Land & Partners South East Ltd

Land west of Hook Norton Road, Sibford Ferris

Planning and Sustainability Statement

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Prepared by

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SUMMARY

This scheme delivers the following material benefits:

- Up to 25 homes, 35% (9) of which to be affordable homes allocated according to the local nominations policy of Cherwell District Council.
- Homes within walking distance of the primary school, GP surgery/dispensary, shop/post office and other village amenities.
- A mix of home types and tenures addressing local needs and responding to the above average under-occupation in The Sibfords.
- New footpath parallel with Hook Norton Road.
- Location identified as suitable/preferred by both the district council and the Sibfords Community Plan.
- Approximately 1.6ha of amenity open space to address an identified need.
- Allotments
- Community Orchard
- Woodland planting
- New public right of way as an alternative to Woodway Road.

This scheme, on the most suitable site of all options in this Category A village, takes a high quality design approach which is very generous in terms of its open space and facility provision, compared to most other new developments of this type and scale. This aims to be an exemplar of sensitive village growth.

1. INTRODUCTION

- 1.1 This application by Land and Partners Limited seeks outline planning permission on land immediately adjoining the village of Sibford Ferris in Cherwell District, North Oxfordshire. Land & Partners are a Buckinghamshire based company, specialising in conceiving and delivering high quality development schemes within villages and small towns.
- 1.2 The proposal is to develop the northern part of an agricultural field measuring approximately 3.7 ha to the west of Hook Norton Road for up to 25 dwellings with open space, allotments, community orchard and sustainable drainage. All matters are reserved for future consideration.

1.3 THE CASE FOR DEVELOPMENT

- The Sibfords are a Category A Village as set out in the 2014 Village Categorisation Report, with more services and facilities than many of the other settlements in the same category.
- The adopted Part 1 plan allocates 750 homes to the Category A villages to support local needs and existing services and facilities.
 This is not a minimum figure but gives an indication of the proportion of development to be directed to each village.
- The last Housing Needs Survey (2010) for the Sibfords showed a need for 11 homes, and the latest information from the Housing Register confirms there are 4 households who have applied for affordable housing.
- No significant development has been delivered recently in Sibford Ferris to contribute to local needs.
- This is the only suitable area of The Sibfords for development, with this site and the adjacent small site at Woodway Road being found suitable in the 2018 HELAA.

- The Sibfords Community Plan shows that 76% noted a strong preference for location F1 Hook Norton Road for new housing. "The implication of these figures is that villagers would be more prepared to see new housing on the Hook Norton Road, and on the roads leading to the B4035." (Question 21)
- The proposal takes account of the Sibfords Community Plan and provides the potential benefits to the village prioritised by local residents, including extra off road parking, play area, recreation area facilities and trees/woodland.
- Policy Villages 4 of the Local Plan Part 1 identifies an existing deficiency of 6.38 ha of amenity open space in Rural North sub-area with priority provision in Adderbury, Bloxham and Bodicote, Cropredy and Sibford Wards. In addition to this, to meet needs to 2026 in the Rural North Sub-area there is a requirement of 5.3ha of natural/semi-natural green space and an additional 2.3ha of amenity open space.

This proposal will make a significant contribution of open space (approx. 1.6ha) to this identified need in a location of priority provision. This will be secured in perpetuity by a legal agreement.

 A pre-application meeting was held with the council and the feedback on the design and other matters has been taken on board and is detailed at Section 6 of this statement.

1.4 The main drawings for the proposal west of Hook Norton Road are as follows:

Table 1. List of main submitted drawings

NAME	REFERENCE	SCALE	NOTES
LOCATION PLAN	LP_SF_001	1:2500 @A4	Shows the Site in its surrounding context.
CONCEPT SCHEMATIC SITE PLAN	3361.101	1:1000 @A1	Prepared by BHP Harwood Architects
TOPOGRAPHICAL SITE SURVEY	27085_T_REV0	1:1000 @A1	Prepared by Greenhatch
TREE SURVEY	421-00	1:500 @A0	Prepared by the Oisin Kelly Arboriculture
ROAD DESIGN & SWEPT PATH ANLYSIS	SK02	1:1250 @A3	Prepared by Origin Transport Consultants (see Appendix G of Transport Statement)

1.6 The reports accompanying the planning application are as follows:

Table 2. List of submitted reports

DOCUMENT	AUTHOR
Planning and Sustainability Statement	Howard Sharp & Partners
Statement of Community Involvement	Land & Partners
Utilities Technical Note	JNP Group
Design and Access Statement	Land & Partners
Landscape & Visual Appraisal	Aspect
Arboricultural Report	Oisin Kelly Arboriculture
Ecology/Biodiversity – Extended Phase 1 Habitat Survey	Prime Environment
Archaeological Desk- Based Assessment	Orion
Transport Statement	Origin Consultants
Flood Risk Assessment (Incorporating Drainage Strategy)	JNP Group

2. THE SITE AND ITS SURROUNDINGS

- The application relates to a parcel of land on the southern edge of Sibford Ferris in Cherwell District, approximately 9 miles west of Banbury. It comprises the northern part of a field in arable use measuring about 3.7ha and surrounding hedgerows.
- 2.2 To the north and east of the site lies residential development (medium/low density two storey housing), to the south the site is bound by open fields and to the west the site is bound by Woodway Road which leads towards Hook Norton.

