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Your Ref:  
22/01773/F

29<sup>th</sup> June 2022

Erection of 6 one storey age restricted dwellings (55 years) for older people with access, landscaping and associated infrastructure - Land South of Faraday House Woodway Road Sibford Ferris – Blue Cedar Homes Limited (Planning Application No. 22/01773/F)

The Sibford Action Group act on behalf of a large group (over 150 members) of local residents living in Sibford Ferris and Sibford Gower - and write to strongly object to the latest planning application (22/01773/F) for six dwellings on land south of Faraday House, Woodway Road, Sibford Ferris ('the site') for the reasons set out in this letter.

This application as per the last application should be refused 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.

#### Background

This Sibford Action Group is very concerned about further residential development occurring in Sibford Ferris, which is relatively isolated, with limited infrastructure, a lack of facilities and poor

accessibility, especially by public transport. This great concern was supported by Cherwell District Council in the 2019 refusal of the application (18/01894/OUT) for 25 dwellings at Hook Norton Road, which then went to appeal and was allowed. The Action Group's worst fears are being realised, with this further inappropriate and unsustainable development extending beyond the built up limits of the village into the attractive open countryside surrounding Sibford Ferris.

The Action Group considers that just because one development has been unfortunately allowed does not mean this ill-conceived, unsympathetic, unsustainable and harmful proposal should also be approved. The 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. It would produce an incongruous and cramped form of development, which fails to respond to local character, the rural nature, character and attractive qualities of Sibford Ferris and its beautiful surroundings close to the edge of the Cotswolds Area of Outstanding Natural Beauty.

The Sibford Action Group object to the proposal for the following summarised reasons:

1. Conflict with the development plan;
2. Unsustainable;
3. Harm to the landscape;
4. Generating extra traffic on unsuitable roads; and
5. Poor layout and design, contrary to the NPPF and National Design Guide.

#### 1) Conflict with the Development Plan

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 be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

Policy Villages 1 in the adopted Cherwell Local Plan 2011-2031 Part 1, the principal element of the development plan in this case, allows for the most sustainable villages to accommodate 'minor development' within the built-up limits of villages and all villages to accommodate infilling or conversions. The Local Plan adds that the appropriate form of development will vary depending on the character of the village and development in the immediate locality. The Local Plan also states that in assessing whether a proposal is a "minor development" the Council will have regard to the size of the village, the level of service provision, the site's context within the existing built environment and whether it is in keeping with the character and form of the village and its local landscape setting.

The site is not allocated for development, is not previously developed and sits outside the built-up limits of the village. For the reasons set out in this objection, given the small size of the village (a population of about 470 people), its one shop, the rural context and the uncharacteristic form of the scheme, which is clearly at odds with vernacular architecture and the pattern of development in the locality, the proposal conflicts with Policy Villages 1 [and other policies dealt

with in turn below].

Policy Villages 2 identifies the Category A villages – including Sibford Gower/Sibford Ferris combined - as being where a limited amount of development – 750 dwellings - to meet District housing requirements and help meet local needs should be directed, subject to certain criteria. The intention is to protect and enhance services, facilities, landscapes and natural and historic built environments of the villages and their rural hinterlands whilst recognising the need for some development.

At the time of the Hook Norton Road appeal, the number of dwellings included in extant permissions in the Category A villages across the District exceeded the 750 dwellings, 271 units of the 750 units referred to in Policy Villages 2 had been completed and the Inspector did not consider 'material exceedance' to be an issue.

This was 2 years ago. According to the *Cherwell Annual Monitoring Report 2021* (reported to the Council's Executive on 10<sup>th</sup> 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 are reported to have been built or are under construction, 319 dwellings have permission but not yet started, there is a resolution to approve another for 26 dwellings and there is an appeal for 43 homes at Station Road, Hook Norton, which could lead to substantially more.

The Action Group therefore considers that the Policy Villages 2 requirement has therefore been met.

The *Cherwell Annual Monitoring Report 2021* states that the 750 dwellings figure is likely to be exceeded by 312 dwellings, when allowing for non-implementation of some consents. This is with 9 years to go to the end of the Plan period. At close on 50% more than the 750 dwellings requirement, this proposal would add to a material exceedance of the policy figures and is therefore clearly unnecessary in terms of satisfying Policy Villages 2.

On the Berry Hill Road, Adderbury appeal (APP/C3105/W/20/3255419), the Council confirmed that their in-principle objection no longer stood until such time as the 750 headline homes figure in Policy Villages 2 was delivered. The Inspector saw no reason to take a different view on this point.

The NPPF sets out the Government's definition of sustainable development and the policies through which it envisages the planning system will deliver this. It reinforces the plan-led system. It also begs the question, where is the line to be drawn in upholding the development plan and protecting the rural areas of the district and the attractive villages from speculative development?

The Action Group is gravely concerned that uncontrolled development – and other proposals that are threatened to follow in the village if the Local Plan 2040 “Call for Sites” is anything to go by – would undermine the Local Plan 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.

This poorly conceived scheme is an incursion into the beautiful open countryside surrounding the village (see Figure 1 below – the Hook Norton Road scheme lies to the right of the site) and in an unsustainable location especially for older people (see below). It also fails to satisfy locational requirements in Policy Villages 2, including: not being previously developed land; not enhancing the built environment; being on “best and most versatile agricultural land”; having adverse landscape impacts and being poorly located to services and facilities. It should therefore be firmly resisted as being contrary to aims and objectives of the development plan with the adverse effects significantly and demonstrably outweighing any benefits.



