

CHERWELL DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

Appeal by Simon Tofts, Blue Cedar Homes Limited against the decision by Cherwell District Council to refuse planning permission at Land South of Faraday House Woodway Road Sibford Ferris, for the erection of 6 one storey age restricted dwellings (55 years) for older people with access, landscaping and associated infrastructure

Appellant : Mr Simon Tofts, Blue Cedar Homes Limited
Appeal Site : Land South of Faraday House Woodway Road Sibford Ferris
Appellant's Agent : Mr Des Dunlop, D2 Planning Limited
LPA Reference : 21/04271/F
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1. INTRODUCTION

1.1. This statement is produced in respect of the appeal by Mr Simon Tofts, of Blue Cedar Homes Limited against the refusal of planning permission for the erection of 6 one storey age restricted dwellings (55 years) for older people with access, landscaping and associated infrastructure at Land South of Faraday House Woodway Road Sibford Ferris.

1.2. The location of the appeal site ("the Site") is Land South of Faraday House Woodway Road Sibford Ferris. The Site comprises a small agricultural field located on the western edge of the village and is enclosed on two sides by existing residential development, a third side with an open field which has planning permission for 25 dwellings and the fourth side as open countryside.

1.3. The planning application was reported to the Planning Committee on 7 April 2022 with an officer recommendation to approve the application subject to a number of conditions. Following consideration of the case and having taken into account comments raised the planning committee voted against the officer's recommendation to approve the application and concluded that the proposal was not acceptable. The Planning Committee refused the application for the following reasons:

1. *By reason of its siting outside of the built limits of the settlement, and having regard to the number of dwellings delivered in the rural areas (770 dwellings completed at 31st March 2021), the proposal represents development in an unsustainable location, remote from key amenities, especially for elderly residents. Notwithstanding the Council's present lack of a five year housing land supply the proposal conflicts with Policy BSC1 of the Cherwell Local Plan 2011-2031 and saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance in the National Planning Policy Framework. This identified harm significantly and demonstrably outweighs the proposal's benefits of providing additional housing.*
2. *By reason of its scale, layout and design, the proposal would be out of keeping with the form and pattern of development in the local area, resulting in significant and demonstrable harm to the character and appearance of the area. The proposal therefore conflicts with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996, the Cherwell Residential Design Guide, National Design Guide, and Government guidance in the National Planning Policy Framework.*

- 1.4 Notwithstanding the officer's recommendation to approve the application, this statement represents the Council's view of the proposal to refuse the application. This statement will provide the case which supports this decision to refuse the proposal and will address the points raised in the appellant's statement of case.

2. THE COUNCIL'S CASE

- 2.1 The first reason to refuse the application relates to the fact that the Site is clearly located outside the built limits of Sibford Ferris. The Site is clearly defined by the rear boundaries of existing properties to the north and east and by the hedgerow boundaries to fields to the south and west. Although the field to the south has planning approval for a residential development of 25 dwellings the Site appears as natural break in the built form of the village to the north and east of the Site.
- 2.2 Due to this position on the edge of the village the Site clearly represents an area of open countryside and the proposed development would result in an expansion of the built form of the village into this rural area. The Council does not accept the Appellant's view that there is not a clearly defined edge to the village and that the proposal would therefore represent development within the village.
- 2.3 The Council acknowledges that there is no document defining the boundary of the village from the Site but would submit that the Site is an area of agricultural land which, although separated from the rest of the agricultural fields to the west by a single access road, has an undeveloped, agricultural character that clearly forms part of the larger area of open countryside rather than that of the built village.
- 2.4 Although Sibford Ferris is allocated as a Category A village under Policy Village 1 of the Cherwell Local Plan 2011 – 2031 Part 1 ("CLP 2015"), the village contains a very limited range of services such that most residents would need to travel outside the village to obtain for the majority of amenities and services. It is also important to note that Sibford Ferris is only allocated as a Category A village on the basis that it is linked with nearby villages Sibford Gower and Burdrop as a 'cluster'. Sibford Ferris village on its own is somewhat small and remote with very limited services and amenities.
- 2.5 The village is currently being extended by the development to the south of the Site with a new estate of 25 dwellings. This adjoining development would represent an increase in the village size by 15% while the current proposal the subject of this

appeal would result in an overall increase in village size by 18%. The Site is located on the western edge of the village with no clear route to the small village shop other than to drive. The Site fails to integrate into or as part of the village simply appearing as an addition to the village which has very limited services or amenities.