The Sibfords

- 2.3 Sibford Ferris is a village located in north western Oxfordshire in the district of Cherwell. At the time of the 2011 Census the Parish of Sibford Ferris had a usual resident population of 476 people and 172 dwellings. Adjoining Sibford Ferris is Sibford Gower, which had 508 residents and 230 dwellings in 2011. The parish of Sibford Gower includes, Burdrop, and together these closely related settlements are known as The Sibfords.
- 2.4 The Cherwell Local Plan 2011-2031 defines Sibford Ferris, grouped with adjacent village Sibford Gower, as a 'Category A Service Village'. Category A Service Villages represent the most sustainable villages in the district.
- 2.5 Categorisation of villages for the Local Plan was based upon the findings of the Cherwell Rural Area Integrated Transport and Land Use Study (2009). The 2009 study records Sibford Ferris / Sibford Gower as benefitting from a range of facilities including community facilities, nursery, public house, post office, primary school, recreational facilities and retail (food).
- 2.6 The 2014 Village Categorisation Report compares Sibford Ferris/Sibford Gower with other villages in the district. Whilst the population of the settlement is approximately the median of those classed as Category A, the

level of service/facilities provision as listed above is comparatively high. Meanwhile, the villages has seen very little recent development to continue to support these local facilities.

2.7 The Sibfords are therefore one of the most sustainable rural settlements in the district with a range of services and facilities within walking distance of the proposed development site.

Planning History

Previous resolution to grant consent

The north-eastern part of the site was the subject of an outline application in 2014, reference 14/00962/OUT, for six affordable local needs dwellings and two market sale dwellings with associated car parking and access road including the provision of open space and allotments. The application was recommended for approval and on 27th November 2014 the Planning Committee resolved to approve the application subject to the completion of a \$106 agreement and various conditions. The application was withdrawn in 2016.

Pre Application Enquiry

- 2.9 In December 2017 a pre-application meeting was held between Land & Partners Ltd and Bob Neville, Cherwell District Council Planning Officer. The proposal was for up to 25 dwellings with associated space and sustainable drainage.
- 2.10 A summary of the feedback received is produced below at Section 6, alongside notes setting out how the proposals have responded and address the points raised.

Ownership

2.11 The site is in private ownership and the owners are in a binding promotion agreement with Land and Partners Ltd to bring forward the site for development and are willing to do so. It is in a single ownership and there are no ownership constraints to development.

Public Rights of Way

2.12 No public rights of way cross the site. However, as part of the proposals it is intended to link the two rights of way to the east and south west of the site and provide a pedestrian connection between Woodway Road and Hook Norton Road. This will provide an off-road alternative for pedestrians who currently use Woodway Road.

Accessibility

- 2.13 The proposal is in close proximity to bus stops and local facilities as set out in the Transport Statement and Design & Access Statement. The post office and village store is an 8 minute walk from the site whilst the primary school in Sibford Gower, along with the GP surgery, pubs and church are approximately 15 minutes walk away.
- The nearest bus stop is located on Main Street within easy walking distance. The village is served by the 3A bus which links The Sibfords to Stratford-upon-Avon, Shipton-on-Stour and Banbury.
- 2.15 The nearest railway station is at Banbury located approximately 9.5 miles to the east of the site. Banbury Station is operated by Chiltern Railways and provides routes towards London and Birmingham.

Topography

2.16 A Topographical Survey of the site and surrounding highways has been submitted. The site's lowest point is about 170m AOD and rises to around 181m AOD to the south east.

Landscape Context

- 2.17 The landscape is not protected by any protective designation.
- 2.18 The Oxfordshire Wildlife & Landscape Study (2004) identifies Sibford Ferris as being located within the Rolling Village Pastures landscape type. Within the Cherwell District Landscape Assessment (1995) Sibford Ferris is identified as being located within the 'Ironstone Hills and Valleys Character Area'. Field walls, and to some extent hedgerows, are identified as significant
- 2.19 The submitted Landscape and Visual Impact Appraisal analyses the context in detail.

Heritage

- 2.20 There are no Listed Buildings on or adjacent to the site.
- 2.21 The site is not located within the Sibford Ferris Conservation Area. The boundary of the Conservation Area runs along Woodway Road to the north of the site.
- 2.22 Owing to intervening development, views between the site and the Conservation Area are limited. The Conservation Area Appraisal (2012) does not identify any positive vistas between the site and the Conservation Area.

Development of the site will not therefore have a direct impact upon the character of the Conservation Area,

2.23 Orion have undertaken an archaeological assessment and conclude that the Site has a low potential for archaeological remains of all periods. Therefore the archaeological potential of the Site is not considered to be sufficient to preclude or constrain proposed development.

Flood risk and drainage

2.24 The site is entirely within Flood Zone 1 and is therefore at the lowest risk of flooding. The submitted Flood Risk Assessment and Drainage Strategy confirms the proposed development will not be affected by current or future flooding from any source and will not increase flood risk elsewhere. The Drainage Strategy confirms that the proposed on-site drainage solutions will be suitable to attenuate flows up to and including the 1 in 100 year + 40% rainfall event.

Ecology

2.25 An Extended Phase 1 Habitat Survey has been carried out on the site. Site habitats consist of hedgerows with standard trees and the arable field margins. The scheme includes a large area of open green space; with the recommendations in the ecology report, the proposed development could result in an overall benefit to local wildlife.

Trees and Hedgerows

2.26 The trees and hedgerows in and around the site are detailed in the Arboricultural Report. The trees are scattered in the site boundaries to the

north and west. The Arboricultural Report sets out how to protect these during the development of the site.

2.27 The mixture of poplars, oaks, cherrys and firs are are classed mainly as B-grade with some C-grade and these are protected as set out in the Tree Protection Plan. Two grade A Oak trees lie outside of the site to the north west and will not be affected by the proposals. The hedgerows will be retained and protected however a gap will be formed in the eastern hedgerow to allow access. A substantial amount of planting of native species is proposed and the hedgerows can be protected and enhanced with further planting.

