



The Planning Inspectorate

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Your Ref: 21/04271/F

Our Ref: APP/C3105/W/22/3298098

Matthew Swinford
Cherwell District Council
Public Protectn & Development
Bodicote House
Bodicote
Banbury
Oxon
OX15 4AA

11 October 2022

Dear Mr Swinford,

Town and Country Planning Act 1990
Appeal by Blue Cedar Homes Limited
Site Address: Land South of Faraday House, Woodway Road, Sibford Ferris

I enclose for your information a copy of the third party correspondence on the above appeal(s).

If you have any comments on the points raised, please send 2 copies to me no later than 24 October 2022. You should comment solely on the representations enclosed with this letter.

You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.

Comments submitted after the deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours sincerely,

Safia Kausar
Safia Kausar

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COMMENTS ON CASE (Online Version)

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Appeal Reference: APP/C3105/W/22/3298098

DETAILS OF THE CASE

Appeal Reference APP/C3105/W/22/3298098

Appeal By BLUE CEDAR HOMES LIMITED

Site Address
Land South of Faraday House
Woodway Road
Sibford Ferris
Grid Ref Easting: 435390
Grid Ref Northing: 237185

SENDER DETAILS

Name MRS KIRSTY BUTTLE

Address
74 Beaulieu Close
BANBURY
OX16 4FQ

Company/Group/Organisation Name Sibford Ferris Parish Council

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence

Other

COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

Relates to Section: REPRESENTATION

Document Description: Your comments on the appeal.

File name: CTPL- Reps to Planning Inspectorate Blue Cedar Homes Appeal Sibford Ferris
- 05-10-22 Final Version for Submission to PINS APPC3105W223298098.pdf

File name: SFPC Appeal Submission APPC3105W223298098.pdf

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1. This consultation response is submitted by Sibford Ferris Parish Council (SFPC) in the context of the appeal by Blue Cedar Homes against Cherwell District Council's (CDC) decision on April 7th 2022 to refuse application ref. 21/04271/F. The reference number for the appeal is APP/C3105/W/22/3298098.
2. A complicating factor is that, on June 23rd 2022, in parallel to APP/C3105/W/22/3298098, Blue Cedar Homes also submitted an entirely new application, ref. 22/01773/F, the content and supporting documentation for which is identical to that for 21/04271/F. **However**, on 25th July 2022, Severn Trent Water Ltd. commented by email (see Annex B below for a copy) in response to 22/01773/F that *"We would like a Holding Objection to the applications in this area until we have better understood the drainage situation."* Note that requesting a Holding Objection to *"applications (plural) in this area"* implies that they also object to the appeal. Severn Trent had already placed such an objection to the Gade Homes development which, although approved in November 2019, has still not commenced because the condition pertaining to Sewage remains outstanding.
3. This document consists of six sections:
4. **Section 1:** Contains SFPC's consultation response strongly objecting to the current appeal, APP/C3105/W/22/3298098, following CDC's decision, dated April 7th 2022, to refuse the original application ref. 21/04271/F.
5. **Section 2:** Contains SFPC's consultation response to the original planning application (by Blue Cedar Homes Limited – ref. 21/04271/F) on 24th February 2022 which strongly objected to the application, and which still applies since the application is unchanged since it was submitted.
6. **Annex A:** Consists of a report dated 3rd October 2022 by Chadwick Town Planning Limited, commissioned by the Sibford Action Group (SAG), reviewing the appeal application in the context of CDC's decision to refuse the application in April 2022 and representing the views of the majority of the SFPC community that the appeal should be rejected. The report is too large to include within this SFPC submission but is attached alongside in the email to CDC.
7. **Annex B:** A copy of the email from Severn Trent Water Lt. placing a Holding Objection on *"...applications in this area..."*
8. **Annex C:** A photograph of a car accident site in Sibford Ferris Main Street.
9. **Annex D:** A diagram illustrating the 'phased' nature of developments in Sibford Ferris.

Section 1 – SFPC consultation response to APP/C3105/W/22/3298098

10. SFPC maintains its strong objection to the proposed application, being reconsidered on appeal, upon the following grounds, in addition to those presented previously (see Section 2 below) :
11. The residents of Sibford Ferris (whom the SFPC are elected to represent) are overwhelmingly against the approval of this development as can be seen both from the large number of written objections submitted and the high turn-out in person of residents at CDC planning meetings.
12. No precedent has been set for application 21/04271/F by the successful appeal three years ago against refusal of the (adjacent) large-scale Gade Homes development – each application has to be considered on its merits alone.
13. The proposal, if allowed, would produce an incongruous, unattractive and cramped form of development, which would harm the rural nature, appearance and attractive qualities of Sibford Ferris, which lies close to the edge of the designated Conservation Area and the Cotswolds Area of Outstanding Natural Beauty ('AONB').
14. The proposed development falls outside the built-up area of Sibford Ferris, thereby excluding it from the development policy definition of 'Policy Villages 1' in the *Cherwell Local Plan 2011-2031 Part 1 (CLP/P1)* and, whilst the development does fall under the *CLP/P1* policy 'Policy Villages 2', the built homes target for that policy - 750 - had already been exceeded (by 20 dwellings) in 'category A' villages by the end of March 2021. It will be much higher than that now – some 17 months later. Further development under *Policy Villages 2* in pursuit of the built homes target is therefore unnecessary and indeed would undermine the provisions of the *National Planning Policy Framework (NPPF)* definition of sustainable development by overwhelming some 'category A' villages, such as Sibford Ferris.
15. The sustainability and accessibility aspects of the proposal are contrary to policies *BSC1, Policy Villages 1* and *Policy Villages 2* of the *CLP/P1*. This is primarily because Sibford Ferris and Sibford Gower, whilst having together been assigned 'category A' village status are in fact two separate distinct villages each with their own Parish Councils and separated by a steep-sided valley which discourages walking and cycling between the settlements. The roads in both settlements are narrow and congested and lack pavements in many places – exposing pedestrians and cyclists to unacceptable risks especially at busy times – evidenced by two recent quite serious car accidents in Sibford Ferris, one of which was attended by the Fire Service – see Annex C below for a picture of the accident site with skid marks clearly visible in the right foreground. Public transport is poor (and has in fact worsened since the CDC decision to refuse the application) with infrequent direct bus services to Banbury and Stratford upon Avon and none to Hook Norton, Bloxham or Chipping Norton.

16. The environmental aspects of the proposal are also contrary to the policies noted in the previous bullet-point – resulting in harms both to the rural landscape at the edge of the village and to the established character of the development’s surroundings, there being a conservation area close by to the north of Faraday House. The development does not ‘complement, protect and enhance local landscapes and character’ contrary to policy (C28 of the Cherwell Local Plan 1996). Further, Severn Trent has an outstanding Holding Objection on “...*applications in this area...*” (see Annex B for the wording of the objection) pending an assessment of the ability of the sewage infrastructure to cope with the additional load from both the recently approved and proposed developments (see paragraph 2 above).
17. The design of the proposed development is poor – it is not locally distinctive, and it includes many elements expressly mentioned in the Council’s Design Guide as not being acceptable. The proposal is therefore considered to be contrary to Policy ESD15 of the CLPP1, Policy C28 of the Cherwell Local Plan, 1996 and the adopted Cherwell Residential Design Guide Supplementary Planning Document (July 2018).
18. The applicant has sought to emphasise the importance of the Council’s *Strategic Housing Land Availability Assessment (SHLAA) Update, 2014*, which identified the site as having potential for residential development. However, Planning Practice Guidance gives only moderate weight to HLAA’s and does in no way counterbalance the conflict with the *Development Plans* referred to above.

Section 2 – Summary of SFPC’s previous consultation response (to 21/04271/F) dated 24th February 2022

19. SFPC objected to the application on the following grounds:
20. Recent changes to the development had increased access road area at the expense of green space and had brought the built development closer to the public right of way (PROW) and national cycle route.
21. The design was ill-conceived and over-developed with dwellings sited very close together, with little private amenity space and out of character with their immediate conservation area surroundings.
22. The communal refuse area had been located too close to the rear of the pre-established household of ‘High Rock’.
23. Because the development was ‘age restricted’ to people of 55 years or older – the SFPC’s view was that it was not retirement accommodation but expensive market housing for occupiers of 55 years and above.
24. It was not clear how plan revisions would impact the drainage plan.
25. The revised plans did not address the lack of sustainability and infrastructure in the village especially in the context of the recently approved Gade Homes development

of 25 houses on an adjacent site. In particular the SFPC was concerned about sewage and noted that there was still a holding objection (Condition 8) from Severn Trent outstanding on the Gade Homes development which SFPC believed was likely to apply to application 21/04271/F as well.

26. The labelling on revised Plot 6 elevations were wrong (South elevation not labelled as such).
27. Windows on the East side were invasive to privacy of the properties of High Rock, Bramley House and Butwick House.
28. Faraday House will have noise and light pollution due to vehicles turning by their property.
29. The revised plans did not overcome Oxfordshire County Council's (OCC) Highways department previous objection that "*The proposals are likely to have an adverse impact upon the local highway network in traffic and safety terms, OCC therefore object to the granting of planning permission.*" The danger of extra traffic on unsuitable, narrow roads through the village, which lack pavements were a real concern to the SFPC. At many places in the village, it is difficult for two vehicles to safely pass each-other and bottlenecks frequently occur. Also, during construction phases, there will be increased accident risk arising from site traffic emerging on to the Hook Norton road immediately opposite the Sibford School main entrance.
30. SFPC was concerned about the cumulative effect on Sibford Ferris of a series of three individual applications being submitted sequentially with each being considered in isolation for planning permission purposes. The previously approved Gade Homes application (for 25 properties) had been the first, this application (21/04271/F) was the second and a third (south of the Gade Homes development) appeared to be "in the pipeline" as part of the local plan review process under ref LPR-A-045 with access arrangements having already been established for all three sites – being opposite the Sibford School entrance. (*see also Annex D below*).

Annex A: Report by Chadwick Town Planning Limited, commissioned by the Sibford Action Group (SAG)

See accompanying PDF document.

Annex B: A copy of the email from Severn Trent Water Ltd. placing a Holding Objection on “...applications in this area...”

