

# THE BOURTONS PARISH COUNCIL

## Great & Little Bourton, Banbury, Oxfordshire

Cherwell District Council  
Bodicote House  
Bodicote, Banbury

November 3<sup>rd</sup> 2023

Sent by email to : PlanningPolicyConsultation@cherwell-dc.gov.uk

Re : Comments on the draft **Cherwell Local Plan 2040**

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The Bourtons Parish Council welcomes the opportunity to comment on the draft Cherwell Local Plan 2040 (Reg 18 consultation).

As a small rural parish council with currently only 5 councillors, to respond to such a hefty document such as this, presents a significant task for us, however we have tried to respond to as many of the individual questions as we are able and have included as much information as possible, which reflects our hopes for an ultimate plan which will protect our rural heritage and meet the aims set out in the draft plan. We look forward to a further opportunity to comment on any refinements and details which will be published at the next stage of the consultation.

Naturally there is some repetition in our response as there is some overlap in the policy content.

Overall we are disappointed that the plan does not include some of the detail for the rural development strategy, particularly for rural categorisation and development which was presented to us in October 2019 and provided more detail than we see in the latest draft plan – detail that we felt would offer far more protection from speculative housing development to a small rural parish. Therefore there are some elements in this latest draft plan where we would like to see either a change in policy, a strengthening of policy or an additional policy. Our main concerns fall under the following categories:

- Land Use, particularly in rural locations;
- Healthcare Provision;
- Required Housing numbers and types of housing stock;
- Lack of infrastructure;
- Reduction in transport subsidies;
- Renewable energy options;
- And Flood Risk.

Page 5 Question 1

**Do you have a view on the Plan period**

The nominal period of the plan is from 2020-2040. You go on to explain that at least fifteen years of housing supply must be included, so the plan may need to cover the period up to 2042 or 2045.

We would argue that any plan that covers more than 10 years will be based on a significant element of supposition and would not be supported by enough intelligent information on which to make such long term decisions. Furthermore, we would suggest that any plans following the next five years will be dependent on the level of success achieved in the first five years of the newly adopted plan.

**How could we improve the presentation of the Plan?**

By making the plan document fully interactive so that it can be easily and quickly searched to locate topics of interest to the reader.

This refers to infrastructure. The lack of infrastructure is common cause of considerable grief to residents as the houses approved by planning permission always seem to be built first before any serious consideration is given to infrastructure. There has been much media coverage recently about entire housing estates being constructed and sold before agreed and funded infrastructure is even begun. The reverse should be the case; essential infrastructure build should be linked to the sale of houses so that elements such as schools, medical facilities, sports facilities etc are available to early occupiers. Roads are particularly important in this to avoid serious inconvenience being caused to residents; this is particularly important in rural areas to avoid disruption to local residents. At a local level, it has been reported that there is a 23% late arrival attendance of school children in Banbury due to the traffic difficulties.

**What consultation has there been so far?**

The issues mentioned in 1.7 do not include the earlier version of the plan circulated to PC's, which included the sites that had been offered following your call for development sites, as was the case in previous plans.

By making this call, publishing the details of offered site but then excluding them from this latest draft plan, is a cause for concern for our Parish Council and residents.

We feel strongly that you must, at the very least, inform local residents whether you feel these previously identified sites have merit for development, or will not form part of your future development land bank.

**Do you have any comments on the draft vision?**

Reference to energy production – where is the requirement for all industrial/commercial buildings to have solar panels on their roofs to avoid having to destroy good quality agricultural land?

Historically CDC seems to have had an unofficial policy of not approving development with number of bungalows, which are required by many of the rural older residents wishing to downsize and those with mobility issues.

The current economic situation would suggest that available funding for new developments may slow down, what plans does CDC have to either mitigate this effect or be able to modify their plans?

Reference is made to Cherwell being a place that fosters and retaining young talent; while this may be the case in urban centres, this is not the experience of your rural people who frequently have to move out of their area due to the non-availability of affordable rented housing or access to public transport. The mass selloff of former Council owned housing to Housing Associations has seen rents rise beyond the reach of many.

