits having regard to the Development Plan and any other material considerations, if necessary, we are extremely concerned that an undesirable and unfortunate precedent could be created with the grant of planning permission for this application, which would lead to further unsustainable growth and development outside the built-up limits of the village in the attractive countryside that surrounds it.

The only other site referred to as suitable in the District Council's Housing and Economic Land Availability Assessment (HELAA, 2018) – promoted by the land-owner - is located adjacent to the current application site. The adjacent site, referred to as "Land at Woodway Road, Sibford Ferris", is considered in the HELAA to be potentially suitable for development, subject to satisfactory access, amongst other issues. It should be stressed, at this point, that the HELAA is principally a list of sites put forward by land-owners to be taken account of in the preparation of a Local Plan and it is not a comprehensive indication of the appropriateness of a site for development in the Local Plan itself. Therefore, only limited weight can be attached to the HELAA.

Nevertheless, with this site coming forward prior to Woodway Road, it would open-up access to the other site from Hook Norton Road, rather than Woodway Road, which is essentially a single track, completely unsuitable for access to a housing development. The applicant states:

"...sensible to design this proposal so that it would not prejudice future development in the longer term of the only other site found suitable in The Sibfords. This would mean that any future proposal in that location would not need to add additional traffic to Woodway Road."

It is clear that this development – confirmed by the Illustrative Masterplan with its link to the adjacent, smaller field which may be 'suitable' for development - would provide the access necessary to bring this adjacent site forward. The proposal would not only have a significant impact on this part of the village in itself but is also more than likely to lead to further undesirable development, if approved, as not only physical access would be facilitated but a precedent for more development on adjoining land would be established, which would be very difficult for the Council to resist if it approved this scheme. It should also be noted that the site forms part of a much larger agricultural field, with no sub-division or boundaries, except a sparse hedgerow along Hook Norton Road. If the principle was established for development in this location, there is the risk that further development could ensue to the south towards Hook Norton.

Size of Development

The scale of the proposed development in comparison to the size of Sibford Ferris is disproportionate, in sustainability, physical and new housing terms. The village only has approximately 476 inhabitants (Census, 2011), so increasing such a small village by 25 no. dwellings (by circa 2.5 people per household) would mean a 13% increase, which is significant and disproportionate.

In terms of actual size, the Illustrative Masterplan seems to demonstrate that the development would increase the size of Sibford Ferris by approximately 25% (in area terms) – a significant increase.

This application alone proposes to increase the number of households in Sibford Ferris by about 17%. The HELAA notes that the Land at Woodway Road, adjacent, could accommodate 20 no. dwellings. A further 20 no. dwellings in addition to the 25 dwellings currently proposed would increase the size of Sibford Ferris by 31%, rather than just 17%. An increase in the number of households by just 17% is unsustainable, but an increase of 31% would be completely unacceptable under any circumstances.

In the Sibfords' Community Plan (2012), 64% of people said they would be willing to envisage up to 10 new houses, 31% up to 20 and only 3% over 20 houses. This proposal would clearly be against the wishes of the local community and the Parish Councils' objectives via the Community Plan.

In addition, the HELAA (2018) stated that a small scheme of approximately 10 dwellings would be potentially suitable for the site. This proposal is significantly in excess of this with potential for more on the site itself and on adjoining land (with access through the site) if a precedent was set by this proposal. This compounds the strong policy, sustainability and other objections to the proposal.

Policy C28 of the "saved" policies of the Cherwell Local Plan 1996, states that "control will be exercised over all new development... to ensure that the standards of layout... are sympathetic to the character of the urban or rural context of that development". Further to this, Policy C30 outlines that design control will be exercised to ensure new housing development is compatible with [amongst other issues] the character, scale and density of existing dwellings in the vicinity. The scale of the development is not sympathetic in any way to the rural context of Sibford Ferris and is not compatible with the character, scale and density of existing dwellings. Therefore, the development is contrary to Policies C28 and C30 of the Cherwell Local Plan 1996.

Transport

Given the location of Sibford School almost opposite the entrance to the proposed development, it seems likely that at drop off and pick up times there will be congestion and possibly road side parking, which could affect visibility sightlines from the development's access point.

Although the HELAA (2018) suggests limited development is acceptable in Sibford Ferris, it is clear that public transport accessibility is limited and does not occur at times suitable for travel to work or school. The Transport Statement indicated a bus service of 5 buses per day. There are 5 services in the Shipton-on-Stour to Banbury direction, there are only 4 in the reverse direction. Travelling towards Banbury, the first service leaves Sibford Ferris at 7.02, arriving in Banbury at 7.25, with the next service leaving at 10.02 and arriving in Banbury at 10.25. In the other direction the first service leaves Sibford Ferris for Shipston-on-Stour at 10.53. On Saturdays there are only 4 services per day, with no service on a Sunday.

Realistically, the majority of journeys which need to be made outside of Sibford Ferris will be by car. The development is not of a scale whereby it can contribute to an improved bus service and even if it were able to do so, the level of development would not generate sufficient patronage to make increased services sustainable. Even journeys to Sibford Gower are likely to be made by car, as there is a lack of continuous footway between the two villages and significant on street parking, causing safety issues to both pedestrians and cyclists. This could particularly affect the potential for parents with children walking to and from school in Sibford Gower.

An increased volume of traffic is likely to exacerbate existing safety concerns held by many in the village. Policy TR7 of the “saved” policies of the Cherwell Local Plan 1996 states:

“development that would regularly attract ... or large numbers of cars onto unsuitable minor roads will not normally be permitted”.

As discussed, the proposal will result in a higher volume of car trips to workplaces, schools and other services, such as a supermarket. It is likely there will be more than one car per dwelling in the proposed development, which could result in a disproportionately larger number of cars using minor or unsuitable roads. The development is therefore contrary to Policy TR7 of the Cherwell Local Plan 1996.

Therefore, in transport terms, it is considered that the proposal is unacceptable.



Figure 2 - Verge parking along Hook Norton Road

Agricultural Land

There is a significant volume of high-quality agricultural land in the area surrounding the Sibfords. Appendix 1 to this letter demonstrates the site is classified as Grade 2 agricultural land, therefore the proposal would affect the best and most versatile land. The applicant makes the argument that the landscape between Sibford Ferris and Sibford Gower is more sensitive than the proposed site. This is not relevant to the proposal, which needs to be considered on its own individual merits and does not justify the use or development of this site, which directly affects the best agricultural land, contrary to the aims of Paragraph 170 of the NPPF, 2018.

Landscape Impact

In the pre-application advice, both yourself and the Council's Landscape Officer requested a Landscape and Visual Impact Assessment (LVIA). The applicants have produced a LVIA, but it is not clear at this stage whether this is sufficient to persuade the Council's Landscape Officer and other CDC officers that the impact of the proposal upon the village is acceptable. We would argue that the proposal would have a significant landscape impact when viewed from a variety of locations around the site, contrary to Policy ESD 13 of the Local Plan Part 1.

The development would be visible from Hook Norton Road, at least two public footpaths and the wider village, which would be detrimental to the character and appearance of this edge of

the village as it is in open countryside, in an area where development is restricted to protect the rural amenities of such localities. In short, the scale of the proposal and its prominent location in the public domain at the southern “entrance” to the village, would cause undue visual intrusion into the open countryside and harm the rural setting and tranquillity in this rural edge location of Sibford Ferris.

Public Rights of Way may require diversions and will be significantly altered due to the proposed development. In any case, the character of the Public Rights of Way will be substantially altered due to the change in surroundings, from previously open countryside views, to being within or dominated by an urban, residential development. The Transport Statement submitted states that the footpaths within the development would be connected with the existing footpath network in the village, but no proposed layout is provided so impact cannot be fully and properly considered.



Figure 3 - Current views of open countryside across the site from Hook Norton Road

Archaeology

We are pleased to note that Oxfordshire County Council’s Archaeologist objects to the proposal due to a lack of formal archaeological investigation. As set out in the Council’s Sibford Ferris, Sibford Gower and Burdrop Conservation Area Appraisal this area has been settled from an early period, as evidenced by the mention of barrows at Sibford Gower (Beesley, 1841), and the remains of an extensive Iron-Age camp at Madmarston Hill (NE of Swalcliffe village) (National Monuments Record). In addition, close by is a large site of Roman occupation at Swalcliffe Lea. The villages are also located on the pre-historic path from the south to Lincoln and York.

The NPPF describes Local Planning Authorities’ obligations:

“Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”.

In order to be consistent with national policy guidance and Policy ESD 15 of the Local Plan, which requires the conservation of designated and non-designated heritage assets, the District

Council should insist upon formal archaeological investigation before considering and determining this application.

Ecology

It is worth noting the Phase 1 Ecological Survey was followed up by a bat survey, uploaded to the District Council's website on 16th November 2018. The Phase 1 Survey did not identify the need for a further bat survey, as the Phase 1 Survey stated that no mitigation would be required for bats. However, the Phase 1 Ecological Survey did identify the need for Badger mitigation. This identifies the potential need for a more detailed Badger Study which has not been undertaken, it seems, by the applicant. There are biodiversity impacts, therefore, arising from this development, which need to be fully and properly considered and mitigated, if possible, otherwise the proposal would conflict with Policy ESD 10 of the Local Plan and Paragraphs 170 and 175 of the NPPF, 2018.

Statement of Community Involvement

The applicant's Statement of Community Involvement attempts to negate local concerns. However, their responses are generalised and are not enforceable as part of an outline planning application, with all matters reserved.

The "adequate off-street parking" provided by the development is proposed to negate the impact of the existing on-street parking on Hook Norton Road. This additional parking may be beneficial but does not mitigate the increased number of vehicular trips made by the new residents of and visitors to the proposed development.

The applicants' proposal offers "public benefits" comprising a community orchard, allotments and a substantial area of natural green space with a new footpath to link Woodway Road and Hook Norton Road. There is a concern that these "benefits" are not directly related to the development and/or fairly and reasonably related in scale and kind to the development. There is a serious doubt as to whether they pass the tests set out in Paragraph 56 of the NPPF, 2018 and the **Community Infrastructure Regulations, 2010 (as amended)**. In any event, the proposed "public benefits" are not substantial enough to outweigh the significant policy conflicts and negative planning impacts that will result from the development.

Conclusion

In conclusion, for all the reasons outlined, the proposed development is wholly unacceptable and should be refused by the Council pursuant to section 38(6) of the **Planning Compulsory Purchase Act, 2004 (as amended)** as it is not in accordance with the Development Plan and there are no material considerations that justify setting aside the Plan. The proposed development conflicts with Policy Villages 2 and Policies BSC 2, ESD 10, ESD 13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Policies C28, C30 and TR7 of the "saved" policies of the Cherwell Local Plan 1996.

In addition, the development conflicts with national policy guidance set out in the NPPF, 2018 and local views set out in the Sibfords' Community Plan, 2012. This site and Sibford Ferris are not sustainable locations for a development of this size. Furthermore, permission for this development would not only be harmful to the local transport network, agricultural land, the landscape, archaeology and biodiversity it would also set a most undesirable precedent for similar development of adjoining land along Hook Norton Road and at Woodway Road, which would urbanise this rural edge of Sibford Ferris.

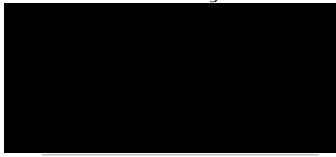
We would therefore request that you/the Council take these strong objections into account before determining the application and conclude that the application should be refused for the reasons set out.

We would also confirm that we would like to speak at the Council's Planning Committee meeting on behalf of Sibford Action Group who feel very strongly about this issue.

If you require any further information or wish to discuss any of the issues raised, please do not hesitate to contact me.



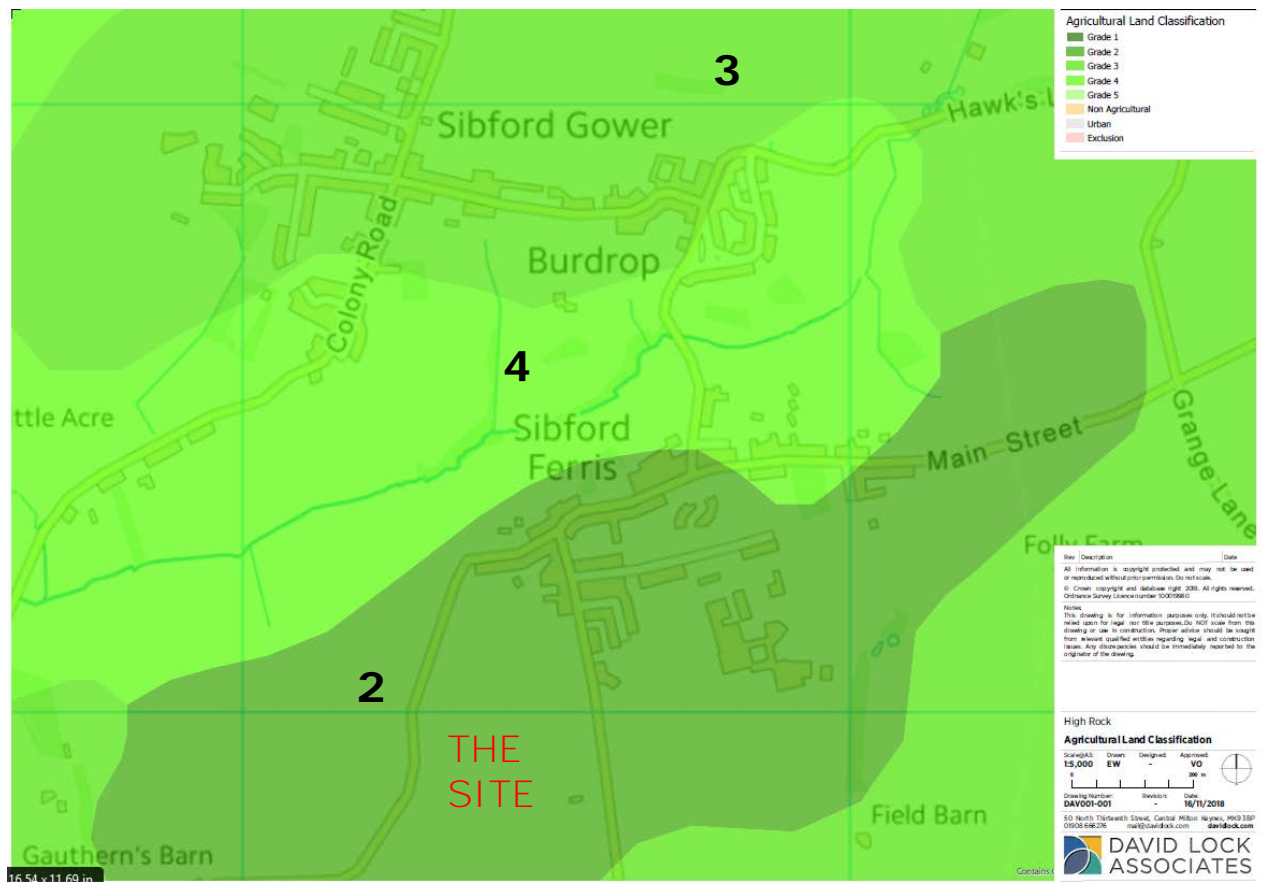
Yours sincerely,



Duncan Chadwick
Partner

Email: dchadwick@davidlock.com

Appendix 1 – Agricultural Land Classification



Appendix 2 – Village Survey Results 2014

Village Survey Results 2014									
Village Name	Nursery	Primary School	Retail Service Outlet	Food Shop	Post Office	Public House	Recreational Facilities	Village/Community Hall	Other Services
Sibford Ferris	0	0	0	✓	✓	0	✓	0	0
Sibford Gower	✓	✓	0	0	0	✓	✓	✓	GP Surgery in Burdrop

Appendix 3 – Distance to Services

Source: Community Insight Profile for Sibford Ferris Area (2018)

Average road distance from Job Centre	Average road distance from Secondary School	Average road distance from GP	Average road distance from Pub	Average road distance from Post Office
12.1km	9.2km	1.4km	1.3km	0.0km
England average = 4.6km	England average = 2.1km	England average = 1.2km	England average = 0.7km	England average = 1.0km
Source: Road distances - Commission for Rural Communities: Distance to Service dataset (2010)				

-----Original Message-----

From: Graham Stewart

Sent: 29 January 2019 17:56

To: Paul Seckington

Subject: Hook Norton planning ref 18/01894/OUT

As a former resident of Sibford Ferris for 28 years i am well placed to comment on the reasons this development should not be allowed to go ahead.