Lynne Baldwin

From: Planning.APEast <Planning.APEast@severntrent.co.uk>
Sent: 25 July 2022 14:16
To: Planning
Subject: 22/01773/F - Land to the east of Woodway Road Sibford Ferris CRM:0038525

You don't often get email from planning.apeast@severntrent.co.uk. [Learn why this is important](#)

CAUTION: This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

For the attention of Case Officer

Our Ref: P-220725-36996

Good Afternoon,

Re Application: 22/01773/F
Re Site: Land to the east of Woodway Road Sibford Ferris

With reference to the above planning application the Company's observations regarding sewerage are as follows.

We would like a Holding Objection to the applications in this area until we have better understood the drainage situation.

Should you require any further information please contact us on email below.

Kind regards,

Asset Protection Team

Asset Protection Waste Water East
Asset Strategy and Planning
Severn Trent Water Ltd

Email: planning.apeast@severntrent.co.uk
Severn Trent Plc (registered number 2366619) and Severn Trent Water Limited (registered number 2366686) (together the "Companies") are both limited companies registered in England & Wales with their registered office at

Annex C: Photograph of Car Accident Site in Sibford Ferris High Street



Annex D: Diagram illustrating the 'phased' nature of developments in Sibford Ferris



The Planning Inspectorate

COMMENTS ON CASE (Online Version)

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Appeal Reference: APP/C3105/W/22/3298098

DETAILS OF THE CASE

Appeal Reference APP/C3105/W/22/3298098

Appeal By BLUE CEDAR HOMES LIMITED

Site Address
Land South of Faraday House
Woodway Road
Sibford Ferris
Grid Ref Easting: 435390
Grid Ref Northing: 237185

SENDER DETAILS

Name MR DUNCAN CHADWICK

Address
7 Rectory Road
Hook Norton
BANBURY
Oxfordshire
OX15 5QQ

Company/Group/Organisation Name Sibford Action Group

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
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Chadwick Town Planning

Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
United Kingdom

Our Ref: SAG001/dc

3rd October 2022

Dear Sir/Madam

Appeal Proposal: **Erection of 6 one storey age restricted dwellings (55 years) for older people with access, landscaping and associated infrastructure**
Location: **Land South of Faraday House, Woodway Road, Sibford Ferris**
Appeal Reference: **APP/C3105/W/22/3298098**
LPA Reference: **21/04271/F**

We write in connection with the above appeal by Blue Cedar Homes Limited ('the Appellant') on behalf of our clients, the Sibford Action Group ('Action Group'), which is comprised of well over 100 local residents living in Sibford Ferris, Burdrop and Sibford Gower. These are small, largely separate villages, with Sibford Ferris having a population of just 470¹ with about 533 in the others. Therefore, the Action Group represents a significant proportion of the local community.

SUMMARY

Our clients strongly object to the Appellant's proposal for many reasons. Firstly, the proposal conflicts with the development plan, which seeks to control development in villages and Sibford Ferris, being one of the smaller settlements is in danger of being overwhelmed by new residential development through "development creep". It is an unsustainable location, with inadequate infrastructure, poor accessibility and just a small shop, so is totally unsuitable for elderly residents². The inappropriate form, design and layout of the appeal proposal would result in significant harm to both the settlement pattern of Sibford Ferris and the character and appearance of the surrounding area, including the amenities of the landscape around Woodway Road. We note that the Council is unable to demonstrate a 5-year supply of housing land at present, despite delivering 153% of its housing requirement over the period 2018-2021 (3840 dwellings in total against a requirement of 2505)³, and that consequently the "tilted balance", under the terms of Paragraph 11 of the National Planning Policy Framework ('NPPF') is engaged. However, the starting point is the development plan and these policies and those in the NPPF need to be looked at as a whole.

In this case, the Action Group urges the Inspector to concur with its objections and conclude that the adverse impacts of the appeal proposal would outweigh any minor benefits of this small, poorly designed, inappropriately located and unsympathetic residential development which, in the Action Group's view, is best described as the wrong scheme in the wrong place causing environmental harm to this part of the settlement and the surrounding landscape.

¹ ONS 2019 Mid-Year Estimate

² See also appeal decision - APP/D3125/W/21/3285075 - which raised similar issues

³ Housing Delivery Test 2021 Measurement

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Our clients therefore respectfully request that the appeal be dismissed for the reasons set out in Cherwell District Council's decision notice dated 8th April 2022 and in this representation, which wholeheartedly supports the Council's decision to refuse the Appellant's proposal.

The Action Group's comments and objections are set out as follows:

1. Council's decision;
2. Background to the Action Group's objections and serious concerns about "development creep";
3. The Development Plan
 - o Reason for Refusal No.1
 - o Cherwell Local Plan 2011-2031 Part 1
 - o Policy Villages 2
 - o Cherwell Local Plan 1996
 - o Unsustainable and Unsuitable location for older residents
 - o Reason for Refusal No.2
 - o Harm to Landscape
 - o Uncharacteristic form, layout and design
 - o Cherwell Residential Design Guide
4. Other Material Considerations
 - o NPPF
 - o National Design Guide
 - o SHLAA (2014)
5. Summary and Conclusion

1. COUNCIL'S DECISION

The Council's decision followed a meeting of the Planning Committee on 7th April 2022, when the Committee resolved to refuse the application the subject of the current appeal, contrary to the Officer's recommendation. The Appellant places a great deal of emphasis on the Officer's recommendation of approval for the appeal proposal. However, it is neither incorrect nor inappropriate for a council's Planning Committee - as in this case - to disagree with the recommendation of its planning officer(s).

Local planning decisions are ultimately the responsibility of democratically elected councillors, accountable to their communities, whilst planning officers are responsible to the Council that employs them in exercising their own professional judgement, ensuring they comply with their professional code of conduct. Having a planning committee arrive at different conclusions from the planning officers advising them, after having balanced the various considerations, is both legitimate and to be expected. The Nolan Committee on Public Life⁴ stated that:




"There is nothing intrinsically wrong if planning committees do not invariably follow the advice of officers. Planning officers exist to advise planning committees, which are entitled to reach their own decisions by attaching different weight to the various planning criteria which are relevant to an application. If a decision is thought to be perverse, a planning officer should so advise the committee, but respect the committee's conclusion."

It is clear that the Planning Committee followed the correct legal and policy framework and reached its own decision on legitimate planning grounds attaching different weight to the principal considerations relevant to the proposal than their planning officer. The Planning Committee's decision was supported by many local residents, Victoria Prentis MP, the Ward Councillors and Parish Council.

⁴ Third Report of the Committee on Standards in Public Life, Standards of Conduct in Local Government in England, Scotland and Wales, Cm 3702, July 1997

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2. BACKGROUND

The Action Group first formed in 2018 when the village was faced by a proposal (Application No. 18/01894/OUT) for 25 dwellings at Hook Norton Road, Sibford Ferris, which was also refused by the Council but was subsequently allowed on appeal in November 2019 (APP/C3105/W/19/3229631).

At this stage, the Action Group were not only most concerned about the application (18/01894/OUT) but also the impact any permission might have upon encouraging or creating a precedent for further developments, which the Action Group and many local residents fear are in danger of irrevocably changing the nature, character and intrinsic qualities of this part of Sibford Ferris and the rest of the village. This inappropriate, unattractive and unsustainable development is a further example, accessed and linked to the Hook Norton Road scheme allowed on appeal and further extending beyond the built up limits of the village into the attractive open countryside surrounding Sibford Ferris.

If this was not enough, the Council's Parish Profile for Sibford Ferris (2021) – see Appendix 1 – shows this and other sites put forward as part of a "Call-for-Sites" exercise for the Review of the Cherwell Local Plan 2022-2031 Part 1 to 2040. This is depicted on Figure 1. shows the current pressure for development around the village, which has arisen following the Hook Norton Road appeal decision. Such pressure must be relieved if the character of the village is to be retained.



Figure 1 – Pressure for Residential Development in this Locality

The appeal proposal is effectively Phase 2 of a much larger extension of the village (Phase 3) following Phase 1 being allowed on appeal previously. This "development creep" or development by stealth is in order to circumvent what would have been an overwhelming rejection to such a disproportionately large scheme on the outskirts of a small village, in an unsustainable location with few amenities and poor infrastructure.

As indicated in the Action Group's objection to the planning application the subject of this appeal⁵, just because one large residential development was allowed some three years ago does not mean

⁵ See Action Group's representation dated 25th January 2022 submitted to the Council

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this ill-conceived, unsympathetic, unsustainable and environmentally harmful proposal should also be allowed on appeal. There are many reasons for this. The development plan policy situation has changed – see below – the sustainability of the village has not improved and the layout, form, design and location of this proposal for older people is unsuitable and out-of-keeping with the quality, form and pattern of development in this part of Sibford Ferris. If allowed, it would produce an incongruous, unattractive and cramped form of development, which would fail to respond to local character and distinctiveness and harm the rural nature, appearance and attractive qualities of Sibford Ferris, which lies close to the edge of the designated Conservation Area and the Cotswolds Area of Outstanding Natural Beauty ('AONB'). Another appeal being allowed would be "carte blanche" for developers to then move onto Phase 3 and complete the environmental damage of this presently very attractive historic village and surrounding rural landscape.

3. DEVELOPMENT PLAN

The development plan is the starting point for decision-making⁶. Section 38(6) of the *Planning and Compulsory Purchase Act, 2004* and Section 70(2) of the *Town and Country Planning Act, 1990* require that planning applications [and subsequent appeals] be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

The development plan in this case comprises:

- Cherwell Local Plan 2011-2031 Part 1 ('CLPP1'). Relevant policies mentioned in the Council's refusal are Policies BSC1 and ESD15 [NB Policy Villages 2 is also relevant – see below]
- 'Saved' policies within the Cherwell Local Plan 1996 ('CLP 1996'). The relevant policies mentioned in the Council's refusal are Policies H18 and C28

Reason for Refusal No. 1

Cherwell Local Plan 2011-2031 Part 1

The spatial strategy for the distribution of development across the district is summarised by the following extracts of the CLPP1.

Page 10 states:

'Vision, Strategy and Objectives

vi. Underpinning the Local Plan is a vision and a spatial strategy for Cherwell District.