Mention is made of flood risk, with the predicted increase in global warming this should be a high priority especially with the increase in housing development. No action on this issue is the experience of the Bourtons' residents who have seen a complete lack of interest in insisting that developers fund and rectify the problems their developments cause, not even the CDC responsible managers seem prepared to act!

**Do you have any observations on our objectives?**

## Theme One

SO1 : represents a complete change to the perceived attitude of CDC currently in relation to net zero-carbon developments, with little promotion of solar roofs, or insistence at planning approval stage.

SO4 : Little focus seems to be applied to retaining good quality agricultural land in production, always tending to maximise the possibility of development or solar farms so a complete refocus is required. No mention as to how this will be achieved.

SO12 : refers to conserving land, enhancing the countryside, landscape and natural environment : this is not the experience in our area where inappropriate developments have been approved.

SO13 : speaks of enhancing the historic environment and protecting heritage assets, yet approvals have been provided that contradict this : how will the current attitude be changed?

## Theme Three

SO10 : Cherwell's rural communities have a significant unmet need for bungalows, not only for more elderly resident wishing to downsize but also for those with mobility difficulties - but current policy seems to prevent these being built, at least unofficially.

**Do you have comments on our strategy?**

We note that the draft strategy makes no mention of rural areas; they only appear as a "support" issue. We think that this is wrong as rural areas represent a very significant part of Cherwell District and should be an important element of your overall strategy, rather than be consigned to second-grade status. You should specify strategy for significant area of the district.

**Meeting the Challenge of Climate change and Ensuring Sustainable Development:**

Section 3.5 targets a five times increase in solar energy generation. It must state in policy that this should and can be achieved with a brownfield site/ rooftop first approach. Speculative developer led solar farms on agricultural land which destroys rural landscapes must be prevented with undisputable policy wording which excludes any 'loop holes' through which developers can negotiate. To protect our rural landscapes, it is imperative that Core Policy 6 is strengthened to include this wording.

We also suggest that the plan content identified in 3.5 is strengthened to include the following: Make solar PV or thermal panels a standard requirement for all new build housing, commercial buildings and car parks to secure planning permission.

3.46 : refers to adequate Sewage Treatment Plant capacity. Officers are still considering significant housing development in areas where Thames Water acknowledge that some sewage works have hydraulic capacity restrictions: with potential expansion several years away, poor works maintenance is also affecting such works.

3.98 refers to provision of waste storage areas. While this may be supported at individual house level, care must be taken that where bins are grouped roadside on collection days, there is suitable area identified to avoid bins blocking rural lanes.

**Core Policy 24 : The effective and efficient use of land – Brownfield and Housing density**

This policy stipulates that a density of 30 houses per hectare is the standard required for rural areas. This is completely at odds with the density in most villages, where historic housing density is dramatically lower.

This policy is contrary to that expressed when considering preserving historic areas of small rural villages; how can this be balanced to ensure that such areas do not lose their historic value, and their attractiveness gets diluted? Having such a target density in developments of small size, say below 20 houses will ruin the centres of many villages. To support preservation of existing villages and conservation areas a much lower density needs to be adopted.

Page 57 Question 8

**Should we identify further land for employment?**

In simple terms NO! The desire to develop employment opportunities must not be allowed to swamp other equally important factors. Northern Cherwell is a predominately rural area and this must be preserved to avoid the entire district becoming an urban wilderness, maintaining rurality is vital to the well-being of our communities, and is one reason why Oxfordshire is attractive to incomers.

Page 57 Question 9

**We would welcome information from local businesses and landowners that would like to expand or potentially relocate. It will help inform an Employment Land Review and the further consideration of employment land needs.**

As expressed above, we have already seen inappropriate commercial and industrial development in some of our rural villages. This has a significant negative effect on rural road networks with increased numbers of HGV's using rural roads to access such business, for which they were never designed.

If existing local businesses need to expand than they should relocate to identified industrial development sites and not place unwanted burdens on the rural landscape.

Page 58 Question 10

**Do you have any comments on our approach of focussing employment development on strategic sites at Banbury, Bicester and Kidlington?**

We agree that this is the optimum strategy rather than encouraging such development in rural areas, especially where there is a distinct lack of transport or other necessary amenities.

