

<u>Consultee</u>	<u>Date Sent</u>	<u>Expires</u>	<u>Reply</u>
Fringford Parish Council	29.07.2020	19.08.2020	18.08.2020
Arboriculture CDC	29.07.2020	19.08.2020	03.09.2020
Archaeology CDC	29.07.2020	19.08.2020	14.08.2020
Building Control CDC	29.07.2020	19.08.2020	24.08.2020
Local Highways Authority OCC	29.07.2020	19.08.2020	18.08.2020

Comment for planning application 20/01891/F

Application Number	<input type="text" value="20/01891/F"/>
Location	<input type="text" value="Land North East Of Fringford Study Centre Adjoining Rectory Lane Fringford OX27 8DD"/>
Proposal	<input type="text" value="Erection of a 4 bedroom detached dwelling with garage and access"/>
Case Officer	<input type="text" value="George Smith"/>
Organisation Name	<input type="text" value="Anne Davies"/>
Address	<input type="text" value="Greystones House,6 Greystones Court,Kidlington,OX5 1AR"/>
Type of Comment	<input type="text" value="Objection"/>
Type	<input type="text" value="neighbour"/>
Comments	<input type="text" value="see attached file"/>
Received Date	<input type="text" value="18/08/2020 10:37:58"/>
Attachments	The following files have been uploaded:

- FPC Objection to Farriers Close Rectory Lane development V3 (2)final.pdf

Farriers Close/Rectory Lane Application - 20/01891/F

The Parish Council strongly objects to this application, which is unnecessary, undesirable and unacceptable in planning terms as evidenced by the two previous planning application refusals and two dismissed appeals for almost identical proposals.

Little has changed in principle since these rejections other than an increase in the traffic and a worsening of the chronic parking problems in Rectory Lane.

The Parish Council urges CDC to continue to protect this small but significant green space for the benefit of residents, wildlife and for the local environment.

Fringford

The application cites the Cherwell District Council Local Plan and the fact that the village is in Category A-Service Villages. Whilst this is the case the Local Plan states that Fringford is one of the smallest in this category in terms of size, (20th out of 23 in size) and in facilities and service provision. It also states that not all villages will accommodate growth.

Furthermore, since this categorisation took place the village has lost its regular bus service making it a far less sustainable location than it was. The application claims there is a bus stop within a short walk on the nearby A4421 road. There is not and never has been such a bus stop!

Every single new house in Fringford will add to the challenge of climate change as residents travel by car to access essential services, contrary to CDC Policy ESD1.

The application also implies that it is a minor development in the form of infill between neighbouring plots. This is not the case; the site is on a very open corner of two roads with green space at either side of the junction.

The application claims that the two previous refusals were made only on the grounds of archaeology and protected trees. It fails to mention the equally significant reasons for refusal relating to the amenity value of the copse and the negative impact on the local environment and street scene.

The Proposed Site

The Parish Council is confident that the Planning Officer will review in great detail the original planning application for Farriers Close and its subsequent appeal and the two further applications, refusals and appeals to build on the copse, the site now in question. It would however like to draw attention to some of key reasons this land has remained undeveloped.

The original planning permission, only granted on appeal, for the four dwellings on Farriers Close included a condition relating to the retention of the copse that is now proposed to be completely eliminated for the purpose of this proposed new development.

This copse was to be “replanted, fenced off and at all times thereafter maintained as a woodland area.” The stated reason from Cherwell District Council for this was “in the interests of the visual amenity of the area and to ensure the creation of a pleasant environment for the development.” The site referred to as a copse was indicated on the approved plans as being “retained and made available as public open space”.

Two earlier applications have been made to build on the copse. Both were refused and both had appeals dismissed.

Both appeal dismissal findings primarily focused on the significantly harmful effect that the proposed development would have on the character and appearance of the area and quoted Policies C14 and C33 and the need to retain any undeveloped gap which is important in preserving a feature of recognised amenity value.

The appeal dismissal in 2011 also concluded that the copse creates a break in development and as such is an integral part of its established character and appearance. It stated that the loss of trees and introduction of a dwelling on an elevated site would alter the character and appearance and the street scene to a significantly harmful degree particularly when viewed from Rectory Lane.

Nothing has changed in this regard over the years and the Parish Council has received many notes of concern that this public amenity space could be ‘stolen’ from the village.

The Immediate Vicinity of the Site

The copse is significantly elevated from the level of Rectory Lane. As such the proposed dwelling will have an overbearing impact on the area and particularly on Pringle Cottage on the opposite side of this narrow Lane.

The copse and its trees also provide a visual screen between the older, traditional dwellings of Rectory Lane and the modern, suburban style, executive homes of Farriers Close. It also provides the only open space along the lane of closely built dwellings. Its loss would be detrimental to the rural setting and street scene.

