



REPRESENTATIONS ON BEHALF OF LOCAL RESIDENTS*

**ERECTION OF A 4 BEDROOM DETACHED
DWELLING WITH GARAGE AND ACCESS**

**LAND NORTH EAST OF FRINGFORD STUDY CENTRE
ADJOINING, RECTORY LANE, FRINGFORD**

APP/C3105/W/23/3315481

Contents

- 1** Introduction
- 2** Principle
- 3** Character and appearance
- 4** Residential amenity
- 5** Material considerations
- 6** Conclusion

Appendices

- A** Summary list of residents' main points
- B** Appeal decision (APP/C3105/W/18/3204920) Fringford Cottage, Main Street, Fringford
- C** Officer's report (21/02553/OUT) land adjoining The Cottage, The Green, Fringford
- D** Highway authority comment (21/02553/OUT) land adjoining The Cottage, The Green, Fringford
- E** Housing land supply statement in February 2023 (extract)
- F** Annual Monitoring Report December 2021 (extract)

* Maxine Slater and Ian Mansley - Pringle Cottage, Rectory Lane OX27 8DX
Sue Topham and Alan Stephens - The Old School, Rectory Lane OX27 8DT
Mike and Julie Barrett - Old School House, Rectory Lane OX27 8DT
Sandy and Gordon Hewett - 1 Farriers Close OX27 8DD
Lisa and Keith Ruggles - 4 Farriers Close OX27 8DD

1 INTRODUCTION

- 1.01 These representations have been prepared on behalf of the residents named on the preceding page. Our clients maintain their original points made at the application stage (listed for ease of reference in appendix A) and they are not repeated within these representations.
- 1.02 Having considered the planning application, planning policy and other relevant cases, we make additional representations on the following matters:
- Principle of development
 - Character and appearance
 - Residential amenity
 - Material considerations

2 PRINCIPLE

- 2.01 Local plan 2015 Policy Villages 1 says category A (Service Centres), which included Fringford, will be considered to be suitable for minor development in addition to infilling and conversions.
- 2.02 Supporting text at paragraph C.264 of the local plan 2011 defines infilling as development of a small gap in an otherwise continuous built-up frontage. It goes on to say that many spaces in villages' streets are important and cannot be filled without detriment to their character.
- 2.03 Local plan 2015 policy Villages 2 provides criteria by which to assess distribution of growth in rural areas. These include whether the site is well located to services and facilities.
- 2.04 Local plan 1996 policy C33 states that the council will seek to retain any undeveloped gap of land which is important in preserving the character of a loose-knit settlement.
- 2.05 The south-east side of this part of Rectory Lane does not have a built-up frontage. 1 and 2 Bond Cottages to the north-east are side on to the lane with an open garden and parking/turning area in front. 1 Farriers Close is set back from and at an angle to the lane with a large open garden area in front. There is then the open appeal site and beyond that, to the south, Old School House is set well back from the lane.

- 2.06 Fringford is one of the smallest Category A villages and has limited services and facilities (the village does not benefit from a shop, post office, doctors' surgery or dentist) compared with other category A villages. Since the plan was adopted, Fringford has lost all scheduled bus services.
- 2.07 There are no cycle paths locally. Cycle routes to Bicester would be either via Cottisford Road/Fringford Road/Bicester Road or via Stratton Audley Road/A4421. With the exception of the A4421, these roads are narrow, unlit lanes with few opportunities for motor vehicles to pass cyclists safely. The A4421 is a main road with no cycle lanes, footways or lighting. Neither of these routes would be attractive for cycling, especially after dark. Fringford is not a sustainable settlement. With no public transport and little scope for cycling or walking, all development would be car-dependant.
- 2.08 In an appeal (APP/C3105/W/18/3204920) in respect of Fringford Cottage, Main Street, Fringford, (appendix B) the inspector concluded that Fringford is not a sustainable village (see paragraphs 17-19) the service provision in Fringford has decreased since that appeal decision.
- 2.09 In respect of an outline planning application (21/02553/OUT) for dwellings on land adjoining The Cottage, The Green, Fringford, the planning officer's report (appendix C) stated that Fringford is one of the smallest Category A villages and has limited services and facilities, as well as the withdrawal of the bus service (paragraph 8.5). The highway authority also objected to that development (appendix D) stating that the proposals were located in an extremely unsustainable location. It stated that Fringford has sparse amenities, lacks a viable bus service or shop and opportunities for sustainable modes of transport are non-existent, consequently most journeys would require the use of a private car.
- 2.10 The principle of development does not accord with the development plan and would be contrary to NPPF paragraphs 8-11, concerning sustainability.

