

**Item No 09:-**

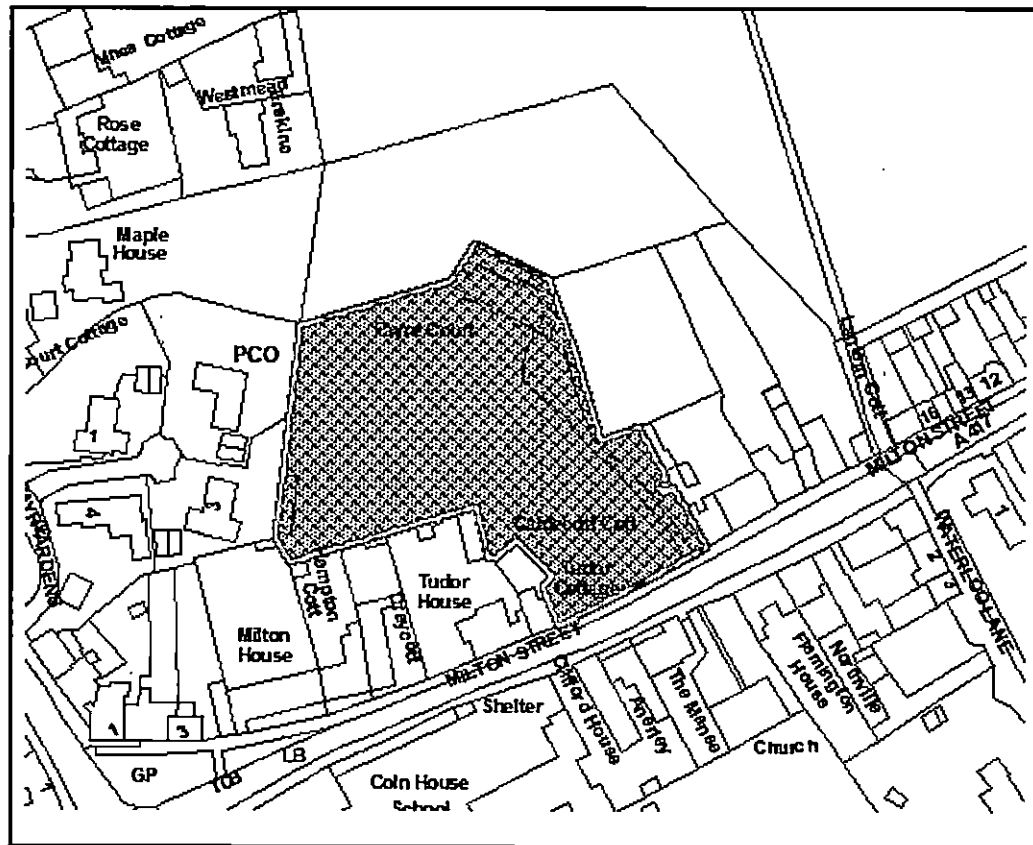
**14/04583/FUL (CT.9067)**

**Fayrecourt  
Milton Street  
Fairford  
Gloucestershire  
GL7 4BN**

**Erection of three dwellings including associated landscaping and other works at  
Fayrecourt  
Milton Street Fairford**

<b>Full Application 14/04583/FUL (CT.9067)</b>	
Applicant:	Mr Richard Wingfield
Agent:	Pegasus Planning Group
Case Officer:	Claire Baker
Ward Member(s):	Councillor Abigail Beccle
Committee Date:	8th July 2015

**Site Plan**



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**RECOMMENDATION: PERMIT**

**RECOMMENDATION: PERMIT**

**UPDATE:** This application was deferred from the Planning Committee held on 8 April 2015 to enable the case officer to discuss the Members' concerns related to drainage and the access to the site with the relevant consultees.

Members asked for confirmation that it would be reasonable to apply a further drainage condition that was applied by the inspector in the appeal decision letter for residential development of up to 120 dwellings at land south of Cirencester Road, Fairford

(13/03097/OUT). Thames Water was consulted and their response was that it would not be appropriate as 3 dwellings would make no quantifiable difference to the foul water sewage network in Fairford and that such a condition would not be viable as no solution would be available for such minor increases in flow.

In order to address the concerns of Members regarding the access, the applicant submitted a supporting statement on access. The further statement and the response of the highway officer to the concerns raised are attached to this report.

Immediately prior to the Planning Committee meeting held on 10 June 2015 new information was submitted by the Ward Member regarding the importance of Fayrecourt as an historic building. This information is attached to this report. The application was deferred to enable officers to fully consider the new information and for an all Members Site Inspection Briefing to take place to consider the impact of the proposed development on the Fairford Conservation Area, listed buildings and to assess the access.