My parents still live there and my son attends Sibford Friends school. As such i travel through Sibford Ferris most days to visit family and do the school run.

Traffic is already at the limit of what the narrow village roads can safely handle, particularly the bottleneck near the shop which becomes gridlocked at school times with many parents vehicles and the school buses.

I see children walking through the village at these times, also going to the school in sibford Gower.

Another 25 dwellings in the village will add significantly to these traffic problems, directly affecting road safety and also the peace of the village.

Badgers are a common site in the proposed development area, I know as i lived there from birth, through my childhood until the age of 28 and there is still evidence of them when i visit in the garden and surrounding fields.

The original proposal for eight houses was to mainly starter homes, with preference to people who have a connection to the village. That was withdrawn and replaced with a proposal for 25 houses. It is clear to see that if allowed, could set a precedent for further development, particularly the smaller field to the side. This is obviously what they intend to achieve, by using the same access from the Hook Norton road. Further adding to the problems mentioned and destroying the character of the village.

Graham Stewart

Stowford

41 High Street

Bodicote

OX15 4BS

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From: brionyjfranklin
Sent: 31 January 2019 21:41
To: Paul Seckington
Subject: Sibford Ferris housing development proposal

Dear sir,

I feel very strongly that the proposed development of 25 houses in Sibford Ferris presents an existential threat to this small community-- a view I have already expressed by letter to Cherwell district Council in November.

The extra traffic created would dangerously overload not only the roads running through the Sibfords, but also the surrounding narrow country lanes. Too narrow for pavements, much of the Sibfords is already hazardous for pedestrians, children walking to & from school, as well as horse riders and cyclists. The traffic estimates presented by the developers are ludicrously unrealistic.

Should this development obtain planning permission, Cherwell district Council would be setting a precedent for various other plots of land in & around the village to be developed, the adjoining field being a case in point. In short this development would become the thin end of a disastrous wedge, overwhelming a rural community whose infrastructure would be unable to cope with the demands put on it. The sewerage system & the drainage would be swamped, the water pressure would be unsustainable, and the doctor's surgery would be unable to deal with the influx of work.

Villages like the Sibfords need a district council to protect them. Sadly there are councils who allow them to be ruined.

Yours, in hope,

Briony Franklin (Mrs)

Woodway Barn
Woodway Rd
Sibford Ferris
Ox15 5da

Sent from my Samsung Galaxy smartphone.

Brenda Vandamme
Partway House
Swalcliffe OX15 5HA

February 22, 2019

Mr. Bob Neville
Cherwell District Planning
Bodicote House
Bodicote
Banbury OX15 5HA

Dear Mr. Neville,

Ref: Application 18/01894/OUT

Please note that, in addition to the already many points made against this Application above to build 25 large homes in Sibford Ferris , I would like to point out the following:

- 1) Cherwell District Council has accepted Planning Application **18/01894/OUT** with a Planning Statement
Justified largely on a “previous approval or recommendation “ on an earlier application by the same applicant.

May I remind you that the Applicant withdrew Application **14/00962/OUT** and therefore this cancels out all aspects

of this application , including consultations, recommendations, and conditions. Application **14/00962/OUT cannot be referred to for any purpose.**

Furthermore, the Applicant has stated that he is justifying his Application **18/01894/OUT** on the back of the

Sibford Housing Survey of 2010 as an excuse for a Planning Application 3 times larger than any previous application filed. The Survey is in no way linked nor can be used as a justification for this application.

Cherwell’s acceptance of this Planning Statement by the Applicant is highly misleading.

- 2) There has been a Landmark decision in Lancashire in February 2019 against 50 new dwellings in a rural field as the judge ruled it was unsustainable.
Furthermore the judge ruled that it was refused on the basis that it would “harm the significance of the adjoining Conservation Area, not outweighed by the benefit of the market and affordable housing proposed, and conflict with the recently adopted plan as a whole in terms of the unsustainable location.

Please find attached the Decision.

- 3) As you are doing a further Archaeological Survey, you may want to mention to both your internal Consultant and the firm doing the Survey that flint arrowheads have been found in

and around Sibford Grounds Farm as noted on the Sibfords Historical Website. This is less than 500 meters from the proposed site.

Please find attached the website info as well as the two aerial views which also show shadows on the proposed site, which have generally indicated to archaeologists that findings are likely.

- 4) I continue to be surprised that you requested Consultations from **23 bodies and have yet to only receive 9 Consultations responses.**
Find attached copies of the constraints mentioned.
Is it normal that neither Cherwell's Conservation nor Landscape Officers have commented of this Application ?

It is extremely disturbing given the revised criteria of Historic England and its recommendations in working together with Councils on planning that Cherwell District Council has yet to ask Historic England for its opinion. Particularly given this February 2019 Landmark Decision, it is overwhelmingly concerning in view of Cherwell District Council's own policies regarding Conservation

- 5) Finally, the fact that in 1998 Cherwell District Council refused the application for a grain silo and farm building on this same site due to this field being considered an Area of High Landscape Value, it is surprising and alarming that NO MENTION of this and NO Constraint was mentioned by you in considering this Application. How can a field be considered High Landscape Value in 1998 and now it is not even mentioned? The criteria of Cherwell has not been revised in its policies?

Attached please find a copy of the 1998 Refusal on the Application by the same applicant on the basis of this same field being an Area of High Landscape Value.

The Local Plan for Housing Development has already been met so why has Cherwell accepted to consider this application in view of all the objections and drawbacks?

Sincerely,

Brenda Vandamme

Public Protection & Development Management

Andy Preston – Head of Public Protection & Development Management

Green Square Group
Barbury House
Stonehill Green
Swindon
SN5 7HB



DISTRICT COUNCIL
NORTH OXFORDSHIRE

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Please ask for: **Bob Neville**
Email: **robert.neville@cherwell-dc.gov.uk**

Direct Dial: **01295 221875**
Our Ref: **14/00962/OUT**

19 September 2016

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 – WITHDRAWAL OF PLANNING APPLICATION

Application No.: 14/00962/OUT

Applicant's Name: Green Square Group

Proposal: OUTLINE - Erection of six Affordable Local Needs Dwellings and two Market Sale Dwellings with associated car parking and access road including the provision of open space and allotments

Location: OS Parcel 4300 North Of Shortlands And South Of High Rock Hook Norton Road Sibford Ferris

Parish(es): Sibford Ferris

I write to confirm that the above application has been withdrawn in accordance with your instructions.

If you have any queries, you are advised to contact the Case Officer Bob Neville on the above telephone number.

Yours faithfully

A handwritten signature in black ink, appearing to read "A Preston".

Head of Public Protection
& Development Management

Appeal Decision

Inquiry opened on 17 April 2018

Site visits made on 3, 14 & 15 May 2018

by Richard Clegg BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 4th February 2019

Appeal Ref: APP/M2325/W/17/3179277

Land to the south-east of Moss Side Lane, Wrea Green, PR4 2PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mactaggart & Mickel against the decision of Fylde Borough Council.
 - The application Ref 16/0619, dated 14 August 2016, was refused by notice dated 11 January 2017.
 - The development proposed is approximately 50 dwellings accessed from Moss Side Lane, with associated open space and landscaping.
 - The inquiry sat for 12 days: 17-20 & 24-27 April and 1-4 May 2018.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. This appeal is one of four concerned with proposed residential development at Wrea Green, each of which was considered at the same inquiry. The four appeals are:

A	3179277	Land to the south-east of Moss Side Lane	Approximately 50 dwellings
B	3179809	Land west of Bryning Lane	41 dwellings
C	3176410	Land adjacent 53 Bryning Lane	20 dwellings
D	3181216	Land west of The Brooklands	48 dwellings

3. A pre-inquiry meeting was held to discuss procedural and administrative arrangements relating to the inquiry. At that meeting, it was agreed that the Appellants would present a joint case in respect of sustainability in relation to Wrea Green and planning policy, common highway matters (the effect on the junction of Lytham Road and Church Road, Warton), and housing land supply. Evidence from the Borough Council and other parties on these topics also

addressed all four appeals. Accordingly each of my decisions includes common sections covering those topics. Other topics were addressed separately at the inquiry in respect of the individual appeals. A common set of core documents (CDs) was prepared for the inquiry. Similarly the lists of inquiry appearances and documents are common to each of the four decisions.

4. Appeal A was submitted in outline form, with approval sought for access at this stage. An amended access plan was included with the statement of common ground for appeal A¹, which showed 2.4m by 50m visibility splays and certain detailed changes including an increase in width of the access road, and a crossing point there replacing those on each side of the junction on Moss Side Lane. Following discussion at the inquiry about the provision of a footway link along Moss Side Lane, the Appellant submitted a further revised access plan, which includes a narrower footway than originally envisaged extending to the north-east of the site frontage². Other parties had the opportunity to comment on the access arrangements and footway link to site A at the inquiry, and I am satisfied that no prejudice would be caused by taking into account the latest revised access plan.
5. A unilateral undertaking was submitted at the inquiry in relation to appeal A (Document APPA1). It makes provision for affordable housing, and for financial contributions towards highway works in Wrea Green and Warton, and towards public realm improvements.
6. In July 2018, after the inquiry had closed, the Government published the revised National Planning Policy Framework (NPPF). Subsequently the Government published new and updated chapters to Planning Practice Guidance (PPG) and the Office for National Statistics published the 2016-based household projections in September, and in October the Borough Council adopted the Fylde Local Plan to 2032 (the Local Plan). Accordingly the Appellants for each of the four appeals, the Borough Council, the Community Association for the Protection of Wrea Green (CAPOW), Ribby-with-Wrea Parish Council and Bryning-with-Warton Parish Council were given the opportunity to comment on the implications of these documents for their respective cases.

Main Issues

7. Reason for refusal No 4 expressed concern about the nature of the access arrangements to the site, and in its statement of case the Borough Council referred to an adverse impact on the junction of Lytham Road (the A584) and Church Road in Warton and on the capacity of Bryning Lane, which runs south from Wrea Green and becomes Church Road in Warton. Subsequently, in the statements of common ground in respect of appeal A and Lytham Road/Church Road, Warton (CDs11.4 & 11.3), it was agreed that there were no highway objections to the proposal. However objections on highway grounds have been made by local representatives, CAPOW, and local residents.
8. Reason for refusal No 5 is concerned with affordable housing and certain financial contributions. The Local Education Authority has reviewed the requirements for school places, and does not seek a contribution for either the primary or secondary sectors (CD18.6). Contributions towards public realm

¹ CD11.4, Appendix C.

² Document APPA5.

enhancements and transport measures are provided for by planning obligations (above, para 5).

9. Accordingly, I consider that the main issues in this appeal are:

- (i) Whether Wrea Green is a sustainable location for the scale of development proposed.
- (ii) The effect of the proposed development on the character and appearance of the area.
- (iii) The effect of the proposed development on traffic movement and highway safety.
- (iv) The extent of housing land supply in Fylde.

Planning policies

10. The Development Plan includes the *Fylde Local Plan to 2032*³, which was adopted in October last year. The following policies of the Local Plan are of most relevance in this appeal.
11. Policy S1 sets out a settlement hierarchy in which Wrea Green is included in the third level: Tier 1 – Larger Rural Settlements. Within the rural areas, development is to be restricted to the larger and smaller rural settlements, except where allowed by policies concerning the Green Belt, areas of separation, and the countryside.
12. Under Policy DLF1, most new residential and employment development, including 90% of new homes, is intended to take place at four strategic locations. The non-strategic locations comprise the local service centre of Freckleton, and the Tier 1 and Tier 2 rural settlements: here 10% of new homes are expected to be located. Policy SL5 identifies development sites outside the strategic locations: six sites at Wrea Green with a combined capacity of 246 dwellings are listed. None of the four appeal site is included in this list. Policy GD1 provides for settlement boundaries: the main part of the appeal site is outside the settlement boundary for Wrea Green, and in a countryside area as shown on the policies map⁴. Development opportunities in the countryside are set out in Policy GD4, and none of the categories listed covers the appeal proposal. Policy GD7 seeks to achieve good design in development: amongst other requirements proposals should conserve and enhance the historic environment, be sympathetic to surrounding uses and occupiers, avoid demonstrable harm to visual amenity, make a positive contribution to the character and local distinctiveness of the area, protect existing landscape features, and not prejudice highway safety and the efficient and convenient movement of highway users.
13. Policy H1 is concerned with housing delivery, and sets an annual minimum requirement of 415 additional dwellings for the plan period of 2011-2032. Part c of the policy specifies that calculations concerning the five years supply of housing land are to be undertaken using the Liverpool method. Policy H2 seeks a minimum net density of 30 dwellings per hectare (dph), and that proposals should provide a broad mix of homes, including accommodation for the elderly. All market housing schemes of 10 or more dwellings are required to provide

³ Document LPA13, Appendix B.

⁴ The appeal site includes a short length of Moss Side Lane, part of which is within the settlement boundary.

affordable housing/ starter homes at a level of 30% unless viability testing demonstrates that this provision would prevent delivery of the development (Policy H4). In most cases affordable housing should be provided on-site.

14. Policy ENV1 requires that development has regard to its visual impact within its landscape context, and landscape features should be conserved and wherever possible enhanced. The northern edge of the main part of the appeal site abuts Wrea Green Conservation Area⁵. Proposals affecting the setting of any conservation area should conserve or enhance those elements which make a positive contribution to its special character and appearance and setting (Policy ENV5). Policy INF2 specifies that, subject to viability, development will normally be expected to contribute towards the mitigation of its impact on infrastructure, services and the environment. A series of measures to enhance sustainable transport choice are set out in Policy T4.
15. In 2012, the Parish of Ribby-with-Wrea, which includes Wrea Green, was designated as a neighbourhood plan area. However the statement of common ground on planning policy and sustainability explains that no substantial work has been undertaken on the preparation of a plan.

Reasons

Sustainability of Wrea Green for the scale of development proposed

16. Wrea Green lies in the countryside, about 2km south-west of Kirkham, 3.6km to the north of Warton, and 6.9km north-east of Lytham, all of which are larger settlements. It is predominantly residential in nature, but also includes a small industrial estate adjacent to the railway. A number of facilities and services are located in Wrea Green, including a primary school, a convenience store, and a public house. About 1.5km to the east is the Ribby Hall holiday and leisure complex where certain leisure facilities, food and drink outlets, and a convenience store are open to the wider public.
17. The development strategy of the recently adopted Local Plan explains that most development is expected to take place at four strategic locations, but, under Policy SL5, it also provides for development to take place elsewhere, including at Wrea Green. Wrea Green is identified as a larger rural settlement, in the third level of the hierarchy, and the settlement boundary is more extensive than the limits of development of the former Local Plan⁶, including several sites which have come forward for housing in recent years. However the land on the appeal site where residential development is proposed has not been included. It is part of a countryside area, and the proposal for housing would conflict with Policy GD4 which provides for a limited range of development opportunities in such locations. The strategy which underpins the Local Plan provides some opportunities for proposals in local service centres and rural settlements, but the focus for new development is on the key service centres and the strategic locations for development. That approach is consistent with the NPPF, which at paragraph 103 makes clear that significant development should be focussed on locations which are, or can be made, sustainable. The Local Plan envisages around 100-150 dwellings coming forward in larger rural settlements over the 21 years of the plan period⁷. In

⁵ A plan of the conservation area is at CD19.5.