3. NATIONAL PLANNING POLICY

National Planning Policy Framework (NPPF)

Presumption in favour of sustainable development

- 3.1 The most up to date national policy is set out in the revised NPPF published in July 2018 which sets out the Government's planning policies to secure sustainable development At the heart of the NPPF is the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 3.2 The presumption in favour of sustainable development in decision-taking is explained at paragraph 11 of the NPPF. It means, unless material considerations indicate otherwise:
 - a) approving development proposals that accord with an up-to-date development plan without delay; or
 - b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed6; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 3.3 Example of specific policies in this Framework which indicate development should be restricted are those policies relating to sites protected under the Birds and Habitats Directives and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

3.4 The NPPF states there are three overarching and interrelated objectives to be met to acheive sustainable development; economic, social and environmental. They are not to be undertaken in isolation, because they are mutually dependent. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

Transport policy

- 3.5 The promotion of sustainable transport is a core principle of the NPPF and patterns of growth should be actively managed to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable.
- 3.6 The NPPF sets out that transport policies have an important role to play in facilitating sustainable development and in contributing to wider sustainability and health objectives and that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 3.7 Paragraph 108 of the NPPF explains that decisions should take account of whether:
 - a) appropriate opportunities to promote sustainable transport modes can be
 or have been taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 then goes on to state that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Housing policy

- 3.8 The NPPF recognises the particular needs of rural communities and acknowledges that villages should have the freedom to plan for necessary and appropriate development. The following policies are of particular relevance to the proposal:
 - In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs (paragraph 77);
 - To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby. (paragraph 78);
 - Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist (paragraph 84); and
- 3.9 The NPPF emphasises the importance of meeting the need for open space and opportunities for recreation which benefit the health and well-being of communities. The following policies are particularly relevant to this proposal:

- Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate (paragraph 96).
- Planning policies and decisions should protect and enhance public rights
 of way and access, including taking opportunities to provide better
 facilities for users, for example by adding links to existing rights of way
 networks including National Trails (paragraph 98)

Pro-active and positive planning

3.10 The NPPF expects local planning authorities to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development with decision-takers at every level seeking to approve applications for sustainable development where possible (paragraph 38).

The Taylor Review 2008

- 3.11 The Taylor Review of Rural Economy and Affordable Housing ('Living Working Countryside') was published by the Department for Communities and Local Government in 2008. It set out a vision for 'flourishing, vibrant communities that will be genuinely sustainable'.
- 3.12 The Report highlights the problem of the 'sustainability trap, whereby planning policy dictates that development can only occur in places already considered to be in narrow terms 'sustainable', thus writing off development prospects. It warns of the planning system determining the future development of rural communities against a narrow tick-box approach to sustainable development, assessing communities as they are now and not what they could be.
- 3.13 The report states that the question planners must address is "how will development add to or diminish the sustainability of this community?" taking a better balance of social, economic, and environmental factors together to form a long term vision for all scales of communities. A mix of housing and employment opportunities are essential for the sustainability of rural communities.
- 3.14 Key issues in the report relevant to the proposal as
 - The rural population is predicted to grow by 16% by 2028 compared to 9% in urban areas
 - Average wages in most rural areas 25% less than urban areas
 - Agriculture accounts for less than 5% of the rural workforce
 - Higher proportion of small and micro-businesses, self employment and home based working
 - At least twice as many rural working residents work from home compared with urban areas

- Urban and rural patterns very similar except rural residents more likely to commute less than 1 km whereas urban trips more likely to be between 1 and 5 km
- Greater degree of reverse commuting workers employed in rural enterprises who cannot rent or buy locally, whilst those that can afford to live in the village commute elsewhere for work
- Zero emission electric cars widely available and greater proportion working from home avoids commuting and supports local services
- Layout, design, character and mix are key to successful schemes and should be shaped by existing residents. Avoid the mistakes of the past that sometimes saw bland housing estates that lacked quality and with no local distinctiveness or character.

Releasing Villages from the Sustainability Trap

- 3.15 It is ten years since The Taylor Review ultimately concluded that there needs to be a fundamental change in the approach to planning in rural areas in order to allow these areas to progress and continue to thrive. However it is still a widely-held belief by decision makers that rural areas are inherently unsustainable locations, and this continues to be enshrined in restrictive local planning policy.
- 3.16 The lack of progress made towards addressing the issues identified by the Taylor Review 10 years ago means that rural areas continue to face social and economic problems. A more recent report published by the House of Lords in March 2018¹ showed current failings within central government to

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¹ House of Lords Select Committee on the Natural Environment and Rural Communities Act 2006 (2018) *The countryside at a crossroads: is the Natural Environment and Rural Communities Act 2006 still fit for purpose?* (HL 2017-19 (99)).

closely monitor the needs of rural areas on matters such as affordable housing, bus services, and broadband speeds.

4. THE DEVELOPMENT PLAN

The Adopted Local Plan

- 4.1 The starting point for decision-making is the development plan. S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. However, policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF. Paragraph 215 of the NPPF states that the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.
- 4.2 The current development plan comprises the Cherwell Local Plan 2011–2031 Part 1, and the saved policies of the Adopted Local Plan 1996. The only policies of the 1996 plan still in force are those saved by the Secretary of State's direction dated 27 September 2007. These will remain in place until replaced by the emerging Local Plan Part 2.

