

3 West Street
Stratford-Upon-Avon
Warwickshire
CV37 6DW

Ms Caroline Harvey
The Planning Inspectorate, Room C Eagle,
3rd Floor Temple Quay House, 2 The Square,
Bristol,
BS1 6PN

Date: 19/12/2023

Dear Ms Harvey,

Subject: Objection to the Appeal by Blue Cedar Homes:

Appeal Reference: APP/C3105/W/W23/3329834

Location: Land South of Faraday House, Woodway Road, Sibford Ferris, Nr. Banbury, Oxfordshire

Proposal: Erection of 5 no. two storey age restricted dwellings (55 years) for older people with access, landscaping and associated infrastructure

Planning applications on this greenfield land have been now been refused twice by Cherwell DC, and one at Appeal, on grounds of demonstrable and unjustified harm to the character and appearance of the area.

The first application was for 6 “chalet style” properties, disingenuously labelled for the “over 55s” On refusal, both by Cherwell DC and at appeal, the applicants then incredibly submitted an application for 5 two storey homes. Whilst on the face of it this is one less unit, the applicant failed to adequately demonstrate the 9m ridge heights of these units, dramatically increasing the height, massing and impact of their proposed scheme, visiting even greater harm to the character and appearance of the area than the previous application!

In summary:

Application 21/04271/F decision dated 8th April 2022: Reasons for Refusal:

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

Appeal decision dated 9th March 2023: Reasons for the Dismissing this Appeal:

28. The tilted test within paragraph 11 d) ii of the Framework applies. However, the harm to the character and appearance would be significant demonstrably outweighing the modest benefits. Consequently, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. There are no material considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan. Under section 38(6) of the Planning and Compulsory Purchase Act 2004, the decision should be taken in accordance with the development plan and planning permission refused.

Application 23/01316/F decision dated 16/5/23: Reasons for Refusal:

REASONS FOR REFUSAL

1. The site is located outside the built form of Sibford Ferris and within an area of open countryside. The Council is able to demonstrate a 5.4-year housing land supply and therefore the housing strategy Policies in the Local Plan are up-to-date and the proposed development would conflict with the adopted policies in the Local Plan and would undermine the housing strategy in the Cherwell Local Plan. The proposal constitutes residential development in the open countryside, beyond the built up limits of the nearest settlement, for which it has not been demonstrated that there is an essential need. In its proposed location the dwelling would therefore be an unjustified and unsustainable form of development. The proposed development is therefore contrary to Policies PSD1, BSC1, ESD1 and Villages 1 of the Cherwell Local Plan 2011-2031, Saved Policy H18 of Cherwell Local Plan 1996 as well as the Council's declared climate emergency and would not accord with Government guidance within the National Planning Policy Framework. This conflict with policy and the environmental harm identified significantly and demonstrably outweighs the proposal's benefits.
2. By reason of its location, scale, layout and design, the proposal would be out of keeping with the form and pattern of development of the surrounding area, and would have a poor and incongruous relationship with the existing settlement, would have an urbanising impact on the rural setting of the village, appearing prominent in the open countryside and would adversely affect the immediate landscape setting of Sibford Ferris and the character and appearance of the area. The proposed development is therefore contrary to Policies ESD13 and ESD15 of the Cherwell Local Plan 2011 - 2031 Part 1, saved Policies C28 and C30 of the Cherwell Local Plan 1996, the Cherwell Residential Design Guide, National Design Guide, and Government guidance in the National Planning Policy Framework.

Boring isn't it, reading and re-reading the same reasoning and decisions issued by both Cherwell District Council and the Inspector on applications and appeals submitted over the past 2 years. Not once has the applicant sought to address the principle reasons for refusal, the unwarranted and unjustified encroachment onto the Green Belt and harm to the character and appearance of this rural village and surrounding countryside.

Taking the above into account, I am sympathetic with those who believe this approach has now become an abuse of the planning system. Repeat applications should only be permitted where the grounds for earlier refusals are deemed to have been adequately addressed and overcome.

Further, although not directly a planning issue, consideration should be given to the mental wellbeing of the residents of Sibford Ferris who, in this case, have been forced to repeatedly defend their village from inappropriate development by a developer wilfully ignoring the reasoned decisions of the planning authorities.

The timing of the appeal has no doubt intentionally been made to coincide with Christmas, as was application 21/04271/F, the underhand intention being to circumvent the planning process in the hope residents will be distracted, thus denying them a voice.

Given all of the above, I have absolute faith this appeal will be similarly dismissed and hopefully in strong enough terms to put an end to the exploitation of Sibford Ferris and the surrounding area.

Finally, I refer to the Objection Report issued by Chadwick Town Planning on behalf of the Sibford Action Group which gives a more detailed explanation of the reasons why I also respectfully request that the appeal be dismissed.

Yours Sincerely,

Nick Rowland