Our spatial strategy for how we manage the growth of the District can be summarised as:

- *Focusing the bulk of the proposed growth in and around Bicester and Banbury.*
- *Limiting growth in our rural areas and directing it towards larger and more sustainable villages.*
- *Aiming to strictly control development in open countryside.'*

Policy BSC1 and its supporting paragraphs explain the housing strategy in more detail. At paragraph B.96 of the CLPP1, the strategy includes:

'Providing a positive vision for the future of Cherwell: a strategic growth and investment approach to the towns; an enlarged settlement in the centre of the District, further development at the villages to sustain them.'

'... concentrating development in sustainable rural locations to protect the intrinsic character and beauty of the countryside and to support thriving rural communities.'

⁶ Paragraph 12 of the NPPF, 2021

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The Cherwell *Annual Monitoring Report, 2021* demonstrates that the housing strategy is largely operating correctly as the total number of housing completions (net) between 2011 and 2021 is 9,806 dwellings. Of the 9,806 homes built since 2011, 37% have been at Banbury, 29% at Bicester, 7% at Heyford Park and 27% in the remaining rural areas.

Policy Villages 1 identifies Sibford Ferris and Sibford Gower [combined] as a Category A village. There is no policy target for the delivery of housing via Policy Villages 1. However, as the appeal site comprises land outside the built-up limit of Sibford Ferris, Policy Villages 1 does not apply. The key policy is Policy Villages 2.

Policy Villages 2

Policy Villages 2 is a criteria based policy, which states in its first paragraph:

A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for 10 or more dwellings as at 31 March 2014.

This policy does not contain a temporal dimension, a phasing dimension or a spatial dimension. There are 23 Category A villages and some, so far in the Plan period, have delivered few or no houses.

At the time of the Hook Norton Road, Sibford Ferris appeal (APP/C3105/W/19/3229631) decided in November 2019, the number of dwellings included in extant permissions in the Category A villages across the District exceeded the 750 dwellings referred to in Policy Villages 2 but only 271 units of the 750 units had been completed. This was 3 years ago. The situation has materially changed now.

According to the Cherwell *Annual Monitoring Report ('AMR') 2021* (reported to the Council's Executive on 10th January 2022), since 2014 a total of 1,062 dwellings have been identified by the Council for meeting the Policy Villages 2 requirement of 750 dwellings. 749 dwellings were reported in the *AMR, 2021* to have been built or under construction and 319 dwellings have permission. A recent appeal for 43 homes at Station Road, Hook Norton (APP/C3105/W/21/3278536) was allowed on 18th August 2022 on the basis of the *Annual Monitoring Report 2020*, which indicated that 415 dwellings had been completed and 193 were under construction at Category A villages. The Inspector concluded in the Hook Norton appeal that this figure fell some way below the 750 home figure in Policy Villages 2. This is not the case now. Indeed, the Council's refusal of the current appeal refers to 770 dwellings being completed in the Category A villages, as at 31st March 2021. With other permissions and current appeals, there is the likelihood of a substantial and further material exceedance by the end of the Plan-period in 2031.

The Action Group therefore supports the District Council in its conclusion that the Policy Villages 2 requirement has not only been met but now exceeded (as at 31st March 2021) with the prospect of a substantial and material exceedance in the last 18 months once the *AMR, 2021* is updated. This is supported by other evidence in the *Cherwell Annual Monitoring Report 2021* that reveals that between 1 April 2014 and 31 March 2021 there were a total of 503 net housing completions in the rural areas, which is an average of 71 homes per year. Extrapolating this to 2031 would mean a further 700+ additional homes in the rural areas of the district or a doubling of the figure in Policy Villages 2.

The *National Planning Policy Framework, 2021* sets out the Government's definition of sustainable development and the policies through which it envisages the planning system will deliver this. It also reinforces the plan-led system.

Accordingly, Policy BSC1 of the CLPP1 is aimed at delivering growth in accordance with the NPPF, which includes limited further development at the villages to sustain them. However, the repeated approval of development in the villages threatens to overwhelm them and undermine the spatial strategy. It therefore highlights the need for this appeal to draw the line under Policy Villages 2, prevent a further material and damaging exceedance of the 750 dwellings figure, uphold the

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Chadwick Town Planning

development plan [in accordance with planning legislation] and protect Sibford Ferris, the rural areas of the district and the attractive villages from further speculative development.

To do otherwise would undermine the primacy of the development plan and the CLPP1 housing strategy of directing most growth to Banbury and Bicester, where there is access to shops, services, jobs and other facilities and opportunities to travel other than by the car. This helps avoid commuting, congestion, pollution, climate change and harming the environment. The District Council has declared a Climate Change Emergency, but none of these environmental objectives will be achieved by approving more and more homes in attractive but inherently unsustainable villages like Sibford Ferris.

The appeal proposal also fails to satisfy most of the important locational requirements or criteria in Policy Villages 2, summarised as follows:

	Criterion	Response	Pass or Fail
1	Is the land previously developed land or of lesser environmental value?	No	Fail
2	Is there a significant adverse impact on heritage or wildlife assets?	Close to boundary of Conservation Area	Fail
3	Will the development contribute in enhancing the built environment?	No	Fail
4	Is best and most versatile agricultural land avoided?	No – Grade 2 – Very good quality land	Fail
5	Are significant adverse landscape and other impacts avoided?	No	Fail
6	Will satisfactory vehicular and pedestrian access/egress be provided?	Yes	Pass
7	Is the site well located to services and facilities?	No	Fail
8	Can necessary infrastructure be provided?	Uncertain – Severn Trent holding objection on 22/01773/F	TBC
9	Is land deliverable now or is there a reasonable prospect that it could be developed within the plan period?	Yes – subject to obtaining access via adjacent site	Pass
10	Could the land the subject of the application be delivered within the next five years?	Yes – subject to obtaining permission	Pass
11	Would the development have an adverse impact on flood risk?	No	Pass

In conclusion, the proposal conflicts with the key locational and environmental [rather than deliverability] criteria of Policy Villages 2 of the CLPP1. This shows that the proposal is not appropriately located in environmental, sustainability and accessibility terms. The proposal is therefore contrary to Policies BSC1 and Policy Villages 1 and 2 of the CLPP1 and the appeal should be dismissed for these and other reasons covered in the further discussion on sustainability, character and appearance and landscape impact below.

Cherwell Local Plan (1996)

The Council's adopted Cherwell Local Plan (1996) remains part of the development plan and Policy H18 has been "saved". It is referred to in the Council's reason for refusal and states:

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PLANNING PERMISSION WILL ONLY BE GRANTED FOR THE CONSTRUCTION OF NEW DWELLINGS BEYOND THE BUILT-UP LIMITS OF SETTLEMENTS OTHER THAN THOSE IDENTIFIED UNDER POLICY H1 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.

The appeal proposal fails to satisfy the requirements of this policy so the Action Group supports the Council's decision to refer to this policy in its reasons for refusal.

Unsustainable & Unsuitable Location for Older Residents

The Action Group also supports the District Council in determining that the site is located in an unsustainable location, remote from key amenities, especially for elderly residents. Notwithstanding the inclusion and amalgamation of Sibford Ferris and Sibford Gower together to form one Category A settlement for the purposes of Policy Villages 1 in the CLPP1, this belies and masks the unsustainability of the settlements both individually and collectively. Each settlement operates independently and with a combined population of 984 is one of the smallest Category A villages and does not service any "satellite" villages; rather it/they look locally to Hook Norton for a greater range of services and facilities or Chipping Norton or Shipston-on-Stour further afield. As a result the Parish Council is keen to see the categorisation of the villages downgraded as part of the Cherwell Local Plan 2011-2031 Review to 2040.

The Parish Profile (2021) – see Appendix 1 and extract below – shows the paucity of services in Sibford Ferris.

Services & Facilities (2021)	
Village Store /shop	Sibford Stores and Post Office - Main Street
Post Office	Sibford Stores and Post Office - Main Street
Petrol station	0
Bank /Building Society	0
Doctor's Surgery	0
Health Centre	0
Dentist	0
Pharmacy	0
Optician	0
Primary School	0
Secondary School	0
Library	0
Place of worship	0

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Recreation ground / playing field	0
Indoor sports centre / leisure centre	0
Equipped play area	Cotswold Close Play Area
Village / community hall	0
Public house /restaurant /takeaway	0
Employment sites	0
Bus services	Johnson's Excelbus - 50A: Stratford to Banbury. Mon-Sat. 2 hourly
Day nursery	Sibford School Nursery - Sibford School, The Hill
Residential care home	0
Access to high speed broadband	Standard Superfast 80 mbps DL / 20 mbps UL
Other	0

Figure 2 – Services in Sibford Ferris (2021)

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Sibford Ferris only has a small shop. Realistically, this is the only service available and likely to be used by older persons living at the development the subject of this appeal. This can only be accessed on foot via Woodway Road, which has little in the way of footways or via a circuitous route onto Hook Norton Road⁷ and then Main Street, which is narrow, has parked cars and no footways in many parts. This would be dangerous for any pedestrians let alone elderly residents. See Figure 3.



Figure 3 – Main Street, Sibford Ferris

The few public amenities that exist lie in Sibford Gower and Burdrop, only accessed by narrow roads and also served by poor, incomplete footpaths, limited lighting and congestion caused by parked cars and narrow roads. There are a number of dangerous bends, severely restricting all vehicle movements particularly larger vehicles such as agricultural machinery, coaches to Sibford School, goods vehicles, etc. and there are no A roads in the area. The two villages are separated by a deep valley (Sib Brook) with a gradient of about 1:4 and have poor accessibility for anyone, let alone older persons, without a car. Distances, inadequate infrastructure and topography militate against walking or cycling.

Whilst some future occupiers of the appeal proposal may already reside in the village, others may not, and older persons are likely to have greater need for health services and facilities not found within the village. Accordingly, the existing services and facilities provided in the village or Sibford Gower and Burdrop would be unlikely to meet the specific day-to-day needs of future occupiers of

⁷ This assumes the appeal scheme can be accessed by the proposed access arrangement through the Hook Norton Road site allowed on appeal, which may not proceed concurrently with the current appeal proposal at Woodway Road or could be hindered or restricted for health and safety reasons during the construction of either or both of the proposed developments together or sequentially.

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the proposed development, which would increase the instances of travel from the village to other settlements by private car. This is underlined by the double garages and two parking spaces for each bungalow included within the appeal scheme. Residents of the proposed dwellings, being older, less mobile and less likely to walk or cycle, will be highly reliant on the use of private cars. This would be unsustainable.