- 2.6 The Council acknowledges that it cannot demonstrate a 5-year land supply for housing development. The latest figure contained within the Annual Monitoring Report 2021 is that the Council has a 3.5-year land supply. Notwithstanding, Policy BSC1 of the CLP 2015 states that the Council will deliver a wide choice of high-quality homes by providing for 22,840 additional dwellings between 1 April 2011 and 31 March 2031. 1,106 completions were recorded between 2011 and 2014 leaving 21,734 homes to be provided between 2014 and 2031. This Policy also includes a table of the housing delivery which shows that for windfall sites (<10) the rural areas will provide a total of 754 dwellings. In its statement the Appellant accepts that the level of development in the rural areas has exceeded this figure and therefore the provision of new housing in the rural area is considered healthy.
- 2.7 The Council submits that, given the Site lies outside the defined boundaries of Sibford Ferris village, the development would not find support from Policy Villages 1. The development would also not comply with Policy Villages 2 in that the development seeking permission for 6 dwellings is less than the 10 dwellings outlined in the policy.
- 2.8 As the Site is located outside the village boundary the Site is technically located within an area of open countryside (and, as noted above, it has a rural, undeveloped character). Saved Policy H18 of the Cherwell Local Plan 1996 ("CLP 1996") covers the issue of new dwellings in the open countryside. This Policy highlights amongst other things that planning permission will only be granted for the construction of new dwellings beyond the built-up limits of settlements when (i) it is essential for agriculture or other existing undertakings, or (ii) the proposal meets the criteria set out in policy H6; and (iii) the proposal would not conflict with other policies in this plan.
- 2.9 The appeal proposal is the development of 6 no age restricted bungalows. The Council does not dispute the need for age restricted accommodation in the right location and this is not a reason in itself to refuse the application. However, this type of development is clearly not development essential for agriculture while former saved Policy H6 was replaced by Policy Villages 3 in the CLP 2015. Policy Villages 3 covers the issue of rural exception sites for small scale affordable housing schemes, which for this appeal is not relevant. For these reasons the proposal development clearly conflicts with Saved Policy H18.

- 2.10 Given the Council's housing land supply position under paragraph 11d of the NPPF the policies in the development plan relating to housing provision are to be considered out of date. This includes Policy BSC1, Policy Villages 1 of the CLP 2015, and saved Policy H18 of CLP 1996, and the weight to be afforded these policies is therefore reduced. The decision maker therefore needs to apply the presumption in favour of sustainable development.
- 2.11 Where policies are out-of-date, there is a presumption within the NPPF of granting permission for sustainable forms of development unless: (i). the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii). any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 2.12 For this reason it is essential for the decision maker to consider the impact the development would have on the area and whether this impact would outweigh the benefits of the proposal. As highlighted in the Appellant's statement Sibford Ferris is a Category A village as allocated under Policy Villages 1. Only Category A and B villages will be considered suitable for minor development in addition to infilling and conversions. However, as highlighted in the paragraphs above the Site is not located within the village confines but adjoins the village and therefore the appeal proposal is not location within the village but outside.
- 2.13 The consideration of this proposal is not simply an assessment of supplying residential development against Policy figures. The decision maker is required to assess the impact of this development on the area and weigh up whether the benefits outweigh the harms. In terms of the second reason to refuse the application, the Council's conclusion is that the scale, layout and design of the proposal would be out of keeping with the form and pattern of development on the local area. As a result, the development would cause demonstrable harm to the character and appearance of the area contrary to adopted Policy.
- 2.14 The Site represents a small agricultural field enclosed on two sides by existing residential development and on the remaining two sides with hedgerows and open fields although one of these fields is currently being developed with a new housing estate of 25 dwellings. The existing dwellings forming the current boundary to the Site are all two-storey in height with a mix of design and appearance although all are built from stone with slate roofs. This is the style for the majority of dwellings in

Sibford Ferris where ironstone for the walls and slate for the roof are the predominant material. The existing dwellings are well positioned within their curtilages allowing clearly defined private garden space around the dwelling.

- 2.15 Saved Policy C28 of the CLP 1996, considers the issue of design of new development and states amongst other things that *control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development.* Policy ESD15 of the CLP 2015 highlights the importance of good design. This Policy states amongst other things that new development proposals should *respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages.* This Policy also highlights that new development should *consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.*
- 2.16 The appeal proposal is for a development of 6 detached bungalows positioned on the Site in a roughly crescent shape with an inner landscape / communally centre. Given that the development is for all bungalows the proposal would appear out of character with the more predominantly two-storey dwellings found in Sibford Ferris. This is not to suggest that the village does not contain any bungalows as there are a few dotted around the village. However, the provision of bungalows is in the minority and therefore a development of 6 in one location appears out of place within this part of the village. The development of such a number of bungalows in one place would therefore fail to comply with saved Policy C28 of the CLP 1996.
- 2.17 Chapter 6 of the Cherwell Residential Design Guide highlights the issue over building and plot arrangements for new residential development. Under this section *to avoid the appearance of 'cramming', detached properties should only be sited on larger plots which have sufficient generosity to balance internal and external space requirements effectively and accommodate car parking without garages and driveways dominating the street frontage.* As a direct result of the design of the development the footprint for each bungalow is of a larger size than that of the surrounding existing dwellings. For this reason, the layout of the development appears tight with limited space between the buildings and as such the development appears cramped within the Site. The fact that all bungalows face into the small central communal space also emphasises the cramped nature of the development where no clearly defined curtilage and / or private garden space can be provided.