Page 59 Question 11

**What are your views on our proposed approach towards developments at existing and allocated employments?**

This has been expressed in the above answers ; concentrate industrial development in areas identified for this type of development; do not encourage continued erosion of the green belt; adjacent to good quality agricultural land, by the creeping development of industrial estates.

Page 60 Question 12

**What are your views on our proposed approach towards new employment on unallocated sites?**

We believe that industrial development should be concentrated in existing identified industrial areas, and on the existing brownfield sites.

Applications in small villages and the open countryside should be automatically refused, and if allowed will ruin the current attractiveness of rural Oxfordshire!

Page 61 Question 13

**What are your views on allowing ancillary uses on employment sites?**

Such a policy would encourage the expansion of identified industrial sites beyond their designed limits via the backdoor. The original boundaries were set in place for a reason,

expansion for other purposes should always be refused unless there are fundamentally sound reasons for allowing such.

Page 64 Question 14

**What are your views on our proposed approach to rural diversification?**

The principal that economic activities should be encouraged in rural areas is wrong in principle until ALL current commercial/industrial brownfield sites have been fully utilised.

Most research recognises that we are already reducing the amount of undeveloped land, impacting animals, birds etc, reducing biodiversity. To protect our natural environment this policy MUST stop, and planning authorities can have a significant impact if they act responsibly. Continual avoidance of more complex and potentially costly development of existing brownfield sites can only worsen this situation.

Page 15 Question 15

**What are your views on our proposed approach to tourism development?**

You identify tourist and visitor facilities, including hotels at the very start of this question, yet we see that existing hotels are being converted to house migrants. The Government cannot argue on one hand that tourists should be encouraged and on the other encourage the closure of hotels for their intended purpose, denying their role in supporting tourism.

Only when existing facilities are being utilised fully for their original purpose should such new applications be considered, and then very careful consideration of the level of harm being done to our biodiversity must be made.

Page 68 Question 16

**What are your views on our proposed approach to retail developments and town centres.**

The recent trend to developing out-of-town retail sites must cease. Banbury proves that such sites are inevitably more attractive to developers and retailers and result in the migration of existing retail facilities out of town, regardless of commitments made when applying for permissions. These developments consume valuable green space and denude our traditional town centres.

Intensive investment is required in making town centres more attractive, by making more free parking available, and removing unattractive features. We currently see many empty units in the town centre and would hope that a robust marketing strategy can be put in place to fill these units.

Furthermore, significant attention must be focussed on addressing the current level of homelessness, to avoid people having to live on out town centre streets, this being a significant detractor.

Refocussing town centres away from their traditional function of being shopping destinations, will not in itself resolve the current town centre problem, nor will maximising entertainment opportunities.

Page 69 Question 17

**Do you agree with the town centre and primary shopping frontage boundaries shown on the plans?**

Appendix 10 is not wholly legible but we would support more emphasis on the High Street, Castle Quay, White Lion Walk and the Market Place for more active retail development.

Page 70

**Outdoor markets**

Over the past few years we have seen a more than significant reduction in the size and scope of the Banbury outdoor market now franchised out to a market operator, whose sole intention seems to be to maximise their earnings, regardless of impact on market traders.

DC's who operate their own markets demonstrate that they are generally far more attractive and better supported by both traders and customers.

Page 74 Question 19

**Do you have comments on the housing and economic needs assessment?**

We are concerned about the trajectory proposed for Oxfordshire which envisages the population growing by nearly 27% by 2040, compared to the Office for National Statistics estimates of a UK population increase of less than 5%. The level of growth proposed is over 50% more than the growth experienced in the previous period. The numbers proposed in the CDC draft plan are completely out of line compared to the Government Standard Methodology to predict housing need. Furthermore, we don't support the view that Cherwell should support the Oxford City overspill when there are brownfield sites within the city of Oxford which could be allocated to housing.

Page 79 Question 20

**Do you have comments on our emerging housing distribution?**

There are a number of vital points to be considered here, not all of which are addressed by this section :

Part of the current problem in understanding housing need is that is driven by dogma and so-called "experts" who totally fail to understand the impact of their approach and do not take account of locally expressed opinions; this often being supported by disparaging classification of rural residents as NIMBYs. Just because they sometimes object to development proposals does not mean that they are against all development – but all development, particularly that which is proposed in rural villages, must be sympathetic, appropriate for the local environment, and not be forced into standard formats because the plan dictates policies which do not sufficiently differentiate between urban and rural settings.