⁶ The proposals map for the Fylde Borough Local Plan (as altered) is at Document G4.

⁷ Justification to Policy SL5, para 6.21.

Wrea Green 253 dwellings have already come forward since 2011⁸, well in excess of the number anticipated in the Local Plan. Whilst there is no ceiling on the number of dwellings which could be built at the settlement, it is clear that it is expected to reflect the position of Wrea Green in the development strategy.

18. The number of additional dwellings for tier 1 rural settlements referred to in the Local Plan is not an indication of their capacity for development. In **response to my question, the Borough Council's policy witness explained that** the number is derived from the distribution of the 10% of new homes intended to come forward outside the strategic locations (above, para 12). The four strategic locations where development is intended to be focussed include key service centres and local service centres. In the Local Plan, the justification to Policy S1 explains that key service centres include a range of housing and employment opportunities, together with facilities and services which serve a wide area, and good public transport links or the potential to develop such links. Local service centres are recognised as providing services for nearby rural settlements, and also as being well placed to provide for future local housing and employment needs. Focusing most new development in the strategic locations is consistent with the economic, social and environmental dimensions of sustainable development, as referred to in paragraph 8 of the NPPF. Accordingly only a limited level of development is distributed between the non-strategic locations identified in the Local Plan.
19. Policy DLF1 refers to the broad distribution of development, seeking to direct around 7,845 homes (90%) to strategic locations and around 870 homes (10%) to non-strategic locations. This form of words allows a degree of flexibility, as advocated by the Local Plan Inspector⁹. I note also that in the **Local Plan's performance monitoring framework, indicator 4 has a trigger for action** when the number of dwellings in non-strategic locations exceeds 15%. The Appellants have calculated that the total of about 159 dwellings from the four appeals would represent 1.8% of the overall minimum housing requirement, and result in 11.6% of housing occurring in non-strategic locations¹⁰. More significantly, they would also represent 18.3% of the level of development intended for non-strategic locations, with the number of dwellings in appeal A itself representing 5.7%. The sites outside the strategic locations, identified in Policy SL5 (and including land in Wrea Green), have a combined capacity of 933 dwellings, which slightly exceeds the 10% level and thereby already applies a degree of flexibility to the 90%/ 10% split in respect of the location of residential development.
20. The number of dwellings already committed in Wrea Green since 2011 markedly exceeds the indicative range for tier 1 settlements in the Local Plan (above, para 17). The appeal proposal would add about 50 dwellings, and if all of the appeals before me were allowed, about 159 additional dwellings would be provided. Those figures would result in the total number of new dwellings exceeding the upper end of the range by about 100% and 175% respectively. These amounts of development are more suited to a higher level than a tier 1 rural settlement.

⁸ The table on page 11 of CD20.2 lists residential commitments at Wrea Green since 2011. The slightly lower figure of 246 dwellings in the table on page 3 of CD11.1 excludes sites accommodating fewer than five dwellings.

⁹ Document LPA13, Appendix D para 40.

¹⁰ Document APPJ14 para 3.25.

21. I have considered the availability of facilities and services for Wrea Green and the likely implications in terms of travelling. Facilities and services are identified in the statement of common ground on planning policy and sustainability (CD11.1) and the Settlement Hierarchy Background Paper (CD3.12) assesses the relative availability of facilities and services as part of the preparation of a settlement hierarchy for the Local Plan. There are several key services in Wrea Green, including a convenience shop, a post office (within the shop), a primary school, and a community facility.
22. There was particular discussion at the inquiry concerning the school and the shop. It is common ground between the main parties that the primary school is within walking distance of each of the appeal sites. The school is full, with the number on roll (152) slightly exceeding the capacity for 150 pupils¹¹. However Lancashire County Council, as the Local Education Authority, does not seek a financial contribution towards additional places, since one of the existing schools taken into account in the surrounding area is projected to have a surplus of 95 places within the next five years¹². This school is at Warton, and is over 3km from the appeal site. Having regard to the admission arrangements for the school in Wrea Green and place of residence of pupils, the Appellants argue that the appeal proposals need not lead to children of primary school age travelling to another settlement. A statement entitled **School Information on the School's website** explains that about half of the 156 pupils are from beyond the local community, including Warton, Kirkham, **Blackpool, Preston and Lytham (Document APPJ2)**. The School's Admission Arrangements give priority to children whose parents live within the ecclesiastical parish of Ribby-cum-Wrea (which includes Wrea Green and the surrounding countryside) over those whose parents live outside the parish¹³. It is suggested that children from the appeal sites, and existing housing commitments in Wrea Green, would displace children from further afield.
23. The information referred to by the Appellants is not sufficiently robust to enable any great reliance to be placed on this suggestion. I note that the number of children of primary school age recorded in Ribby-with-Wrea Ward in the 2011 Census¹⁴ appears broadly consistent with the reference on the school website to the proportion of pupils from the local community. However the census ward is less extensive than the ecclesiastical parish and may, therefore, not fully reflect the number of local pupils. More fundamentally, the website statement is undated and simply gives the position at a point in time. It is not clear how recent the statement is, nor whether the proportion of pupils from beyond the local community reflects a continuing situation. Fourteen primary school age children are expected to be generated by appeal A, and a further 29 by the other three proposals¹⁵. Wrea Green school is fully subscribed, and I do not consider that the information before me indicates that there would be scope for all the additional children from the appeal proposals to be accommodated there in place of children from beyond the ecclesiastical parish. I anticipate that the appeal proposal would result in trips being made to primary schools outside Wrea Green.

¹¹ CD20.2, table on pages 52 & 53.

¹² **The LEA's assessment is in the email at CD18.6.**

¹³ The Admission Arrangements for 2019 and a map of the ecclesiastical parish are Documents APPJ2 and G9 respectively.

¹⁴ CD16.9 – Ribby-with-Wrea 2011 Census Ward – Local Area Report, page 4 - table on age structure.

¹⁵ CD20.2, table in para 13.57.

24. The shop in Wrea Green sells a range of food and other convenience items and also accommodates the post office. As the Borough Council points out, the site is constrained, and there is no clear opportunity to expand the premises. As a small convenience store, I expect that the shop provides a top-up service and that it does not account for main shopping trips. Indeed, I note that the Settlement Hierarchy Background Paper assesses local stores in rural settlements and accessibility to supermarkets separately. There is no substantive evidence that the role of the existing shop as a convenience outlet would be adversely affected by additional housing, but more shopping trips for other purposes would inevitably be made outside the settlement.
25. Certain additional facilities and services are available at Ribby Hall holiday and leisure complex. As a convenience store, food and drink outlets, and pre-school are present in Wrea Green, these facilities do not extend the variety of provision. A swimming pool, health club and gym are the principal facilities at Ribby Hall which would augment those in the settlement itself. Ribby Hall is physically separate from Wrea Green. Whilst the facilities there are within cycling distance of the appeal site, they are beyond the preferred maximum walking distance of 1.2km for purposes other than town centres, commuting, school and sight-seeing, set out in the Guidelines for Providing for Journeys on Foot¹⁶. Moreover, outside the settlement, a large part of the route along Ribby Road is not overlooked. Particularly outside the hours of daylight, the nature of this route is unlikely to encourage trips on foot.
26. There is a small industrial estate at Wrea Green, and there are other employment opportunities available at Ribby Hall. I agree with the main parties that most journeys to work for existing and future residents will involve travelling outside the settlement. Journeys by future residents out of Wrea Green would also be required for secondary education, shopping (other than local convenience requirements), and to access a wider range of services.
27. The nearby settlements of Kirkham, Wesham and Warton are within cycling distance of Wrea Green. Kirkham is a key service centre, and both Wesham and Warton are local service centres. There are employment opportunities at these settlements, including the major BAE Systems works at Warton, and access to the rail network is available from Kirkham & Wesham station.
28. There are two main bus routes which serve Wrea Green. The No 61 runs every 30 minutes between Blackpool and Preston on weekdays and Saturdays, with the frequency reducing to hourly in the evenings and on Sundays. This service also calls at Kirkham centre and Kirkham & Wesham rail station. The No 76 operates on a two hourly frequency between Poulton and Lytham, calling at Warton, with some journeys extending to Blackpool¹⁷.
29. Given the limited range of facilities, services and employment opportunities in Wrea Green, I anticipate that many trips made by future residents of the appeal site would be to destinations beyond the settlement. It is clear that opportunities exist to travel by bus to larger settlements from Wrea Green, but the Appellant's transport statement indicates that a significant proportion of journeys would be made by car. It envisages that the 50 dwellings proposed

¹⁶ CD10.3, table 3.2.

¹⁷ Timetables for the 61 and 76 bus services are in Document APPJ1.

would generate 31 vehicle trips in the morning peak period and 29 vehicle trips in the afternoon peak¹⁸.

30. The Settlement Hierarchy Background Paper only takes account of one of the two bus services which now serve Wrea Green. If the No 61 is included in the assessment, the additional two points would place Wrea Green level with Freckleton, which is a local service centre. The outcome of the background paper is a relative ranking of settlements, and it would be inappropriate to review bus services in respect of just one of the 19 settlements assessed. In any event, the presence of a cluster of shops, a surgery, and a library all indicate that Freckleton is a higher order settlement than Wrea Green. I have also considered the position of Wrea Green relative to Warton. Warton has a lower aggregate score than Wrea Green, but it is identified as a local service centre in the Local Plan. That is because Warton, which is a strategic location, is intended to have improved services as a consequence of the development strategy. The first recommendation of the background paper refers to the need for further investment in Warton during the plan period to ensure that the settlement becomes a local service centre through the provision of a local retail centre and community facilities. The circumstances at both Freckleton and Warton differ from Wrea Green, and do not suggest that the latter settlement should receive a higher level of development than would be appropriate at the third level of the settlement hierarchy.
31. I find that, with a limited range of facilities and services, Wrea Green functions as a tier 1 rural settlement. Whilst the number of dwellings referred to in the ELP does not indicate a capacity limit for new development, and has already been exceeded in Wrea Green, the continued addition of significant housing proposals would be contrary to the Local Plan development strategy which seeks to focus development in higher order settlements and strategic locations. Such an approach, as part of the Development Plan, carries considerable weight. There are certain facilities and services, which may generally continue to operate effectively, although the position concerning the school is less clear-cut (above, para 23). They are however limited in extent, as are employment opportunities. In consequence, the proposed housing is likely to generate trips to destinations beyond Wrea Green, and bearing in mind the projections in the transport statement, it is likely that a significant proportion of these would be made by non-sustainable modes of transport. I conclude that the appeal site would not be a sustainable location for the housing development proposed, which would conflict with Policies DLF1, S1, GD1 & GD4 of the Local Plan.

Character and appearance

32. Wrea Green has grown around The Green in the centre of the settlement. The Green is the focal point not only of the settlement, but also of Wrea Green Conservation Area, which comprises this area of open space and the surrounding built development. The appeal site is situated a short distance to the south-west of The Green and is adjacent to the conservation area. It is agricultural land which rises to the south-east from Moss Side Lane.
33. In the *Landscape Character Assessment* (LCA) of *A Landscape Strategy for Lancashire* (CD16.4), Wrea Green and the surrounding countryside are included within The Fylde character area of the coastal plain. The LCA explains that the coastal plain is characterised by gently undulating or flat lowland farmland

¹⁸ CD6.11, table 5.1.

divided by low clipped hedges. Woodland cover is generally low, but views are punctuated by small woods, and settlement is relatively dense. The site comprises part of a larger arable field together with the northern part of a narrow paddock adjacent to the road. Boundaries are the most part marked by hedgerows, and there are lines of trees along Moss Side Lane, and to the south of the site. The trees on the site frontage are covered by a tree preservation order (TPO – CD19.4).

34. Although the statement of common ground for appeal A (CD11.4) includes as an agreed matter that the site is not a valued landscape as detailed by paragraph 109 of the previous version of the NPPF, **the Borough Council's** landscape witness took a different view, referring to its scenic quality, its contribution to the visual approach to the village, and its inclusion in the view from the conservation area at The Green¹⁹. The revised NPPF (at para 170a) continues to seek the protection of valued landscapes, but it adds that this should be commensurate with their statutory status or identified quality in the development plan. Site A has no statutory designation, and it is not identified in the Development Plan for its landscape quality. Consequently, in the terms now expressed in the NPPF, it is not a valued landscape.
35. The proposal is in outline form, but an illustrative masterplan has been submitted. In response to the comments of the Inspector who dismissed a previous appeal in 2014 (CD12.4), the housing has been set back from Moss Side Lane, and the western part of the site is intended to form an area of open space. In addition, the junction of the access road with Moss Side Lane is shown further to the west and further from The Green. Notwithstanding the reduced extent of the built form, the development of housing and formation of open space would fundamentally alter the character of the site in a harmful way through urban encroachment. I am particularly concerned about the effect of the proposal on the character of the immediate surroundings. The site brings the rural landscape which surrounds Wrea Green close to the centre of the settlement, and this attribute would be significantly diminished by the appeal proposal. Over time planting would establish a softer edge to the new buildings, but as the housing would be built on the more elevated part of the site, the development would remain as a prominent projection from the existing built form.
36. The second report of *A Landscape Strategy for Lancashire*, the *Landscape Strategy* itself (CD16.5), considers the implications of local forces for change. Amongst other factors, it refers to continued suburbanisation and large scale residential development which would create harsh edges to villages and introduce urbanising elements into the rural landscape of the Fylde. Although the proposal would involve a relatively large development for a rural settlement, the site is close to the centre of Wrea Green and the proposed housing would extend no further south than the nearby built form on either side of Bryning Lane. There would be only limited harm to the wider landscape character area.
37. I turn now to consider the visual effects of the development. On the approach to the site along Moss Side Lane from the south-west, the housing development would come into view past the junction with the track which carries public **footpath 5 (Appellant's viewpoint 5 (VP5), Council's VP6.3)**. Due

¹⁹ CD20.4, para 4.22.

to the rising land, the presence of the buildings would be apparent above the intervening hedgerows, and I do not consider that the additional tree planting proposed would satisfactorily mitigate the extent of built development proposed across this tract of open land. The impact would be greatest along the eastern part of the frontage where the development would be closer to the **road, and the position of the site access would facilitate views (Appellant's VP 8, Council VPs 12.2-12.4)**. From here the upper parts of dwellings on Bryning Lane and Bryning Avenue are visible on the skyline. The buildings on the appeal site would have a much stronger presence, and there would be a major adverse effect from this part of Moss Side Lane.

38. The appeal site abuts Wrea Green Conservation Area (above, para 14) and clearly forms part of its setting. A report on the conservation area was produced by the Council in 1977 (CD16.6): it explains that the character stems in the main from the grouping of buildings and trees around the central village green, and not from the quality of buildings but from the open space enclosed. The report continues by referring to trees and greenery distributed amongst the buildings, which add to the unity of the setting and help to create attractive vistas and views. I note that the report also states that development behind the frontage buildings (to The Green) does not detract from the conservation area as it is not visible from within its boundary, but that would not be the case in respect of the appeal proposal. Through the gap formed by Moss Side Lane, the greenery of the appeal site **is evident from The Green (Appellant's VP7 & 7A, Council's VPs 10.1-10.3)**, providing not only an attractive foil to the enclosing built form, but also a visible link to the rural landscape. Even with the layout shown on the masterplan, buildings on the appeal site would be seen encroaching into this view, particularly from the south-west corner of The Green. As additional tree cover matured there would be greater screening of the housing, but this cover would also have the effect of severely restricting the view out of the conservation area along Moss Side Lane. This effect is **illustrated in the Appellant's photomontage from VP7A. I consider that views** including the appeal site make an important contribution to the significance of Wrea Green Conservation Area, and that the development would detract from the setting of this heritage asset. In consequence it would conflict with Policies ENV5 & GD7(e) of the Local Plan.
39. I conclude that the proposed development would adversely affect the character and appearance of the area, contrary to Policies GD7(g & h) & ENV1 of the Local Plan. It would not represent an appropriate change in this location, and would be in conflict with paragraph 127(c) of the NPPF which encourages developments to be sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. In particular the harmful effect on the landscape of the site and its surroundings merits significant weight, as does the erosion of visual amenity in views from the northern part of Moss Side Lane and from The Green. For the latter reason, the proposal would detract from the setting of the conservation area: having regard to paragraph 196 of the NPPF, this would represent less than substantial harm to the significance of the conservation area as a whole.