Housing Policies in the Adopted Local Plan

- 4.3 The Cherwell Local Plan Part 1 seeks to boost significantly the supply of housing and meet the objectively assessed need for Cherwell identified in the Oxfordshire SHMA 2014. This amounts to 22,800 homes over the plan period, or 1,140 per annum.
- 4.4 The below policies from the final adopted Local Plan Part 1 are considered relevant to this proposal:

Policy PSD 1 Presumption in Favour of Sustainable Development. This mirrors the NPPF and states that the Council will take a proactive approach to find solutions with applicants which wean that proposals can be approved wherever possible.

Policy BSC 1 District Wide Housing Distribution. This shows the quantum of housing to be delivered in Bicester, Banbury, and the Rest of the District out of the total provision of 22,840.

Policy BSC 2 The Effective and Efficient Use of Land – Brownfield Land and Housing Density. This states that new developments should be built at 30 dwellings per hectare unless there are justifiable planning reasons fro lower density development.

Policy BSC 3: Affordable Housing requires all development outside Banbury and Bicester of 11 or more dwellings to provide at least 35% of new housing as affordable homes.

Policy BSC 4: Housing Mix should have regard to the Council's most up-to-date evidence on housing need.

Policies BSC 10: Open Space, Outdoor Sport and Recreation Provision; BSC 11: Local Standards of Provision - Outdoor Recreation;

BSC 12: Indoor Sport, Recreation and Community Facilities. These policies aim to ensure that new development contributes to open space, sport and recreation provision commensurate to the need generated by the proposals.

Policies ESD 2: Energy Hierarchy and Allowable Solutions and ESD3 Sustainable Construction aim to reduce energy use through sustainable design and construction to achieve zero carbon development.

Policy ESD 6: Sustainable Flood Risk Management requires flood risk assessments on development proposals over 1 hectare in flood zone 1.

ESD 7: Sustainable Drainage Systems (SuDS) All development will be required to use SuDS.

ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment seeks a net gain in biodiversity as a result of development.

Policy ESD 13: Local Landscape Protection and Enhancement. This policy states that development will be expected to respect and enhance local landscape character, and seeks to ensure that appropriate mitigation is secured where damage to the local landscape character cannot be avoided.

Policy ESD 15: The Character of the Built and Historic Environment requires a high standard of design from all new development, and states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context.

Policy ESD 17: Green Infrastructure states that proposals shoul dmaximise opportunities to extend green infrastructure lins and provide opportunities for walking and cycling, and connecting the towns to the urban fringe and wider countryside beyond.

Policy Villages 1 places Sibford Ferris/Sibford Gower in Category A (service Centres)

Policy Villages 2: Distributing Growth across the Rural Areas. This states 750 homes will be delivered at Category A villages in addition to the rural allowance for small site windfalls. This is not a maximum figure as discussed in appeal decision APP/C3105/W/15/3130576, the policy aims to meet local needs and provides a guide to the appropriate proportion of growth to be directed to these settlements.

Policy Villages 4 Meeting the Need for Open Space, Sport and Recreation.

This identifies an existing shortfall of 6.38ha of amenity open space in the Rural North sub-area. New provision to meet this deficiency should be prioritised in Adderbury, Bloxham and Bodicote, Cropredy and Sibford Wards To meet needs up to 2026 a further 2.6ha of amenity open space will be required in the sub-area, in addition to 5.3ha of natural/semi-natural green space (through new provision or public access agreements). Junior, mini-soccer, and cricket pitches are also required.

Emerging Local Plan

- 4.5 A Partial Review of the Local Plan Part 1 was submitted to the Inspectorate in March 2018. This followed a commitment in the adopted Local Plan Part 1 to seek to address the unmet objectively assessed housing need from elsewhere in the Oxfordshire Housing Market Area (HMA), particularly from Oxford City. On 26 September 2016, the Oxfordshire Growth Board (a joint committee) agreed an apportionment of Oxford's unmet housing need to the Oxfordshire districts, including 4,400 homes to Cherwell District. The Partial Review proposes additional allocations to meet this agreed figure.
- 4.6 Part 2 of the Local Plan is still in preparation and will contain non-strategic site allocations. An Issues Consultation took place between January and March 2016. The Part 2 Plan will determine the amount and distribution of development at Category A villages and will be based on an updated evidence base, including the Strategic Housing Land Availability Assessment (SHLAA).
- The NPPG (Paragraph: 014 Reference ID: 21b-014-20140306) sets out the circumstances might it be justifiable to refuse planning permission on the grounds of prematurity. It states that in the context of the NPPF and in particular the presumption in favour of sustainable development arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the NPPF and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:
 - a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of

new development that are central to an emerging Local Plan or Neighbourhood Planning; and

- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
- 4.8 Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

Evidence Base

4.9 The evidence base Local Plan Part 1 as well as the emerging Partial Review and Part 2 is relevant to this application, some documents require updating and reviewing but the process in ongoing and the HELAA has been updated this year.

HELAA

4.10 Of particular relevance to the current application is the Final 2018 Housing and Economic Land Availability Assessment – February 2018

This assesses the Site (HELAA204) as developable for housing, being suitable, available and achievable. The site to the north west, HELAA267 is also assessed as developable, but for twice the number of homes. The positive assessment for HELAA267 to the north of the Site is subject to satisfactory being achieved. However, Woodway Road is particularly narrow, adjoining the Conservation area and partly lined with protected trees. The significant works to this road likely to be necessary to support development of that site may have unacceptable impacts upon the TPOs trees and Conservation Area.