Officers have now considered the further information regarding the potential significance of Fayrecourt. Fayrecourt is a house constructed in the 1920's in the Cotswold vernacular style. It is not listed but lies within the Fairford conservation area and is considered a non-designated heritage asset in regard to the National Planning Policy Framework. Any negative impact of the development upon the heritage asset must be assessed in relation to the significance of the heritage asset. This exercise was previously carried out in relation to the proposal to construct three new dwellings in the garden. Officers' advice arising from the proposal was that the development would not have sufficient negative impact for officers to recommend refusal of the application.

The Government advises that the assessment of significance of heritage assets should consider a number of factors including association with an important event or historic personality (Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment - Historic England- 2008). The additional information submitted is that Fayrecourt was the home (for most of the year) of Noel Countess of Rothes from about 1927 until her death in 1956. The Countess was a notable survivor of the Titanic disaster in 1912 and has been celebrated as such in film and literature. It is possible that the house was built for the Countess and her second husband, Colonel Claud Macfie whose family are thought to have owned the land as part of their estate. There is a memorial to the countess in the parish church.

Having assessed this new information, officers are of the view that, whilst the association of Fayrecourt with Lady Rothes is clearly of local interest, it does not elevate the significance of the building and the garden to an extent that the impact of the proposed development within the garden would have a significantly harmful impact that would warrant a refusal.

The building is not a listed building. Buildings in England are assessed for inclusion on the Secretary of State's list using the principles for selection of listed buildings published by the Department of Culture, Media and Sport 2010. One of the criteria to be considered by the secretary of state's agent, Historic England, is the association of the building with a notable historic personality. At the request of Members, Officers contacted the Designations Department at Historic England and spoke to Dominic Martin, an officer of the central designations office. He stated that Historic England will only look into the potential for buildings to be listed if formal representation is made as directed by the information provided on their website and supported by factual information. However, having described the building and the association with Lady Rothes and the Titanic disaster, he suggested that the building itself may not be of sufficient age to qualify unless the architectural or historic interest is very high and that the association with a survivor of the Titanic would contribute to the building's interest but would be unlikely to provide a compelling reason for inclusion on the list.

**Main Issues:**

- (a) The proposal
- (b) The principle of development
- (c) Scale and design and Impact on the conservation area
- (d) Highway considerations
- (e) Trees
- (f) Impact on the amenity of neighbouring properties
- (g) Flood risk
- (h) Biodiversity
- (i) Other Matters

**Reasons for Referral:**

The application has been referred by Councillors Theodoulou and Wardle for the following reason: Fairford already has sufficient developments with planning consent to satisfy need in the foreseeable future and the present application adds to the stock without contributing to a solution of the town's pressing basic infrastructure needs such as drainage.

**1. Site Description:**

The site is the grounds of Fayre Court, an imposing twentieth century Tudor revival house that is considered to be a non-designated heritage asset. The site is within the development boundary for Fairford and the Fairford Conservation Area. The north elevation of Fayre Court and the agricultural land to the north are considered to be within the setting of the Grade 1 St Mary's Church and the Grade II Fairford House. There are also listed buildings to the south and part of the site is covered by a Tree Preservation Order. There is an existing access from Fayre Court to the A417.

**2. Relevant Planning History:**

None

**3. Planning Policies:**

NPPF National Planning Policy Framework  
 LPR09 Biodiversity, Geology and Geomorphology  
 LPR10 Trees, Woodlands and Hedgerows  
 LPR15 Conservation Areas  
 LPR18 Development within Development Boundaries  
 LPR38 Accessibility to & within New Development  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 LPR46 Privacy & Gardens in Residential Development

**4. Observations of Consultees:**

Conservation Officer: No objection subject to condition.

County Highways: No objection subject to condition. Comments attached to this report.

Tree Officer: No objection subject to condition.

Drainage Engineer: No objection subject to condition.

Biodiversity Officer: No objection.

Thames Water: No objection.