The proposed access would also lead to the destruction of part of the dry-stone wall at the front of the copse further damaging the street scene and rural appearance of the area.

Given the facts above the proposed development is not remotely sympathetic to local character and history, including the surrounding built environment and landscape setting,

Trees and Wildlife

A key benefit of the copse at present is the presence of a number of mature trees that enhance the visual environment amongst the hard-built landscape. These trees have become an important part of the character of the area. Many of the trees are protected and protected for good reason. The Parish Council is unconvinced that the proposals in the arboriculture report accompanying the application would effectively protect the trees in the immediate, medium or long term. It is proposed that one protected tree is removed. It is

entirely likely that construction on a site of this size and nature would also lead to damage to the remaining trees.

The copse and its trees have become home over the years to numerous types of wildlife ranging from many species of birds through to rabbits and muntjac deer. The destruction of this small area of natural habitat does not accord with modern environmental thinking.

Road Safety

The site is situated on a narrow winding lane which serves a good number of dwellings. The access proposed is on the apex of a blind bend and as such effective vision splays would be difficult to achieve. The elevated nature of the site would also make access challenging and whilst the site appears to have turning space this is often not used and residents reverse in and out of drives, particularly when homes have visitors using up the drive space.

Alternative safe parking space along the lane is not available. Since previous applications the volume of traffic using Rectory Lane has increased with many of the homes accommodating three or more cars. The progressive increase in home shopping deliveries has also created more movements by drivers unfamiliar with the lane and often uncaring in the way it is used. Speeding along the lane has been a regular problem reported to the Parish Council.

The proposed development will further compromise the safety of pedestrians using this narrow lane which does not have a footway on this bend. Many walkers both locals and visitors use the lane as it is part of the Historic Fringford Trail as it joins several ancient public footpaths.

Archaeological Issues

The site is known to hold significant archaeological remains as discovered at the outset of the Farriers Close development which are believed to indicate a medieval settlement and late Iron Age and Roman remains. Development of the site as proposed would result in the loss of these finds.

Pringle Cottage

Pringle Cottage is situated directly opposite the proposed dwelling across the narrow lane. The elevated nature of the copse site would mean that the proposed house would have an imposing, overbearing and overshadowing effect on the cottage.

Conclusion

This current application is fundamentally similar to those that have gone before that have all been rejected on multiple grounds. The only real difference is that in order to get around the Tree Protection Orders the access has been moved from Farriers Close on to Rectory Lane, to a much more dangerous location and so exposing the entrance of the proposed dwelling to much higher passing traffic volumes.

The key issue though is the assumption that the condition allocating the copse as public amenity space can simply be ignored and all the benefits it provides to the village scene and environment are lost. The Parish Council would urge you to refuse permission for this application on this key area and the other grounds cited above.

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Organisation	<input type="text" value="Building Control (CDC)"/>
Name	<input type="text"/>
Address	<input type="text" value="Building Control Cherwell District Council Bodicote House White Post Road Bodicote Banbury OX15 4AA"/>
Type of Comment	<input type="text" value="Comment"/>
Type	<input type="text"/>
Comments	<input type="text" value="No comment"/>
Received Date	<input type="text" value="24/08/2020 09:38:11"/>
Attachments	

Rachel Tibbetts

From: dcregistration
Sent: 09 September 2020 16:29
To: DC Support
Subject: FW: 20/01891/F - CDC Arboriculture

From: Iain Osenton <iain.osenton@cherwell-dc.gov.uk>
Sent: 09 September 2020 15:40
To: dcregistration <dcregistration@Cherwell-DC.gov.uk>
Cc: George Smith <George.Smith@Cherwell-DC.gov.uk>
Subject: 20/01891/F - CDC Arboriculture

Hi George,

Regarding the above application following a site visit.

The proposal requires the removal of X2 trees covered by TPO 11/1997. Both trees have been awarded a BS5837 category C, which normally should not pose a constraint to development. However, whilst the removal of these could be mitigated through replanting, when combined with the positioning of the proposed dwelling, I feel the proposal offers a high arboricultural impact to Rectory Lane.

Entering rectory lane, T4, T5 and T6 will become partially screened by the proposed dwelling, reducing their amenity. In addition, whilst the AIA report and proposed site plan suggest there is space between the dwelling and retained trees, I feel the retained group will offer a conflict with the proposal almost immediately, threatening the trees longevity. With that, I feel the proposal is likely to result in the eventual loss of all existing trees currently within the copse,

With that, I cannot support the proposal.

