

## Planning Application 20/01891/F

I strongly object to this planning application on several important grounds as follows : -

( a ) The Site specified in the Application is an important Village Visual Amenity known as The Copse in Rectory Lane and has never ever been approved as a building site by CDC and hopefully never will at any point in the future . It is a very special village asset .

(b) I am a fellow of the RSPB and during the 15 years I have had the pleasure of living alongside the Copse it has been an absolute haven of bio-diversity for birds and wildlife in general . Apart from nesting sites for Song Thrushes, Blackbirds, Goldfinches and Chaffinches, there have been less common species such as Goldcrests and Blackcaps and even the occasional Bullfinch and Hawfinch . As the old village pond is just across the road from the Copse we have seen an abundance of dragonflies including the Emperor with its large wingspan hunting in the Copse. The undergrowth therein is a home to hedgehogs and Muntjacs and all sorts of insects .

(c) The Copse also preserves the rustic beauty of the winding nature of Rectory Lane screening off from old homes like The Old School built in 1866 the modern development of Farriers Close . Its existing TPO's must not be allowed to decrease .

(d) The TV period drama " From Lark Rise to Candleford " and the historic nature and scenic beauty of the village forms a delightful diversion for visitors ,artists, ramblers, and historians on guided tours, and Rectory Lane with its many ancient pathways should be preserved along with the Copse for the benefit of all to come.

(e )To allow a further home on this Copse would not only be an overdevelopment of a small greenfield site but would lose a unique part of the village as while the cricket field and village green are delightful in their own way they are open spaces not nature havens like the Copse . Creatures like their

existence and biological procreation to be near a water source and the Copse is the only wilderness space close to the old village pond.

(f) The Copse is an area of archaeological interest and no building should be allowed to be developed within its boundary without knowing what historic treasures might lie undiscovered and any such excavation should only be allowed if the Copse can be preserved in the process .

(g) The proposed 4 bedroom house plus garage would not only cause the loss of the Copse but cause further havoc on Rectory Lane which has no spare parking facility and is overloaded with pedestrian and motorised traffic as it is, as a lot of older villagers have their groceries delivered and although this has been exacerbated by the Covid-19 pandemic it is a change of way in living that is likely to stay with us in the foreseeable future.

(h) The ancient sewers in Rectory Lane are constantly blocking as they are overloaded . We need this to be rectified/modernised not exacerbated by allowing an increase on top of a problem . The Village magazine has been drawing this to existing villagers attention with an effort to try and decrease the overload particularly in Rectory Lane.

(i)The proposed exit onto Rectory Lane would be dangerous to peoples' lives as it is coming down from higher ground onto a very narrow lane . The ancient retaining drystone wall is in its way and would have to be removed to quite a wide extent to allow an exiting driver to see clearly in both directions . Delivery lorries to the proposed site/new home would clearly be a continuous problem for Rectory Lane existing villagers safeway .

(j)The new home would be towering above surrounding old properties , particularly Pringle Cottage but also to The Old School House and The Old School

( k) There is evidence to support the Copse has been already accepted by the Developer of Farriers Close as a permanent Public Amenity or Village Visual Amenity and as such not to be built on for all the reasons given by CDC's accepted condition 11 to the December 1997 approval .

Although there is a different name on this Application there is no doubt that the ultimate original Beneficial Title Ownership of The Copse in Rectory Lane has stayed within the ultimate control of Mr Michael Shanly who personally owns a substantial Group of Companies through his 100% ownership of both Shanly Homes Ltd ( "SH" ) and Sorbon Investments Ltd.( "SI" ). So for the purposes of this objection letter I will refer to Shanley Homes as ( "SH" )

This brings me to reveal that an email enquiry from me about maintenance of the Copse lead to a return phone call on June 3<sup>rd</sup> 2015 from SH ( 01494 671331) specifically stating that their solicitor had been consulted and that the Deeds of the Farrier Close Estate show that each of the 4 homeowners therein have to contribute 25% of the maintenance costs performed by Sorbon Estates Ltd ( a subsidiary of SI ) and that the Copse had now been acquired by SH from Brandon Gate Homes Ltd by a transfer within Mr Shanly's group of companies. Indeed the Title to the Copse in the Land Registry currently shows that the transfer to SH took place on 5<sup>th</sup> February 2014.

