

## The Planning Inspectorate

### COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

**Appeal Reference: APP/C3105/W/23/3315481**

#### DETAILS OF THE CASE

Appeal Reference APP/C3105/W/23/3315481

Appeal By MR A BRADBURY

Site Address  
Land NE of Fringford Study Centre  
Rectory Lane  
Fringford  
OX27 8DP

#### SENDER DETAILS

Name MISS VICTORIA ROSE

Address  
24 Crosslands  
Bicester  
OX27 8DF

#### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

## YOUR COMMENTS ON THE CASE

I object to this appeal. Cherwell District Council refused the application based on points of planning referenced in the Cherwell Local Plan. Nothing has materially changed since that refusal decision. The proposal is for a 4-bedroom dwelling which would constitute in-fill. Under national policy, Cherwell District Council is meeting its targets for delivering the need for housing and has a housing land supply statement, which demonstrates that the district has a 5.4-year housing supply for 2022 - 2027, up from the 3.5 years reported last year. Based on this, planning permissions for such proposals as this, that do not sustainably meet the district's needs can justifiably be refused. There is no requirement for such a dwelling in the proposed location, and the harmful impact of such, outweighs any suggested benefit.

The proposal failed to comply with the Council's housing policies that look to support residential developments in the "right places" such as sustainable locations. Despite being classed as category A village, Fringford is not a sustainable location in terms of access to services and facilities to meet the day to day needs of residents and has no public transport. The addition of no public transport would increase the number and reliance on private vehicles within the village with an increasingly negative environmental impact.

The proposed site was part of the original planning approval for Farriers Close which stated a condition by the local planning authority that the space was to remain undeveloped in perpetuity, as a visual amenity to the village. The appellant has continuously applied for planning permission, been refused, appealed, and been dismissed at appeal. It is quite incredulous that the appellant has submitted yet another appeal.

The original planning permission, only granted on appeal, for the four dwellings on Farriers Close included a condition relating to the retention of the site known as the Copse - that would be 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". The appellant clearly accepted this condition that it now seeks to ignore. Earlier appeal dismissal findings 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. Previous Planning Officer reports have stated that... "By virtue of its scale and siting on a parcel of land designed as amenity land and which adds significant local value, the proposed new dwelling would result in an incongruous and wholly inappropriate development that would cause significant and demonstrable harm to the existing loose-knit character of the area and would therefore also result in unacceptable infilling in housing supply terms." ...Nothing in this new application has changed in this respect 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.

In relation to the trees, we ask that the Planning Inspectorate check if there have been any breaches to the Tree Preservation Orders for the trees on this site, as over time, the "management" of this land by the owner has affected some of the trees and we are concerned for their future. The map attached shows green circles denoting the number of TPOs that should be on the site.

The site provides public amenity space and all the benefits it provides to the village street-scene, established wildlife and biodiversity which would all be lost for the sake of a proposed dwelling. Pringle Cottage is situated directly opposite the proposed dwelling across the narrow lane, understood previously to have been a drover's 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. This appeal is fundamentally like those that have gone before that have been dismissed. The only real difference is that 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. We respectfully ask that the appeal is dismissed.