

The Bourtons Parish Council
Great & Little Bourton, Banbury, Oxfordshire

May 4th, 2021

Mr James Kirkham, Planning Officer
Cherwell District Council
Bodicote

Submitted via email

Re : planning application 21/00922/OUT : Land west of Foxden Way, Great Bourton

Bourtons Parish Council object to this application on the following grounds:

1. Unsuitability of the proposed site for an Entry level development.
2. Severe Traffic Implications.
3. Lack of local amenities and Transport
4. Inadequate provision for Water and Waste Disposal
5. Ecology report
6. Further concerns

1. UNSUITABILITY OF AN ENTRY LEVEL SITE IN GREAT BOURTON:

- a) In light of the lack of information regarding Entry Level development sites, we have assumed that the criteria to Rural Exception sites will apply in part to this application. We recognise that one significant difference between the policies for Entry Level development and Rural exception development is that the need for affordable housing is calculated across the Cherwell District rather than by rural location. In fact the Government's revision of the NPPR in July 2018 states the following :

- I. The occupation isn't restricted to current village residents, or those with a local family or employment connection, thus opening sites to a wider market.
- II. Planning permission won't be dependent on there being a specific local need for affordable housing.
- III. Paragraph 71 of the NPPF does not require that the land involved must be used for affordable housing 'in perpetuity'. So theoretically there could be a future change to market housing.

We may presume then that CDC will regard this application as a 'Windfall' site although not specifically identified in their development plan. As such we believe it would be better placed in a Category A settlement where there are more amenities for first time buyers.

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- b) We note from Cherwell's Housing Strategy Priorities 2019 – 2021 document that between April 2012 and March 2018 over 1,500 new affordable homes were provided in the district. Each year since 2014/15 they exceeded their target of enabling 150 new affordable homes to be built per year; in 2017/18 this rose to 443. There are currently 29 affordable homes available within a 5 mile radius of Great Bourton (ref: HelptoBuy site as at 01/05/2021). Ranging from a 40% to 75% share.
- c) We note that the average price of a three bedroomed property in the Bourtons is £475,000 and a two bedroomed property is £375,000 so if the price of the affordable properties is adjusted by the determined percentage discount (20%), it still represents a higher than Banbury rate for purchase of affordable housing.
- d) We question whether there is a need for further affordable or social housing in the Bourtons given that we already have 28 properties which fall into this category, the latter 21 of which, were not taken up by local residents or their relatives and 2 of which are currently empty.
- e) To ascertain the level of local need, rather than accept the findings in the YouGov document provided by the applicant with only 137 members from the Cherwell District none of whom we suspect were from the Bourtons, we conducted our own Housing Needs Survey, the content of which was overseen, before being distributed, by Frances Evans, CDCs Housing Strategy & Development Team Leader. The interim results are shown in Appendix I.
- f) The results show that 51.18% of the demographic is over the age of 55: 100 of whom are retired or semi-retired. Of the 14 families who have family members who have moved away from the parish, only 2 would choose to return. The lack of transport and local amenities being cited as reasons for not returning.
- g) From the results from our survey so far, we believe it would be difficult to find any local applicants who would qualify under the terms of Affordable Housing purchase. According to CDCs website information relating to Rural Affordable Housing: "Planning permission is only granted on sites where housing need has been demonstrated and the homes provided will be affordable and reserved for local people in perpetuity." Therein lies a contradiction regarding who would be eligible for any affordable housing in the Bourtons if ultimately a Cherwell District requirement is engaged.
- h) As an outline application, little information is supplied regarding the size and design of the housing stock. We note from CDCs Affordable Home Code of Practice that there is a desirable provision of 25 dwellings for 1 hectare of land, so suggest that with a 0.9 hectares site identified in Great Bourton the number of houses would ultimately be increased thereby making some of the accompanying information such as traffic projections, inadmissible. Ref: Efficient use of land with densities normally in excess of 30 dwellings per hectare will be sought (see paragraphs 3. 18 – 3.20 in Local Plan). If this application is approved, there surely must be a danger that the number of dwellings is increased from 9 to at least 20 homes.
- i) We cannot determine from the information available either from the NPF or Cherwell's Local Pan whether an Entry level site would set a precedence for the land opposite to be developed, although the laws relating to Rural exception state clearly that this should not be the case. However as Planning Policy set out by the Government, is due to be amended

shortly, we are concerned that this may change the status of Rural Exception and Level Entry sites.