Traffic movement and highway safety

Bryning Lane/ Church Road and the junction with the A584

40. Wrea Green lies at the intersection of four routes. The road to the south (Bryning Lane/ Church Road) provides a route between the M55 and locations in Blackpool and Wyre to the north and Warton to the south where there is a large BAE Systems factory. Notwithstanding the position of agreement reached in the statements of common ground concerning highway matters, there is continuing concern within the local community about the effect of the four appeal proposals on Bryning Lane/ Church Road and on the crossroads junction which it forms there with Lytham Road (the A584) and Highgate Lane (above, para 7).
41. An improvement scheme has been prepared for the crossroads junction, which is linked to three major housing developments permitted in Warton²⁰. The measures include carriageway widening, the upgrading of traffic signal equipment and improvements in provision for pedestrians and cyclists²¹. The modelled forecast in the statement of common ground is that the four proposed housing developments in Wrea Green would together generate an additional 24 vehicle movements on Church Road and through the crossroads junction in the morning peak period and an additional 26 vehicle movements in the afternoon peak period²²; there is no other modelled forecast of traffic movement through the junction before me. The additional traffic would increase the pressure on this busy junction, and it is agreed by the main parties that mitigation measures to address the additional impact would be required if any of the appeal proposals were permitted.
42. The unilateral undertakings in respect of each of the appeals includes provision for payment of a Warton Crossroads Contribution of £314 per dwelling to fund measures referred to in the statement of common ground. Measures envisaged include the installation of microprocessor optimal vehicle activation control, CCTV monitoring, the relocation of loops in the highway, a new signal control box, and new signal poles and heads. The **Borough Council's highway** witness explained at the inquiry that the extent of the measures required would be contingent on the number of schemes to come forward, and the funding arrangement provides the requisite flexibility for this approach.
43. Bryning Lane between Warton and Wrea Green is relatively narrow, with no footways or lighting, and the route encompasses a number of dips and bends. Traffic moves freely along this road, and although CAPOW referred to an increasing number of accidents, there is no specific evidence of a poor accident record on Bryning Lane. Subject to the implementation of mitigation measures commensurate with the number of dwellings to come forward in Wrea Green I do not consider that the appeal proposal alone, or in combination with any of the other three schemes would reduce highway safety or adversely impact on traffic movement on Bryning Lane/ Church Road and at Warton crossroads.

²⁰ The location of the housing schemes at Blackfield End Farm, Clifton House Farm and Warton East are shown on the plan at Appendix 1 of CD11.3; a plan of the improvement scheme is at Appendix 10.

²¹ The components of the improvement scheme are summarised in Document G3.

²² The additional traffic movements are given in the table in paragraph 2.15 of CD11.3.

Moss Side Lane

44. Concern has been raised by neighbours that the position of the site access would reduce highway safety. It is common ground between the Appellant and the Borough Council that the new junction would have adequate visibility splays in each direction along Moss Side Lane. The new junction would be on the outside of a sweeping bend. Vehicles turning right may have to wait to enter the access road; however the curvature in the alignment of the road is not so great as to seriously restrict forward visibility for following traffic. Moreover a package of traffic calming measures is supported by each of the proposals²³. In the case of appeal A these include speed cushion/s and junction table/s on this stretch of Moss Side Lane, which should ensure that the speed of traffic reduces as it approaches the junction with the access road. Dropped kerbs close to The Green would mark a crossing point. Whilst intervisibility between pedestrians and drivers would not be as great on the west side of the road due to the sweeping bend, the traffic calming measures should ensure that sufficient reaction time would be available. It follows that I find that the contribution of £62,893 towards the cost of these works is a necessary component of the unilateral undertaking.
45. The footway on this side of Moss Side Lane ends part way along the frontage of the adjacent property to the north, Five Oaks. As part of the proposed development a 1.8m wide footway would be provided from the access road along the site frontage towards The Green, and it is intended that a narrower **0.8m wide section would continue beyond the Appellant's land to provide** a connection to the existing footway²⁴. The occupier of Five Oaks disputed that this section of footway can be achieved, arguing that there would be insufficient land between his hedge and the carriageway, and that the situation is complicated by the higher level of the hedge²⁵. At the inquiry, the **Borough Council's highway witness (who was from the Highway Authority)** acknowledged that the hedge itself is not part of the highway. However, having regard to adoption records, he confirmed that, with the hedge cut back, a footway could be formed along the verge in this location.
46. I conclude that the proposed development would not adversely affect traffic movement and highway safety on Moss Side Lane or on the wider highway network. In this respect there would be no conflict with Policy GD7(q) of the Local Plan or paragraph 109 of the NPPF.

Housing land supply

47. There is disagreement between the four Appellants and the Borough Council as to whether there is a five years supply of housing land in Fylde. It is the **Borough Council's position that** following the adoption of the Local Plan there is a deliverable supply as required by paragraph 73 of the NPPF. For their part, the Appellants point out that the Local Plan was prepared under the former version of the NPPF, and that a new housing land assessment should be undertaken in the context of the revised NPPF.
48. Paragraph 74 of the NPPF makes it clear that a five years supply of deliverable housing sites can be demonstrated where it has been established in a recently

²³ Plans of the traffic calming measures are at Appendix I of CD11.4 and Appendix 4 of CD11.12.

²⁴ The extended footway is shown on the revised access plan, Document APPA5.

²⁵ Documents TP22 & TP24.

adopted plan. There can be no doubt that the Fylde Local Plan to 2032, adopted in October 2018, is a recently adopted plan. The Appellants also draw attention to paragraph 3-049 of PPG, which provides guidance on demonstrating a five years land supply. Referring to the NPPF, this part of PPG explains that if strategic policy-makers choose to confirm their five years supply under paragraph 74, they will need to indicate that they are seeking to do so at Regulation 19 stage. The Appellants point out that this step for the purposes of paragraph 74 was not undertaken as paragraph 74 post-dates the examination and previous stages of the then emerging Local Plan (ELP). That chronology is self-evident. However, the version of Policy H1 in the publication edition of the ELP states at part (c): ***Ensuring that there is enough deliverable land suitable for house building capable of providing a continuous 5 year supply from the start of each annual monitoring period...*** It was clearly the intention at that stage of the ELP that a five years supply of housing land would be established through the Local Plan. That intention remains in the adopted Plan.

49. It is true that the Local Plan was prepared in the context of the previous version of the NPPF. That version explained that sites with planning permission should be considered deliverable unless there was clear evidence that schemes would not be implemented within five years, and the former version of chapter 3 of PPG referred to allocated sites in the same vein. The revised NPPF takes a different approach: the definition of deliverable states that ***Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*** I note that the Borough Council issued an updated housing land supply statement in August 2018²⁶, which removed 736 dwellings from the supply in response to this change in the NPPF. The Appellants' housing land witness has adjusted this figure to reflect the base date of 30 September 2017 agreed for these appeals. He has also reviewed sites which were contested in the evidence to the inquiry, and has suggested that further discounts should be applied in recognition of the position taken by the Borough Council in another appeal in September 2018²⁷.
50. The revised housing land assessment undertaken on behalf of the Appellants applies scenarios where the shortfall would be met over the remainder of the Plan period (the Liverpool approach) and alternatively where it would be met within the five years period (the Sedgely approach). The Local Plan Inspector concluded that the Liverpool approach is appropriate in Fylde, and this is specifically referred to in part (c) of Policy H1. On this basis, and applying a 20% buffer, a five years requirement of 2,858 dwellings is calculated, as set out in the penultimate column of table 2 of the housing supply statement of common ground (CD11.2). **Application of the Appellants' discounts** to the supply given in the September 2017 housing land supply statement (CD15.1) would give a reduced level of 2,477 dwellings, sufficient for 4.33 years²⁸.
51. As the **Appellants' evidence demonstrates**, a variety of housing land scenarios can be calculated. However in this case there is a very recently adopted Local Plan, in relation to which the Inspector has found that there is a housing land

²⁶ Document LPA11, Appendix A. Although published in August 2018, this document has a base date of 31 March 2018.

²⁷ Document APPJ13, paras 11.32-11.40.

²⁸ Document APPJ13, table in para 11.41.

supply of 6.4 years²⁹, and the NPPF reaffirms that the development plan is the starting point for decision making. It is the intention that the Local Plan (Policy H1(c)) will provide enough deliverable land to maintain a five years supply, and I agree with the Appellants that it is too early for an annual position statement to be prepared. For these reasons I conclude that the Borough Council is entitled to rely on paragraph 74 of the NPPF to demonstrate a five years supply of housing land through its recently adopted Local Plan. Both Policies DLF1 and H1 refer to a minimum level of provision for housing. There is no ceiling on the number of new dwellings which may come forward, and, bearing in mind **paragraph 59 of the NPPF which refers to the Government's objective to significantly boost the supply of homes**, the additional dwellings proposed in appeal A would represent a benefit, although one to which I attribute moderate weight only given its modest size in the context of the overall housing requirement.

Other considerations

Affordable housing

52. Addendum1 to the Fylde Coast Strategic Housing Market Assessment identifies a net annual affordable housing need of 249 dwellings in the Borough, representing a significant proportion of the overall annual need for 415 dwellings. In response, Policy H4 of the Local Plan seeks the provision of 30% affordable housing on schemes of 10 or more dwellings. An obligation in the unilateral undertaking would secure this level of provision. Whilst this is an important benefit of the proposal, it would result in 15 affordable dwellings. In view of the limited contribution to the need for affordable homes, this is a benefit to which I give moderate weight.

Biodiversity

53. It is intended that the scheme would include measures to enhance biodiversity in accordance with Policy GD7 of the Local Plan, and these could be secured by conditions. Much of the green infrastructure on the site would be included in areas of informal open space, where activity generated by the new housing would be likely to cause a certain amount of disturbance to the natural environment. Accordingly I give moderate weight to biodiversity enhancements.

Drainage and flood risk

54. Concern has been expressed by CAPOW about incidents of flooding in Wrea Green, and Moss Side Lane is cited as the road with the worst flooding problems in the village. Photographs of flooding in 2016 have been submitted, one of which shows water across the road close to the existing access to the appeal site³⁰. The flood risk assessment (CD6.5) acknowledges the problem on Moss Side Lane, but records Lancashire CC, as lead local flood authority, explaining that there is no requirement for a developer to find a solution to existing issues beyond what is possible within the layout and form of the development itself. The proposal would result in an increase in impermeable surfaces, raised above Moss Side Lane. Accordingly the sustainable drainage statement proposes attenuation and storage of surface water to avoid the greenfield run-off rate being exceeded. With the safeguard of a condition

²⁹ Document LPA13 Appendix D, para 87.

³⁰ Photographs of flooding on Moss Side Lane are on pages 20-22, 27 & 28 of Document TP3b.

requiring approval of a surface water scheme incorporating any necessary flow attenuation measures, I do not consider that the proposed development would increase flood risk in the locality.

Living conditions

55. Orchard Cottage is situated on the opposite side of Moss Side Lane, close to the position of the proposed access. The occupiers are concerned that headlights from vehicles leaving the site would cause a nuisance. The access plan (Document APPA5) shows the junction with the new road just off-set from Orchard Cottage. Vehicles turning left would face towards its front elevation, but the effect of their lights could be minimised by the level of the access road, and that is a matter which could be the subject of a condition.
56. Concern has also been expressed about noise from commercial vehicles passing over speed cushions and junction tables on Moss Side Lane. The presence of several of these traffic calming features on this short stretch of road should ensure that vehicles travel more slowly and that the speed limit of 20mph is generally observed. At this speed I do not consider that noise from vehicles travelling along Moss Side Lane would be likely to unacceptably worsen the living conditions of nearby residents. Accordingly I find no conflict with criterion (h) of Policy GD7 which requires development proposals to be sympathetic to surrounding land uses and occupiers.

Economic considerations

57. The Appellant refers in general terms to economic benefits from jobs and spending, both during the construction period and when properties would be occupied. There is no detailed evidence on this matter, and in any event these are generic considerations which would apply equally to any development of 50 dwellings in the area. Economic considerations merit little weight in support of the appeal proposal.

Tree preservation order

58. A group of eight trees on the frontage of the appeal site (five sycamores, two beech and one ash) are covered by a tree preservation order (CD19.4). None of the trees would need to be removed to accommodate the proposed development.

Agricultural land

59. **It is the Appellant's undisputed evidence that the** majority of the appeal site is grade 3b land³¹, which is not the best and most versatile land. Moreover the site does not involve a significant loss of agricultural land in this part of the Borough.

Public realm enhancements

60. In line with Policy INF2 of the Local Plan, **the Council's Regeneration Framework** (CDs19.10 & 19.11) identifies projects across the Borough for environmental improvements. The Wrea Green Project (CD19.7) includes **enhanced street lighting, enhancing the area outside St Nicholas's Church**, footway improvements and tree planting around The Green. The Council explains that the works for which funding has already been secured would not

³¹ CD6.3, para 4.32.

secure the improvements to the public realm necessary to mitigate the effect of the proposals. It has been agreed that a contribution of £1,000 per dwelling would be made to the project, including extending the improved paving scheme in the conservation area and developing the grassed area in front of the public house for community activity. The unilateral undertaking includes an obligation to this effect. As these enhancements also represent mitigation, I give them only limited weight.

The planning obligations

61. I have already considered the provisions of the planning obligations concerning contributions towards the Warton crossroads and Wrea Green highway schemes (above, paras 42 & 44), affordable housing (para 52) and public realm enhancements (para 60). These measures are consistent with local policies and their implementation would be necessary to contribute to a satisfactory standard of development. I find that the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations are met, and the provisions of the unilateral undertaking are material considerations in this appeal.

Conclusions

62. The proposal would cause less than substantial harm to the significance of Wrea Green Conservation Area, and in accordance with paragraph 196 of the NPPF, this harm, which carries great weight, must be weighed against the public benefits of the development. The provision of additional market housing carries moderate weight. I also attach moderate weight to the affordable housing which would be brought forward by the scheme and to biodiversity enhancements. In addition the contribution of the scheme towards public realm enhancements in Wrea Green and economic benefits provide limited and little weight in support of the proposal. I conclude that the combination of public benefits does not outweigh the less than substantial harm to the significance of the conservation area.

63. Wrea Green would not be a sustainable location for the residential development proposed, which would conflict with Policies DLF1, S1, GD1 & GD4 in the Local Plan, and this is a matter to which I give significant weight. Because of its adverse effect on the setting of the conservation area and other harm to the character and appearance of the area, there would also be conflict with Policies ENV1, ENV5 & GD7. The harmful effect on the landscape of the site and its surroundings merits significant weight, as does the erosion of visual amenity in views from the northern part of Moss Side Lane and from The Green. Although there would be compliance with other aspects of Policy GD7 concerning highway safety, the relationship with nearby uses and biodiversity, and the level of affordable housing sought by Policy H4 would be provided, I conclude that the proposal would be contrary to the Development Plan considered as a whole. I have identified the benefits of the proposal above (para 62). These would be clearly outweighed by the harm caused by the proposal, and there are no material considerations which indicate that the appeal should be determined other than in accordance with the Development Plan.

64. For the reasons given above, and having regard to all matters raised including the suggested conditions, I conclude that the appeal should be dismissed.

