

Culbone
The Leys
Adderbury
Banbury
OXON
OX17 3ES

Bob Neville
Planning Officer
Cherwell District Council
Bodicote House
Banbury
Oxfordshire OX15 4AA

11 January 2020

Dear Mr Neville

Planning Application No. 19/02691/F - 3 new dwellings in The Leys, Adderbury

We strongly object to this Application for three large houses on land east of The Leys Adderbury. This development will not benefit the village of Adderbury at all, in fact quite the opposite. It will not offer Adderbury's young a chance to buy within the village, nor is it an appropriate site to build a large number of houses to alleviate housing shortage. It's not even a single storey development for the land owner's own use in mature years, it is purely a development for profit at the cost of the area. Further specific concerns behind our **OBJECTION** to Planning is as follows:

1) Footpath

We are surprised this slightly revised Planning Application has seemingly obtained agreement to reroute the footpath as originally The Countryside Access Officer said right angle diversions were unacceptable. It's a real shame as this should really be a lovely walk where villagers can enjoy wildlife and green surroundings, but for the neglect of the path so it now seems - to be able to refer to the area as 'scrubland' as opposed to garden. Seeing the Footpath closed if building work is carried out, will also be a loss to villagers and other walkers. The previous Footpath route was never maintained properly, why therefore should any change be considered at all? Has neglect of the footpath just been a ploy? What assurances will be given for the maintenance of a revised Footpath?

2) Outside Adderbury Settlement Boundary

The proposed development site is located outside the Adderbury settlement boundary as defined by policy AD1 of the Adderbury Neighbourhood Plan and specifically point 5.12 states "In some places, there are dwellings on the edge of the village with long gardens extending into the countryside beyond. As the sub-division and development of such rear garden land is not considered an acceptable form of infill development in principle, they have been excluded from the boundary". The application refers to the proposed area as scrubland, when it is clearly an unkempt garden. (Disused tennis court, ornamental trees and where the Public Footpath has quite simply been neglected; a cynic might suggest purposely so, to support an approach for change of use and ultimately a Planning request - to tidy what is now seen as a heavily 'neglected' garden.)

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3) Not within the Built up Limits of The Cherwell Local Plan (“CLP”) for Adderbury

The Plan recognises that Adderbury is a village that can accommodate a limited amount of new growth. This growth is to be accommodated within the built up limits of the Village. This site is not within the built up limits, albeit adjacent to it. As the Council is currently able to demonstrate a 5 year housing land supply, the proposal would be contrary to the development strategy for the village and the area. Consequently, the proposal would not represent a sustainable pattern of development and it would conflict with Policy Villages 1 of the CLP and Policy H18 of the Local Plan.

4) Green infrastructure and Wildlife

The development would adversely impact the rural nature of the area and is contrary to Policy AD2 Green Infrastructure of the Adderbury Neighbourhood Plan. This area runs parallel to the old railway line adjacent to The Lucy Plackett Playing Field which in the neighbourhood plan is designated open spaces and crucial to keeping Adderbury a proper country village with nice green spaces and good diversity of wildlife for all to enjoy. The adjoining railway embankment is a designated Local Open Space under Policy AD4.

The proposed site and the adjoining land provide a valuable habitat and corridor for wildlife, which is vastly under estimated in the Environmental Survey commissioned by the Applicant and their advisors. As residents adjoining the proposed development site, we know there is a diverse variety of wildlife species in the vicinity including: Badgers, Barn Owls, Foxes, Grass Snakes, Hedgehogs, Muntjac Deer, Roe Deer, Bats, Tawny Owls, Jays, Green Woodpecker, Great Spotted Woodpecker, Mallard Ducks, Moorhens, Pheasants, Herons, Squirrels, Newts, Frogs, Toads, Bullfinches, Chaffinches, Greenfinches, Blackbirds, Thrush, Kingfisher, Blue Tits, Great Tits, Coal Tits, Long Tail Tits, Tree Creeper, Nuthatch, Sparrow-hawk, Grey Wagtails and we are very lucky to have song thrushes which are becoming increasingly rare.