Figure 1 – The Site’s Incursion into Open Countryside

## 2. Unsustainable

Sibford Gower (population around 533) and Sibford Ferris are treated as one Category A village in the adopted Local Plan. The Parish Council is trying to remedy this through the review of the *Cherwell Local Plan 2022-2031 Part 1* to 2040 but it would be too late if further unsympathetic and inappropriate development is approved.

The Parish Council is seeking to amend the classification of the village because it is not a true or accurate reflection of the history, community, geography, topography and location of its sparse facilities. Sibford Ferris only has a small shop. The few public amenities there are lie in Sibford Gower and Burdrop, only accessed by narrow roads with poor, incomplete footpaths, limited lighting and congestion caused by parked cars. There are a number of dangerous bends, severely restricting all vehicle movements particularly larger vehicles such as agricultural machinery, coaches, goods vehicles, etc. and there are no A roads in the area.

The two villages are separated by a deep valley (Sib Brook) and have poor accessibility for anyone, let alone older persons, without a car. Distances, inadequate infrastructure and topography militate against walking or cycling.

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 *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 unsustainable for older persons.

Government 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 application site and proposal.

As such, the proposal would be contrary to Policies ESD1 (Mitigating and Adapting to Climate Change) and SLE4 4 (Improved Transport and Connections) of the adopted Local Plan on 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 Government guidance on the location of housing for older people.

### 3. Harm to the landscape

The 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 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. However, regrettably new development is now threatening this.

On the Hook Norton Road appeal, the Inspector commented that the proposed area of housing with extensive landscaping would be difficult to see from Woodway Road due to the slope of the land and height of the hedge. This development, 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 Images 2 and 3 overleaf.



Image 2 – View of Site from Woodway Road



Image 3 – Woodway Road Landscape (National Cycle Network Route 5)

The proposal would lead to a quite densely packed, built development on greenfield, agricultural land beyond the physical extents of Faraday House and the building line of the Hook Norton Road development to the south 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 development would be clearly 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 attractive landscape to the west of the village, contrary to Policies ESD13 (Local Landscape Protection and Enhancement), ESD15 (The Character of the Built and Historic Environment) and Policy Villages 2 of the adopted Local Plan and 'saved' Policies C8, C28 and C33 of the *Cherwell Local Plan, 1996*, which together seek to ensure that development complements, protects and enhances local landscapes and character.

a. Extra Traffic on Unsuitable Roads

In this location, as indicated above, occupants 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 was

accepted by the Inspector on the Hook Norton Road appeal. It is underlined by the double garages and two parking spaces for each bungalow included within the scheme.

The danger of extra traffic on unsuitable, narrow roads through the village, which lack pavements in many cases and where, in places, it is difficult for two vehicles to safely pass each other (see Figure 4), is a constant concern amongst the local community and will not be improved by further development linked to and accessed from Hook Norton Road.



Image 4 – Narrow Highway – Main Street, Sibford Ferris

There is the added complication provided by proposed access through the Hook Norton Road site, which may not proceed concurrently with the present proposal at Woodway Road or could be exacerbated during the construction of either or both of the proposed developments together or sequentially.

The site is not an appropriate location for the development proposed, would result in an increase in private car usage and extra traffic jeopardising highway safety, contrary to Policy SLE4 of the *Cherwell Local Plan 2011-2031 Part 1*, 'saved' Policy TR7 of the *Cherwell Local Plan 1996* and Government guidance contained within the National Planning Policy Framework.

b. Poor Layout and Design



The NPPF, 2021 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 (e.g. 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 sought to achieve this with its *Cherwell Residential Design Guide Supplementary Planning Document (July 2018)*, which seeks to ensure that new residential



development results in vibrant, sustainable, safe and attractive places that add to the District's legacy. The Guide essentially supports the development of new places that reinforce the character and vitality of a settlement. The proposal (Applicant's Perspective included at Image 5) fails to achieve this.

Image 5 – Applicant's Aerial Perspective of Scheme

The design, incorporating large bungalows with a variety of low and other roof pitches, timber boarding and other uncharacteristic features is contrived and 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. The bungalows are sited close together, have very small private amenity spaces and would appear cramped and out of character with ...

immediate surroundings and the quality of development in the village, which is designated as a Conservation Area.

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.'*

The proposal is clearly not well-designed, does not respond to existing local character and surrounding context and should be refused as being contrary to the NPPF, Policy ESD15 and PV2 of the adopted Local Plan, "saved" Policy C28 of the Cherwell Local Plan, 1996 and the Council's Residential Design Guide, which seeks to explain what Policy ESD15 means in relation to design. In essence, this is:

*"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." (Local Plan, page 117).*

The proposal clearly fails to achieve this. In addition, it 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' it should be refused, especially as it conflicts with the development plan and fails to reflect Government guidance on design, taking into account local design guidance.

### **Conclusion**

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), and that consequently the "tilted balance", under the terms of Paragraph 11 of the NPPF is engaged.

In this case, the Sibford Action Group considers that the adverse impacts of the proposal would clearly outweigh any minor benefits of this small, poorly designed, inappropriately located and unsympathetic residential development which, in the Group's view, is best described as the wrong scheme in the wrong place.

We, on behalf of the Sibford Action Group and the many local residents who have concerns about this proposal, urge you to recommend refusal and the Council's Members to refuse the application.

Yours Sincerely  
Stewart Roussel  
Sibford Action Group