### 5. View of Town/Parish Council:

The Town Council objects to this application on the grounds that the access from the A417 is not adequate. Cars are routinely parked along that stretch of the A417 by residents living on the road which would make visibility for drivers exiting the site very poor. The width of the proposed access does not allow for two-way traffic, and so has the potential to cause major traffic hold ups if a car is exiting at the same time as one is attempting to enter. The parked cars make that particular stretch of the A417 almost single lane as it is. The introduction of parking restrictions adjacent to the access to improve visibility would exacerbate parking issues for existing residents in the area. The Council object on principle to any increase in housing stock as Fairford currently has 269 dwellings permitted and not yet built, plus 161 under construction, plus 120 holiday homes also permitted. The infrastructure of the town is unable to cope with the current influx of development. Any more will simply exacerbate an untenable situation. In addition this proposed development is at the head of the slope to the flood plain and any further displacement of water can only increase the existing flood risk. Should CDC be minded to grant consent, the Town Council requests that Officers check the distances between the back of the proposed houses and the current houses in Fayre Gardens to ensure that sufficient space is achieved.

### 6. Other Representations:

6 letters of objection on the following grounds:

- (i) the access in and out of the proposed development is dangerous;
- (ii) there should be no overlooking of 3 Fayre Gardens;
- (iii) can the houses be moved forward so that the attractive yew hedge can remain;
- (iv) has research been done to protect the habitats of the bats that use the site;
- (v) as the driveway next to Caldecott Cottage is to be widened the owners are concerned that the cottage which has no footings would be damaged and seek assurance that any damage would be put right and suitable recompense made;
- (vi) the widened access would reduce the availability of parking on Milton Street;
- (vi) there would be overlooking and loss of privacy to Caldecott Cottage;
- (vii) there would be a loss of privacy to 2 Fayre Gardens as its garden would be fully visible from the second floor windows which would devalue the property and the new houses would completely block the morning light to the breakfast room;
- (viii) the Council has a responsibility to preserve the conservation area and Fayre Court is a beautiful house standing in reasonable gardens and lawns which should be protected;
- (ix) the proposal is overdevelopment;
- (x) the properties are ugly and unimaginative and make no reference to Fayre Court;
- (xi) the widening of the access would have a detrimental impact on this historic aspect of Milton Street and on the conservation area;
- (xii) no more than three houses should be built as per the plans'.

### 7. Applicant's Supporting Information:

Design an Access Statement  
Arboricultural Statement

### 8. Officer's Assessment:

#### (a) The proposal

The proposal is for the erection of three, two storey, detached dwellings with garages within the grounds of Fayre Court. Following discussions with the Conservation Officer and Tree Officer the proposed layout and details of the proposed houses have been amended. The proposals also includes the widening of the existing access which involves the relocation of part of the existing stone wall.

**(b) The principle of the development**

The site lies within the development boundary for Fairford and as such is subject to Cotswold District Local Plan Policy 18 which allows for new residential development. The principle of development is therefore acceptable.

**(c) The scale and design of the proposal and impact on the conservation area**

Fayre Court is considered to be a non-designated heritage asset. The site is also located within the Fairford Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. It is also considered that the north elevation of Fayre Court and the agricultural land north of the tall garden wall are within the setting of Grade I St Mary's Church and Grade II Fairford House. There are also listed buildings to the south including, Hampton Cottage, Draycott, Tudor House and Tudor Cottage. As such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the buildings' settings. Fayre Court is an imposing early C20th Tudor revival house set on the boundary of the plot facing into an extensive mature walled garden to the south and having interrupted views across agricultural pasture towards St Marys Church and Fairford House within its modest parkland setting. Cartographic evidence suggests that the proposed development site was set out as a formal garden to a property located on the road boundary to the south at the end of the C19th. The house was demolished sometime in the first two decades of C20th and the current Fayre Court constructed at the edge of the plot at this time. The proposal is to subdivide the garden and create three new detached dwellings within it.

The potential heritage constraints identified regarding development within the garden are as follows:

- The status of the garden as a designed landscape and potential non-designated heritage asset
- The status of the garden as an area of undeveloped land contributing to the character of the Conservation Area
- The impact upon the setting of Fayre Court as a non-designated heritage asset
- The impact upon the setting of surrounding listed buildings
- The impact upon the character and appearance of the Conservation Area

In general the garden makes a positive contribution to the character of the Conservation Area in terms of the trees visible above the high walls. However, due to the potential screening of the development by existing tall walls, mature trees and hedges and the proximity of proposed building to the various viewpoints from the wider Conservation Area it is not considered that the development would result in an appreciable change to the character or appearance of the wider Conservation Area. Intervisibility from the road to the south is not likely to experience any major perceivable changes due to the area of mature garden and associated trees in the south of the site which would remain preserved. Views into the site from the countryside to the north would also see minimal impact from the development including those from St Marys Church and Fairford House.