Being sympathetic means listening to local opinion and recognising that in almost all locations they will better understand needs and be able to reflect local opinion without resorting to a NIMBY approach.

An example would be that in many small traditional villages, bungalows suitable for long established residents wishing to downsize or those with mobility difficulties, are not of seemingly loved by planners or developers.

The insistence on the application of housing density measures is absolutely not appropriate in many rural small villages.

If a housing density measure is required then the density of surrounding existing housing should be used. Using the same density in smaller villages as those of urban developments is totally inappropriate and will change the character of smaller villages.

In order to protect the existing rural areas of Oxfordshire and Cherwell District, which are recognised as being of great importance environmentally, the focus for any significant new housing development must be managed within the current urban centres of Banbury, Bicester, Kidlington and the new growth areas such as Heyford Park.

There must be a distinct limit placed on allowed rural development which amounts to no more than infill, with no construction beyond current village limits. This is essential if we are to protect the biodiversity and wider nature aspects of our rural countryside. Equally there must be no developments on the boundaries of these areas that allow merging of communities: coalescence must not be allowed.

- Page 79 Question 21 **Are there any Parish Council's seeking a specific housing requirement for Neighbourhood Plans?**  
The Bourtons Parish have conducted a local survey with the intention of producing a 5 year vision for parish akin to a Neighbourhood Plan which is currently prohibitive in terms of cost for us. However we understand the process for producing a Neighbourhood Plan will be revised, making it more likely that we can produce a Neighbourhood plan in the future.
- Page 81 Question 22 **What are your views in our settlement hierarchy proposals?**  
We note the move away from the traditional descriptions of villages, and assume that the terms now used in this document of larger and smaller villages align with the previous descriptions?  
  
The policy description associated with Smaller Villages needs to be totally enforced to ensure that there is no development outside of the current village boundaries; and this should be made clear at point of application submission by the automatic refusal of such applications unless it is very obvious that there are very significant other benefits with zero harm.
- Page 84 Question 23 **What are your views on our suggested policy for affordable housing?**  
There should be no exception to the affordable content of significant developments either by off-site delivery or by other financial contributions.  
The process by which the level of rent to be applied to affordable homes requires clarification to ensure that landlords do not make excessive returns, as can currently be the case.  
  
The current provision of social rented homes appears to be provided by the Housing Association sector, and this is obviously not working effectively. A return the Council ownership of social housing with heavily discounted rents that reflect the actual running costs of such housing and does not include an element of "profit" as is currently the case with Housing Associations and other investors. This is one of the principle reasons why we have expensive social rented housing vs the provision in former generations, where it was local Council owned.
- Page 84 Question 24 **Would you support maximising the delivery of affordable housing and in particular the delivery of more social rented housing if sacrifices were made in respect of other requirements?**  
  
We agree that the provision of affordable housing should be a priority but we believe this is best provided in towns and larger villages where there is a robust public transport system and a full range of amenities. Development on exceptional sites in rural locations does not best serve the needs of families who need affordable housing: the cost of car travel to and from work, secondary school travel and the need to access essential services defeats the object of providing an affordable housing option.
- Page 94 Question 25 **Do you agree with our approach for assessing the suitability of sites for travelling communities?**  
  
Core Policy 42 – says *"Sites for Gypsies and Travellers should be within 3km road distance of the built-up limits of our Main Towns, Local Service Centres or Larger Villages."* This means that inevitably these sites will be located in the surrounding countryside to our towns and larger villages. Therefore we would ask that detail is added to the policy which considers the scale and appearance of the site in relation to its location.

When deciding on the merits to approve a traveller site, consideration should be given to the availability of local services, i.e. The policy proposal states access to GP and other health services is at the top of the list. This presumably means it is of great importance, yet in The Bourtons such development was permitted when the local GP practice had closed its list and is struggling to increase its capacity due to non-availability of land or finance to expand.

