**CHERWELL DISTRICT COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990**

Appeal by SGJ Ltd against the refusal of Cherwell District Council to grant Permission in Principle for 2–3 dwellings at Land Rear of Bridge House, Main Street, Wendlebury

Appellant : SGJ Ltd

Appeal Site : Land to the Rear of Bridge House

 Main Street

 Wendlebury

Appellant’s Agent : Oakwood Planning Limited

LPA Reference : 22/01772/PIP

Planning Inspectorate Reference : APP/C3105/W/22/3312196

**1. INTRODUCTION**

* 1. Permission in Principle for the construction of 2-3 dwellings was refused by the Council on 26th July 2023. The Council’s case is set out within the Officer’s report for the Permission in Principle, copies of which have already been supplied. This Statement of Case seeks to clarify the arguments set out in the Officer report and to respond to the key issues arising from the appellant’s grounds of appeal.
	2. The Council would like to bring to the attention of the Planning Inspectorate, that Cherwell District Council now has a 5.4 year housing land supply. Copies of the recent Housing Land Supply Statement (Feb 2023) are appended to this statement of case.
1. **STATEMENT OF CASE**
	1. The Officer report for the application was completed on 26th July 2022. The Council considered that the principle of development should not be supported in this particular case. No essential need for the construction of 2-3 dwellings in the open countryside. In addition, the development would lead to an unjustified and unsustainable form of development beyond the built-up limits of Wendlebury, which is identified as a Category C village in the Cherwell Local Plan 2011-2031 Part 1. Residential development in Category C villages, the smaller least sustainable settlements in the district, is restricted to infilling and conversions.
	2. The appellant considers that paragraph 11d of the NPPF should be engaged due to the Council’s lack of 5 year Housing Land Supply. At the time of writing the decision for the application, Cherwell District Council had a 3.5 year supply. However, since the decision this has increased to 5.4 years, therefore paragraph 11d is not engaged. The Council considered the impact of the proposed development was not acceptable in a time in which it could not demonstrate a 5 year supply. The construction of 2-3 dwellings would have limited benefits to a Council’s supply of housing.
	3. The appellant considers Wendlebury has additional amenities, including a village hall, and a playground. This is not dissimilar to other villages. The village does have a public house, but the day-to-day basics (Schools, shopping, employment) are not located within the village or easily accessible without a vehicle. There will be a reliance on a motor vehicle, which is not sustainable.
	4. The Council acknowledges the site is close to Bicester, which is a sustainable location. The appellants consider that the site is accessible by public transport, however, the nearest bus stop is on the main A41, rather than the village itself. Users would have to walk to the bus stop, and then catch the bus. Users would have to cross the A41 which does not have any signalised crossing points for the bus stop. It is therefore unlikely residents would use this route on a daily basis given the nature of the road, which is a dual carriageway.
	5. The appellant considers the site to be located at a reasonable distance from the park and ride for cyclists (1.7 miles) and is on National Cycle Route 51. However, there is no cycle path, until the edge of Bicester, therefore cyclists and motorists would be using the same space along a country road. More experienced cyclists would be comfortable with this arrangement, however less experienced cyclists are more likely to be less comfortable using the road for day-to-day trips.
2. **CONCLUSION**
	1. The Council submits that the proposed construction of 2-3 dwellings outside the confines of a Category C Village, which is not justified would not result in a sustainable form of development. The benefits of the scheme do not outweigh the harm caused.
	2. Accordingly, the Inspector is respectfully requested to uphold the decisions made by the Local Planning Authority and dismiss this appeal.

**4.** **SUGGESTED CONDITIONS**

4.1. Without prejudice to the preceding statement, if the Inspector is minded to allow this appeal, the Council would suggest the following conditions be included on the Permission in Principle (22/01772/PIP):

1. **Location**: Location: The land edged red on the site plan 7439-01 titled 'Site Plans’

2. **Land use**: Residential – use class C3

3. **Amount of development**: 2-3 dwelling

**INFORMATIVE NOTES TO APPLICANT**

1. **Technical Details** – An application for ‘Technical details approval’ needs to be submitted within 3 years. That application would need to include detailed layout plans, floor plans and elevations of the proposed building(s). The following details may also be required:

- Drainage Strategy and Plans

- Ecological Report and details of biodiversity enhancement

- Heritage Assessment / Statement

- Details of access, car and cycle parking arrangements

- Air quality assessment (if required)

- Land Investigation Report and Remedial Strategy (if required)

- Construction Environment Management Plan