Due to the size of the footprint in relation to the site area plots 3 and 4 are poorly positioned to the neighbouring plots where rear elevations face onto the side elevations of the neighbouring dwelling all of which emphasize the cramped nature of the development.

- 2.18 For these reasons the development would appear out of place with the surrounding existing dwellings including the layout of the new estate to the immediate south of the Site. The proposal would appear as an extension of the village boundary beyond the built limits of the village both existing and approved to the south, projecting the built form into the open countryside. Furthermore, it is clear that the development would project beyond the line of the new development to the south of the site. As such although only single storey in height the development would give the impression of extending the built form of the village into the open countryside.
- 2.19 The Council accepts that the development to the south would also extend the western edge of the village and that this approved development is for two-storey dwellings whereas the current appeal proposal is for single storey dwellings. However, as the current appeal proposal projects beyond the line of the approved development to the south the current appeal proposal is likely to have a greater impact in extending the western edge of the village and therefore a greater impact on the rural character of the area, especially in views from the west and north-west in which it would be seen in the foreground of (and therefore more prominent than) the development of 25 dwellings to the south.
- 2.20 The loss of this piece of open agricultural field for the provision of bungalows would result in an urbanisation of the rural buffer to Sibford Ferris village to the detriment of this rural area. This urbanisation of the Site would result in a significant change in its character and given the proposal's design would be unlikely to contribute to the enhancing of the environment. For these reasons, the development as proposed would conflict with saved Policy C28 of the CLP 1996 as well as Policy ESD15 of the CLP 2015 and advice contained within the Cherwell Residential Design Guide.

3. CONCLUSION

- 3.1 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously. Section 38 of the Act continues to require decisions to be made in accordance with the

development plan and the NPPF highlights the importance of the plan led system as a whole.

- 3.2 The Site is a small rural village of Sibford Ferris located in the north-western edge of Cherwell District. Sibford Ferris along with Sibford Gower and Burdrop are allocated as a Category A village as a 'cluster', while Sibford Ferris on its own is a relatively small village of around 172 dwellings.
- 3.3 Positioned on the western edge of the village the Site is currently a small agricultural field enclosed on two sides with existing residential development and on a third with an area currently being developed for a new estate of 25 dwellings. The fourth boundary to the site is marked by the single-track lane known as Woodway Road and open countryside.
- 3.4 This proposal would provide 6 detached bungalows outside the built form of Sibford Ferris. It is accepted that the Council cannot provide a 5-year housing land supply and as such paragraph 11d of the NPPF is implemented. Sibford Ferris has already provide an extension to the village with the provision of 25 dwellings to the south of the Site. The proposal is not a development covered under Saved Policy H18 of the CLP 1996 and conflicts with this Policy.
- 3.5 It is not, however, just a simple matter of increasing the level of housing in the open countryside. The decision maker has to consider if the provision of the development outweighs the harm to the area and the loss of this element of open countryside. The Council are of the view that the development would result in harm to the rural character of this open countryside location. The development would result in the further urbanisation of this side of Sibford Ferris and would project the built form further into an area of open countryside to the detriment of the rural character of this village.
- 3.6 The Council accepts that there is a need for additional housing and that this includes age restricted housing in the District. However, as outlined in the statement above the Council are of the opinion that this Site is not appropriate for this level and type of development. The proposal therefore conflicts with Policies BSC1 and ESD15 of the CLP 2015 and saved Policies C28 and H18 of the CLP 1996 and advice in the Cherwell Residential Design Guide.