Richard Clegg

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr J Easton of Counsel	Instructed by the Legal Services Department, Fylde BC.
He called	
Mr S Smith BA MSc	Blackpool Airport Enterprise Zone Delivery Manager, Blackpool Council.
Mr A Stell BA(Hons) MRTPI	Development Manager, Fylde BC.
Mr N J Stevens BEng(Hons) MSc	Highways Development Support Manager, Lancashire County Council.
Mr D Longdin BSc DipLA FLI	Partner, Randall Thorp.

FOR APPELLANT A:

Mr A Crean QC	Instructed by Colliers International.
He called	
Mr P Gray BA(Hons) BLA CMLI	Director, PGLA Landscape Architects.
Mr K G Riley BSc(Hons)	Projects Director, Mott MacDonald.
Mr A H Aitken BSc MRTPI	Head of UK Planning, Colliers International.

FOR APPELLANT B:

Mr V Fraser QC	Instructed by Mr Harris.
He called	
Mr S A Harris BSc(Hons) MRTPI	Director, Emery Planning Partnership.
Mr N I Folland BA(Hons) DipLA CMLI	Director, Barnes Walker Ltd.
Mr D Roberts IEng FIHE FCIHT	Director, SCP.

FOR APPELLANT C:

Mr M Carter of Counsel	Instructed by Mr McAteer.
He called	
Mr A McAteer DipTP DMS MRTPI	Director, McAteer Associates Ltd.
Mrs L Cruice BA DipLA TechArborA CMLI	Director, Appletons.
Mr J B Farmery MEng CEng MICE MCIHT ICE	Managing Director, Cole Easdon Consultants Ltd.
Mr R Bowley BSc CEng MCIWEM	Director, Cole Easdon Consultants Ltd.

FOR APPELLANT D:

Mr I Ponter of Counsel	Instructed by Knights 1759.
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He called	
Mr W Booker BSc	Director, SCP.
Mr J Berry BA(Hons)	Partner, Tyler Grange LLP.
DipLA CMLI AIEMA	
MArborA	
Mr A Corinaldi-Knott	Associate, Knights 1759.
MTCP MRTPI	

INTERESTED PERSONS:

Councillor F Andrews	Member of Fylde BC for Ribby-with-Wrea Ward.
Councillor J Maskell	Chairman, Ribby with Wrea PC.
Councillor M Wright	Member of Bryning-with-Warton PC.
Mr J Rowson	Chairman, Community Association for the Protection of Wrea Green.
Mr P Bagot	Local resident.
Mr E Brown	Local resident.
Mr M Cockrill	Local resident.
Mr R S Hetherington	Local resident.
Mr G McAuley	Local resident.
Mrs J Moreau	Local resident.
Mr J E Murphy	Local resident.
Mrs M A Murphy	For Mrs R Hatton, local resident.
Mr J Nelson	Local resident.
Mrs H Rowley	Local resident.
Mr J D Rowley	Local resident.
Mr J Smallwood	Local resident.
Mr B Taylor	Local resident.

CORE DOCUMENTS – SUPPLEMENTARY LIST

CD20 The LPA's additional proofs of evidence

CD20.10 Mr Smith's rebuttal proof of evidence.

CD20.11 Appendices to Document CD20.10.

CD20.12 Mr Longdin's rebuttal proof of evidence.

CD20.13 Appendices to Document CD20.12.

CD21 The Appellants' joint proofs of evidence

CD21.1 Mr McAteer's proof of evidence on behalf of the Appellants.

CD21.2 Appendices to Document CD21.1.

CD21.3 Mr Harris's proof of evidence on behalf of the Appellants.

CD21.4 Appendices to Document CD21.3.

CD22 Appellant A's proofs of evidence.

CD22.1 Mr Gray's proof of evidence.

CD22.2 Appendix to Document CD22.1.

CD22.3 Mr Riley's proof of evidence.

CD22.4 Appendices to Document CD22.3.

CD22.5 Mr Aitken's proof of evidence.

CD22.6 Mr Aitken's supplementary proof of evidence.

CD22.7 Appendix to Document CD22.6.

CD23 Appellant B's proofs of evidence

CD23.1 Mr Folland's proof of evidence.

CD23.2 Appendices to Document CD23.1.

CD23.3 Mr Roberts's proof of evidence.

- CD23.4 Appendices to Document CD23.3.
CD23.5 **Mr Harris's proof of evidence on behalf of Appellant B.**
CD23.6 Appendices to Document CD23.5.
CD24 Appellant C's proofs of evidence
CD24.1 **Mrs Cruice's proof of evidence.**
CD24.2 Appendices to Document CD24.1.
CD24.3 **Mr Farmery's proof of evidence.**
CD24.4 **Mr Bowley's proof of evidence.**
CD24.5 Appendices to Document CD24.4.
CD24.6 **Mr McAteer's proof of evidence on behalf of Appellant C.**
CD24.7 Appendix to Document CD24.6.
CD25 Appellant D's proofs of evidence
CD25.1 **Mr Berry's proof of evidence.**
CD25.2 Appendices to Document CD25.1.
CD25.3 **Mr Booker's proof of evidence.**
CD25.4 Appendices to Document CD25.3.
CD25.5 **Mr Corinaldi-Knott's proof of evidence.**

THE LPA's DOCUMENTS

- LPA1 **Mr Easton's opening statement.**
LPA2 **Mr Stevens's note on qualifications and experience.**
LPA3 Exchange of emails of March & April 2018 between the Council and Bannister Bates concerning a planning agreement relating to Oaklands Caravan Park.
LPA4 Extended extract from planning obligation concerning land at West Cliffe, Lytham St Annes.
LPA5 Extract from Sustrans website.
LPA6 CIL statement.
LPA7 Plan showing drainage concept overlain on wildlife corridor proposals for site C.
LPA8 Email dated 2 May 2018 from Mr Stell to Mr Easton & Mr Longdin concerning the heights of houses proposed on site C.
LPA9 **Mr Easton's closing submissions.**
LPA10 Email dated 4 May 2018 from Lancashire CC to Mr Stell concerning a footway link to site C.
LPA11 Letter dated 27 August 2018 from Mr Stell relating to the revised NPPF, and Housing Land Supply Statement 31 March 2018.
LPA12 Letter dated 10 September 2018 from Mr Stell commenting on representations in respect of the revised NPPF.
LPA13 Letter dated 29 October 2018 from Mr Stell relating to the Local Plan and updates to PPG.
LPA14 Appeal decision ref APP/M2325/W/17/3187426 concerning 68 dwellings at Wesham.

THE APPELLANTS' JOINT DOCUMENTS

- APPJ1 Timetables for bus services through Wrea Green.
APPJ2 **Headteachers's statement on school information from Ribby-with-Wrea Primary School website.**
APPJ3 Ribby-with-Wrea Primary School Admission Arrangements, September 2019.
APPJ4 Extract from planning obligation concerning land at West Cliffe, Lytham

- St Annes.
- APPJ5 **The Council's statement of case in respect of an appeal** for up to nine dwellings at Elswick.
- APPJ6 Errata note for the emerging Local Plan by the Council concerning housing land supply.
- APPJ7 **Extract from the Council's closing submissions for an appeal concerning** land adjacent to Kilnhouse Lane and Queensway, Lytham St Annes.
- APPJ8 Notice of granting of non-material amendment concerning planning permission ref 15/0787 at Electronic Data Systems, Heyhouses Lane, Lytham St Annes.
- APPJ9 **Mr Crean's, Mr Fraser's, Mr Carter's & Mr Ponter's closing submissions** concerning joint matters.
- APPJ10 Letter dated 13 August 2018 from Mr McAteer relating to the revised NPPF.
- APPJ11 Letter dated 24 August 2018 from Mr Harris relating to the revised NPPF.
- APPJ12 Letter dated 10 September 2018 from Mr Harris commenting on representations in respect of the revised NPPF, and appeal decision relating to residential development at Bamber Bridge.
- APPJ13 **Mr Harris's statement** in respect of the Local Plan and updates to PPG.
- APPJ14 **Mr Corinaldi-Knott's statement in respect of the Local Plan.**

APPELLANT A's DOCUMENTS

- APPA1 Unilateral undertaking in respect of appeal A.
- APPA2 **Mr Crean's opening statement.**
- APPA3a-b Appeal decision and report concerning mineral extraction and auger mining scheme at Widdrington, Northumberland.
- APPA4 Corrected LVIA summary tables.
- APPA5 Revised access plan for site A.
- APPA6 **Mr Crean's closing submissions**
- APPA7 Judgement in Derbyshire Dales DC and Peak District NPA v Secretary of State for Communities & Local Government and Carsington Wind Energy Ltd [2009] EWHC 1729 (Admin).

APPELLANT B's DOCUMENTS

- APPB1 **Mr Fraser's opening statement.**
- APPB2 Unilateral undertaking in respect of appeal B.
- APPB4 **Mr Fraser's closing submissions.**
- APPB5 **Mr Harris's response to Document G13.**

APPELLANT C's DOCUMENTS

- APPC2 **Mr Carter's opening statement.**
- APPC3 Unilateral undertaking in respect of appeal C.
- APPC4 Plans showing the adopted highway in the vicinity of site C.
- APPC5 Plot levels plan – site C.
- APPC6 Extracts from glossary, the Planning Portal.
- APPC7 Revised access plan for site C.
- APPC8 **Mr McAteer's response to Document G13.**

APPELLANT D's DOCUMENTS

APPD2	Mr Ponter's opening statement.
APPD3	Email dated 2 May 2018 from Knights 1759 to the Council and the County Council concerning the unilateral undertaking for appeal D.
APPD4a-e	Revised plans for appeal D.
APPD5	Mr Corinaldi-Knott's note concerning the extent and ownership of site D.
APPD6	Mr Ponter's closing submissions.
APPD7	Unilateral undertaking in respect of appeal D.
APPD8	Letter dated 28 August 2018 from Mr Corinaldi-Knott relating to the revised NPPF.

OTHER PARTIES' DOCUMENTS

TP1	Councillor Andrews's statement and appendix.
TP2	Councillor Maskell's statement.
TP3a-b	Mr Rowson's statements and appendices.
TP4a-c	Mr Rowson's comments on the LPA's and Appellants' proofs and the statements of common ground.
TP5	Councillor Wright's statement.
TP6	Mr & Mrs Rowley's statement in respect of Appeal A.
TP7	Mrs Rowley's comments on other parties' proofs and the statements of common ground.
TP8	Mr Hetherington's statement in respect of Appeal A.
TP9	Mr Hetherington's comments in response to Mr Gray's proof of evidence.
TP10	Mr Bagot's statement and appendices in respect of Appeal A.
TP11	Mr Cockrill's statement in respect of Appeal B.
TP12	Photographs relating to Document TP27.
TP13	Mr & Mrs Murphy's statement and appendix in respect of Appeal C.
TP14	Mr & Mrs Murphy's comments on the Appellants' proofs.
TP15	Mr Smallwood's statement in respect of Appeal C.
TP16	Mr & Mrs Hatton's statement and appendix in respect of Appeal C.
TP17	Mr Brown's statement in respect of Appeal C.
TP18	Mr McAuley's statement and appendix in respect of Appeal D.
TP19	Mr Taylor's statement in respect of Appeal D.
TP20	Mr Brown's supplementary statement and appendices.
TP22	Email dated 16 April 2018 from Legal & Democratic Services at Lancashire CC to Mr Bagot concerning a hedgerow on Moss Side Lane.
TP23	Bundle of representations from Mr & Mrs Moreau in respect of Document APP3B.
TP24	Mr Bagot's supplementary statement.
TP25	Mr Nelson's statement in respect of Appeal B.
TP26	Mr Rowley's comments on other parties' proofs and the statements of common ground.
TP27	Mrs Moreau's statement in respect of Appeal B.
TP28	Mr & Mrs Murphy's revised statement.
TP29	Email dated 1 May 2018, with plan, from Mrs Moreau to Mr Stell concerning separation distances in respect of appeal B.
TP30	Appendices to Document TP15.
TP31	CAPOW's comments relating to the revised NPPF.
TP32	Ribby-with-Wrea PC's comments relating to the revised NPPF.
TP33	CAPOW's comments on representations in respect of the revised NPPF.

- TP34 Ribby-with-Wrea PC's comments in respect of the Local Plan and the 2016 household projections.
- TP35 **CAPOW's comments in respect of** the Local Plan and the 2016 household projections.

GENERAL DOCUMENTS

- G1 Schedule of disputed housing sites prepared by the Appellants and the Council
- G2 Supplementary statement of common ground for appeal A in relation to paragraph 109 of the NPPF.
- G3 **Mr Stevens's note concerning highway scheme at Lytham Road/Church Road, Warton.**
- G4 Adopted Local Plan proposals map.
- G5 Extract from emerging Local Plan policies map.
- G6 Site plan for previous appeal proposal on site C.
- G7 Council minutes concerning Wrea Green Conservation Area report.
- G8 Note on housing delivery and the development strategy.
- G9 Plan of the ecclesiastical parish of St Nicholas, Ribby-cum-Wrea.
- G10 Site visit locations suggested by parties attending the inquiry.
- G12 List of possible conditions submitted by the Council and the Appellants.
- G13 Regulation 2(4) notices concerning pre-commencement conditions, appeals B & C.

CHERWELL DISTRICT COUNCIL

DECISION NOTICE SCHEDULE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

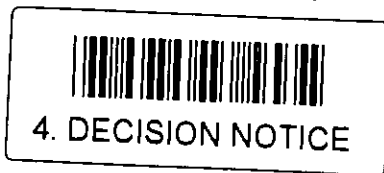
THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)

ORDER 1995, SCHEDULE 2, PARTS 6 AND 7

APPLICATION FOR PRIOR APPROVAL 98/00646/AGD

Name and Address of Agent/Applicant:

K J Bishop
College House
Hempton
BANBURY
Oxon
OX15 0QS



Date Registered: 1 July 1998

Brief Details of Application

Proposal: Construction of a general purpose agricultural building and an 80 ton grain silo.

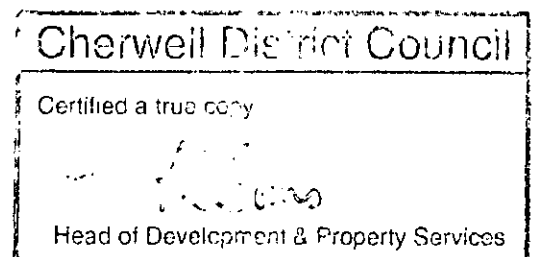
Location: OS Parcel 4300 North of Shortlands and South of High Rock, Hook Norton Road, Sibford Ferris, Banbury, Oxon

Parish: SIBFORD FERRIS

REFUSAL OF PERMISSION FOR DEVELOPMENT

The Cherwell District Council, as Local Planning Authority, hereby REFUSES to grant permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information. The reasons for refusal are set out in the attached schedule.

Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxon
OX15 4AA



Date - 3 SEP 1998

Head of Development & Property Services

REASONS FOR REFUSAL

The proposed agricultural building and grain silo will constitute unduly prominent and visually intrusive features in this attractive and sensitive landscape within a designated Area of High Landscape Value. As such it is contrary to Policies C7 and C13 of the Cherwell Local Plan.

CHERWELL DISTRICT COUNCIL

DECISION NOTICE SCHEDULE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

NOTES TO THE APPLICANT

REFUSAL OF PERMISSION

- The Local Planning Authority has refused permission or approval for the reasons set out in the schedule forming part of this notice of refusal. If you wish to have any further explanation of the reasons for the decision, it will be given on request, and a meeting arranged if necessary.
- If you wish to examine any of the development plans which set out the Local Planning Authority's policies and proposals for the development and use of land in its area, these are available for inspection at the District Council offices, Bodicote House, Bodicote, during normal office hours.

