**From:** Public Access DC Comments   
**Sent:** 10 February 2019 13:54  
**To:** Public Access DC Comments  
**Subject:** Comments for Planning Application 19/00081/F

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 1:53 PM on 10 Feb 2019 from Mr roger dyson.

|  |  |
| --- | --- |
| **Application Summary** | |
| **Address:** | The Lion Main Street Wendlebury Bicester OX25 2PW |
| **Proposal:** | Retrospective application for grass bank on eastern boundary of site |
| **Case Officer:** | Stuart Howden |
| [Click for further information](https://www.publicaccess.cherwell.gov.uk/online-applications/centralDistribution.do?caseType=Application&keyVal=PLDUMSEMGOD00) | |

|  |  |
| --- | --- |
| **Customer Details** | |
| **Name:** | Mr roger dyson |
| **Email:** |  |
| **Address:** | Bridge House Main Street, Wendlebury, Oxfordshire OX25 2PW |

|  |  |
| --- | --- |
| **Comments Details** | |
| **Commenter Type:** | Neighbour |
| **Stance:** | Customer objects to the Planning Application |
| **Reasons for comment:** |  |
| **Comments:** | I would like to register our very strong 'Objection" to this retrospective application for planning approval for a grass bank on the eastern boundary of the site of The Lion public house in Wendlebury.  It was with amazement and deep frustration when we read the letter received entitled Planning Consultation from Cherwell District Council dated 29th January 2019.   The grass bank in question was originally installed in 2015 without specific planning approval when the major alteration works were carried out to the property by the previous owners. The carrying out of this element of the works without approval was one of a number of items of work which the previous owner carried out without specific approval.  When the previous owners of the pub applied for planning approval for major conversion works to the pub (14/1026/F), and then for the construction of the new accommodation block (14/1030/F), we supported the proposals in general, and clearly stated this in our "Objection" submissions at the time.   These original "Objections" specifically registered our concerns at each stage of the various planning applications that, among other issues, any such works should be carried out with care being taken not to cause problems of ground and surface water being deflected onto adjoining properties such as Bridge House. And that the Flood Risk Assessment submitted with the applications were not fit for purpose.  A further example of our concerns over the potential of these works to cause/exacerbate issues of surface water and flooding is in the quote below from our specific comments (amongst others) submitted on the application no. 16/01430/F (Alteration to approval 15/00185/F) on the 10th August 2016:  "We would like to express concern regarding the summary and recommendations in the Flood Risk Assessment report attached to the documents in this planning application. It concludes that the risks of flood in all categories listed is "Low". This is patently inaccurate as is self evident from the history of flooding in the area of the pub over the years."  As by 2016 the grass bank had been installed without permission, we raised the specific issue of the grass bank in our "Objection" to the Planning Application 16/0258/F proposing the retention and extension of the existing tarmac car parking area, which had also been installed without approval instead of the permeable paving car park which had been approved.  We then made a further number of post installation objections, both orally by telephone and email, to CDC; particularly Mr Steve Evans during 2017, and then Heather Nesbitt. During discussions with both Steve Evans and Heather Nesbitt we were told that enforcement action had been taken to ensure the grass bank was removed by the original owners. It was around this time that the original owners sold The Lion to Brakspear.   Below are some of these communications starting with the text of an email sent to Steve Evans on the 29th November 2017:  "Hi Steve  Last evening we were surprised to learn that the public house above has been sold. We believe to a Brakspear Brewery company...  We would appreciate knowing .....if the issues the Council is "enforcing" on the previous owners in their construction/development work will continue to be enforced under the new ownership?   These being:  1. Removal of the earth bund/embankment around the north, south and east sides of the plot (we do not believe this work has commenced);  etc"  During subsequent telephone calls with Mr Evans, it was confirmed that these matters would be subject to "enforcement" action. However, we heard little further from Mr Evans.   A Mr Mahmood subsequently informed us on the 27th March 2018 that the new case officer would be Heather Nesbitt. Ms Nesbitt then emailed us on the 27th March 2018:  "Dear All  Thank you for your earlier emails and apologies you have had difficulty in getting in touch with officers. The earth bund is still under investigation. There are also a number of appeals I understand on-going at the site. Once I have reviewed the entire case I will be in a better position to make decisions on what the next steps in this matter are."  We then emailed Ms Nesbitt on the 9th April 2018 including the request:  "Hi Heather  Our main concern is the construction of the non-approved earth bund/embankment around the north, south and east side of the pub site, as the recent wet weather has served to emphasise just how much the construction of this has increased the levels of water encroaching onto our property, which is immediately next door to The Lion. And therefore in turn to emphasise how keen we are to have it removed, hopefully."  During a telephone conversation with Ms Nesbitt on the 11th April 2018 she confirmed that Brakspear, had been given 28 days to remove the grass bank. Ms Nesbitt also undertook to email us with confirmation of its removal. If we did not hear from her to contact her in May/June 2018.  We then emailed Ms Nesbitt again on the 3rd August 2018:  "Hi Heather  Could you please let me know what the current situation is with my request below.  Our particular concern is that the seasons are changing and we can expect, and indeed are getting, more rain now as the year progresses. And unless the problem with the earth embankment in particular is resolved satisfactorily, then our property will be subject to the recently historic impact of unnaturally high volumes of rain/surface water being redirected away from The Lion site."  We have heard nothing further from Ms Nesbitt.  We therefore feel strongly that as:  1. the previous and current owners of The Lion public house appear to have wilfully failed to comply with CDC's planning requirements and enforcement actions, and  2. the retention of the non-approved grass bank will continue to have a serious detrimental effect on our property,  ...then Cherwell District Council should reject and deny approval to this planning application. |

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action.

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action.