Regards,

Iain Osenton
Arboricultural Officer (South)
Environmental services
Cherwell District Council

 Direct Dial 01295 221708

www.cherwell.gov.uk

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From: Charlotte Watkins
Sent: 17 September 2020 23:04
To: George Smith
Subject: RE: 20/01891/F

Hi George

Even though this is a relatively small area it does have potential to support wildlife which as a minimum would require a CEMP to ensure any wildlife (e.g. nesting birds, reptiles, GCN) were not harmed during construction.

The Council is part of the Great Crested Newt District Licensing Scheme offered by NatureSpace (<https://naturespaceuk.com/district-licensing-scheme/>) and this site is located in highly suitable/suitable habitat on the Naturespace Impact Risk Maps. Whilst there is a road between the closest potential aquatic habitat (45m) and this area, it is entirely possible that this site forms part of terrestrial habitat should GCN be present in ponds in the vicinity. The possibility of GCN being impacted should be addressed in some form - they could consider using the district licensing scheme therefore but would need to show they have been accepted onto the scheme.

The proposals will need to show that there will be no overall loss to biodiversity and an overall gain should be sought as per local policy. Features such as integrated bird and bat bricks and wildlife friendly landscaping should be considered in any new build therefore and conditioned should permission be granted.

I would recommend a walkover check by an ecologist is carried out on site therefore to assist in ensuring any ecological features on site are addressed.

Kind regards
Charlotte

Dr Charlotte Watkins
Ecology Officer
Tel: 01295 227912
Email: Charlotte.Watkins@Cherwell-DC.gov.uk
www.cherwell.gov.uk

My usual working hours are: Monday and Wednesday mornings.

Coronavirus (COVID-19): In response to the latest Government guidance and until further notice, the Planning Service has been set up to work remotely, from home. Customers are asked not to come to Bodicote House but instead to phone or email the Planning Service on 01295 227006: planning@cherwell-dc.gov.uk. For the latest information about how the Planning Service is impacted by COVID-19, please check the website: www.cherwell-dc.gov.uk

From: George Smith
Sent: 16 September 2020 14:54
To: Charlotte Watkins
Subject: 20/01891/F

Hi Charlotte

I hope you're well.

We haven't consulted on this one, but a neighbour has noted that the site provides a good habitat for wildlife. Just wondering if you had any comments the siting of a new dwelling here? The trees on site are protected, but there are no specific ecological constraints identified.

Thanks a lot,
George

George Smith MSc
Senior Planning Officer
Development Management
Place and Growth Directorate
Cherwell District Council

From: Archaeologydc - E&E
Sent: 14 August 2020 08:33
To: Planning <Planning@Cherwell-DC.gov.uk>
Subject: RE: Planning notification for application reference: 20/01891/F

Thank you for consulting us in connection with the above application. Previous advice has been given by this service for this site in the past.

The building concerned lies within an area of some archaeological interest adjacent to a multi period site recorded by geophysical survey, evaluation and finally excavation ahead of development in the 1990s (PRN 16029). This site consisted of Late Iron Age and Roman ditches recorded 30m SE of the application area and a Roman cremation burial 37m E. A series of plough furrows was recorded and dated to the C11th 30m SE and aligned to continue into this plot. A mid C13th building was also encountered during the excavation 20m east of this site. A second building was also recorded to the SE. Further Iron Age, Roman and Medieval features were recorded 80m E of the site in an earlier excavation (PRN 15925).

The site of this application was not included in these investigations but it is highly likely that further aspects of the late Iron Age and Roman sites and the medieval settlement will survive within the application site.

The National Planning Policy Framework (NPPF) contains the following paragraph:

189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

In accordance with the National Planning Policy Framework (NPPF 2019) paragraph 189, we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

Please don't hesitate to get in touch if you would like to discuss this further.

Kind Regards

Clare

Clare King

Planning Archaeologist

(Please note that I am only available on Weds and Thurs each week)

Archaeology

County Hall

New Road

Oxford

OX1 1ND

Rachel Tibbetts

From: Batchelor, Kevin - Communities <Kevin.Batchelor@Oxfordshire.gov.uk>
Sent: 18 August 2020 15:40
To: George Smith
Cc: Speakman, Glenn - Communities; DC Support; Cllr Ian Corkin
Subject: 20/01891/F Rectory Lane FRINGFORD

George

Due to the Coronavirus situation, a site visit as part of this assessment has not been possible. Therefore this application has been assessed on its merits from the information provided for consideration and a desk top analysis

I note the Inspector's comments for the previous 2010 appeal ' one modest dwelling would not undermine highway safety in this lightly trafficked lane...'

The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network

Recommendation:

Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they **do not object** to the granting of planning permission, subject to the following conditions:

- D30 parking as plan
- D1 2m access specification

Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council

Kevin

Kevin Batchelor
Area Liaison Officer
Oxfordshire County Council
0345 310 1111



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