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of the Local Planning Authority to refuse the application you can appeal to the Secretary of State for the Environment, Transport and the Regions in accordance with Section 78(1) of the Town and Country Planning Act 1990.
- If you wish to appeal, then you must do so within six months of the date of this notice, using a form which you can obtain from the Department of the Environment, Transport and the Regions at Tollgate House, Houlton Street, Bristol BS2 9DJ. Tel (0117) 987 8000.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission or approval for the proposed development, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

- If either the Local Planning Authority or the Secretary of State for the Environment, Transport and the Regions refuses planning permission or approval for the development of land, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.



Roy Bishop

Hook Norton Rd

Sibford School

Grounds Farm

Lambs Pool

river stour


river stour

Hook Norton Rd

Rd

river stour

river stour



SIBFORD FERRIS



Search

Search for:

Search results

Minutes of Sibford Gower Annual Parish Meeting held in Sibford Village Hall on Monday, 11th April 2016

Present Parish Cllrs Peter Abbott, Mrs Susan Bannister, Oswyn Murray (Chairman), Alan Parkin and Mrs Gilian Soden. Peter Hardman (Clerk). County & District Cllr George Reynolds, Mrs Maureen H ...

Early History

... forests. Flint arrow-heads have been found south-west of **Sibford Grounds Farm** and near The Colony at Sibford Gower. ...

August 2010

The warm and mainly settled weather for most of July was replaced with dull, unsettled days, copious rain and very little sunshine – 40% below the long term average for August in the UK. Although many beach ...

Minutes of the Parish Council Meeting held in Sibford Gower Endowed Primary School on Tuesday, 6th September 2016

Present Parish Cllrs Mrs Susan Bannister, Oswyn Murray (Chairman) and Alan Parkin, ten Local Residents and the Clerk (Peter Hardman). Apologies Apologies were received from Cllrs Peter Abbott an ...

Queen's Diamond Jubilee, 2 - 5 June 2012

Four Days of Enthusiastic Celebrations Despite the Weather! Saturday : The celebrations started with the Jubilee Fayre with lots of free rides for children. and the ever popular Sibford Dog Show. ...

September 2010

A month of mellow fruitfulness with the hedgerows full of berries, hips and haws, late colour in the gardens supplied by dahlias, Michaelmas daisies and chrysanthemums but the reds, golds an ...

Sibford Ferris PC Planning Committee

Upstairs classroom, Sibford School Sports Hall Thursday, 8 June 2017 - 7:45pm ...

Village Hall

Some thoughts on the years leading to the Current Village Hall M.R.Lamb Previous to the year 1914 any concerts, dances, dinners, parish teas. etc., took place in the Village School, or in the old ...

> For the file 18/01894/OUT

-Original Message-----

From: lynn farleigh

Sent: 12 February 2019 17:49

To: Paul Seckington

Subject: Housing

I want to express great concern about the number of proposed houses in Sibford Ferris on the Hook Norton road . Originally I believe the proposal was for 8-10 which is reasonable and indeed required but 25 and the subsequent increase in traffic is not acceptable. I also worry about the state of our roads , the traffic in Banbury and the train service which is good but seating is inadequate . Standing on a train to London in ones seventies is not fun .

Yours Sincerely , lynn farleigh

Pettiphers Piece ,Sibford Ferris , Banbury , OXON OX15 5RA

From: robingrimston

Sent: 30 March 2019 18:30

To: 'bobneville@cherwellandsouthnorthants.gov.uk';
'robert.neville@cherwellandsouthnorthants.gov.uk'

Subject: Proposed development of 25 houses in Sibford Ferris Reference 18/01894/OUT

Dear Mr Neville,

Proposed development of 25 houses in Sibford Ferris Reference 18/01894/OUT

I am attaching documents with figures that show that there is no need for a major development of 25 houses in Sibford Ferris.

In fact, there is no need to provide for any more houses in Category A villages, especially those where sustainability is already questionable. Sibford is at the margin of sustainability for many reasons.

The CDC has a very good supply – 5 years against a new target of 3 years' supply. The AMR 2018 confirms this and this is reinforced by my figures.

We have visited sites and taken photos to prove development has begun in the areas listed.

I hope that you will give this serious consideration before writing your report.

If you have any questions feel free to contact me for more details.

Kind regards

Robin Grimston

ELM FARM, SIBFORD FERRIS, BANBURY, OXFORDSHIRE OX15 5AA

30th March 2019

Mr Bob Neville, Cherwell District Council, Bodicote House, Bodicote, Banbury OX15 4AA.

Dear Mr Neville

Proposed development of 25 houses in Sibford Ferris

Reference 18/01894/OUT

Facts and figures have been taken from the Cherwell Plan 2011 – 2031 ("[Plan](#)"), Cherwell Annual Monitoring Report March 2018 ("[2018 AMR](#)") and Land Housing Supply Update July 2018 ("[July update](#)").

SUMMARY

This note summarizes the progress of development in the rural areas of Cherwell under the Cherwell Plan 2011 – 2031. The overarching conclusion is that progress is substantial. Sites completed, under construction or with planning permission and identified on the ground exceed the quota for "Rest of District- >10 dwellings" for the 2011 – 2031 Plan period of 1,885 and [all but] exceed the "Allocation" of 750.

750 Allocation all but exceeded as at 31st March 2018

[The AMR para 5.80 page 70](#) says that "746 dwellings have been identified for meeting Policy Villages 2 requirement of 750 dwellings" [and on page 71](#) "as at 31 March 2018 there are 4 dwellings remaining from the Policy Villages 2 requirement" [As of 31st March 2019 the 750 may be exceeded].

1

Allocation achieved

The overall quota of 1,885 for the Plan period exceeded

Completions	913
Completed (deliverable, available, suitable, achievable)	252
Projected (deliverable, available, suitable, achievable:	
Developer on site and houses under construction	430
Developer on site and earth moving	95
Sites identified on the ground and with planning permission	<u>197</u>
TOTAL DEVELOPED or UNDER DEVELOPMENT	1,887
Projected (deliverable, available, suitable, achievable:	
Additional Sites	53
Site withdrawn	<u>16</u>
TOTAL IDENTIFIED SITES	<u>1,956</u>

The total of sites completed, under construction or identified on the ground with planning permission exceeds the requirement for the 2011 – 2031 period by 2 houses – 12 years before the end of the period.

Buffer

Sites for just a further 39 houses need to identified in Policy 2 Villages to achieve a 5% buffer in the 2011 – 2031 period. $(1,885 \times 1.05 - (1,887 + 53) = 39)$.

Re-introduction of brownfield site at Cassington reduces unsatisfied buffer to 23.

Additional identified sites mean that the 5% buffer for the period 2011 to 2031 is already substantially (but for 23 /39 houses) filled.

CONCLUSION

Allocation achieved, sites completed, under construction or identified on the ground with planning permission exceed the requirement for the 2011 – 2031 period by 2, 5% buffer for period to 2031 substantially in place

There is NO NEED for development in Sibford Ferris, a location, that is only marginally sustainable.

RESULTS See Villages Summary tab of spread sheet

Completions 1st April 2011 – 31st March 2018 (excluding Caversfield 200) 913

[2018 AMR Page 95 \(Appendix 2 page 9\)](#)

Deliverable (Available, Suitable and Achievable) Completions – Completed

[2018 AMR Page 97 \(Appendix 2 page 11\)](#)

Completed (1,254 minus Heyford 443 and minus Windfall 559) 252

See Column H approx. rows 89 to 108 of the Spread Sheet

Deliverable (Available, Suitable and Achievable) Completions –Projected

Where a developer has already started building out a site it is assumed that the level of development planned for that site will be completed. These sites have been visited and photographs are attached.

Developer on site, houses under construction

**figures are additional to those completed*

a. Church Leys, Blackthorne Meadows, Ambrosden	85	
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c. Clockmakers turn, Adderbury	5	
d. Banbury Road, Adderbury (Barwell Homes)	19	
e. Weavers Field, Bloxham (Miller Homes)	66	
f. Woodlands, Bloxham (Miller Homes)	7	
g. Cotefield Farm Bodicate phase 1 (Cala Homes)	14	
h. Duchy Field, Station Road Bletchington	56	
i. Gaveston Gardens, Deddington (David Wilson homes)	30	
j. Station Road, Enslow (Port Devon)	14	
k. Sibford Road, Hook Norton (Lion Court Homes)	54	
l. Garners House, Great Bourton (Hayfield Homes)	<u>37</u>	430

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Bromley and Gains dropped out as the housebuilder	20	
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Redevelopment in progress, 8 flats at front appear		
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e. Station Road Ardley		
Oakley Architects for Waterloo Housing		
2 flats, 3 bungalows, 8 x 2bed, 2 x 3 bed.	13	200
TOTAL		<u>1,887</u>

Additional Sites

a. Kidlington Builders Yard the Moors		
This brownfield site is surrounded on all sides by buildings and is currently pretty scruffy. Site owned by County Council and planning secured by Bluestone Planning		13
b. Tally Ho Arncott July Update page 16		
Outline application 13/01576/OUT for conversion of 3 No bedroom blocks to form 17 one bedroom retirement dwellings was approved on 19 September 2014.		17
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A Reserved Matter application (12/01003/REM) was approved on 18/10/12. Implementation was required within a year of the decision (18 Oct 2012). Planning permission lapsed on 18 October 2013. Taken out of the 5 year housing land supply. This is a potential site if needed to address any identified shortfall in the Council's housing supply. HELAA (2017) site HELAA265. The 2017 draft HELAA considered the site to be developable. Housing development comes up to right hand gate post of entrance to farm yard 16		
d. George 7 Dragon Street, Fritwell		7

Total Additional Sites	<u>53</u>
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Site Withdrawn 14 November 2018

81-89 Cassington Road Yarnton

This is a brownfield site, extremely scruffy, behind Charlett Tyres	16
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TOTAL	<u>1,956</u>
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Re-introduction of brownfield site at Cassington reduces unsatisfied buffer to 23.

APPENDIX

Summary of “Rest of District” (ie not Banbury or Bicester) housing distribution. [Plan Policy BSC1 page 61](#)

	Windfalls <10 dwellings	Upper Heyford	DLO Caverfield	> 10 Dwellings	Total	
Completions 2011 - 2014	196		85	247	528	Plan page 249
Planning permissions 2011 - 2014		761	111	888	1,760	Plan page 249 Policy BSC 1
Allocations	754	1,600		750	3,104	Page 61 Policy BSC 1
Total	950	2,361	196	1,885	5,392	Page 61

[Policy Villages 5](#)
[Plan page 257](#)

[Policy Villages 2](#)
[Plan page 250](#)

Eclipse™im9313.XLSXVILLAGES SUMMARY

[illegible]

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	<i>Policy Villages 5</i>		<i>Policy Villages 2</i>			
	<i>Cherwell Plan page 257</i>		<i>Cherwell Plan page 250</i>			

	2025 Adopted Plan	Completed/Identified Deliverable(Available, Suitable and Achievable) Sites															Specific Developable		Remaining	TOTAL	
		Completed	Completed	Projected	/3B Projections 18/19	/3B Projections 19/20	/3B Projections 20/21	/3B Projections 21/22	/3B Projections 22/23	/3B Projections 23/24	/3B Projections 24/25	/3B Projections 25/26	/3B Projections 26/27	/3B Projections 27/28	/3B Projections 28/29	/3B Projections 29/30	/3B Projections 30/31	Completed			Projected
		/3A	/3B	/3B														/3C			/3C
Barbury	26.1%	7,219	311	1606	526	656	921	923	695	551	460	390	317	253	117	117	52	0	0	0	7,895
1% to complete after Villages 100% done																					
46 West Bar Street			17																	17	
58,60,62,64 Oxford Road			9																	9	
Calthorpe House			15																	15	
Canalside House			14																	14	
Dalhousie School			19																	19	
Farmhouse Properties South Bar Street			10																	10	
Albion Mill Road			10																	10	
Warwick Road / Boundary Street junction			22																	22	
NW of 35 Crouch Hill Road			27																	27	
Methodist Church Fairway			11																	11	
Lincoln House, Lincoln Close			18																	18	
Old Stanbridge Hall			70																	70	
Orchard Lodge Warwick Road			16																	16	
Pennrose House Hightown Road			14																	14	
Town Centre House Southern Road			39																	39	
3 West Bar Street						12														12	
60- 62 Broad Street						12														12	
Admiral Holland, Woodgreen Avenue						14														14	
Bankside 1 Longford Park			702	75	100		100		63											1,090	
Canalside Crown House					51	63														114	
Drayton Lodge Farm					50	100			75	100	25									250	
Land adjoining and West of Warwick Road			20	50	100				100		30									360	
Higham Way				25	100				25											150	
East of Southern Road			205	100	50	74			51		30									510	
South of Oak Way and West of Blenheim Road				25	50	50			50		50	43								318	
West of Southern Road				20	35	35			35											90	
Nettleship House						7														7	
NE of Crouch Hill Farm, adjoining Blenheim Road			16	24																40	
North of Harwell Fields			163	100		80		55		55		50		41						544	
Oxford and Cherwell College Broughton Road						78														78	
Poundland Malthouse Walk					20	20														20	
South of Salfrey East			126	19	20	100		125	150		150		100		100		100		35	1,435	
West of Bents Hill			107	50	60	60		60	50		50		23							510	
Windfall Allowance			287	35	35	35		35	35		35		17		17		17		17	616	
56- 60 Calthorpe Road								14		50		100								14	
Bankside Phase 2										50		100		100		100		50		600	
Bolton Road								75		75		50								200	
Canalside excluding Crown House										50		50		100		100		86		586	
Brutch Hill Reservoir								40												40	
Barbury AAT Accessway								10		34										44	
TOTAL			311	1606	526	656	921	923	695	551	460	390	317	253	117	117	52	0	0	0	7,895

	2015 Adopted Plan	Deliverable(Available, Suitable and Achievable) Sites																		Specific Developable Completed /3C	Projected /3C	Remaining /4C	TOTAL
		Completed Identified		Projected																			
		/3A	/3B	/3B Projections 18/19	/3B Projections 19/20	/3B Projections 20/21	/3B Projections 21/22	/3B Projections 22/23	/3B Projections 23/24	/3B Projections 24/25	/3B Projections 25/26	/3B Projections 26/27	/3B Projections 27/28	/3B Projections 28/29	/3B Projections 29/30	/3B Projections 30/31							
Bicester																							
% to complete after Villages 100% done		10,129	271	1411	365	618	698	797	838	865	809	600	575	555	455	425	311	0	0	0	9,593		
	16.61%																						
	45.56%																						
Bicester Community Hospital Kings End				14																	14		
Former Dean CC Highways Depot				62																	62		
South Of Tallman Road				125																	125		
Transco Depot Launton Road				23																	23		
West of Chapel St and Bryan House				5																	5		
Winners Bargains Centre				42																	42		
Garvey Drive								25	75	100	75	25									300		
Graven Hill				29	100	200	200	200	200	200	200		175	150		130	130	100	86		2,100		
85-87 Churchill Road																					10		
Kingmores SW Bicester Phase 2				1119	200	200	150	73													1,742		
Bessemer Close Launton Road							52														70		
Skimmingdish Lane					25		21														46		
South of Church Lane				6	5			9													20		
NW Bicester Ecotown				155	25	65	65	65	18												393		
NW Bicester Phase 2							50	155	220	220	220	220	220	220	220	220	220	220			2,185		
SE Bicester							50	100	150	200	200	200	200	200	100	100					1,500		
SW Bicester phase 2						70	110	110	140	140	139										709		
Windfall allowance				102	10	10	10	10	10	10	5	5	5	5	5	5	5				197		
																					0		
Cattle Market										20	20										40		
St Edgburges School							10														10		
																					0		
TOTAL			271	1411	365	618	698	797	838	865	809	600	575	555	455	425	311	0	0	0	9,593		

CATEGORY A VILLAGES

Pop

km to town

Distance to A Road (miles)
RG estimate

Kidlington	13,723		0
Bloxham	3,374	5.6	0
Adderbury	2,819	5.3	0
Yarnton	2,545	6	0
Ambrosden	2,248	5.3	1
Deddington	2,146	9.7	0
Bodicote	2,126	2.9	0
Hook Norton	2,117	15.1	5
Arncott	1,738	7.9	2
Launton	1,204	3.5	0.5
Steeple Aston	947	13.2	1 Nearer Oxford and A road
Bletchington*	910	8.8	2
Chesterton	850	4.2	1
Begbroke	783	5	0
Fritwell	736	10.6	1 Nearer Oxford and A road and M40
Cropredy	717	7.2	2
Milcombe	613	8.2	1
Fringford	602	7.1	0.5
Wroxton	546	8.9	0
Weston on Green*	523	8.4	2
Sibford Gower	508	12.2	5
Sibford Ferris	476	12	5
Finmere	466	12.2	0 Buckingham (5 miles?) and Brackley (3 miles) ? Milton Ki
	42,717		

eynes

From: robingrimston

Sent: 30 March 2019 18:30

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81-89 Cassington Road Yarnton

This is a brownfield site, extremely scruffy, behind Charlett Tyres	16
---	----

TOTAL	<u>1,956</u>
--------------	---------------------

Buffer

This means just a further 39 houses need to be built in Policy 2 Villages to achieve a 5% buffer in the 2011 – 2031 period. $(1,885 \times 1.05 - (1,887 + 53) = 39)$

Re-introduction of brownfield site at Cassington reduces unsatisfied buffer to 23.