5) Traffic and Highway safety

The other amendment to this original application, for a simple passing place on the concrete service road, is in no way going to alleviate traffic concerns. Access to the proposed development remains via The Leys, a narrow single track lane. The surrounding roads are very narrow too and often congested with a lot of on street parking. There are no footpaths in Tanners Lane or The Leys and this is a popular and well used route for dog walkers and families with small children, walking to The Lucy Plackett playing-field, as well as walkers accessing other village footpaths and residences. Vehicles meeting on these lanes often have to reverse to pass and at times it is necessary for pedestrians to climb grassed banks to allow vehicles to drive by. Bearing this in mind, does it really make sense to increase the traffic to The Leys by another 6-12 cars (from 3 large family houses) and that is without even considering the impact of any development construction traffic? The large Plant and equipment necessary to clear this difficult to access site, together with general construction vehicles and multiple building materials deliveries will be unbearable for existing local residents. This is contrary to point 6.4 in the Planning Statement November 2019 prepared by Framptons which glibly states that "The proposed development will have no impact on the amenity of occupiers of neighbouring properties".

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In recent years, sewage lorries accessing the sewage works via Tanners Lane and The Leys have caused damage to verges, doorsteps, and most notably underground drainage systems which have required repair and such vehicles are not the largest nor indeed the heaviest. The old stone cottage (No. 1 The Leys) could suffer impact or vibration damage in that it is only 40cm from the edge of the lane, which at this point is just a single file road only 290cm wide, which even refuse collection trucks struggle to navigate. Similar concerns could also be raised for the thatched 'Listed' cottage known as The Leys, which would need to be passed by heavy construction plant and a wider array of vehicles, having never been built to see a through flow of additional traffic - whether before or after any building development.

6) Flood Plain

The lower part of the proposed garden development is prone to regular flooding. As the immediate neighbour owning agricultural land running parallel to this we have photos of this area under water, if Planners would find such evidence helpful to review. The ditch separating the proposed site and our neighbouring land feeds in to the Sor Brook and when the Sor Brook itself has a high water line, it back flows into the ditch and floods into the area of the proposed Plot 3. If Plot 3 was to be built it will flood and if prevention measures were to be considered, the question has to be asked where would such waters be dispersed to? As a neighbouring landowner we would not wish to see this problem simply moved to our neighbouring land. Particularly as we have been the ones seen to give any maintenance and attention to the flow of the ditch for the ten years we have lived here now and no doubt the previous landowner did the same before us. (The ditch having been wire fenced off by the Applicant/landowner for several decades.)

7) Trees

The 'neglected' garden as it is described is full of diverse beautiful trees and plants which could have been maintained better and would potentially need to be ripped out and destroyed to facilitate this proposed development. Some trees are now subject to Tree Preservation Orders but the application does not appear to have considered the full extent of the root system of the Old Oak Tree - marked as T24 on the Apical Arbor Tree Plan diagram, its trunk sitting within our property boundary.

Oak tree's have an extensive root system spreading horizontally, this lateral mass of roots bring the tree moisture and nutrients for its lifetime. Most oak tree roots lie only 18 inches under the soil, they spread to occupy a space four to seven times the width of the tree's crown. The plans only show protection of the area directly under the canopy (or crown) of the tree and does not allow for the fact that roots will undoubtedly be across the whole area of the proposed Plot No.1.

Taken from:- The Root System of Oak Trees Written by Mary Simpson; Updated December 14, 2018

"The greatest threats to the health of an oak tree's root system include poor drainage, trenching nearby and paving. If an oak is not in a site with adequate drainage, the balance of moisture, air and nutrients is upset. Overwatering or too much rainfall can smother the roots and lead to crown or root rot. Structural barriers, like concrete foundations, streets or even swimming pools downhill from oaks, can dam water, forcing it into the root zone of a tree. Digging a trench to install utilities too close to an oak can sever a portion of the roots and weaken the tree. Asphalt or concrete paving nearby may compact the soil and impede the exchange of gases, thereby damaging the roots."