The bus service has more than halved in recent years. It is reliant on subsidy from Warwickshire County Council, has a very limited service to Stratford and Banbury at inconvenient times and has no direct services to Hook Norton or Chipping Norton, the nearest larger settlements.

The *Sibfords' Community Plan (2012)* detailed that nearly three quarters of respondents used the small 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. The proposal is therefore likely to be private car dependent with associated environmental harm so is not suitably located and is especially unsuitable for older persons.

Government *Planning Practice Guidance* on "Housing for older and disabled people" (Paragraph: 013 Reference ID: 63-013-20190626) states:

'The location of housing is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation). Factors to consider include the proximity of sites to good public transport, local amenities, health services and town centres.'

None of these apply to the current appeal proposal. As such, the proposal would be contrary to the *National Planning Policy Framework (2021)* on sustainable development and facilitating the use of sustainable modes of transport, the focus in Policy Villages 2 on locating development 'well' in relation to services and facilities and the Government's *Planning Practice Guidance* on the location of housing for older people.

Reason for Refusal No. 2

The Action Group consider that there are two elements to the harm to the character and appearance of the area: 1) Harm to the landscape; and 2) Harm caused by the uncharacteristic form, layout and design of the proposal.

Harm to the Landscape

The appeal site lies outside the built-up limits of the village in an attractive landscape that can be viewed from the Cotswolds Area of Outstanding Natural Beauty. Sibford Ferris is one of the best examples in Cherwell district of a village being absorbed within the landscape. Historically, dwellings have been subservient to the landscape, which is rolling, rural and influenced by the Sib Valley and the Ironstone Downs. See Figure 4 below. However, regrettably new development is now threatening this.



Figure 4 – Attractive Landscape to the North and West of the Appeal Site

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On the Hook Norton Road appeal (APP/C3105/W/19/3229631), the Inspector commented that the proposed area of housing in that case with extensive landscaping would be difficult to see from Woodway Road due to its siting, the slope the land and height of the hedge. See Figure 5.



Figure 5 – Hook Norton Road Appeal Landscape Plan

The appeal proposal, although smaller, is at a lower level, close to public rights of way/National Cycle Network Route 5 and will clearly be visible from Woodway Road. See Figure 6.



Figure 6 – Appeal Site from Woodway Road

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The proposal would lead to a quite densely packed, built development on greenfield, Grade 2 quality agricultural land beyond the physical extents or building line of the adjacent development to the south (see Figure 5 above) and Faraday House to the north, thereby intruding into the attractive countryside surrounding the village. This would lead to an encroachment of built development all the way up to Woodway Road, which has an unspoilt, rural character. See Figure 7.



Figure 7 – Woodway Road (Appeal Site to Right)

The site, augmented by the peripheral hedgerows, performs the role of a 'buffer', enabling a satisfactory transition from the built-up area of the village to the rolling landscape beyond. The appeal proposal would eradicate and harm this transition to the detriment of the character, appearance and amenities of this part of Sibford Ferris.

The development would be visible at short and more distant range from highways and public rights of way extending out into the countryside and the Cotswolds AONB. This would harm the rural character and appearance of this site and landscape to the west of the village, contrary to Policy ESD15 (The Character of the Built and Historic Environment), and Policy Villages 2 of the adopted CLPP1 and 'saved' Policy C28 of the Cherwell Local Plan, 1996, which together seek to ensure that development complements, protects and enhances local landscapes and character.

Uncharacteristic Form, Layout and Design

The form of the scheme (see Figure 8), incorporating 6 no. large bungalows with a variety of low, wide and other roof pitches, timber boarding, unrelieved roofscapes, long elevations/walls, unbroken roofs and other uncharacteristic features is repetitive, contrived and uncharacteristic as it takes no design cues from the established and historic character of its surroundings, with the Sibford Ferris Conservation Area just a few metres away to the north of Faraday House.



Figure 8 – Artist's Impression of Proposal

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Cherwell Residential Design Guide Supplementary Planning Document (July 2018)

The Council has sought to raise the quality of design and amplify the objectives of policies in the CLPP1 (including Policy ESD15) through its *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*. In accordance with national design objectives (see below), the Guide seeks to ensure that new residential development results in vibrant, sustainable, safe and attractive places that add to the District's architectural and historical legacy. The Guide essentially supports the development of new places that reinforce the character and vitality of a settlement.

The proposal fails to achieve this for the following reasons:

i) Character Area

The proposal fails to use appropriate materials – natural Ironstone – to respect the fact that it lies within the Ironstone Downs Character Area and close to the Conservation Area, where the unique style of mixed vernacular buildings associated with the use of ironstone as a building material predominate. See examples below at Figure 9.



Figure 9 – Examples of Vernacular Buildings in Sibford Ferris

The proposed bungalows use unsympathetic reconstructed stone trying to ape natural Ironstone but would largely be similar in appearance to one another. This would fail to reflect the varied approach to form and architecture of dwellings found in this part of the village and nearby Conservation Area.

Where there is a strong, distinctive local character in the surrounding settlement it is expected that new development will be in keeping. Local character should be reflected in all aspects of design from the masterplan layout to building typologies, materials and detailing. Contrary to the Council's *Design Guide*, the designs are not responsive to local conditions, do not fit naturally with the landscape and settlement pattern and are certainly not distinctive to the Ironstone Downs, the Sibfords or, indeed, Cherwell.

ii) Settlement Pattern

Sibford Ferris is a small linear settlement that hugs the south side of the steep-sided and intimate Sib Valley. This part of the village is characterised by a mix of housing of different styles and dates, set back within their own plots. The layout fails to relate to and respond to the existing settlement pattern, street and footpath network and wider context. The vast majority of the buildings in Sibford Ferris are built close to or at the front of their plots. Where this is not the case stone walls almost invariably line the front of the plot. Walls and building elevations feature large in the streetscape. The strong building line giving rise to a strong sense of enclosure.

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The proposal incorporates none of these characteristic features in its scale, layout and design. The proposal – see Figure 10 – does not follow the historic pattern of settlement growth in the village and does not read as a natural continuation of the settlement's evolution.



Figure 10 – Landscape Layout of Appeal Proposal

iii) Edge Relationships

The double frontages of the proposed plots would be without walled enclosures reflective of that which is found at other boundaries or properties in the village. The proposed planting in the public domain would not be integral to the layout of the appeal scheme, so would have a limited effect in softening the presence of built development and fail to enhance the rural landscape. Private back gardens are very small and face the communal garden rather than the street or Woodway Road appearing as in introverted development or closed community that does not positively address this existing rural edge of the settlement.

iv) Summary

The building typology and arrangement on the site, the garden sizes, communal spaces, contrived layout, large floor plans, non-traditional walling materials and timber boarding, "bungalow" design and detailing all lead to the conclusion that the proposal would significantly and demonstrably harm the character and appearance of the area. The design of the proposed development is poor – it is not locally distinctive and it includes many elements expressly mentioned in the Council's Design Guide as not being acceptable. The proposal is therefore considered to be contrary to Policy ESD15

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of the CLPP1, Policy C28 of the Cherwell Local Plan, 1996 and the adopted *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*. See Appendix 2 for the wording of Policies ESD15 and C28.

4. OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework

The National Planning Policy Framework ('NPPF') is a significant "other material consideration" of considerable weight. The NPPF includes the fostering of 'well designed, beautiful and safe places'. The concept of 'beauty' in the NPPF is new and features in a number of specific policies (Paragraph 126), which are underpinned by the principle that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The Government has confirmed that the term 'beautiful' should be read as a high-level statement of ambition rather than a policy test and planning authorities, communities and developers are encouraged to work together to decide what beautiful homes, buildings and places should look like in their area. This should be reflected in local plans, neighbourhood plans, design guides and codes, taking into account Government guidance on design.

The Council has already sought to do this via its development plan policies and its *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*. The proposal conflicts with its aims, objectives and principles surrounding quality design. In short, the appeal proposal is not well-designed, fails to reflect design policies and positively respond to Government guidance.

Paragraph 134 of the NPPF states:

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

National Design Guide

The proposal does not satisfy many of the ten characteristics of well-designed places in the *National Design Guide*, that is the Government's guidance on design referred to in the NPPF, including the proposal's requirement to:

- C1 – Understand and relate well to the site, its local and wider context;
- I1 – Respond to existing local character and identity;
- I2 – Well-designed, high quality and attractive places and buildings;
- I3 – Create character and identity; and
- B2 – Appropriate building types and forms.

With this new policy emphasis on design it is clear that as the proposed development is not 'well designed', the appeal should be dismissed as it conflicts with the development plan and fails to reflect Government guidance on design, taking into account local design guidance (SPD).

Strategic Housing Land Availability Assessment Update (2014)

The Appellant seeks to over-emphasise the importance of the Council's *Strategic Housing Land Availability Assessment (SHLAA) Update, 2014*, which identified the site as having potential for residential development. The Appellant overlooks the following, crucial aspects of the SHLAA process:

1. It is a technical evidence document to support the development plan making process. It is however only one element of a wider evidence base which will be used to inform such a process.

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2. It does not form part of the Development Plan, planning policy nor any wider form of formal or informal Council policy.
3. It does not allocate any sites for development.
4. It is not intended to pre-empt any plan making or other planning related decisions and does not indicate that planning permission should be granted or not granted for housing or any other use on any identified site.
5. Planning applications on sites identified within a SHLAA will continue to be determined on their merits in line with the development plan unless material considerations indicate otherwise.
6. Prior to any site being allocated within the Development Plan it will be tested further through the plan-making process, including consideration through the Sustainability Appraisal process, public participation and Examination.

The Appellant's statements in respect of the SHLAA's comments about the site should therefore be given little weight in the assessment and determination of this appeal.

This would be consistent with the comments of Inspector Jonathan Hockley in his appeal decision at Fringford Cottage, Main Street, Fringford (APP/C3105/W/18/3204920), when he stated that a Housing & Economic Land Availability Assessment '*does not in itself determine whether a site should be allocated for development*'. Inspector Hockley referred to Planning Practice Guidance and gave only moderate weight to the HELAA but considered this did not outweigh the conflict with the Development Plan. The Inspector concluded that the site was not suitable for development, contradicting the judgement reached by the HELAA. It is clear that the current appeal raises very similar issues and we would suggest warrants the same conclusion and the dismissal of the Appellants' appeal for the same reasons. See Appendix 3 for a copy of the appeal decision.