The Site, HELAA 204, can be accessed directly from Hook Norton Road without impacting any protected trees or heritage assets. The HELAA assessment

"Greenfield site outside the built-up limits. Sibford Ferris is a Category A village in the adopted Local Plan Part 1, the category of the most sustainable villages in the district. The adopted Local Plan makes provision for some development (10 or more homes and small scale employment) at Category A villages. The north eastern part of the site could potentially be suitable if the Council requires additional development land outside the built-up area of Sibford Ferris. The site has previously been the subject a resolution to grant outline permission, subject to legal agreement, for 8 dwellings. In view of the relationship with the existing built-form of the village, some limited potential exists but this should be confined to the north-east corner of the site having regard to detailed consideration of the landscape impact and the impact on character of the village. A small scheme of approximately 10 dwellings fronting Hook Norton Road could minimise the impact. With regard to assisting oxford with its unmet housing need, Sibford Ferris lies outside Areas of Search A and B."

- 4.11 The HELAA assessment assumed a density of 30 dwellings per hectare. Whilst this achieves efficient use of land, and part of our proposals are at a similar density, there are justifiable planning reasons for a lower density development. Following in-depth studies of the constraints and opportunities of the site itself, as well as assessing the built character of the village and surroundings, BHP Harwood Architects and Land & Partners have found that 25 homes can comfortably be accommodated on the site.
- 4.12 The detailed Landscape & Visual Appraisal and Design and Access Statement accompanying this application now provides the justification for the suitability of the site and demonstrates that 25 dwellings is an appropriate capacity for the site, when taking into account the context in terms of heritage, landscape and topography.

2014 Village Categorisation report

4.13 The Sibfords are considered together as a Category A village due to their close proximity and the sharing of facilities across the two parishes. Together they boast a nursery, primary school, food shop, post office public house, recreational facilities, village hall and a GP, making The Sibfords significantly more sustainable than some of the other Category A villages.

Local Supplementary Planning Documents and Guidance

- 4.14 Local guidance relevant to the consideration of this application is contained in the following documents:
 - o Cherwell Residential Design Guide SPD July 2018
 - Developer Contributions Supplementary Planning Document (SPD) (February 2018)

The Sibfords Community Plan

4.15 The Sibfords Community Plan (2012) represents a material consideration. Linking, extending and improving pedestrian footpaths was identified as a key priority of villagers in Sibford Ferris. The proposals respond to this with a key aspect of the scheme being the new path connecting the two existing rights of way at the east and west.

- 4.16 The plan identified a number of aspirations for facilities to be delivered by new development. Question 20 of the plan stated that "New developments could enable new or upgraded facilities to be provided for the benefit of the Sibfords community. Please tick up to three favourites." The top five favorites were:
 - Extra off-road parking 25%
 - Upgraded roads 21%
 - Play areas (within the housing group) 5%
 - Village recreation/play facilities 21%
 - Trees and Woodland 28%
- 4.17 This proposal delivers all of these potential benefits identified within the village plan.
- 4.18 The proposals incorporate all parking provision within the site and avoids placing any additional on-street parking on Hook Norton Road. The road network will allow additional parking within the scheme including parking bays incorporated into the 'village green' space. Ample parking (around 10 spaces) is to be provided in a landscaped area adjacent to the allotments.
- 4.19 The through-footpath will allow pedestrians currently using Woodway Road (which has no footpaths) to use an alternative and attractive new off road route linking directly with existing rights of way.
- 4.20 Roads will be designed to be of an adoptable standard and the Transport Statement demonstrates adequate space will be provided to refuse vehicles to turn. Off-site footpath improvements at Hook Norton Road will connect the development to the existing network of footpaths allowing residents to easily walk into the village.
- 4.21 The Local Area for Play (LAP) will meet an identified need, will be located conveniently alongside the footpath and will be overlooked by housing.
- 4.22 In addition to the LAP there will be ample opportunity for more informal play/recreation in the large area of naturalistically landscaped open space to

the west of the site. It is proposed this can include a community orchard to complement the allotments.

4.23 Trees and woodland will be planted throughout the scheme but particularly in the western area. This will provide an attractive setting for the new footpath and public open space, as well as helping to integrate the development into the landscape.

5. PRE-APPLICATION ENQUIRY

A scheme for up to 25 homes was presented to the Council as part of a pre application enquiry in October 2017. A meeting was held in December and the formal response from the officer Bob Neville was subsequently received which assessed the proposal against Cherwell's planning policies. The scheme, whilst still for up to 25 homes, has evolved since then and responds to the advice received. We have tabulated below the key points arising from the meeting and response with our response setting out changes and how this proposal meets the objectives of sustainable development.

Pre-application comments

Ecology recommended a preliminary ecological appraisal. They noted that they would be seeking no net loss of biodiversity and that this appared possible through careful design of the open space.

The Landscape Officer stated "Whilst I like the 'farm yard style' arrangement I wonder if the development could be more compact."

They noted that parking should be included for the allotments and none should be necessary on Hook Norton Road with visitor parking provided in the site.

The location of the SuDS and Orchard was queried and an LVIA was requested

Response

An Ecological Appraisal has been carried out by Prime Environment Ltd with the aim of creating a net gain for biodiversity. The recommendations of the ecologist have been taken on and there is a substantial area of open space which can accommodate wildflower meadows and native planting.

The proposed design has evolved since that point and retains a rural farm yard aesthetic to the west but keeps the development area to the north east of the field. Density varies to respond to context and views.

Parking is included for the allotments shown well enclosed by landscaping. No parking along Hook Norton Road is proposed and an excess of visitor parking is included.