APPENDIX

Summary of “Rest of District” (ie not Banbury or Bicester) housing distribution. [Plan Policy BSC1 page 61](#)

	Windfalls <10 dwellings	Upper Heyford	DLO Caverfield	> 10 Dwellings	Total	
Completions 2011 - 2014	196		85	247	528	Plan page 249
Planning permissions 2011 - 2014		761	111	888	1,760	Plan page 249 Policy BSC 1
Allocations	754	1,600		750	3,104	Page 61 Policy BSC 1
Total	950	2,361	196	1,885	5,392	Page 61

[Policy Villages 5](#)
[Plan page 257](#)

[Policy Villages 2](#)
[Plan page 250](#)

From: Mark Pougatch
Sent: 02 April 2019 17:13
To: Bob Neville
Subject: Hook Norton Road development

Dear Mr Neville

This is to lodge my wife and my objection to the proposed Hook Norton Road development .

The development is quite clearly against the needs of the village and the wishes of the community. The size of the development is totally disproportionate to the size of the village and the current infrastructure quite simply cannot take an additional 25 houses.

That the developer was originally given permission to develop 8 houses but now wants to treble that quite clearly shows this is to do with profiteering and not the needs of the village or the locals. Additional traffic is also unsustainable.

Also, the mid Cherwell districts housing needs have already been met.

I wish to register our objection to this proposed development .

Sincerely

Mark and Victoria Pougatch
Temple Close
Sibford Gower
Ox155rx

From: WASS, John
Sent: 03 April 2019 08:08
To: Bob Neville
Subject: Application No. 18/01894/OUT

Dear Mr Neville,

I write as resident of Sibford Ferris to object in the strongest possible terms to the proposed Hook Norton Road development of 25 houses. This goes against the wishes of most parish council and a huge number of villagers from whom you have received objection letters already.

I believe that this is not a sustainable development and this is the case on account of infrastructure like sewage, footpaths, amenities and other matters.

Yours sincerely,

John Wass

Holmby House, Sibford Ferris, OX155RG

From: Simon J Rayner **Sent:** 31 March 2019 17:34
To: Bob Neville
Cc
Subject: Hook Norton Road - Outline Planning Permission

Bob,

Quick catch up to ascertain the latest status of the Outline Planning permission for the Hook Norton Road Development in Sibford Ferris.

Is the planning permission going to be presented at the April Planning Committee Meeting?
Is it understood yet if this will be recommended for approval or rejection by you and your team?

Have the two points of clarification being sought - 1. Placement of houses on the land. 2.

OCC Archeologist investigation requirements - been completed?

If you can provide an update on the above I will brief the Sibford Parish Councillors.

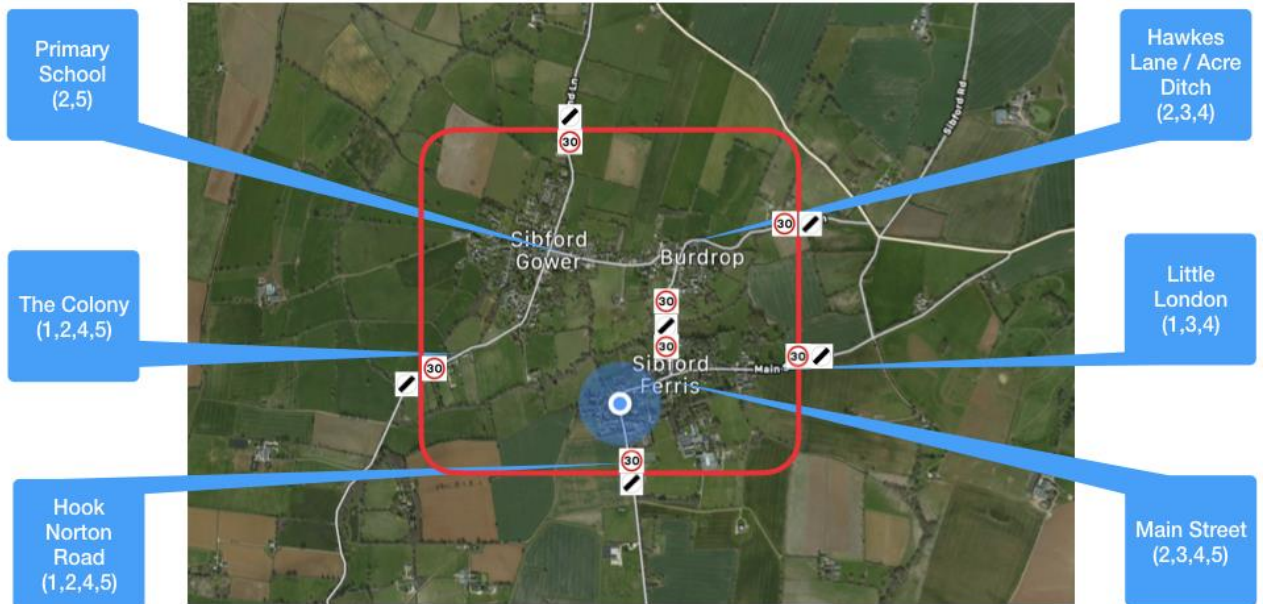
An additional piece of information that may be of interest to you is the work being undertaken by the Sibfords Speeding and Road Safety Group. This is a group that was formed late 2018 and is just about to start working with Mike Wasley - OCC Community Officer to determine how we can improve road safety and reduce risk within the community related to traffic volume, speed of transit and the narrow and constricted roads. Any growth in traffic volume will undoubtedly impact safety and increase risk unless effective measures are put in place. The attached file show the issues that have been identified by the community group members. If you have any questions about this please let me know.

Regards,
Simon

Simon Rayner

Sibfords Road Safety

Map showing community locations and identified road safety concerns



Key

1. Speed of vehicles transitioning from 60mph to 30mph zones
2. Speed of vehicles traversing 30mph zones
3. Narrow roads and lanes
4. Limited footpaths requiring pedestrians to walk in the road
5. Pedestrians at risk from speeding vehicles and parked cars

From: Simon J Rayner
Sent: 31 March 2019 17:34
To: Bob Neville
Subject: Hook Norton Road - Outline Planning Permission

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Is it understood yet if this will be recommended for approval or rejection by you and your team?

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Regards,

Simon

Simon Rayner

From: Victoria Owen
Sent: 01 April 2019 17:52
To: Bob Neville
Cc: Duncan Chadwick
Subject: 18/01894/OUT - Outline Planning Application for 25 dwellings in Sibford Ferris

Dear Bob,

Please see the attached letter, written on behalf of Sibford Action Group, which contains further objections in relation to 18/01894/OUT - Outline planning application with all matters reserved for up to 25 dwellings with associated open space, parking and sustainable drainage - OS Parcel 4300, North of Shortlands And South of High Rock, Hook Norton Road, Sibford Ferris.

This letter serves as a supplementary update to the previous objections submitted in November 2018, prior to the submission of your recommendation and report to the Planning Committee. Please do not hesitate to contact Duncan, or myself, should you wish to discuss the contents of the letter.

Kind Regards,
Victoria

Victoria Owen
Assistant Planner

 [+44 \(0\) 1908 666276](tel:+441908666276)
 vowen@davidlock.com
 davidlock.com

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Mr Bob Neville
Senior Planning Officer
Development Management
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

1st April 2019

Our ref:
DAV001/VO

Your ref:
18/01894/OUT

By email & post

Dear Mr Neville,

Outline planning application with all matters reserved for up to 25 dwellings with associated open space, parking and sustainable drainage - OS Parcel 4300, North of Shortlands And South of High Rock, Hook Norton Road, Sibford Ferris (Application No. 18/01894/OUT)

We write in connection with the above outline planning application on behalf of our clients, the Sibford Action Group. As you will recall, we submitted a letter to the Council, dated 30th November 2018, which outlined the Group's strong objections to the planning application. As you know, our clients are a group of local residents and professionals, who have co-ordinated the community's response to this proposal due to their serious concerns about the likely impact of the proposal upon the Sibfords and the quality of life in the two villages.

We will not repeat the clear reasons, set out in our previous letter, as to why we consider the proposed development is wholly unacceptable and should be refused by the Council as being contrary to the Development Plan, in line with Section 38(6) of the *Planning & Compulsory Purchase Act 2004 (as amended)*.

We do not consider that the additional and amended information submitted by the applicants goes any way towards overcoming our client's and residents' substantial concerns about several issues relating to the proposal development. Therefore, the situation is substantially unchanged except for certain matters (see below), which reinforce the justification, in our view, for a clear refusal of the application for the reasons set out in this and our previous letter.

We now understand from your correspondence with Sibford Ferris Parish Council that you intend to recommend approval of the application to the Planning Committee meeting to be held on 18th April 2019. We are surprised and disappointed that you have decided to recommend approval, considering that we were led to believe the archaeology works, discussed below, were required prior to the determination of the application. The outcome of such works is uncertain and unknown at present. The remainder of the letter explains the further clear reasons why there could, and still should, be a recommendation of refusal in our view.

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Archaeology

As you have discussed with my colleague Victoria Owen (Assistant Planner) on numerous occasions, there are fundamental archaeological issues with the application that have still yet to be resolved. The archaeological issues were outlined by Oxfordshire County Council's (OCC) Archaeologist, Richard Oram, in his comments dated 22nd November 2018. As detailed in the response, the County's Archaeologist recommends that ***"prior to the determination of this application the applicant should [therefore] be responsible for the implementation of an archaeological field evaluation"***. The timeline to undertake the archaeological field evaluation was detailed in the "extension of time" agreement email chain, uploaded to the Cherwell District Council Planning Application Portal on 31st January 2019.

There is no record of the Written Scheme of Investigation (WSI), submitted by the applicants to the County's Archaeologist, having been approved and the works implemented as yet. You confirmed to us on Wednesday 20th April 2019 that the WSI had not yet been approved by the County Council. Considering that your report to the Council's Planning Committee and recommendation is due on Thursday 4th April 2019, it seems highly unlikely that the County Council's requirements will be met before this date. On this basis, we do not see how the planning application can be recommended for approval by the Planning Committee with such a substantial unresolved issue. In light of advice in the *National Planning Policy Framework* and the requirements of Policy ESD15 of the adopted Cherwell Local Plan Part 1, we consider it is not possible for the Council to fully and properly assess the impact of the proposal on this potential heritage asset so as to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Fringford Appeal

There has also been a significant change in planning circumstances and material considerations since the application was submitted and since our previous representations. This is the appeal decision at Fringford Cottage, Main Street, Fringford OX27 8DP (Appeal Ref: APP/C3105/W/18/3204920) issued on 24th January 2019. We have included the appeal decision as Appendix 1 to this letter.

The appeal is very pertinent as it relates to a Category A village and the Inspector comments on relevant planning policy and other considerations relating to Policy Villages 1 and Policy Villages 2 in the Cherwell Local Plan Part 1. Importantly, this appeal was also brought to the attention of Members of the Planning Committee at its meeting on 14th March 2019. Your colleague, Paul Seckington, summarised the appeal as being dismissed on the grounds that the proposed scheme for 10 no. dwellings was inappropriate for Fringford, as it was an unsustainable location, with limited services/facilities and little public transport. Hence, it was not a suitable site for development in relation to both Policy Villages 1 and 2. There were other reasons outlined, but Mr Seckington emphasised that the principal reason why the development was refused (by the Council) and dismissed on appeal was due to the 10 no. dwellings proposed being inappropriate development due to the limited size, amenities and unsustainability of the village.

Cllr Mike Kerford-Byrnes asked a pertinent question at the previous Planning Committee meeting, which was whether this decision could affect decisions that might be made in respect of other Category A villages, as Fringford is a relatively small village and there are probably 4 or 5 of them which fall into this Category. Mr Seckington confirmed that the decision would be a material consideration and further stated:

"But if you can say that this particular village is similar to that village in terms of the level of amenity and the Inspector found that site to be unsuitable, then you'd have to say the same thing about that potential village as well, in terms of that application."

It is clear that Sibford Ferris is one of the "4 or 5 of them [villages]" that shares similar, unsustainable characteristics with Fringford. Extracts of the *Village Categorisation Update* (2014) for Fringford and Sibford Ferris (and Sibford Gower, as they are categorised together as a Category A Village in the Local Plan Part 1), are included as Appendix 2 to this letter. As outlined in our first letter, the food shop in Sibford Ferris - although a very useful facility - is not capable of operating as more than a small, local convenience store. This would result in villagers driving to nearby settlements for a supermarket, other shops and most services for most of their shopping and related needs.

The small convenience store does have a Post Office, there is a GP Surgery in Burdrop and a public house in Sibford Gower. However, as we stated previously, it is unlikely that residents of the proposed development will walk between the villages due to the lack of continuous public footpaths, distance and topography. Hence, there will be a greater propensity for residents to use private vehicles and drive to facilities and/or other villages and towns for their retail and other needs.

In addition, since the Village Categorisation Update in 2014, the bus service has reduced from a service that would enable transport to Oxford, to a service just between Stratford-upon-Avon and Banbury via the 3A bus service operated by Johnson's Excelbus. The number of bus services has also reduced since 2014, with fourteen services each day (Monday to Friday) previously, reduced now to just 5 services per day to Banbury and 4 services to Stratford-upon-Avon (Mon-Fr) and 4 services each way on a Saturday; there are no services on a Sunday. The Inspector paid particular regard to the reduction in bus services in the Fringford appeal decision and this is yet another similarity between Fringford and Sibford Ferris.

The Inspector, Jon Hockley, considered that the future residents from the proposal would use private transport for most of their day to day needs, as will also occur in Sibford Ferris. The Inspector also attributed weight to the harm to the character and appearance of the area that would occur due to the development, the poor integration of the development with the village form and the impact on views from nearby public footpaths. This was for a smaller scheme, but the issues listed here are all shared with the proposed development at Sibford Ferris; as amplified in our earlier letter of objection.

In respect of Policy Villages 1, the Inspector concluded:

"I am not convinced therefore that, while noting the size of the scheme compared to the size of the village overall, given the level of service provision in the village, particularly when coupled with the harm that I have identified above that the scheme would cause to the character and form of the village, that the proposal would constitute 'minor development' in the context of Fringford and therefore consider that the scheme would be contrary to Policy Villages 1."

In addition, the Inspector considered the development in relation to the criteria outlined in Policy Villages 2, which we assessed the Sibford Ferris development against in our previous letter and found the proposal to be unacceptable on most, if not all, of the Policy criteria. The Inspector concluded that the development would not contribute to enhancing the built environment nor would be well-located in relation to service and facilities and so was contrary to Policy Villages 2.