4. CONDITIONS

4.1 The Inspector is requested to dismiss the appeal. However, if the Inspector is minded to allow the appeal and grant planning permission the Council, request that due consideration be made to the suggested conditions attached to this statement.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. Compliance

2. The development shall not be carried out otherwise than in complete accordance with the approved plans [Site Location Plan (4192 3 002 Rev D); Site Plan (4192 3 049 Rev B); Plot 1 and 2 Floor Plans (4192 3 200 Rev B); Plot 3 Floor Plans (4192 3 203 Rev C); Plot 4 and 5 Floor Plans (4192 3 205 Rev C); Plot 6 Floor Plans (4192 3 208 Rev C); Plot 7 Floor Plans (4192 3 210 Rev D); Plot 1 and 2 Elevations (4192 3 220 Rev A); Plot 3 Elevations (4192 3 221 Rev A); Plot 4 and 5 Elevations (4192 3 222 Rev A); Plot 6 Elevations (4192 3 223 Rev A); Plot 7 Elevations (4192 3 224 Rev C); Materials Plan (4192 3 052 Rev B); Conservation Enhancement Plan (4192 3 051 Rev C); Entrance wall and planter (4192 3 300 Rev A); Proposed hard surfaces (4192 3 053 Rev C); Site Access and Highway works (P19-1601 Figure 2 Rev D); Refuse and Recycling Plan (4192 3 057); Cycle Storage Plan (4192 3 056) and Drainage and Flood Risk Assessment prepared by Hydrock dated 26 November 2020 unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Reason: To clarify the permission and for the avoidance of doubt.

3. Notwithstanding the details submitted, no dwelling shall be occupied until details of the proposed parking turning, loading, and unloading provision for vehicles to be accommodated within the site including details of the proposed surfacing and drainage of the provision, has been submitted to and approved in writing by the Local Planning Authority. The approved parking turning, loading, and unloading facilities shall be laid out and completed in accordance with the approved details before the first occupation of the dwellings. The car parking turning, loading, and unloading spaces shall be retained for the parking turning, loading, and unloading of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-streetcar parking turning, loading, and unloading and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework

4. No development shall take place including any works of demolition until a Construction Environment and Traffic Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
 - a. The parking of vehicles of site operatives and visitors;
 - b. The routeing of HGVs to and from the site;
 - c. Loading and unloading of plant and materials;
 - d. Storage of plant and materials used in constructing the development;
 - e. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f. Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g. Measures to control the emission of dust and dirt during construction;
 - h. A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i. Delivery, demolition and construction working hours;
 - j. details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site, together with the details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

5. Prior to the occupation of each individual dwelling, the dwelling shall be provided with solar PV in accordance with a scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority.

Reason: To support the delivery of renewable and low carbon energy in accordance with Government guidance contained within the National Planning Policy Framework.

6. Prior to the first occupation of the development hereby permitted, written confirmation that the development achieves a water efficiency limit of 110 litres/person/day under Part G of the Building Regulations shall be submitted to and approved in writing by the Local Planning Authority.

Reason: Cherwell District is in an area of water stress, to mitigate the impacts of climate change and in the interests of sustainability, to comply with Policies ESD1 and ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

7. A schedule of materials and finishes to be used in the external walls and roofs of the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

- (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

- (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and the hard landscape elements shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well-planned development and visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and shall be maintained for a period of not less than 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

10. The existing hedge along the western boundary of the site shall be retained at a minimum height of not less than two metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

11. Before any above ground works commence a scheme for the provision and implementation of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be

constructed and completed in accordance with the approved scheme before the first occupation of any of the dwellings hereby approved.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

12. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

13. Full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. Such approved means of enclosure, in respect of those dwellings which are intended to be screened, shall be erected prior to the first occupation of those dwellings.

Reason: To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building or structure other than oil or LPG storage tanks shall be erected or placed within the curtilage of the dwellings hereby permitted without the grant of further specific planning permission from the Local Planning Authority.

Reason: Having regard to the density, character and layout of the development the Local Planning Authority consider such structures would be likely to adversely

affect the amenity of neighbouring occupiers and the character of the area and consider it is in the public interest to require an application to enable the merits of any proposal to be assessed in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

15. Notwithstanding the provisions of Classes A, B, C and E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, the dwellings shall not be further extended, nor shall any further structures be erected within the curtilage of the dwellings, without the grant of further specific planning permission from the Local Planning Authority.

Reason: Having regard to the density, character and layout of the development the Local Planning Authority consider such structures would be likely to adversely affect the amenity of neighbouring occupiers and the character of the area and consider it is in the public interest to require an application to enable the merits of any proposal to be assessed in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

16. The 6 dwellings hereby permitted shall only be occupied by persons (a) aged 55 or over, and/or (b) living as part of a single household with such a person or persons; and/or (c) who were living as part of a single household with such a person or persons at the property who have since died.

Reason – To ensure that the development is used by elderly people only, to ensure compliance with the description of development and in accordance with Government guidance contained within the National Planning Policy Framework