The SuDS pond has moved to the north west to the lowest part of the site and the orchard has moved to integrate more effectively with the development area. Recreation and Leisure provided The contributions are noted and are detailed in the Draft Heads of Terms. details of contributions that are likely to be required **Strategic Housing** expected 9 of the 25 The mix has been taken into account homes to be affordable housing and in the proposals advocated a mix of: 2 x 1b2pM - Affordable Rented This application will provide 9 3 x 2b4pH - Affordable Rented affordable homes and 1 in 2 of the 2 x 2b4pH - Shared Ownership first lets will be advertised to give preference to those with a local 1 x 3b5pH - Affordable Rented connection. This can address the 4 1 x 3b5pH - Shared Ownership local applications. They note that 4 applications have a local link to the Sibfords, but that it is This is a significant improvement on not unusual to find that people do not the previous application. register for village housing unless there is a specific opportunity. The last housing needs survey highlighted a need for 11 units. Oxfordshire County Council (OCC) The access specification provided has Transport: been met. Noted that as a very maximum, there The Transport Statement sets out could be 20 two way vehicle movements that, based on 'TRICS' analysis the generated in the morning and evening development will generate 12

peak hours which is averagely only one movement every three minutes.

Stated that access will need to be carefully considered to Hook Norton Road.

A standard specification was provided but the single footpath to the north was stated to be acceptable.

It was stated that the wider transport sustainability should be considered

movements in the morning and evening peak hours.

We note the comments about wider transport sustainability. This proposal provides a new public right of way to link two existing routes and increase the usability of these rights of way.

The nearest bus stop is within walking distance and the 3A bus provides links the village to Banbury (5 buses per day) and Stratford upon Avon (4 buses per day).

Volume 6 (Bus Strategy) of Oxfordshire County Council's document "Connecting strategy Oxfordshire" notes a "need to take advantage of travel demand from proposed future development - in particular housing, employment and urban retail - to increase the frequency of existing bus routes where these exist... "Pump priming" funding from section 106 developer contributions provide can enhancements to higher standards, particularly in terms of service frequency"

OCC Drainage require a surface water drainage scheme for the site.

A Flood Risk Assessment incorporating a surface water drainage scheme has been included

OCC Education note that there will be a requirement for financial contributions to fund extensions to existing schools. Planning Officer Assessment The key topics are addressed as numbered points below:	with this application. This includes all the requirements listed in the preapp response. Contributions are agreed and covered in more detail in the Draft Heads of Terms.		
1) Policy Villages 2 allocates 750 dwellings across the Category A villages and of this figure there are approximately 86 dwellings yet to be committed or delivered.	1) It would not prevent other Categoory A villages from allocating housing as the 750 figure is not a cap. See the Secretary of State's decision at Hook Norton APP/C3105/A/14/2226552: "Policy Villages 2 does not restrict the proportion of the 750 dwellings referred to in this policy that may be built in any one village, including Hook Norton, nor control phasing of that figure up to 2031." Furthermore, Sibford Ferris has not seen any recent growth associated with this policy. The development of this suitable site would not harm the Plan strategy and indeed would contribute to the long term vitality of the village.		

- 2) Concerns about the sustainability of Sibford Ferris in terms of its ability to accommodate both 25 homes here and the windfall allowance delivered under Policy Villages 1.
- 2) Sibford Ferris/Sibford Gower, (which are treated as one Category A settlement in the LPP1 and evidence base due to close their physical and historical relationship) is considerably more sustainable of than some the other Category A villages. According 2014 to the Village Categorisation report they together boast a nursery, primary school, food shop, post office public house. recreational facilities, village hall and a GP.

In terms of additional windfall development which may come forward - these will of course be considered on their own merits. It is worth noting that the only other "suitable" site for development as assessed by the Council adjoins this site and could not deliver an appropriate access without this site coming forward in a way which facilitates an additional route.

- 3) The development extends further to the west than the HELAA assessed as acceptable. The density does not make efficient use of land. However the reduction in density to the west is a logical method of integrating
- 3) The edge of the development area has been brought further east and is more compact than the previous scheme. The density still reduces to the west to retain this positive aspect which the planning and landscape officers

the development into its surroundings.

noted. The land uses are set out more efficiently to provide attractive amenity/natural green space to address local needs.

Sibford Ferris has not made any significant contribution towards this figure and has no neighbourhood plan.

Preventing development at Sibford Ferris would prohibit the sustainable growth of the village

- 4) The site is Grade 2 agricultural land and there needs to be justification as to why this land must be developed instead of other parcels of less versatile land on the edge of Sibford Ferris or Sibford Gower.
- 4) The vast majority of land around the Sibfords is Grade 2 or Grade 3 agricultural land development and SO any adjoining the built area of the village will result in some loss of versatile land. The lower quality land is in the central valley separating Sibford Ferris and SIbford Gower, but that is arguably the most important undeveloped area in terms of landscape and historic setting.
- 5) "I see the provision of the green open spaces to be a positive element of the proposed which obviously impacts on the density of the overall scheme.

"The general layout of the eastern part of the development is relatively traditional when compared with many other

5) The provision of green space has been maintained and improved in the proposed scheme. The configuration previous meant that the developed area was very low density and the revised approach that ensures te development area is more whilst retaining compact generous area of green space for modern housing developments and in this a positive element of the scheme.

"Any scheme that is brought forward should incorporate both the higher density and the general layout style/principles of the eastern part of vour proposals, though the detail would likely need to be amended since it is noted that the proposed dwellings all are relatively small."

the use of new and existing residents.

The traditional higher density element of the scheme has been retained in the proposed scheme in a similar form. The dwellings as drawn have been enlarged to reflect the scale of development as shown in the illustrative mix.

6) The HELAA identifies the visual and landscape impact as a constraint.

An LVIA will be required.

The HELAA is a high-level assessment which does not take into account specific development proposals. An LVIA has been carried out and has informed the layout and landscaping proposals. The LVIA demonstrates that there will be no significant harm to the landscape setting of the village.

