

Des Bowring
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20th April 2020

Dear Des,

APP/C3105/W/20/3246723 – Land at The Old Vicarage, Caversfield

A full Statement of Case was submitted by the Appellant when the appeal was lodged. It is not our intention to re-cover the topics identified in the Statement of Case, but to simply respond to any new or revised arguments put forward in the LPA Statement of Case and third-party representations.

As such, this should not be read as an independent document, but rather an addendum to our previously submitted full Statement of Case.

Response to LPA Statement of Case

Principle of development

At Paragraph 5.6, *“The Council submits that since 1) the development plan is not silent or out of date, 2) the Council can demonstrate the required housing land supply under the Written Ministerial Statement of 2018, and 3) the site does not constitute infilling or conversion, the appeal proposal should be refused permission”*.

However, as the LPA’s Statement of Case sets out at paragraph 6.2, the application should still be assessed taking into account all material considerations and on its own merits in the context of the National Planning Policy Framework’s (NPPF) (2019) presumption in favour of sustainable development.

The Council contend that the application site is not an environmentally sustainable location for additional residential development. Paragraph 5.7 states of their Statement of Case states, *“not only that, but future occupiers would not have a realistic choice of travel to access key services, given that pedestrians cannot access Bicester directly via foot path and would have to contend with busy roads and cars travelling at the national speed limit (60mph)”*.

However, the Council do not acknowledge the fact that the proposals include a connection to the existing footpath and apart from crossing of the Fringford Road (which it is likely other residents cross at present), the footpath leads directly into Bicester. We therefore strongly disagree with the Council's statement at paragraph 5.8 that the local services at Buckingham Road are, *"inaccessible to pedestrians travelling from the appeal site and the future occupiers would be heavily reliant on the use of private motor vehicles to access services*. However, there is in fact a bus service (E1) directly outside of the site that runs to and from Bicester every 30 minutes.

Furthermore, in accordance with the principles set out at Section 9 of the NPPF '*Promoting Sustainable Transport*' the ability to cycle to Bicester should also be recognised as a sustainable form of travel from the site, not just by foot.

Design and impact on character of the area

At Paragraph 5.14 the Council disagree with the claim that the existing hedgerow provides a physical and visual distinction between the village and the countryside on the basis it could be removed prior to determination of this appeal.

However, as shown on all submitted plans and also out in the supporting ecology report, the hedgerow will be maintained as part of the development ensuring any transition to the open countryside beyond will remain and there would be limited visual harm due to such existing landscape features effectively containing the small scale residential development.

Local Highway Authority Response

Highway Safety

At Paragraph 9.2 of the LHA's Statement there is reference to dense vegetation within the highway verge. However, we consider any issues relating to the pruning or necessary maintenance of vegetation could be overcome as part of the required S278 Agreement that would be necessary for the development in any event.

Conclusion

At Paragraph 6.1 of the Council's Statement of Case, they refer to a proposal for one single residential unit within an urban location. Notwithstanding the Council's significant error in referencing a different site and proposal altogether, the Council have also not had regard to the appeal referred to within our

Statement of Case (Hayes Street Farm¹) whereby the Planning Inspector confirms, *“the NPPF seeks to boost significantly the supply of housing, which signals that any new houses must command substantial weight as a benefit”*.

Four new units of residential accommodation in a village location close to the urban centre of Bicester will create substantial weight as a benefit to the supply of housing and also through other economic and social benefits already set out within the Appellant’s Statement of Case.

Given that substantial weight should be given to the provision of 4 dwellings at this site, and the fact that the site is closely related to the built-up area of Bicester and there are no objections on amenity or ecological grounds, we consider the planning balance lies in favour of the proposed development.

Yours sincerely



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¹ APP/G5180/W/18/3206947