- j) The application documents referred several times to the Allotments defining the edge of the village. In the (Landscape & Visual and Technical Note: point 2.1.9, it says "The allotments extend the perceived presence of the settlement to the south of the site", and in point 2.3.1 says "The presence of the allotments to the south also reinforces the village fringe character of the site."). We were assured by CDC when the allotment site was secured, that it would not be regarded as part of the village boundary. Furthermore, the current site was an exchange of land in 2017, from the previous site located at Bourtons Fields Farm on the Southam Road and accessed from the A423. Consideration regarding the exchange was given to ensure that the new allotment site still retained the essence of tranquillity and green space to support the wellbeing of its members.
- k. On 6 August 2020, the government published 'Changes to the current planning system' which stated that "First Homes should be a product to benefit local areas and local people, which is why it is important for local authorities and neighbourhood planning groups to have flexibility over how the product works in their local area." From the objections already lodged by residents and the Parish Council's submission, we submit that this application does not meet either the Government or Cherwell District Council's mandate. We also note there are currently 324 long-term empty homes in the wider Cherwell area.
- l. Finally, this site should not be regarded as a brown field site as mentioned in the NPPF or Cherwell's Local Plan – it is a greenfield site which would intrude significantly into the local countryside landscape and does not comply with Rural Exception Site Guidance and presumably with Entry Level Site Guidance. Neither does it have the amenities to make this a sustainable Development

2. SEVERE TRAFFIC IMPLICATIONS:

- a) Significant concern from residents, is the increase in traffic. Understandably, because the exit road from the proposed entrance to the development will impact not only Foxden Way but School Lane and Crow Lane in Great Bourton and Spring Lane in Little Bourton.
- b) It can be presumed that exiting traffic from the site will use Foxden Way to drive into Banbury, Crow Lane to drive to Cropredy and School Lane to access the A423. None of these routes represent a safe exit.
- c) Foxden Way, accommodating the entrance to the site, Crow Lane and School Lane being the immediate exit routes from the proposed site, all have difficulty in enabling passing vehicles. Crow Lane, School Lane and Spring Lane in Little Bourton all have 90° bends with no passing places which further make these lanes unsafe for increased traffic movements. Furthermore in Spring Lane there are five cottages whose residents who have only roadside parking, so traffic movements through Little Bourton to Banbury are hindered at all times of the day.
- d) We should also consider the extra-large heavy duty farm traffic generated by two local farms during two months of the year during Harvest time which renders the roads particularly hazardous with zero passing space for other users. Visiting HGV trucks to the farms and 7.5 ton horse lorries or larger, have to wait on Spring Lane for residents to move their cars because it simply isn't wide enough to get through. As the two farmers work closely together, they are taking on more land each year so they are getting busier and using the

roads more and more as it is their only access to their farms. Residents in Spring Lane have experienced numerous incidents of damage caused to their parked cars. The same traffic has also caused significant damage to verges, water mains and external walls of properties in School Lane.

- e) Mention was made in the applicants proposal for passing points in School Lane, apparently recognising that this is a single lane track. To suggest that residents' driveways could be used as passing points, is completely unacceptable. Currently they are used by pedestrians, with consent, to avoid oncoming traffic but none are wide enough or suitable for vehicle use. Some have been finished with block paving which would not have been installed with heavy vehicle usage in mind.
- f) The applicant has submitted the ATC which was carried out for their previous application ref: 19/01808/F. This related to School Lane only, so did not consider traffic from Crow Lane through Foxden Way and Spring Lane in Little Bourton, to access the Retail Park and Tesco's, used regularly by Cropredy residents. Bourtons Parish Council disputed the accuracy of this report since there were no recordings of farm vehicles for that week, which are regular and frequent vehicles using Foxden Way and School Lane. For the same period of time we carried out our own manual survey, the results of which were quite different from those submitted by the applicant albeit that our manual survey only covered the period from 8am until 11pm. Since then there has also been a 44 % increase in delivery drivers (measured against the national standards) to meet the demands of online shopping and the latest surveys predict that 9 out of 10 families will continue to use online shopping, so we don't anticipate a significant decrease in delivery vehicles.
- g) In view of the inadequacy of the applicants' ATC and its inappropriate reference for this new application, we have carried out our own traffic count on Foxden Way, the results of which will be forwarded to you before your decision date.
- h) Reports were identified of accidents relating to the roads associated with this proposed site: it does not and cannot of course, detail the number of 'near misses' which are not reported. We can report with confidence that there are on average three each week. As there are no footpaths: pedestrians use residents' driveways as a means of escape in School Lane and use the grass verges on Foxden Way, some of which are a 12 inch (30.48 centimetres) step high.
- i) Foxden Way, Crow Lane, School Lane and Spring Lane, are used regularly by pedestrians, runners, cyclists, mobility scooter users and horse riders. There are 4 regular users of mobility scooters who have no means of escape from oncoming traffic. There are no footways on any of these routes. Furthermore, School Lane, Crow Lane and Spring Lane in Little Bourton are completely blocked if a large vehicle is making a delivery or refuse lorries are collecting.