So the foregoing information appears to : -

( a ) support the position that the Copse remains a Village Visual Amenity in perpetuity as covenants on each individual homeowners title deeds and

( b ) that from the outset SH solicitors accepted the original 18<sup>th</sup> December 1987 Farriers Close deal that CDC granted permission of the development providing that Condition 11 of that approval – vis – that the Copse would not be built on and be an ongoing requirement - and therefore SH solicitors covered the ongoing ( hedgecutting etc.,) maintenance costs in favour of SH on a permanent basis in the deeds .

It is important to remember that the original negotiations with CDC came to fruition only when the applicant offered the Copse as a Public Amenity Space and accepted CDC's Condition 11 that the Copse was to be kept permanently as such for all of the reasons given in the original consent of 18<sup>th</sup> December 1997 to build the 4 homes on the Paddock now known as Farriers Close .

Although CDC's Condition 11 of their consent required the Copse to be fenced off and replanted as a woodland area it can be seen from villagers past letters of objection that from day one of the Farriers Close development SH used The Copse as a base for their operating equipment during 1998 . So the pre-1997 Copse , a delightful spinney with its wild flowers and wildlife habitat, was considerably degraded by the constant movement of machinery and materials not to mention the damage caused by putting site huts in the Copse .

However the Copse was eventually fenced off and young saplings were planted by SH but notwithstanding the deal made with CDC for the Farrier Close Development in the Paddock , on the 5th October 1998, ignoring the Condition 11 reasons they got that deal, SH put in a second application to build a 5<sup>th</sup> house , this time on a previously agreed Village Visual Amenity (the Copse itself ).

In my opinion this quite rightly was met by a CDC refusal as, most importantly, it would result in the loss of the agreed deal for it to remain as a village visual amenity . Nevertheless SH Appealed .

Ref : The Dismissal of the Appeal was dated 8 June 1999 and given by Inspector Stephanie Chivers who comprehensively outlined the reasons why. All of these reasons still apply to this date .

The reason for my objection is that nothing has changed since the the Stephanie Chivers dismissal of SH appeal and her letter should be referred to in detail by CDC as continuing reasons for a Refusal to the Application now under consideration .

11 years passed from her dismissal of the SH Appeal when Sorbon Estates Ltd appeared on site and cut down the Copse saplings and some larger trees forming a huge pile of debris which they then set fire to . For the second time this was a further degradation of our Village Copse , and only shortly preceded a 2<sup>nd</sup> Application dated 26<sup>th</sup> July 2010 to build a home on the Copse.

Unsurprisingly it received a second refusal from CDC which was Appealed by SH and a second Dismissal of the Appeal . There was a strong feeling in the village at that time that the developer was not sticking to the deal made by which the

COPSE was made a Village Visual Amenity in return for allowing the Farriers Close development to go ahead

Another 10 years have passed and we now have had a repeat of the pattern with a further “ maintenance” visit by SH causing a more complete degradation of the Copse preceding this 3<sup>rd</sup> Application , this time for a larger house plus garage on the Copse submitted under Application No : 20/01891/F.

So it seems that for Mr A Bradbury’s ownership reference on section 25 of the application form we can read SH as far as this current application to build a 4 bedroomed house and garage on the Copse is concerned .

As Mr Shanly is in charge of such a large empire I have no doubt that he is completely unaware of the details of such a relatively minor matter as the Fringford Copse and I am left wondering what he would do if it came to his attention in some way or another .

Optimistically he would restore the Copse back to its original state by planting more saplings as, if then left to develop naturally, it would only take a few years for it to become once again a haven for the bio-diversity to come back as we have already witnessed on each occasion between the first two applications being turned down .

Even better he may even leave the Copse in Trust for Fringford villagers to enjoy as what they already regard it , a Village Visual Amenity in perpetuity .

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