5. SUMMARY & CONCLUSION

In conclusion, for the reasons outlined above and in our previous representations to the Council dated 25th January 2022, the Sibford Action Group maintains its strong objections to the appeal proposal, which it considers is unnecessary, unsustainable, harmful to the character and appearance of this part of the village/open countryside and therefore contrary to the Development Plan, the *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*, the NPPF and National Design Guide.

The Action Group therefore respectfully requests that the appeal be dismissed. Such a decision would be in line with Section 38(6) of the *Planning & Compulsory Purchase Act 2004 (as amended)* and Section 70(2) of the *Town and Country Planning Act, 1990*, as the proposal is not in accordance with the Development Plan and dismissal of the appeal is supported by other material considerations, with any benefits being significantly and demonstrably outweighed by the harm caused.

We would therefore request that the Inspector takes these strong, reasoned and justified representations into account when considering and determining this appeal.




Yours sincerely,



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Managing Director
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APPENDIX 1

SIBFORD FERRIS PARISH PROFILE (2021)

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Sibford Ferris Parish Profile

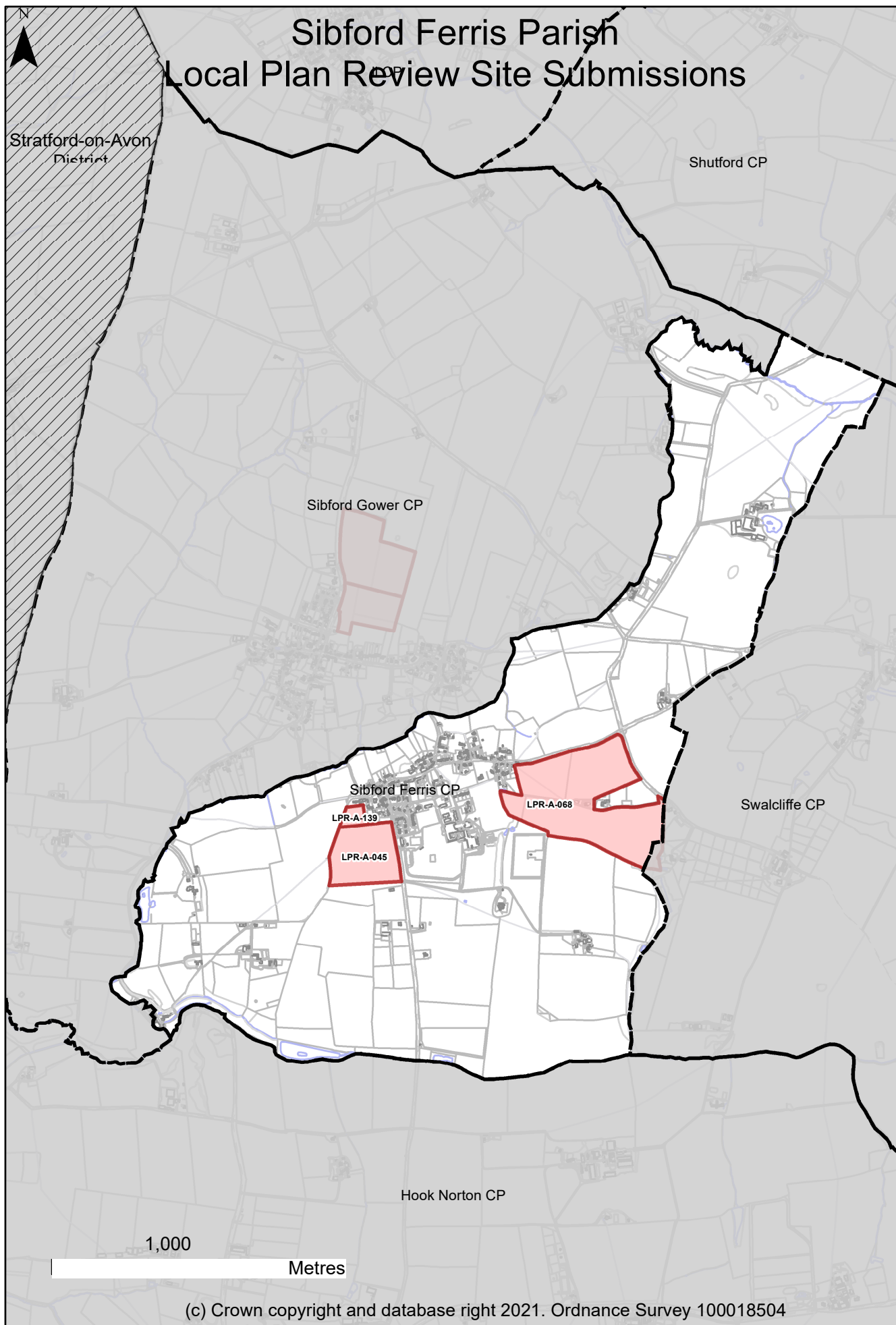
LPR.A.139

LPR.A.068

LPR.A.045

 Metres

Sibford Ferris Parish Profile



Rep No.	Site Name	Parish	Area Size (ha)	Promoter	Promoted Use(s)
LPR-A-045	Land to the West of Hook Norton Road, Sibford Ferris	Sibford Ferris	6.8	Jonathan Harbottle - Land & Partners South East Limited / Mr Kevin Bishop and Mrs Emily Bishop	Housing
LPR-A-068	Land at Folly Farm, Sibford Ferris	Sibford Ferris / Swalcliffe	22.11	Tim Humphrey - Brown & Co / Mr & Mrs Bishop	Housing
LPR-A-139	Land East of Woodway Road, Sibford Ferris	Sibford Ferris	0.8	Melissa Balk - Fisher German LLP / Executors of A G Bishop (dec'd)	Housing

Demographic Information

Population (ONS 2019 mid-year estimate): 470

Housing completions and commitments Between 2015-2021, there have been 2 housing completions in the parish. At 31 March 2021, there were 26 dwellings with planning permission but not yet built. (Source: CDC monitoring data)

Active applications on the Housing Register: 1,680 (Source: CDC Housing Register, 7 July 2021)

Bedroom Needs	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed
No. of active applications	772	519	276	92	18	3
Preference of applications for Sibford Ferris	42	18	10	11	1	0

Census 2011 figures

NB There will have been changes since 2011; for example, these figures do not allow for the housing completions in the parish, nor recent changes in age structure.

Country of birth (2011)

13% were not born in the UK

Age structure (2011)

Age group	Parish	Cherwell district	England & Wales
Young people (age 0-17)	27%	23%	21%
Working age (age 18-64)	58%	62%	62%
Older people (age 65+)	14%	15%	16%

House type (2011)

Dwelling type	Parish	Cherwell district	England & Wales
Detached	43%	30%	23%
Semi-detached	29%	35%	31%
Terraced	19%	23%	25%
Flat or bedsit	9%	11%	22%
Other	0%	0%	0%

Housing Tenure (2011)

Tenure	Parish	Cherwell district	England & Wales
Owned	74%	70%	64%
Social rented	8%	12%	18%
Private rented	13%	16%	17%
Other tenure	5%	2%	1%

Physical Characteristics

Conservation Areas	2
Flood Zone 2	yes
Flood Zone 3	yes
Green Belt	no

Landscape & Visual Impact Assessment Village Analysis 2016

Sibford Ferris and Sibford Gower, including Burdrop, are focused around the main streets passing through them with the historic cores focusing on these routes. The historic and often

listed buildings located along the main roads are intermixed with infill development of new residential properties however the historic cohesion of the villages remain. Both villages are located on ridge lines providing connecting views between the villages and west along the valley towards the Cotswolds AONB. There are no designated ecological sites within the villages and the closest DWS is Lamb's Pool woodland located 800m to the south east; there are also a number of NERC Act S41 Habitats of Potential Importance within the study area. There are Conservation Areas associated with Sibford Ferris and Sibford Gower which also cover the intervening agricultural land within the Sib Brook Valley. The valley also forms an integral part of the local character for the character areas reinforcing the rural character and separation of the villages. Whilst the listed buildings make an important contribution to the Conservation Area, there are numerous unlisted buildings which also contribute; all of these are important elements in contributing towards the historic character and its historic sensitivity which should be protected.

Services & Facilities (2021)

Village Store /shop	Sibford Stores and Post Office - Main Street
Post Office	Sibford Stores and Post Office - Main Street
Petrol station	0
Bank /Building Society	0
Doctor's Surgery /Health Centre	0
Dentist	0
Pharmacy	0
Optician	0
Primary School	0
Secondary School	0
Library	0
Place of worship	0

Recreation ground / playing field	0
Indoor sports centre / leisure centre	0
Equipped play area	Cotswold Close Play Area
Village / community hall	0
Public house /restaurant /takeaway	0
Employment sites	0
Bus services	Johnson's Excelbus - 50A: Stratford to Banbury. Mon-Sat, 2 hourly
Day nursery	Sibford School Nursery - Sibford School, The Hill
Residential care home	0
Access to high speed broadband	Standard Superfast 80 mbps DL / 20 mbps UL
Other	0

Neighbourhood Plan: NO

Feedback from Parish Councils & Meetings

Constraints

- Bus service has more than halved and the condition of the roads have worsened. The bus service is reliant on a limited life subsidy from Warwickshire County Council after OCC removed their contribution. It only has a very limited service to Banbury and Stratford.
- The sewage, water and power are aged and has had issues coping with current volumes in recent years.
- Local facilities are small scale and cannot be easily expanded, and are relatively inaccessible to the elderly and young.

Opportunities

(none received)

Comments

- The Sibfords comprises 2 settlements: Sibford Gower with Burdrop and Sibford Ferris. The 2 parishes are separated by a 1:4 Valley, with limited footpaths and accessibility for anyone without transport. Each settlement operates independently.
- The Council treats the 2 parishes as a Category A village and a service centre which the Parish disagrees.
- The combined population is 984, one of the smallest Category A villages and there are no satellite villages that are serviced.
- Village categorisation for the 2 parishes should be reconsidered.

Other Considerations

- Requested during the last 18 months to be included in the Local Plan Review. This document is the first input we have been asked to make despite constant assurance about engagement and consultation. Hope this is the start and not the end of this process.