It is not considered that that the garden has an integral relationship with Fayre Court. The building was constructed in the current location in order to maximise the garden area. However, the elements of the garden, as it survives, are fragmented with Fayre Court being constrained within a low walled curtilage appearing to have little interrelationship with the wider garden to the south and west. Many of the hedges and trees within the garden are more likely to relate to the pre C20th phase of the garden. As such it is not considered that the site represents a preserved designed landscape or has significant associations sufficient to be considered a non-designated heritage asset. Furthermore it is considered that development within the garden would have not have an impact upon the setting of Fayre Court as a non-designated heritage asset.

Officers are therefore of the view that, as there would be no harm arising from the proposal on the setting of listed buildings, the setting of the non- designated heritage asset or the character or

appearance of the conservation area, there is scope in principle for three dwellings at the site. Following the submission of amended plans, the proposed houses are now considered to be acceptable in terms of their location and massing and the design which reflects the Cotswold vernacular and local distinctiveness. The proposal therefore complies with Cotswold District Local Plan Policies 15 and 42 and Section 12 of the NPPF.

#### **(d) Highway Considerations**

Access to the proposed development would be via the existing access which would be widened to create a better visibility splay. Paragraph 32 of the NPPF states that; 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.' The County Highway Officer considers the widening of the access to be an improvement on the current situation and has confirmed that she has no objections to the proposal subject to conditions. The Highway Officer's comments are attached to this report.

#### **(e) Trees**

Trees on the site are protected by virtue of their being within the conservation area but part of the site is also subject to a Tree Preservation Order. There are a number of significant trees on the site which have significant public visual amenity and make a positive contribution to the character of the conservation area and these are proposed to be retained. The Tree Officer has raised no objection to the revised proposal subject to a condition requiring the submission of a detailed Arboricultural Method Statement and Tree Protection Plan. The proposal therefore complies with Cotswold District Local Plan Policy 10.

#### **(f) Impact on the Amenity of Neighbours**

Since objections regarding amenity were received, the proposed plans have been amended and the siting of the houses on plots 2 and 3 have been moved further away from the boundary with 2 and 3 Fayre Gardens. Officers are of the view that there would be no adverse impact on the amenity of these neighbouring properties in terms of overlooking or overshadowing. The closest distance between the rear elevation of 2 Fayre Gardens and the rear elevation of plot 2 is approximately 23 metres and the proposed house would be angled away from of 2 Fayre Gardens. The closest distance between the rear elevation of 3 Fayre Gardens and the rear elevation of plot 3 is approximately 29 metres. Policy 46 does not stipulate acceptable distances between facing elevations but it is generally accepted that a distance of 22 metres between 2 storey facing elevations is an acceptable interface distance. There is also existing boundary vegetation which would help to filter view through to the neighbouring gardens.

#### **(g) Flood Risk**

The site is within Flood Risk Zone 1, an area of low risk from flooding. The Council's Engineer has raised no objection to the proposal subject to a condition requiring the submission of a surface water drainage scheme.

#### **(h) Biodiversity**

The Biodiversity Officer has considered the impact on ecology at the site and has raised no objection subject to the introduction of mitigation in the form of bat boxes to be introduced on the proposed garages. The proposal complies with Cotswold District Local Plan Policy 9 and Section 11 of the NPPF.

#### **(i) Other Matters**

A concern has been raised regarding possible damage to Caldecott Cottage as a result of construction work. However, this is not a planning matter but a civil matter that should be addressed separately.

The proposed development would be subject to the New Homes Bonus. The New Homes Bonus grant is paid by central government to local councils for increasing the number of homes in its area. The New Homes Bonus is paid each year for 6 years. It is based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use.

### **9. Conclusion:**

Officers are therefore of the opinion that the proposal complies with Local Plan policies 9, 10, 15, 38, 39, 42 and 46 and Sections 4, 7 and 12 of the NPPF and recommends that the application is permitted.

### **10. Proposed conditions:**

The development shall be started by 3 years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be implemented in accordance with the following drawing number(s): W.0308-01i, W.0308-03-1D, W.0308-03-2D, W.0308-03-03, W.0308-03-4, W.038-036C, W.0308-03-7A, W.0308-03-08, W.0308-03-09, W.0308-0310, W.0308-10-1.

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

The external walls of the development hereby permitted shall be built of natural Cotswold stone.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policies 15 and 42, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

The roofslopes of the development hereby permitted shall be covered with artificial Cotswold stone slates.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policies 15 and 42, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

The development shall not start until samples of the proposed walling and roofing materials have been approved in writing by the Local Planning Authority and only the approved materials shall be used.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policies 15 and 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

The development shall not start until a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar has been erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.