3. LACK OF LOCAL AMENITIES AND TRANSPORT:

- a) The applicant has quite rightly pointed out that there are only 2 buses each week which provide travel to Banbury or Leamington Spa. It should be noted that this service provides social time only and a limited shopping time but does not provide an adequate service for those working or attending education establishments in either of those two locations. Neither do they connect efficiently with any train travel from Banbury or Leamington.

- b) The bookable transport also mentioned, was originally established by Bourtons Parish Council working with other North Oxfordshire Parish Councils, to create some local transport provision following the withdrawal of grant support by OCC. This involved the injection of upfront financial support. Further, Bourtons Parish Council has allocated £15,000 of funding (payable over 3 years) to the provider from the money granted by the Section 106 money related to the Garners Field development, following consultation and agreement with OCC.

This bookable service will remain only as long as financial support is in place, so cannot be regarded as a permanent feature to the overall transport provision.

- c) You will know that all parish councils are having to increase their expenditure to provide services previously provided by OCC, therefore providing support for this extra transport service will be regularly reviewed.
- d) There is a free bus for primary school aged children to Cropredy School but there is limited or only paid for provision for children attending secondary education: The following table (which is listed as per the latest league tables for this catchment area) details this:

Catchment Area Secondary School	League Table ranking	Travel Cost
Blessed George Napier	4	Provision discontinued
Warriner School	5	No provision
*Kineton High School	6	£700 per annum
Chenderit School	7	Provision discontinued
Wycombe Park Academy	10	Free transport
North Oxford Academy	11	Free transport

- e) For those schools with no transport provision, and families choosing any other secondary schools in Warwickshire other than Kineton, taxis are necessary (circa £1,000 per annum) or a robust car sharing system for parents to take the children to and from school.
*The preferred school for most families in the Bourtons is Kineton High School.
- f) The school, a shop, medical centre and part-time post office (two mornings a week) are available in Cropredy so a substantial walk or car journey is necessary. Bourtons residents use Banbury Supermarkets on a regular basis either by on line shopping or car travel. We submit therefore that an affordable housing development in Great Bourton would not meet either the carbon footprint optimum or amenities criteria nor would it support a sustainable feature.
- g) The parish Council had many meetings with Stagecoach to secure more services to the Bourtons but this was not possible because their scheduling restricted time of departure and return: none of their routes could meet their criteria for pick up and drop off. Even with the availability of our Section106 money (circa £30,000) and our suggestion to add the Bourtons on to the Hanwell fields and/or Crematorium timetable, we could not be included.

- h) The applicant suggested that the current bus routes may be different from pre-covid timetables – this is incorrect – the current timetable is just as it was pre Covid and will not be improved upon in the foreseeable future.

4. INADEQUATE PROVISION FOR WATER AND WASTE DISPOSAL

- a) Much has been submitted already regarding the arrangements for dealing with water run-off from the site and waste disposal. We would draw your attention to the submissions by Mr Cannon who has not only installed all of the drainage systems in the Bourtons but also has first-hand knowledge of the effects of development in the Bourtons on the persistent flooding experienced by the Bourtons and Cropredy. Water run off impacts significantly on Cropredy, in fact the previous development by this applicant has already impacted Crow Lane and ultimately Cropredy. In the winter months Cropredy school has been flooded and closed on many occasions resulting from the water run-off from the Bourtons, therefore we are acutely aware of the necessity to reduce this occurrence wherever possible. The Environmental Agency will have many supporting reports regarding this issue.
- b) The proposed arrangement for waste disposal presents an equally worrying picture.
REF: 264337-01-TN-01 REV A
- c) **Surface Water Management Strategy**

Watercourse: "A ditch is noted along Foxden Way and adjacent to the eastern boundary of the site. This is considered to be a viable outfall route for surface water flows from the site and is likely to receive existing overland flows from the site. This ditch course will therefore be the outfall location for surface water flows from the proposed development."

This can only be considered as a viable option if the applicant can provide a strategy for directing the outfall route in an uphill direction.

Tony Brummell in his drainage consultation document has said that water must be retained in onsite soakaways. This seems equally flawed, given the known impermeable nature of the local mudstone substrate.

Foul Water Drainage

"Foul water generated by the site will be collected and treated on-site via a Klargerster Sewage Treatment Plant or similar and will be discharged as clean water into the existing ditch network along the eastern boundary via the proposed attenuation basin. The detention basin will first be offered to bodies such as the Local Authority for adoption and future maintenance. Should this not be taken up, a management company will be employed."