APPENDIX 2

Policy ESD15 of the CLPP1

Policy ESD 15: The Character of the Built and Historic Environment

Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting
- Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged
- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.
- 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

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Chadwick Town Planning

- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette
- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout
- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality
- Use locally sourced sustainable materials where possible.

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

Chadwick Town Planning Limited

Registered Office: 7 Rectory Road, Hook Norton, Banbury, Oxfordshire, OX15 5QQ



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Chadwick Town Planning

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.

B.268 The appearance of new development and its relationship with its surrounding built and natural environment has a significant effect on the character and appearance of an area. Securing new development that can positively contribute to the character of its local environment is therefore of key importance. This policy identifies a number of key issues that need to be addressed in the design of new development.

B.269 These issues are as relevant in urban areas as in rural locations and also in recent development as in historic areas. The policy seeks to protect, sustain and enhance designated and non-designated 'heritage assets'. The NPPF defines these as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. Heritage assets with archaeological interest will require the submission of relevant assessment. In sensitive locations severe constraints may direct the design approach, but in many cases the Council will not wish to prescribe a specific design solution. Designs need to be sensitive and complimentary to their surroundings but this does not require merely replicating existing styles and imitating architectural details; modern interpretation is possible if informed by a full contextual analysis and proposals promote and reinforce local distinctiveness.

B.270 Our urban areas will see significant growth during the period of the Local Plan, and will need to adapt and respond to these pressures both within their existing boundaries and beyond, while retaining their unique character and heritage. A balance will need to be struck between making best use of land and respecting established urban character and creating new and vibrant sustainable neighbourhoods. Applicants should also have regard to national guidance and best practice advice on design, including on public space, street design, trees in the street scene, public buildings, housing, work environments inclusive design, tall buildings and eco-towns, e.g. guidance published by the Commission for Architecture and the Built Environment CABI (now merged with the Design Council). English Heritage has also published much guidance on integration of development into the historic environment. Applicants will also need to have regard to policies from Oxfordshire County Council, such as the Parking Policy.

B.271 Our rural areas will need to accommodate new development which reinforces the locally distinctive character by being sensitive in its location, scale, materials and design, reflecting the traditional pattern of development within the settlement, balancing making best use of land with respect for the established character and respecting open features that make a positive contribution. A large proportion of rural settlements fall within conservation areas,

Cherwell Local Plan 2011-2031 Part I

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Chadwick Town Planning

Policy C28 of the Cherwell Local Plan, 1996

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. IN SENSITIVE AREAS SUCH AS CONSERVATION AREAS, THE AREA OF OUTSTANDING NATURAL BEAUTY AND AREAS OF HIGH LANDSCAPE VALUE, DEVELOPMENT WILL BE REQUIRED TO BE OF A HIGH STANDARD AND THE USE OF TRADITIONAL LOCAL BUILDING MATERIALS WILL NORMALLY BE REQUIRED.

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Chadwick Town Planning

APPENDIX 3

Appeal decision at Fringford Cottage, Main Street, Fringford

(APP/C3105/W/18/3204920,

Chadwick Town Planning Limited

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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

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/C3105/W/22/3298098

DETAILS OF THE CASE

Appeal Reference APP/C3105/W/22/3298098

Appeal By BLUE CEDAR HOMES LIMITED

Site Address
Land South of Faraday House
Woodway Road
Sibford Ferris
Grid Ref Easting: 435390
Grid Ref Northing: 237185

SENDER DETAILS

Name MR DAVID STEWART

Address
High Rock, Hook Norton Road
Sibford Ferris
BANBURY
OX15 5QW

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

YOUR COMMENTS ON THE CASE

Please find attached a letter from Severn Trent, explaining why they have submitted a holding objection to the development on the land next to Farraday House Re Site: Land to the east of Woodway Road Sibford Ferris. This shows that Sibford Ferris is an unsustainable location for housing development and lacks the infrastructure to take any more additional new housing.

This application was rejected by the CDC Planning Committee for the following well-founded reasons.....

· 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.

The proposal conflicts with:

- o Policy BSC1 of the Cherwell Local Plan 2011-2031
- o Policy H18 of the Cherwell Local Plan 1996
- o Government guidance in the National Planning Policy Framework.

By reason of its scale, layout and design, the proposal would be:

o 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.

o 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
- § The National Design Guide
- § Government guidance in the National Planning Policy Framework.

The identified harm significantly and demonstrably outweighs the proposal's benefits of providing additional housing and the objection by Severn Trent adds weight to the harm that would be caused by this proposed development.

COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

Relates to Section: REPRESENTATION

Document Description: Your comments on the appeal.

File name: Email-22_01773_F - Land to the east of Woodway Road Sibford Ferris
CRM_0038525.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/C3105/W/22/3298098

DETAILS OF THE CASE

Appeal Reference APP/C3105/W/22/3298098

Appeal By BLUE CEDAR HOMES LIMITED

Site Address
Land South of Faraday House
Woodway Road
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Grid Ref Easting: 435390
Grid Ref Northing: 237185

SENDER DETAILS

Name MR DAVID STEWART

Address
High Rock, Hook Norton Road
Sibford Ferris
BANBURY
OX15 5QW

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

COMMENT DOCUMENTS

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Lynne Baldwin

From: Planning.APEast <Planning.APEast@severntrent.co.uk>
Sent: 25 July 2022 14:16
To: Planning
Subject: 22/01773/F - Land to the east of Woodway Road Sibford Ferris CRM:0038525

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For the attention of Case Officer

Our Ref: P-220725-36996

Good Afternoon,

Re Application: 22/01773/F

Re Site: Land to the east of Woodway Road Sibford Ferris

With reference to the above planning application the Company's observations regarding sewerage are as follows.

We would like a Holding Objection to the applications in this area until we have better understood the drainage situation.

Should you require any further information please contact us on email below.

Kind regards,

Asset Protection Team

**Asset Protection Waste Water East
Asset Strategy and Planning
Severn Trent Water Ltd**

Email: planning.apeast@severntrent.co.uk

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Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
United Kingdom

6th October 2022

Dear Sir/Madam

Appeal Proposal: Erection of 6 one storey age restricted dwellings (55 years) for older people with access, landscaping and associated infrastructure
Location: Land South of Faraday House, Woodway Road, Sibford Ferris
Appeal Reference: APP/C3105/W/22/3298098
LPA Reference: 21/04271/F

We write in connection with the above appeal by Blue Cedar Homes Limited ('the Appellant') and wish to point out the irrevocable harm that will be caused if the proposed development is allowed to go ahead.

SUMMARY

We strongly object to the Appellant's proposal for multiple well founded reasons. Firstly, the proposal conflicts with the development plan, which seeks to control development in villages and Sibford Ferris, being one of the smaller settlements is in danger of being overwhelmed by new residential development through "development creep". It is an unsustainable location, with inadequate infrastructure, poor accessibility and just a small shop, so is totally unsuitable for elderly residents². The inappropriate form, design and layout of the appeal proposal would result in significant harm to both the settlement pattern of Sibford Ferris and the character and appearance of the surrounding area, including the amenities of the landscape around Woodway Road. We note that the Council is unable to demonstrate a 5-year supply of housing land at present, despite delivering 153% of its housing requirement over the period 2018-2021 (3840 dwellings in total against a requirement of 2505)³, and that consequently the "tilted balance", under the terms of Paragraph 11 of the National Planning Policy Framework ('NPPF') is engaged. However, the starting point is the development plan and these policies and those in the NPPF need to be looked at as a whole.

In this case, the Action Group urges the Inspector to concur with its objections and conclude that the adverse impacts of the appeal proposal would outweigh any minor benefits of this small, poorly designed, inappropriately located and unsympathetic residential development which, in the Action Group's view, is best described as the wrong scheme in the wrong place causing environmental harm

to this part of the settlement and the surrounding landscape.

1 ONS 2019 Mid-Year Estimate

2 See also appeal decision - APP/D3125/W/21/3285075 – which raised similar issues

3 Housing Delivery Test 2021 Measurement

We therefore respectfully request that the appeal be dismissed for the reasons set out in Cherwell District Council's decision notice dated 8th April 2022 and in this representation, which wholeheartedly supports the Council's decision to refuse the Appellant's proposal.

HARM CAUSED BY DEVELOPMENT CREEP

The appeal proposal is effectively Phase 2 of a much larger extension of the village (Phase 3) following Phase 1 being allowed on appeal previously. This “development creep” or development by stealth is in order to circumvent what would have been an overwhelming rejection to such a disproportionately large scheme on the outskirts of a small village, in an unsustainable location with few amenities and poor infrastructure.



Just because one large residential development was allowed some three years ago, does not mean this ill-conceived, unsympathetic, unsustainable and environmentally harmful proposal should also be allowed on appeal. There are many reasons for this. The development plan policy situation has changed – see below – the sustainability of the village has not improved and the layout, form, design and location of this proposal for older people is unsuitable and out-of-keeping with the quality, form and pattern of development in this part of Sibford Ferris. If allowed, it would produce an incongruous, unattractive and cramped form of development, which would fail to respond to local character and distinctiveness and harm the rural nature, appearance and attractive qualities of Sibford Ferris, which lies close to the edge of the designated Conservation Area and the Cotswolds Area of Outstanding Natural Beauty (“AONB”). Another appeal being allowed would be “carte blanche” for developers to then move onto Phase 3 and complete the environmental damage of this presently very attractive historic village and surrounding rural landscape. Now is the time to say no to Phase 2 and stop the irrevocable harm that would be caused by a three phase large scale development across the three adjoining fields show.

DEVELOPMENT PLAN

The development plan is the starting point for decision-making⁶. Section 38(6) of the *Planning and Compulsory Purchase Act, 2004* and Section 70(2) of the *Town and Country Planning Act, 1990* require that planning applications [and subsequent appeals] be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

The development plan in this case comprises:

☑ Cherwell Local Plan 2011-2031 Part 1 (‘CLPP1’). Relevant policies mentioned in the Council’s refusal are Policies BSC1 and ESD15 [NB Policy Villages 2 is also relevant – see below]

☐ ‘Saved’ policies within the Cherwell Local Plan 1996 (‘CLP 1996’). The relevant policies mentioned in the Council’s refusal are Policies H18 and C28

Reason for Refusal

Cherwell Local Plan 2011-2031 Part 1

The spatial strategy for the distribution of development across the district is summarised by the following extracts of the CLPP1.