Therefore, in conclusion on this matter, we consider that the Fringford appeal decision provides further strong justification for refusing this proposal. Whilst there are some differences (e.g. actual number of facilities) there are many similarities between the two. The Inspector concluded on the Fringford decision that:

"overall the proposed development would not provide a suitable site for housing and would be contrary to the development plan. Material considerations advanced do not lead me to an alternative decision and the scheme would also be contrary to the Framework."

For similar reasons and consistency, we would request that you conclude the same on the current application, due to the proposal being unsuitable, harmful, unsustainable and contrary to the Development Plan and other material considerations (including the National Planning Policy Framework).

Housing Supply

The Inspector on the Fringford appeal noted that the Council has an adequate housing land supply, which is borne out by the figures in the Council's *Annual Monitoring Report, 2018 (AMR)*. The Ministerial Statement in relation to the Oxfordshire Growth Deal only requires a 3-year supply and the Council has well in excess of this, according to the AMR.

The key points of the AMR are:

- There was headroom (at the time) in permissions of just 4 out of the circa 750 homes to be built under Policy Villages 2;
- 65 dwellings were completed in respect of Policy Villages 2 in 2017/18;

- A total of 168 dwellings have been built out of circa 750 dwellings which is 22.4% of total;
- With 12 years to go to 2031 (the end of the Plan period) that is just 48 per year, which is similar to the 750 new home Plan requirement over period of 2014-2031;
- So, if the current average rate is maintained, the target will be hit; at 65 per year (as in 2017/18) the target will be hit in 8.5 years.

Hence, we conclude that there is absolutely no need to permit more at this stage. Our clients have also reviewed the AMR in more detail and the progress with the delivery of various sites post the AMR to provide an up-to-date picture. This has been supplied separately to the Council but reinforces the fact that there is no need to approve more dwellings in Category A villages and particularly not at Sibford Ferris.

To put this in perspective, 25 dwellings at Sibford Ferris, if built in one year (as likely) would represent over half of one year's total in just one village. There are 23 Category A villages or 24 if one splits Sibford Ferris and Gower so this would not only be unnecessary but also a disproportionate and unbalanced distribution of development across the district.

Strength of Objection

As Paul Seckington outlined at the Planning Committee meeting in March 2019 that the application has proved controversial in the locality and this is clearly demonstrated by the eighty-four objections submitted against the application. In addition, the Sibford Action Group, our clients, are a group comprised of significant numbers of local people. The Parish Council also strongly objects to the proposal.

Conclusion

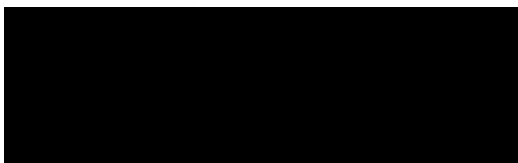
In conclusion, for all the reasons outlined in this letter and our previous letter (dated 30th November 2018), the proposed development remains wholly unacceptable and should be refused by the Council pursuant to Section 38(6) of the *Planning & Compulsory Purchase Act, 2004 (as amended)*, as it is not in accordance with the Development Plan and a refusal is supported by other material considerations, including the National Planning Policy Framework and the recent appeal decision at Fringford, where planning circumstances are similar.

We were disappointed to learn that you intend to recommend approval of the application when presented to the Planning Committee. Not least because the archaeology schedule of further works has not been completed, but also due to the fact the Fringford appeal decision is very comparable to the situation in Sibford Ferris. In addition, the Annual Monitoring Report clearly demonstrates there is no need for housing in Category A villages and certainly not in Sibford Ferris.

We would therefore request again that you/the Council take these strong objections into account before completing your report and making your recommendation to the Planning Committee on 18th April 2019. We still respectfully request that the application should be recommended for refusal and rejected by the Planning Committee for all of the reasons set out.

If you require any further information or wish to discuss any of the issues raised, please do not hesitate to contact myself, or my colleague, Victoria Owen.

Yours sincerely,



Duncan Chadwick
Partner

Email: dchadwick@davidlock.com

Appendix 1 – Fringford Appeal Decision



Appeal Decision

Site visit made on 6 November 2018

by Jonathan Hockley BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th January 2019

Appeal Ref: APP/C3105/W/18/3204920

Fringford Cottage, Main Street, Fringford OX27 8DP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Stuart Wright against the decision of Cherwell District Council.
 - The application Ref 18/00249/OUT, dated 6 February 2018, was refused by notice dated 16 April 2018.
 - The development proposed is a residential development of up to 10 dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved aside from access. I have treated the appeal in the same manner, and have thus treated all plans submitted as indicative, except those relating to access.

Main Issue

3. The main issue in this case is whether the proposed development would provide a suitable site for housing, having regard to the character and appearance of the area including the setting of nearby listed buildings, the proximity of services, and the effect of the scheme on the living conditions of the occupiers of Bakery Cottage.

Reasons

4. Fringford is a fairly small village based upon Main Street and the roads leading off this street. The SPD¹ states that the village has a dispersed settlement pattern. However, dispersed settlements are cited as having a large open **space at their centre, whereas in Fringford's case** the southern end of the village is characterised by a large village green sited opposite **the settlement's** primary school, with the rest of the village having more of a linear pattern, based around Main Street/The Green. This street is largely lined with housing of varying ages, although development is more sporadic on its south east side than its north west side, with numerous side roads and cul-de-sacs fed off this side of the street. **In this development pattern St Michael's Close, which lies to** the north of the appeal site appears as somewhat of an anomaly, being one of the few streets accessed to the south of Main Street.

¹ Cherwell Residential Design Guide Supplementary Planning Document, July 2018

5. The roughly rectangular appeal site lies on the south east side of the street and mainly consists of a fairly large field/paddock set to the rear of Fringford Cottage, and would be accessed by an improved existing drive set to the side of this property, currently used to access the rear of the house and outbuildings.
6. On the other side of the access lies the northern side of Bakery Cottage. This cottage is part of a row of four properties which seemingly consists of 2 central one and a half storey thatched properties bookended by 2 two-storey tile roofed houses. Bakery Cottage is one such end property. The structure is a Grade II listed building, with, from the listing description, the central thatched elements of the whole building being listed. To the rear the houses have relatively shallow areas for sitting out in, opening out into a more open area which has the character of an orchard at its end and appeared to have partly communal access to the properties.
7. The proposal would provide up to 10 dwellings, with the indicative layout detailing how these could be accommodated within the site. The rear of the site would appear to project slightly further to the south east than the existing **rear line of development from St Michael's Close. To the south west, while** the top of the site would fall in a rough line from the rear of the orchard type land to the rear of Bakery Cottage and its attached neighbours, the majority of the site would border open fields. The south east end of the site borders further fields/paddocks, and a footpath runs along the north east side of the site.
8. The proposal would introduce a reasonably substantial new housing scheme into an area of the village which has remained free of development, and would push the visual envelope of the settlement **across from the rear of St Michael's Close towards the south west. In this context I do not agree that physically it would tie in with St Michael's Close rounding off this part of the village; to my mind St Michael's Close is something of an anomaly in** terms of the development of the village and the proposal would accentuate this anomalous effect, however the detailed design was considered. Such an effect would be clearly visible from reasonably substantial stretches of the nearby public footpath, where the scheme would mask the current views of the linear development to the rear of Main Street that predominates in this area of the village to the south west of **St Michael's Close**, and would appear poorly integrated with the village form, causing harm to the character and appearance of the area.
9. The appellant has submitted a Landscape and Visual Assessment, which considers the impact of the proposal on the adjacent footpath, stating that the value of viewpoints along the footpath is high and medium depending on location but that users of the footpath would be viewing the site in a transitory way while they focus on the route ahead. However, the speed of transition on a rural footpath would be slow and given the extent of views that can and would be possible of the site I consider that the scheme would clearly alter the perception of the village form and development pattern from such viewpoints. I also do not consider that such harm would be mitigated by landscaping, which would take time to establish and would do little to change or mask the form of the proposal compared to the areas to the south.
10. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for

development which affects the setting of a listed building, special regard should be had to the desirability of preserving its setting.

11. Paragraph 193 of the National Planning Policy Framework (the Framework) says when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the **asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.** Significance can be harmed or lost through alteration or destruction of a heritage asset, or by development within its setting. The Framework defines setting as the surroundings in which the asset is experienced. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.
12. I note details of a consent granted to the rear of Bakery Cottage for a 2 storey extension. However, be that as it may, and despite other alterations to the rear of the 4 cottages, part of the character of the listed building derives from its rural setting, including the orchard type rear garden and parts of the surrounding farmland in proximity to the building, including the appeal site, despite its distance in parts from the actual built structure of the listed building. Such areas all fall within the surroundings of the heritage asset in which it is experienced and thus fall within the setting of the listed building.
13. For the reasons given above the development of the site would have an adverse effect, changing and altering an element of the setting of the heritage asset from a rural to a suburban one. However, given that the development would only occupy a proportion of the setting of the heritage asset and no harm would be caused to the historic fabric of the listed building, such harm would be less than substantial.
14. Concern is raised over the effect of the scheme upon the living conditions of a neighbouring resident. The proposal would result in the existing access serving Fringford Cottage being improved and the residents of the additional proposed 10 houses using it to access their properties, in fairly close proximity to Bakery Cottage. I noted on my site visit the peaceful sitting out area to the rear of this Cottage, which is located next to a fairly high wall marking the boundary between the two properties. This boundary is largely supplemented by evergreen trees.
15. The width of the access is such that space can be left between the side of the access road and the boundary wall, allowing for more substantial landscaping to be planted, and supplemented with an acoustic fence as suggested by the appellant. The amount of traffic generated by 10 residential properties would not be substantial, and I do not consider that harm caused by the proposal in this regard, with the benefit of suitable conditions for mitigation, would be substantial.
16. Policy Villages 1 of the Local Plan² **designates Fringford as a 'service village'** where minor development, infilling and conversions are permissible. Supporting text to the policy states that infilling refers to the development of a small gap in an otherwise continuous built-up frontage. Under such a definition the proposal would not constitute infilling. Further supporting text states that **in assessing whether proposals constitute acceptable 'minor development',**

² The Cherwell Local Plan 2011-2031, Part 1, Adopted July 2015.

regard will be given to the size of the village and the level of service provision, **the site's context within the existing** built environment, whether it is in keeping with the character and form of the village, its local landscape setting and careful consideration of the appropriate scale of development.

17. Evidence is submitted of the facilities within the settlement. These mainly consist of the primary and pre-school, public house, church and village hall. While therefore some services are present within the village these are by no means comprehensive. Furthermore, there is mixed evidence concerning bus services to and from the village, with regular bus services only taking place on a Thursday and possibly a Friday, supplemented by a demand responsive bus. The Thursday service only appears to include 1 journey each way and the demand responsive option only runs between the hours of 10:15 and 14:30.
18. Aside from the school and the pub therefore I consider that the future residents of the proposal would use private transport for most of their day to day needs. I also note in the context of policy Villages 1 that the bus service as it exists today represents a downgrade on a previous service that existed at the time of the adoption of the local plan, and do not consider that the provision of a travel pack to future residents would mitigate the lack of a regular scheduled bus service. While acknowledging that sustainable transport options vary from urban to rural areas I do not consider therefore that the proposed 10 houses would be located within an area with sufficient service provision.
19. I am not convinced therefore that, while noting the size of the scheme compared to the size of the village overall, given the level of service provision in the village, particularly when coupled with the harm that I have identified above that the scheme would cause to the character and form of the village, **that the proposal would constitute 'minor development' in the context of** Fringford and therefore consider that the scheme would be contrary to policy Villages 1.
20. Policy Villages 2 allocates 750 dwellings across service villages during the plan period, but does not state how such houses will be distributed across the various settlements. In identifying sites for such provision, particular regard will be given to various criteria, including whether the land has been previously developed or is of lesser environmental value, whether development would contribute in enhancing the built environment, and whether the site is well located to services and facilities. There is disagreement between the parties over the proportion of the site which would constitute previously developed land. However, notwithstanding this point, given my views above over the sites conflict with policy Villages 1 and that the development would not contribute to enhancing the built environment or would be well located to service and facilities then I am of the view that the proposal would also be contrary to policy Villages 2.
21. Policy ESD 1 of the Local Plan states that measures will be taken to mitigate the impact of development within the District on climate change, including by distributing growth to the most sustainable locations as defined in the Plan and delivering development that seeks to reduce the need to travel and which encourages sustainable travel options. While the proposal would be located in the most sustainable location as defined in the Local Plan the weight I provide to this is reduced by the bus service reduction since the local plan was adopted and the development would not reduce the need to travel or encourage

sustainable travel options. In the round I therefore consider that the proposal would also be contrary to this policy.

22. Policies ESD13 and ESD15 of the Local Plan are also cited in the decision notice. While I do not consider that the scheme would be contrary to the element of policy ESD15 which states that development proposals should consider the amenity of existing development, I am of the view that the proposal would be contrary to other parts of policy ESD15 as well as to ESD13, which together state that proposals will not be permitted if they would be inconsistent with local character or harm the setting of settlements, buildings or structures, and should conserve, sustain and enhance designated heritage assets.
23. The scheme would create 10 new properties, which would provide economic and social benefits for the local area in terms of both the construction of the houses and also the activities of the future residents of the dwellings, as well as through the New Homes Bonus. However, such public benefits in an area where both parties agree does not have a lack of housing supply would not outweigh the less than substantial harm that would be caused to the significance of the nearby listed building, to which I am required to give great weight to, and the proposal would therefore be contrary to the Framework.
24. I therefore conclude that while the proposed development would not have an adverse effect on the living conditions of the occupiers of Bakery Cottage, it would not provide a suitable site for housing, having regard to the character and appearance of the area including the setting of nearby listed buildings and the proximity of services. The proposal would be contrary to policies Villages 1, Villages 2, ESD1, ESD13 and ESD15 of the Local Plan, as well as to the Framework.
25. The appellant refers me to a Council Housing and Economic Land Availability Assessment (HELAA) which considered that the site could accommodate 14 dwellings, and notes that as part of this process the site was visited by Council planning officers to appraise. Planning Practice Guidance states that the use of a HELAA can be to inform assessments of housing land supply and that it is an important evidence source to inform plan making but does not in itself determine whether a site should be allocated for development; it is the role of the HELAA to provide information on the range of sites which are available to meet need but it is for the development plan to determine which of the sites are the most suitable to meet those needs. Above I have considered that the proposal would be contrary to the development plan, and while I provide moderate weight to the HELAA this does not outweigh such conflict.

Other matters

26. The decision notice contained two reasons for refusal relating to drainage and the lack of a planning obligation. During the course of the appeal both matters have been resolved between the parties and a completed unilateral undertaking, agreeable to the Council, has been submitted by the appellant. Based on all that I have seen and read I have no reason to disagree with the main parties views on the drainage strategy for the site. In terms of the unilateral undertaking, while I note that it provides for off-site open space and play area contributions, as well as a footpath contribution, given that I am dismissing the appeal on other grounds I have not considered this matter further.

Conclusion

27. I have concluded that overall the proposed development would not provide a suitable site for housing and would be contrary to the development plan. Material considerations advanced do not lead me to an alternative decision and the scheme would also be contrary to the Framework.
28. Therefore, for the reasons given above, and having regard to any other matter raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR

Richborough Estates

Appendix 2 – Village Categorisation Update (2014)

Village Survey Results 2014									
Village Name	Nursery	Primary School	Retail Service Outlet	Food Shop	Post Office	Public House	Recreational Facilities	Village/Community Hall	Other Services
Sibford Ferris	0	0	0	√	√	0	√	0	0
Sibford Gower	√	√	0	0	0	√	√	√	GP Surgery in Burdrop
Fringford	√	√	√	0	0	√	√	√	0