6. THE PROPOSAL

- This is an outline application seeking permission for residential development and associated infrastructure, with all matters reserved for subsequent consideration. The proposal is for up to 25 residential dwellings, with associated open space, parking and sustainable drainage.
- The illustrative masterplan responds to the feedback on the earlier proposals presented at the pre-application stage. The density makes efficient use of land and the development area is confined to the north west of the field and the lower part of the site to the west does not contain built form. The main access from Hook Norton Road curves northwards towards the existing village, flanked by a green surrounded by a shared space route.
- The proposal includes around 1.6ha of amenity open space which addresses a substantial existing shortfall in the local area (identified in Policy Villages 4). This open space frames a new footpath connecting the two existing routes and providing an attractive off route as alternative to using Woodway Road.
- 6.4 The open space serves multiple purposes in addition to addressing identified needs. It will accommodate native woodland planting which responds to an aspiration in the Sibfords Community Plan, as well as being the result of careful consultation with landscape experts to minimise visual impact and assimilate the development into its context.

It will also provide a setting for a Local Area of Play (LAP), for which a local need is identified in the Sibfords Community Plan. This will be conveniently located alongside the new through-path and overlooked by housing. Allotments were suggested at the local consultation event and received a positive response, and so an area for these is proposed and again this responds to the requirements in the Community Plan.

New Housing

- It is proposed that the development overall, when taking into account the much needed open space. Without the multi-functional open space to the west the development area provides approximately 15 dwellings per hectare(dph), which is considered to strike the appropriate balance between efficient use of land and responding to the edge of settlement location. The density of the eastern cluster of 15 dwellings is approximately 27dph, the central 6 (including the green) are at around 13dph and the remaining western cluster is about 5dph, making an average of 15dph.
- A diverse mix of 2 to 5 bed properties are proposed. Dwellings would be in a range of types comprising short terraces, 'quarter homes' providing smaller apartments as well as semi-detached and detached with separate garaging or. Homes would be two storeys in height to reflect the immediate context.

	Market (16)	. Affordable (9)	Total (25)
1 bed	0	2	2
2 bed	4	5	9
3 bed	6	2	. 8
4 bed	3	0	3
5 bed	3	.; O	3

- 6.7 The proposed illustrative mix of homes reflects the emphasis in the SHMA on the need for 3 bedroom homes. These meet the needs of newly forming households and also older households downsizing and looking to release equity in existing homes, but still retaining flexibility for friends and family to come and stay.
- The inclusion of smaller properties responds to evidence from the 2011 census which shows that there is a high level of under-occupation in The Sibfords. 55% of households in Sibford Ferris and 61% of those in Sibford Gower have at least 2 spare bedrooms. This compares with 37% of households across the South East which have 2 or more spare bedrooms. The proposed smaller properties will be attractive to downsizers in the village and will help to free up existing housing stock for larger households.
- 6.9 The mix directly responds to advice received at the Pre-application stage in order meet local need for affordable housing.

Access

6.10 Drawing SK04 RevA by Origin Consultants is within the Transport Statement and shows the proposed access point into the site. This demonstrates that satisfactory access can be achieved into the site, albeit that the detail will be finalised at Reserved Matters stage. The Transport Statement includes an analysis of Traffic Impact at section 5 and finds that 83% of the development traffic is likely to travel southbound towards the Whichford Road junction, therefore avoiding impacting traffic levels in the village centre.

² Office for National Statistics (2011), *LC4105EW Occupancy rating (bedrooms) by household composition*, [Online] Available from

https://www.nomisweb.co.uk/query/select/getdatasetbytheme.asp?opt=3&theme=&subgrp=

Open Space

- 6.11 A substantial amount of open space (approx. 1.6ha) is proposed at the south and west of the site, and in the green overlooked by new homes, with new planting proposed to minimise the visual impact of the scheme. The open space responds to the location of the site in relation to both the open countryside and existing development, and allows for the biodiversity on site to be conserved and improved.
- 6.12 Included in the Concept Schematic are allotments, a local area of play and a community orchard. These are integrated in the landscaping scheme and are connected to the proposals and the existing village by the proposed right of way through the site.
- 6.13 The masterplan also indicates how the hedgerows around the site could be retained largely intact and supplemented with new planting.

Sustainable Drainage

6.14 A Drainage Strategy involving the implementation of SuDS through permeable paving and soakaways to manage the disposal of surface water runoff, whilst providing opportunities for improvements in biodiversity, is included in the Flood Risk Assessment. Tests have been carried out on site to determine the areas more likely to be suitable for infiltration.

7. AFFORDABLE HOUSING

Validation requirements

7.1 The Council's validation requirements state that an affordable housing statement is required for applications proposing 6 or more dwellings outside Banbury and Bicester. The requirement is for a supporting statement setting out how the proposal accords with advice contained in the NPPF, policies in the Development Plan and advice in the February 2018 supplementary planning document "Developer Contributions".

Planning policy background

- 7.2 Policy BSC3 (Affordable housing) of the Adopted Local Plan Part 1 states that other than at Banbury and Bicester, all proposed developments that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 35% of new housing as affordable homes on site. All qualifying developments will be expected to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate affordable homes.
- 7.3 The District Council's Developer Contributions SPD (February 2018) restates thresholds and requirements of Policy BSC3 and states that "Cherwell District has a high level of need for affordable housing. The Council's Housing Strategy 2012–17 recognises the need for affordable homes, and aims to ensure that Cherwell is well-placed to maximise investment by registered providers and to respond to opportunities as they arise."
- 7.4 The adopted policy and supplementary planning document takes account of recent national policy change. Following the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014, contributions for affordable housing should not be sought from developments of 10 units or less.