Page 10 states:

‘Vision, Strategy and Objectives

vi. Underpinning the Local Plan is a vision and a spatial strategy for Cherwell District.

Our spatial strategy for how we manage the growth of the District can be summarised as:

- *Focusing the bulk of the proposed growth in and around Bicester and Banbury.*
- *Limiting growth in our rural areas and directing it towards larger and more sustainable villages.*
- *Aiming to strictly control development in open countryside.’*

Policy BSC1 and its supporting paragraphs explain the housing strategy in more detail. At paragraph B.96 of the CLPP1, the strategy includes:

‘Providing a positive vision for the future of Cherwell: a strategic growth and investment approach to the towns; an enlarged settlement in the centre of the District, further development at the villages to sustain them.’

‘... concentrating development in sustainable rural locations to protect the intrinsic character and beauty of the countryside and to support thriving rural communities.’

6 Paragraph 12 of the NPPF, 2021

The Cherwell *Annual Monitoring Report, 2021* demonstrates that the housing strategy is largely operating correctly as the total number of housing completions (net) between 2011 and 2021 is 9,806 dwellings. Of the 9,806 homes built since 2011, 37% have been at Banbury, 29% at Bicester, 7% at Heyford Park and 27% in the remaining rural areas. Policy Villages 1 identifies Sibford Ferris and Sibford Gower [combined] as a Category A village. There is no policy target for the delivery of housing via Policy Villages 1. However, as the appeal site comprises land outside the built-up limit of Sibford Ferris, Policy Villages 1 does not apply. The key policy is Policy Villages 2.

Policy Villages 2

Policy Villages 2 is a criteria based policy, which states in its first paragraph:

A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site ‘windfalls’ and planning permissions for 10 or more dwellings as at 31 March 2014.

This policy does not contain a temporal dimension, a phasing dimension or a spatial dimension.

There are 23 Category A villages and some, so far in the Plan period, have delivered few or no houses.

At the time of the Hook Norton Road, Sibford Ferris appeal (APP/C3105/W/19/3229631) decided in November 2019, the number of dwellings included in extant permissions in the Category A villages across the District exceeded the 750 dwellings referred to in Policy Villages 2 but only 271 units of the 750 units had been completed. This was 3 years ago. The situation has materially changed now. According to the Cherwell *Annual Monitoring Report (‘AMR’) 2021* (reported to the Council’s Executive on 10th January 2022), since 2014 a total of 1,062 dwellings have been identified by the Council for meeting the Policy Villages 2 requirement of 750 dwellings. 749 dwellings were reported in the *AMR, 2021* to have been built or under construction and 319 dwellings have permission. A recent appeal for 43 homes at Station Road, Hook Norton (APP/C3105/W/21/3278536) was allowed on 18th August 2022 on the basis of the *Annual Monitoring Report 2020*, which indicated that 415 dwellings had been completed and 193 were under construction at Category A villages. The Inspector

concluded in the Hook Norton appeal that this figure fell some way below the 750 home figure in Policy Villages 2. This is not the case now. Indeed, the Council's refusal of the current appeal refers to 770 dwellings being completed in the Category A villages, as at 31st March 2021. With other permissions and current appeals, there is the likelihood of a substantial and further material exceedance by the end of the Plan-period in 2031.

The Action Group therefore supports the District Council in its conclusion that the Policy Villages 2 requirement has not only been met but now exceeded (as at 31st March 2021) with the prospect of a substantial and material exceedance in the last 18 months once the AMR, 2021 is updated. This is supported by other evidence in the *Cherwell Annual Monitoring Report 2021* that reveals that between 1 April 2014 and 31 March 2021 there were a total of 503 net housing completions in the rural areas, which is an average of 71 homes per year. Extrapolating this to 2031 would mean a further 700+ additional homes in the rural areas of the district or a doubling of the figure in Policy Villages 2.

The *National Planning Policy Framework, 2021* sets out the Government's definition of sustainable development and the policies through which it envisages the planning system will deliver this. It also reinforces the plan-led system.

Accordingly, Policy BSC1 of the CLPP1 is aimed at delivering growth in accordance with the NPPF, which includes limited further development at the villages to sustain them. However, the repeated approval of development in the villages threatens to overwhelm them and undermine the spatial strategy. It therefore highlights the need for this appeal to draw the line under Policy Villages 2, prevent a further material and damaging exceedance of the 750 dwellings figure, uphold the development plan [in accordance with planning legislation] and protect Sibford Ferris, the rural areas of the district and the attractive villages from further speculative development.

To do otherwise would undermine the primacy of the development plan and the CLPP1 housing strategy of directing most growth to Banbury and Bicester, where there is access to shops, services, jobs and other facilities and opportunities to travel other than by the car. This helps avoid commuting, congestion, pollution, climate change and harming the environment. The District Council has declared a Climate Change Emergency, but none of these environmental objectives will be achieved by approving more and more homes in attractive but inherently unsustainable villages like Sibford Ferris.

The appeal proposal also fails to satisfy most of the important locational requirements or criteria in Policy Villages 2, as has been summarized in the written representation submitted by the Sibford Action Group by the planning Consultant Chadwick Town Planning.

PLANNING PERMISSION WILL ONLY BE GRANTED FOR THE CONSTRUCTION OF NEW DWELLINGS BEYOND THE BUILT-UP LIMITS OF SETTLEMENTS OTHER THAN THOSE IDENTIFIED UNDER POLICY H1 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.

The appeal proposal fails to satisfy the requirements of this policy so we support the Council's decision to refer to this policy in its reasons for refusal.

Unsustainable & Unsuitable Location for Older Residents

The Action Group also supports the District Council in determining that the site is located in an unsustainable location, remote from key amenities, especially for elderly residents

Sibford Ferris only has a small shop. Realistically, this is the only service available and likely to be used by older persons living at the development the subject of this appeal. This can only be accessed on foot via Woodway Road, which has little in the way of footways or via a circuitous route onto Hook Norton Road⁷ and then Main Street, which is narrow, has parked cars and no footways in many parts. This would be dangerous for any pedestrians let alone elderly residents.

The bus service has more than halved in recent years. It is reliant on subsidy from Warwickshire County Council, has a very limited service to Stratford and Banbury at inconvenient times.

Traffic Volumes are dangerous and harmful to the village

The last time the planning committee conducted a site visit, they saw for themselves how unsustainable the local road network is, we urge you to visit the site to see the unsafe road conditions. The village has reached it's "**safe max capacity**" for a single lane road 4m wide. Even the OCC recognise that the village is unsustainable, but yet refuse to say that there will be a safety risk as they lack an objective definition of "**safe max capacity**" and therefore have no facts and figures to substantiate what is just an "opinion". Recently we note that the "High Court nullifies Norfolk County Council's consultation on highway works" as they recognised the "Failure by the defendant to give adequate reasons".

In August 2022 there was a serious traffic accidents at one of the pinch points on the High St, which was attended by the fire services.



Reason for Refusal - Harm to the Landscape and Character of the Village

Harm to the Landscape

The appeal site lies outside the built-up limits of the village in an attractive landscape that can be viewed from the Cotswolds Area of Outstanding Natural Beauty. Sibford Ferris is one of the best examples in Cherwell district of a village being absorbed within the landscape.

The proposal would lead to a quite densely packed, built development on greenfield, Grade 2 quality agricultural land beyond the physical extents or building line of the adjacent development to the south (see Figure 5 above) and Faraday House to the north, thereby intruding into the attractive countryside surrounding the village. This would lead to an encroachment of built development all the way up to Woodway Road, which has an unspoilt, rural character.

The site, augmented by the peripheral hedgerows, performs the role of a 'buffer', enabling a satisfactory transition from the built-up area of the village to the rolling landscape beyond. The appeal proposal would eradicate and harm this transition to the detriment of the character, appearance and amenities of this part of Sibford Ferris.

The development would be visible at short and more distant range from highways and public rights of way extending out into the countryside and the Cotswolds AONB. This would harm the rural character and appearance of this site and landscape to the west of the village, contrary to Policy ESD15 (The Character of the Built and Historic Environment), and Policy Villages 2 of the adopted CLPP1 and 'saved' Policy C28 of the Cherwell Local Plan, 1996, which together seek to ensure that development complements, protects and enhances local landscapes and character.

Uncharacteristic Form, Layout and Design

The form of the scheme, incorporating 6 no. large bungalows with a variety of low, wide and other roof pitches, timber boarding, unrelieved roofscapes, long elevations/walls, unbroken roofs and other uncharacteristic features is repetitive, contrived and uncharacteristic as it takes no design cues from the established and historic character of its surroundings, with the Sibford Ferris Conservation Area just a few metres away to the north of Faraday House.



Artist's Impression of Proposal
Chadwick Town Planning Limited

Cherwell Residential Design Guide Supplementary Planning Document (July 2018)

The Council has sought to raise the quality of design and amplify the objectives of policies in the CLPP1 (including Policy ESD15) through its *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*. In accordance with national design objectives (see below), the Guide seeks to ensure that new residential development results in vibrant, sustainable, safe and

attractive places that add to the District's architectural and historical legacy. The Guide essentially supports the development of new places that reinforce the character and vitality of a settlement.

The proposal fails to achieve this for the following reasons:

i) Character Area

The proposal fails to use appropriate materials – natural Ironstone – to respect the fact that it lies within the Ironstone Downs Character Area and close to the Conservation Area, where the unique style of mixed vernacular buildings associated with the use of ironstone as a building material predominate. The proposed bungalows use unsympathetic reconstructed stone trying to ape natural Ironstone but would largely be similar in appearance to one another. This would fail to reflect the varied approach to form and architecture of dwellings found in this part of the village and nearby Conservation Area. Where there is a strong, distinctive local character in the surrounding settlement it is expected that new development will be in keeping. Local character should be reflected in all aspects of design from the masterplan layout to building typologies, materials and detailing. Contrary to the Council's *Design Guide*, the designs are not responsive to local conditions, do not fit naturally with the landscape and settlement pattern and are certainly not distinctive to the Ironstone Downs, the Sibfords or, indeed, Cherwell.

ii) Settlement Pattern

Sibford Ferris is a small linear settlement that hugs the south side of the steep-sided and intimate Sib Valley. This part of the village is characterised by a mix of housing of different styles and dates, set back within their own plots. The layout fails to relate to and respond to the existing settlement pattern, street and footpath network and wider context. The vast majority of the buildings in Sibford Ferris are built close to or at the front of their plots. Where this is not the case stone walls almost invariably line the front of the plot. Walls and building elevations feature large in the streetscape. The strong building line giving rise to a strong sense of enclosure.