We are aware that some existing local traveller sites, currently provide accommodation for other families who do not belong to the traveller community and therefore does not reflect an accurate number of further pitches which are needed. We appreciate that to identify the residents who do not fall into the category of traveller families and should not qualify for a traveller pitch, is a difficult task, however, we would like to see additional wording to the policy which enforces this qualification.

Equally, when considering new applications it is normal for a number of pitches to be identified, but this is infrequently enforced, resulting in significant growth in pitches and residents beyond the authorised capacity: This and any other conditions laid down by the planning department seem to be too difficult for successful enforcement action.

Page 95

**3.246** specifies that key landforms and landscape features such as medieval ridge and furrow land should be preserved, but this feature has not previously been protected in the Bourtons where hardcore areas have been allowed to increase without permission and have jeopardised the land's natural flooding protection.

Page 99

**Core Policy 45 : Settlements Gaps**

This seeks to specify that development will be highly restricted where it would reduce existing rural gaps between existing village boundaries. This is not always the current case, such applications that encroach on such gaps should be refused at point of submission unless there is irrefutable evidence provided that this is not the case.

Page 101

**Residential extensions**

This appears to seek to recognise the harm that can be caused by inappropriate extensions that cause significant visual harm to rural street scenes, often in areas where there are a significant number of listed dwellings. Officers seem to have difficulty in protecting such locations so it is important that this policy is strongly worded and specific penalties be specified in order to preserve historic village centres and their street scenes.

Page 126 Q 26

**Would you like to propose any sites for consideration as Local Green Spaces?**

We would like to preserve green space around our village settlements.

Page 127

**Core Policies 57-59 Historic Environment & Archaeology**

This states that "all development proposals should conserve and/or enhance the special character and distinctiveness of CD's historic environment, including designated and non-designated heritage assets. Our experience, in The Bourtons, is that current planning law does not allow Officers to follow this guidance and we would suggest that additional policy is introduced to ensure that future developments consider non-designated heritage assets and protect historic street scenes, even where a conservation area has not been designated.

Page 137 Q 27

**What are your views on our aspirations for the Banbury area?**

The document asserts in Banbury Vision 2040 that "Banbury will continue to be a thriving, historic market town". We would dispute this statement : the former Cattle Market [once the largest such market in the UK] which earned Banbury its title of being an important



market town, disappeared many years ago. And the retail market is now a shadow of its former self due to actions of Councils in seeking to privatise it, so ensuring that it is now a generator of profit for a private market management company, rather than being the pride of the town.

The drive to reduce levels of deprivation in Banbury has long been a policy, yet there is no real sign of a reduction, and evidence of people sleeping on the streets continues even with the efforts of several local charities.

You state that traffic congestion will have been reduced. There is no sign whatsoever that this will be the case, indeed it is currently getting worse due in many cases because of CDC policies; large developments often have s106 agreements included to provide for infrastructure development, but frequently without timing plans, or ones that are ignored by developers, and no enforcement action is taken. Hennef Way is a traffic nightmare, and the resolution of the problem looks difficult to implement as land which should have been reserved for future roads development has been allocated to housing or industrial development.

Page 143 mentions a new M40 junction on Southam Road. It's the south of Banbury that needs a junction to avoid the need for people living in the South to come into Banbury to get on to the M40. A southern access point for the M40 should have been planned for but that is now impossible: it is difficult to see how another access on the Southam Road will improve central Banbury traffic problems and is almost certain to increase the use of village roads as "rat-runs".

You state that Public Transport will have been improved. Unless the subsidies for public transport are restored, we cannot see how provision for rural transport can be increased sufficiently to reduce the need for private car use. Since the removal of public transport subsidies, the frequency of buses serving rural communities has reduced to, at best, two buses per week into Banbury. There is no suitably timed provision to travel to work or for education attendance.

Page 138 Q28

**Do you think these sites in the Banbury area should be explored further for the potential allocation of housing?**

Before any new sites for housing are considered, an audit of all available Brownfield sites in Banbury should be published along with specific plans for each one of them to be developed for housing first, and only for other uses if it is impossible to build housing on them.

Page 149 Core Policy 67 **Horton Hospital Site**

These proposals are vague, and we would suggest that Cherwell recognise that the Horton's catchment population is expected to rise to circa 300,000 by 2032.