- 7.5 A significant benefit of the proposal for up to 25 homes, over "a small scheme of approximately 10 dwellings" as supported by the HELAA is the contribution to the local affordable housing supply.
- 7.6 In accordance with Cherwell's Nomination Agreement 2017 one in every two people offered the first let of the affordable properties, and one in every three people offered any of the affordable properties which come up for relet, will be those who have a local connection to the Parish.

Proposed affordable housing provision

Delivery

- 7.7 The main affordable partner will be one of the Council's preferred partners on their Registered Providers list.
- 7.8 The affordable units provided by the main affordable partner will be built to the National Affordable Housing Programme key technical requirements.

Amount

7.9 The number of affordable homes to be provided on the Site is 35% as required by the adopted Local Plan Part 1.

Tenure

7.10 The tenure split of the affordable housing is to be agreed at reserved matters stage. Based on the recently adopted Developer Contributions SPD the indicative tenure split is 70% social/affordable rented and 30% shared ownership.

Size and type of dwellings

- 7.11 The size and type of proposed housing is to be agreed at reserved matters stage. However, in consideration of the principles governing the layout and scale of the proposal in relation to its context, an indicative housing mix disaggregated by size and type has been used to prepare the indicative layout (see Section 3 of this Statement).
- 7.12 When considering the size and type of affordable dwellings across the site, the primary aim has been to meet the range of housing need and market demand in the local area, based on the evidence in the Council's Local Plan evidence base. A further aim has been to ensure that the new housing stock is appropriate in relation to the character of the local area and the existing stock in the village.

8. CONCLUSIONS

Material considerations

- 8.1 It is considered that the planning balance for the determination of this application should encompass the following material considerations:
 - The planning policy position
 - Whether the proposal would constitute a sustainable form of development
 - The impact on residential amenities
 - Any other material considerations
- 8.2 Each will be summarised in turn and then the conclusions on the planning balance outlined.

The planning policy position

- 8.3 Sections 4 and 5 of this Statement set out the planning policy position. This requires that the application should be evaluated against the extant development plan and the NPPF, in particular the core planning principles of the NPPF and whether the proposal delivers sustainable development.
- The site accords with all the relevant up-to-date policies of the Development Plan. There are no up-to-date policies that govern the specific amount and location of housing growth in Category A villages, but the proposal is supported by the strategic need to support the vitality of these more sustainable villages. The evidence of local housing need must be a key consideration alongside the revised NPPF's emphasis on identifying opportunities for villages to grow and thrive.
- 8.5 Having regard to footnote 6, there are no specific policies in the NPPF that indicate development should be restricted on the application site. For example, the site is not protected under the Birds and Habitats Directives

and/or designated as Sites of Special Scientific Interest; it is not land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park. Nor does it significantly affect a designated heritage asset or fall within a location at risk of flooding.

Sustainability of the proposal

- 8.6 The proposal will contribute to the key relevant aspects of sustainability as set out in the sections of the NPPF, the most relevant to this proposal are considered to be:
 - Building a strong competitive economy
 - Delivering a sufficient supply of homes
 - Promoting sustainable transport
 - Achieving well-designed places
 - Promoting healthy communities
 - Meeting the challenge of climate change and flooding
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
- 8.7 As the proposal will meet all three of the mutually dependent dimensions identified in the NPPF economic, social and environmental it constitutes sustainable development.

The impact on residential amenities

8.8 The proposal will have an acceptable impact on the localised site and surrounding and conditions can control impacts of construction noise, odour, fumes, dust etc. in the interests of residential amenity.

Any other material considerations

- 8.9 The benefits of delivering the following should weigh in favour of supporting this proposal:
 - Key footpath link
 - Open space
 - Orchard
 - Allotments
 - Visitor parking
 - Range of house types and sizes meeting the identified affordable housing needs for The Sibfords.

The planning balance

- 8.10 Providing up to 25 new dwellings will significantly bolster the supply of housing in a location identified as sustainable in the adopted Part 1 Plan and settlement hierarchy.
- 8.11 The development will contribute to identified local needs of those on the housing register. In addition it will contribute significantly to the identified shortfall of amenity open space in the area.
- 8.12 The proposal takes account of the Sibford Community Plan and takes the opportunity to provide all the reasonable improvements/facilities that the document identifies as villagers' aspirations for new development.
- 8.13 There would also be economic benefits in terms of the construction of the development itself, those associated with the resultant increase in population and the provision of a net enhancement to biodiversity.
- 8.14 Compliance with some of the other core planning principles of the NPPF have been demonstrated in terms of promoting sustainable transport and ensuring there would not be a severe impact on the highway network subject to the off site works required, preserving residential amenities, promoting healthy communities and meeting the challenge of climate change and flooding.

- 8.15 The proposal would not have a significant impact on the natural environment, and whilst the detailed layout is a reserved matter the illustrative Concept Schematic as well as the Landscape and Visual Appraisal demonstrate there will be minimal impact in terms of the visual and landscape character of the site and immediate surroundings.
- 8.16 The site is in an accessible location and the housing can be delivered in way that will be sensitive to its location and respond positively to the distinctive character the village.
- 8.17 The evidence submitted with the application has demonstrated that having regard to the very modest size of the scheme the proposed development will have only a minor material impact on the existing traffic conditions and so will not have a severe impact on the highway network and that pedestrian improvements can also be secured to promote sustainable transport.
- 8.18 Weighing all the relevant factors into the planning balance, and having regard to the NPPF as a whole, it is considered that the limited adverse impacts would not significantly and demonstrably outweigh the housing and economic benefits of the proposal. Therefore the proposal should be granted planning permission.