3 CHARACTER AND APPEARANCE

- 3.01 The site occupies a prominent corner position which affords views across it from Rectory Lane travelling in either direction. From the east, the site provides a vista out the village towards the countryside to the south-west. From the south-west, together with the front garden of The Old School, the site provides an open aspect before reaching the denser frontage development farther along Rectory Lane to the north-east.

- 3.02 The appeal site is the last remaining open area on the south-west side of the lane, providing a buffer between that relatively densely developed area and the looser-knit development on the north-west side of the lane.
- 3.03 The proposed development would occupy much of the open part of this site which is relatively small in the vicinity. The proposed dwelling would interrupt views from the south-west of the trees on the north-eastern side of the site. These trees are an important part of the character of the area. The proximity of the trees to the house could lead to pressure for harmful pruning or felling.
- 3.04 There is a low drystone wall around the lane frontage. At least part of this would have to be removed to form an access.
- 3.05 The combination of the preceding factors would mean the proposed dwelling on this elevated site would be harmful to the character and appearance of the area and would not contribute to enhancing the built environment.
- 3.06 The possible development of the appeal site has been considered in previous appeals which provide contradictory indications.
- 3.07 In the dismissed appeal decision (APP/C3105/A/10/2140169), the inspector said; *'The appeal site creates a break in development here and is an important and integral part of its established character and appearance ...'* and *'... the introduction of a dwelling on this elevated site, would alter its character and appearance and that of the streetscene to a significantly harmful degree, particularly when viewed from Rectory Lane'* (paragraph 5). The inspector attached weight to local plan 1996 policy C33.
- 3.08 In the appeal decision (APP/C3105/W/21/3270400), the inspector considered that; *'... the development would not have a significant effect in eroding the openness and general spaciousness of the area'* (paragraph 6).
- 3.09 The appeal proposal is not in accordance with local plan 1996 policy C30 and C33 and with local plan 2015 policies Villages 2, bullet 3, and ESD 15, bullet 4.

4 RESIDENTIAL AMENITY

- 4.01 The rear window of bedroom 3 in the proposed dwelling would be about 13 metres from the windows in the front of Old School House and about 20 metres from the side windows of 4 Farriers close. A distance between facing windows, other than those fronting public roads, of 21 meters is often accepted

as a yard stick for assessing privacy. By this measure, the proposed dwelling would result in loss of privacy for those adjoining properties.

- 4.02 This would be contrary to local plan 2015 policy ESD15 bullet 11 and local plan 1996 policies C30 and C31.

5 MATERIAL CONSIDERATIONS

- 5.01 The council published a housing land supply statement in February 2023 (appendix E). This concluded (paragraph 42) that the council's five-year housing land supply in the district, excluding the Partial Review area, is 5.4 years.
- 5.02 Policy Villages 2 states that a total of 750 homes will be delivered at Category A villages, in addition to the rural allowance for small windfall sites and planning permissions for 10 or more dwellings as at 31 March 2014.
- 5.03 The December 2021 Annual Monitoring Report (AMR) (appendix F) states that 749 dwellings were either completed or under construction on sites with planning permission in Category A villages (paragraph 5.156). Since 1 April 2014, a total of 1,062 dwellings had been identified as meeting the Policy Villages 2 requirement of 750 dwellings. The AMR confirms that the requirement has therefore already been exceeded by 312 dwellings (paragraph 5.159).
- 5.04 The council documents indicate that there is no overriding need for additional dwellings in rural areas, including Fringford.
- 5.05 The proposed development would contribute to the local economy but the addition of one dwelling would represent only a small contribution which is outweighed by other factors. The proposal would not support a healthy community or benefit from accessible services, owing to its unsustainable location. Being entirely car-dependent, the proposed dwelling would not use natural resources prudently, minimise pollution, mitigate climate change or assist with moving to a low carbon economy.

6 CONCLUSION

- 6.01 The appeal proposal would be located in an unsustainable location, harm the character and appearance of the area and result in loss of privacy for adjoining dwellings. These disadvantages would not be outweighed by the benefit of providing another single dwelling.

SPEER DADE Planning Consultants

01273 843737

roy@speerdade.co.uk

www.speerdade.co.uk