The present population of Cherwell is 161,800, the population size increased by 13.5%, from around 141,900 in 2011 to 161,000 in 2021. This is higher than the overall increase for England (6.6%).

The birth rate in the UK is falling by about 0.5% per year and is currently 11.267 per 1000 population. That means that in Cherwell there are approx. 1800 births per annum.

However, if the projected catchment area population is taken as 300,000 that gives (using just 10 births per 100,000) 3000 births in the Horton's catchment area which might make a consultant led unit viable. We would expect then that CDC would support the reinstatement of the consultant led maternity unit.

Cherwell should also support the retention of existing services and the enhancement of the A& E which will probably come under increasing pressure as the catchment population rises.

The plan should include a determination to improve the Horton's facilities for current requirements (which will expand) and to assume a need for Obstetrics/Special Care Baby Unit and such routine secondary services as General and gynaecology to be returned - with an accompanying re-grading of Intensive Care from level 2 to level 3 as it was before the 2016/17 downgrade.

The Horton General site is of a similar size to the Oxford campuses (10 hectares) so there is plenty of space for further development in order to provide modern facilities to meet the needs of the current Horton catchment area, well over 200,000 residents. There is more than adequate justification for this development, given that Banbury, Bicester and Brackley have seen extensive development over the last few years and there is still more development to come. Even the larger surrounding villages have been increased collectively by hundreds of new homes.

Page 150

### **Primary Health Care**

Reference is made to the actions of the ICB and its identification of additional infrastructure within Banbury. It would appear that, due to its action against the retention and enhancement of rural surgeries, maybe at the Government's behest, there is a risk to smaller rural surgeries. This must not be allowed to happen : such a strategy would place an increasing burden on Banbury town practices; would increase road usage by private cars ferrying patients to town based surgeries and would place a huge burden on older residents and those residents without their own transport who live in rural locations.

You state that you will work closely with other healthcare providers to ensure the provision of additional and reconfigured health and social care facilities: what percentage of improvement is envisaged and how will the different departments of social care be prioritised? Provision of adequate social care will reduce the pressure on in-patient beds at the Horton Hospital.

Page 211 Q 61

### **Do you have any views on our aspirations for our rural areas?**

We support Core Policy 86: Rural Areas Strategy *"In accordance with the spatial strategy and Core Policy 34: District Wide Housing Distribution, the 500 dwelling non-strategic housing requirement for the rural area will only be met by site specific allocations in this Local Plan or in a Neighbourhood Plan."* We hope this policy will stand up against unwelcome speculative development in rural locations. In order for this policy to be effective and address speculative development in rural locations we would prefer if all sites were identified through the Local Plan or Neighbourhood Plan process.

We welcome the change in classification of Villages, (Core Policy 35) with some current category A villages dropping into the smaller category, which will require them to accept less housing. But we caveat our support by noting that in para 8.7. *"We have already had a large number of suggested sites submitted to us. We have begun our assessments, although these have not yet been finalised. This document is therefore not proposing specific sites."* The locations previously identified do not appear in this current draft plan and although we understand that these sites are presently being assessed, we are not able to comment on the sites which were offered in our parish. For parishes such as ours, this is a huge omission and probably one of the most significant for a parish such as ours, which does not offer the sustainability which housing developments needs or expects. We hope that when the assessment of each offered site is completed, we have the opportunity to discuss their validity.

Page 215 Q 62

**Do you support our preliminary proposals for housing in rural areas?**

As detailed in Development Policy 8 - We would support the outline as currently defined but we would question the policy of using 30 dwellings per hectare as the basis for development in all situations. More fitting would be to use the 30 dwelling ratio for urban developments with a lesser number in larger villages and a much lower number for smaller villages.

Page 215 Q 64

**Do you know of any potential new rural employment sites?**

We are not aware of any in the Bourtons but encourage and support cottage industries which lend themselves more readily to rural locations.

Page 305

**North Cherwell Conservation Target areas?**

We are keen to establish a Conservation Area in Great Bourton and have contacted the appropriate officer. We understand however that our request cannot be addressed until 2024. We are currently researching the relevant content against what has been published for other parish conservation areas but will not be able to make significant progress without the help of your conservation officer.

*Stephen Bowen*

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

*Please reply to*  
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