The proposal incorporates none of these characteristic features in its scale, layout and design. The proposal – see Figure 10 – does not follow the historic pattern of settlement growth in the village and does not read as a natural continuation of the settlement's evolution.

iii) Edge Relationships

The double frontages of the proposed plots would be without walled enclosures reflective of that which is found at other boundaries or properties in the village. The proposed planting in the public domain would not be integral to the layout of the appeal scheme, so would have a limited effect in softening the presence of built development and fail to enhance the rural landscape. Private back gardens are very small and face the communal garden rather than the street or Woodway Road appearing as in introverted development or closed community that does not positively address this existing rural edge of the settlement.

iv) Summary

The building typology and arrangement on the site, the garden sizes, communal spaces, contrived layout, large floor plans, non-traditional walling materials and timber boarding, "bungalow" design and detailing all lead to the conclusion that the proposal would significantly and demonstrably harm the character and appearance of the area. The design of the proposed development is poor – it is not locally distinctive and it includes many elements expressly mentioned in the Council's *Design Guide* as not being acceptable. The proposal is therefore considered to be contrary to Policy ESD15 of the CLPP1, Policy C28 of the Cherwell Local Plan, 1996 and the adopted *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*. See Appendix 2 for the wording of Policies ESD15 and C28.

OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework

The National Planning Policy Framework ('NPPF') is a significant "other material consideration" of considerable weight. The NPPF includes the fostering of 'well designed, beautiful and safe places'. The concept of 'beauty' in the NPPF is new and features in a number of specific policies (Paragraph 126), which are underpinned by the principle that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The Government has confirmed that the term 'beautiful' should be read as a high-level statement of ambition rather than a policy test and planning authorities, communities and developers are encouraged to work together to decide what beautiful homes, buildings and places should look like in their area. This should be reflected in local plans, neighbourhood plans, design guides and codes, taking into account Government guidance on design.

The Council has already sought to do this via its development plan policies and its *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*. The proposal conflicts with its aims, objectives and principles surrounding quality design. In short, the appeal proposal is not well-designed, fails to reflect design policies and positively respond to Government guidance.

Paragraph 134 of the NPPF states:

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

National Design Guide

The proposal does not satisfy many of the ten characteristics of well-designed places in the *National Design Guide*, that is the Government's guidance on design referred to in the NPPF, including the proposal's requirement to:

- C1 – Understand and relate well to the site, its local and wider context;
- I1 – Respond to existing local character and identity;
- I2 – Well-designed, high quality and attractive places and buildings;
- I3 – Create character and identity; and
- B2 – Appropriate building types and forms.

With this new policy emphasis on design it is clear that as the proposed development is not 'well designed', the appeal should be dismissed as it conflicts with the development plan and fails to reflect Government guidance on design, taking into account local design guidance (SPD).

Strategic Housing Land Availability Assessment Update (2014)

The Appellant seeks to over-emphasise the importance of the Council's *Strategic Housing Land Availability Assessment (SHLAA) Update, 2014*, which identified the site as having potential for residential development. The Appellant overlooks the following, crucial aspects of the SHLAA process:

1. It is a technical evidence document to support the development plan making process. It is however only one element of a wider evidence base which will be used to inform such a process.
2. It does not form part of the Development Plan, planning policy nor any wider form of formal or informal Council policy.
3. It does not allocate any sites for development.
4. It is not intended to pre-empt any plan making or other planning related decisions and does not indicate that planning permission should be granted or not granted for housing or any other use on any identified site.
5. Planning applications on sites identified within a SHLAA will continue to be determined on

their merits in line with the development plan unless material considerations indicate otherwise.

6. Prior to any site being allocated within the Development Plan it will be tested further through the plan-making process, including consideration through the Sustainability Appraisal process, public participation and Examination.

The Appellant's statements in respect of the SHLAA's comments about the site should therefore be given little weight in the assessment and determination of this appeal. This would be consistent with the comments of Inspector Jonathan Hockley in his appeal decision at Fringford Cottage, Main Street, Fringford (APP/C3105/W/18/3204920), when he stated that a Housing & Economic Land Availability Assessment '*does not in itself determine whether a site should be allocated for development*'. Inspector Hockley referred to Planning Practice Guidance and gave only moderate weight to the HELAA but considered this did not outweigh the conflict with the Development Plan.

SUMMARY & CONCLUSION

In conclusion, for the reasons outlined above we strongly object to the appeal proposal, which we consider as unnecessary, unsustainable, harmful to the character and appearance of this part of the village/open countryside and therefore contrary to the Development Plan, the *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*, the NPPF and National Design Guide.

We therefore respectfully requests that the appeal be dismissed. Such a decision would be in line with Section 38(6) of the *Planning & Compulsory Purchase Act 2004 (as amended)* and Section 70(2) of the *Town and Country Planning Act, 1990*, as the proposal is not in accordance with the Development Plan and dismissal of the appeal is supported by other material considerations, with any benefits being significantly and demonstrably outweighed by the harm caused.

We would therefore request that the Inspector takes these strong, reasoned and justified representations into account when considering and determining this appeal.

Yours sincerely

Stewart Roussel

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/C3105/W/22/3298098

DETAILS OF THE CASE

Appeal Reference APP/C3105/W/22/3298098

Appeal By BLUE CEDAR HOMES LIMITED

Site Address
Land South of Faraday House
Woodway Road
Sibford Ferris
Grid Ref Easting: 435390
Grid Ref Northing: 237185

SENDER DETAILS

Name MRS BRENDA VANDAMME

Address
Partway House
Sibford Ferris Road
SWALCLIFFE
OX15 5HA

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

Relates to Section: REPRESENTATION
Document Description: Your comments on the appeal.
File name: APPEAL APP C3105 -W-22-3298098 CHERWELL COUNCIL APPLICATION
21-04271-F.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

Mrs. Brenda Vandamme
Partway House
Sibford Ferris Road
Swalcliffe OX15 5HA

October 6, 2022

Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Appeal Ref: APP/C3105/W/22/3298098
LPA REF: 21/04271/F

Dear Sir:

The Applicant having tried to resubmit the same Application as the above 21/04271/F without any modifications under Planning App 22/01773/F , and having seen that not only was there as much Local objection but that Severn Trent decided to place a Hold on their Consultation, the Appeal Route is now the only route open to this developer of 6 bungalow homes for retirees that are not in keeping with the Conservancy style of the village and will add 25 vehicles to the traffic .

In my letter to Severn Trent ,as per attached, Severn Trent has acknowledged that an earlier Permit that was granted with Condition (18/01894/OUT) for 25 homes together with this Application under Appeal of 6 homes will add a significant weight of foul as well as unprecedented Drainage and water system pressure.

The system in the village of Sibford Ferris has not been upgraded whatsoever nor has Sibford Gower's, where the foul and sewage will be sent. This is unacceptable and Severn Trent has acknowledged that they would prefer to work with Cherwell Council and even object with Cherwell Council against this Application at the level of Secretary of State.

The Environmental Agency already has several lawsuits in neighbouring villages with developers who have neglected to make substantial investment to upgrade drainage and foul systems in order to justify and sustain such housing development.

Local and National Planning policies and directives do not allow for an abuse of the system and this has been proven in the European Court of Justice with a Class Action suit against water companies in the UK in 2012 , which set a precedent that such development were not in keeping with those targets for protection of water quality and protection for the environment from sewage disposal into the rivers, etc.

As residents, there has been a failure of transparency on all of the above matters and this game playing must stop as it is making a mockery of the Planning System and causing real harm to our environment and our quality of life.

Please reject this Appeal on the Application 21/04271/F and allow Severn Trent to work with Cherwell to create a better and safer waste and water drainage network and force developers to truly follow through with their promises of investments rather than trying to clean up the mess after the houses have already been built .

Sincerely yours

A solid black rectangular box redacting the signature of Brenda Vandamme.

Brenda Vandamme

Mrs. Brenda Vandamme
Partway House,
Swalcliffe OX15 5HA

Attn: Sylene Finnikin-Asset Protection Waste East Midlands
Attn: Executive Office
Severn Trent Water Ltd

July 11, 2022

Dear Sirs,

Ref: Planning Application CDC Ref:# 22/01773/ F
Ref: Planning Permit w/ Conditions 18/01894/OUT

It has come to my attention on the Cherwell District Planning Portal that Severn Trent is a Consultee on the First Referenced Planning Application which is for 6 homes in Sibford Ferris.

It also appears that Severn Trent is still yet to answer questions regarding additional sewage and surface water on the Planning Permit with Specific Conditions Ref# 18/01894/OUT.

The Planning Permit was conditional on Severn Trent assuring the Council and residents as to the ability of the current sewage and drainage systems to cope with the additional approved 25 homes in Sibford Ferris. This obligation has been proven in the European Courts in 2012.

As this topic is very much in discussion in House Of Lords and in the government in general, whereas water companies have been reaping huge profits, there appears to have been very little investments in the last 12 years to guarantee that rivers and streams are not polluted and that There is adequate drainage and no surface overflow except on occasion.

By adding 25 homes and then another developer applying for 6 additional homes on top of this, this is adding 30 % more homes onto a system which has had no investment and is not properly equipped to guarantee adequate protection and service to the already resident homeowners in Sibford Ferris Village.

Where is the modelling assessment in detail and where is the Local Authority written consultation and approval on this matter.

We in the village insist to have these answers before construction starts and ruins the village. We have been waiting for Sylene Finnikin to come back to the Sibford Association of Residents SAG In order to ascertain what measures are being taken which were promised.

If these developers build when Severn Trent has not honestly made the required investigation and/or investment, I and other Committee members will have no choice but to start a Class Action Lawsuit against Severn Trent for reparation and damages for all homes that may be affected by these developments in the future. We are currently discussing with Counsel.

Sincerely,

Brenda Vandamme