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Our own property (Culbone) was built on a floating foundation to help safeguard the tree and the structural integrity of our house. However were such additional development to be permitted in such close proximity we would have distinct concerns for the well-being and longevity of the Oak and were it seen to demise, the possible impact on our own property's structural integrity. We will be seeking more professional advice on this issue.

8) Bin collection area

It may be a thoughtful concept to combine a bin collection area with a bat loft, however, in reality it will struggle to work because bin lorries will not go on to private land, hence multiple bins would doubtless end up having to be put at the end of the concrete service road where it joins The Leys. So on weekly collection days, a further 3-6 or even more bins could be on that junction in front of a very pretty listed thatched cottage and more worryingly create yet more traffic hazards! There is simply no space for bins here without causing obstruction and to say this would be only one day a week puts the onus firmly on all homeowners returning bins promptly post emptying and not leave them out for several days before or after collections. Furthermore leaving them out overnight - in a poorly lit narrow lane - is likely to create additional obstacles for access by existing residents.

9) Loss of privacy

The Planning Statement (page 14 - 5. 3. 11) comments that: "it is concluded that the proposed development will have no adverse impact on the ability of its neighbours to enjoy their properties." This statement defies belief as these proposed properties have an above average amount of glass and will be very intrusive on the privacy of Culbone and its garden areas. Having so much glass to the upper floor is particularly intrusive especially when it is full length complete with Juliet balconies.

In particular the proposed Plot 2 is a large imposing house only a few metres away from Culbone's boundary fence, directly over looking the garden. On examining the proposed floor plans you have to question the positioning of the windows in bedroom 1. The main windows to this room could surely have been easily put on the front elevation? Also bedroom 5 has a window directly overlooking Culbone's garden, which appears to be a secondary window to this room and therefore for the size of the room completely unnecessary. We see no stipulation in the plans for Bedroom 2 's en-suite window to be frosted? Hence not only are all of these windows extremely intrusive on Culbone's garden areas but we find it hard to imagine the sort of person buying this size and price of house - actually wanting to look out on sheds, stables, chicken house and an old greenhouse!

Planners and developers also need to fully appreciate that the proposed development site is on a gradient and as such, means that Culbone will be directly looking down into Plot 2. Not only is this unfavourable to Culbone, surely it would also create a privacy issue for any occupants of the proposed new house (Plot 2)?

We do not feel adequate consideration has been given to the privacy of neighbours at all.

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10) Livestock and animals

The proximity of Plot 2 to Culbone's Stables, Barn and Hen house is questionable, as will potential occupiers of a £million plus house want to be close to the smells and noise of animals on agricultural land? Also when part of our adjoining land is for agricultural use and grazing, is it really appropriate to allow expansion of residential development which can create potential conflict with well established grazing rights, husbandry and general welfare of animals on neighbouring land?

11) Services

These are already stretched to The Leys, we have low water pressure and an unreliable electric sub-station which often trips. The Internet can be troublesome and slow, at times, the Application suggests a 'mains sewerage' connection – is village sewerage capacity able to cope with the extra demand of 3 large houses in this location? Also to avoid any misunderstanding, with the incline of the proposed development land sloping downwards towards the sewerage works, is this to suggest a possible sewerage connection to the lower end of the development site, across land belonging to Culbone? This is definitely not something we would be willing to permit.

In conclusion we consider ourselves custodian's of Culbone's garden and land. It is a rural idyll where wild life is in abundance and has to be seen and experienced to be properly appreciated, so as mentioned in the original Application approach and our comments at that time, we extend an invitation to Planners to visit our property to see our concerns for themselves. This development would destroy this wonderful hidden valley which is a haven for wildlife, as well as open the door for new building lines - and potentially even more development in this area. Permission for this latest Planning approach should therefore be refused.

Yours sincerely

Mr & Mrs S Bateman
Culbone owners & residents