If the ultimate plan is to direct the discharged foul water into the existing ditch network, we have the following comments following our investigations to similar installations:

We have examined an installation in Byfield where a Klargerster Sewage treatment plant has been installed since 1989 for one house with 9 residents. This installation is serviced every 6 months and tested by the environmental agency's land & water team, every quarter. The discharge is anything but clean, it also is discharged into the nearest ditch network: it contains toilet tissue and foodstuffs which are not processed by the Klargerster unit, sweetcorn being the most noticeable content. The exiting water leaves a grey sediment

which is shown in the attached image Appendix II. This then attracts rats and other vermin to the outlet. We can arrange a site visit for interested parties if necessary. Furthermore there is an undesirable odour which we would not want in either the ditch adjacent to the allotment or the burial ground both of which the Parish Council owns.

It should be noted that the ditches in Foxden Way, two of which are the responsibility of the Parish Council, are not regularly maintained nor are they connected. We would therefore submit that if the planning officers are of a mind to accept this application, the proposed development should be connected to the main Thames Water sewage system.

5. ECOLOGY REPORT:

- a) The Ecology report does not represent the historic status of the site. Before the works commenced on the applicants' current development site the application site was home to several species, including colonies of bats, swifts, grass snakes, and hedgehogs. These species have diminished due to the works being carried out on the site related to application 21/00094/F where rubble and hedging material have been dumped for an extended period.

6. PARISH COUNCIL FURTHER CONCERNS:

1. Entry level applications are new to us and also to CDC we understand. We fully appreciate CDCs need to provide rural affordable housing and on paper it may seem like a desirable objective. As this may be the first of such applications, we can understand that CDC may wish to deliver it as a plus point on their target list. But Great Bourton is not the optimum location for the reasons we and many of our residents have outlined.

We understand that every planning application can only be assessed on the information and material presented, but our raison d'être as the parish council is to present grass roots information and local knowledge, therefore we feel obligated by our duty of care to our residents to share the following:

- a. This applicant currently has a development underway for three dwellings - none of which are being built in line with their original application or their subsequent retrospective application.
- b. The outline plan of this site leaves a triangular parcel of land, owned by them, which could accommodate three more dwellings and would constitute an infill development, should the planning officer agree to this outline application.
- c. The site identified in the current application has been reduced to comply with the parameters for Rural/Entry Level sites by sectioning an area (a good road's width) directly to the field opposite South View. This field is owned by the same person who has sold previous sites to the applicant and has been identified on the Cherwell District Local Plan as a potential development site for 80 houses.

What we can see is a bigger picture for extensive development by stealth. The Parish Council agreed to the development on Garners Field to downgrade the development of the South View field on CDCs Local Plan and although it has been downgraded it is still present.

Our submission is based on true facts and represents our concerns and the views of our residents – we hope that they meet your need for accurate information regarding the unsuitability of this site for development.

Based on all the above points we would respectfully request that permission for this outline application is REFUSED.

Clerk to the Council
for and on behalf of
The Bourtons Parish Council

Appendix 1 : Interim results of housing needs survey

Appendix 2 : Picture of discharged foul water from a Klargester water treatment plant

Please reply to
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APPENDIX 1

BOURTONS PARISH COUNCIL

INTERIM RESULTS OF THE BOURTONS HOUSING NEEDS SURVEY 2021:	
RESPONSES RECEIVED TO DATE: 03/05/2021	131
HOME OWNERS:	119
RENTED HOMES:	41
LIVING WITH RELATIVES OR FRIENDS:	3
SHARED OWNERSHIP	1
NUMBER OF RESIDENTS:	295
In Employment	121
Housewives/Stay at Home Mums/Unemployed	30
In Education	44
Retired or Semi-Retired	100
Residents with family who have moved away	15
Family members who would move back	2
NUMBER OF RESIDENTS OVER THE AGE OF 55	151
Residents with no plans to move	104
Residents who expect to move within 5 years	37
Residents who would like a home designed for older people	9
Residents who would like a home to better meet their needs	5
Residents who would prefer a Bungalow	5
Residents who expect to need Accessible/Adapted Housing	10
Residents living in homes which can be adapted	66
Residents living in homes which cannot be adapted	10
COMMENTS FROM RESIDENTS:	52
No Need for further housing	19
Lack of Transport	9
Traffic Concerns	3
More Bungalows are needed	8
Miscellaneous comments:	
Need for adaptations to existing home	2
Rural environment needs to be protected	3
Lack of local facilities	6
Roads in poor repair	2

Bourtons Parish Council - 3rd May 2021

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APPENDIX II - Discharged foul water from a Klargerster Sewage treatment plant



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