**Reason:** To ensure that in accordance with Cotswold District Local Plan Policies 15 and 42, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

All windows and doors shall be of timber construction and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

The doors and windows shall be painted in a colour to be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be permanently retained in the approved colour unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

No development shall commence until a sample of the external timber weatherboarding finished in the proposed colour has first been submitted to and approved in writing by the Local Planning Authority. The external woodwork shall be finished and thereafter retained as approved.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 15 and 42. The colour of the finish of the external woodwork will have a material effect on the appearance of the proposed development.

No bargeboards or eaves fascias shall be used in the proposed development.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

All garage doors shall be of vertical boarded timber and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

No development shall commence until the design and details of the boundary features have been submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles; elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

All removal of trees and vegetation on site must be carried out as per the recommendations in The arboricultural survey, impact assessment & protection plan (Pegasus 19/01/ 2015) and one integral bat and bird box included on each of the garages as illustrated on drawing noW.308\_03-6C. All proposed mitigation and enhancements must be completed before the new dwellings are first brought into use and permanently maintained thereafter.

**Reason:** To ensure that bats and birds and their habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, In line with the National Planning Policy Framework (in particular section 11), Cotswold District Local Plan Policy 9 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Before the development commences a scheme shall be submitted to and agreed in writing by the local planning authority which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme should be implemented prior to the occupation of the dwellings hereby approved and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure that bats and birds and their habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, In line with the National Planning Policy Framework (in particular section 11), Cotswold District Local Plan Policy 9 and In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

The building(s) hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing no.W.0308\_01i and those facilities shall be maintained available for those purposes thereafter.

**Reason:** To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework and Policy 38 of the Cotswold Local Plan.

Prior to the occupation of the development hereby permitted, the vehicular access and visibility splays shall be laid out and constructed in accordance with the submitted plan drawing no. W.0308-10-1. with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

**Reason:** To reduce potential highway impact by ensuring that a safe and secure access is laid out and constructed that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 35 of the National Planning Policy Framework and Policy 38 of the Cotswold Local Plan.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

**Reason:** To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework and Policy 38 of Cotswold Local Plan.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any other statutory instrument amending or replacing it, no extensions, garages or outbuilding shall be erected, constructed or sited in the development site and no openings opened or closed other than those permitted by this Decision Notice.

**Reason:** It is in the interest of visual and residential amenity in accordance with Cotswold District Local Plan Policies 15, 42 and 46.

i) Prior to commencement (including demolition) a Detailed Arboricultural Method Statement and finalised tree protection details must be submitted to and approved in writing by the Local Planning Authority. Once approved, all recommendations must be completed in full, and in accordance with any timescales therein. The arboricultural method statement and tree protection details must include (but not be limited to): a timetable and sequence of events, detailed no-dig specification, full tree protection details, arboricultural supervision and monitoring, new planting proposals, demolition details and build specification for the realignment of the front wall.

ii) Unless otherwise agreed in writing by the Local Planning Authority, no services shall be located within the root protection area or canopy of any tree being retained.

**Reason:** To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policies 10, 15 and 45.

Prior to the commencement of development, a full surface water drainage scheme, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. Details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

**Reason:** It is necessary to require that the full surface water drainage scheme is submitted and approved prior to commencement to ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).

Prior to the commencement of the development hereby permitted, further infiltration tests shall be carried out to ascertain whether the levels recorded are accurate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The results of the further tests shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. In the event that the further infiltration tests show groundwater levels to be closer to the surface than previously understood, and therefore infiltration becomes unfeasible, details of an alternative surface water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and shall thereafter be implemented in full.

**Reason:** It is necessary to require that the full surface water drainage scheme is submitted and approved prior to commencement to ensure the proper provision for surface water drainage and/or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Policy Statement 25 Technical Guidance).

**Informatives:**

The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))










The FWMA requires the drainage system for each new development or re-development (subject to exemptions) to be approved, adopted and maintained by the unitary or county council for the area before construction starts. The drainage system must take account of National Standards for the design and construction of sustainable drainage systems. These will set out the criteria on which the forms of drainage appropriate to any particular site or development can be determined. GCC and the districts have commenced preliminary discussions with respect to the delivery model and procedures for implementing the SuDS Approval Body (SAB). However, the National Standards and commencement order for the implementation of SuDS have yet to be released. Until this is done the resources and actions, or operational timetable needed cannot be confirmed. (9.1.11 of GCC Local Flood Risk Management Strategy February 2014)

There is a Thames Water main crossing the development site which may need/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No:0800 009 3921 for further information.

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**KEY**

-  SITE LOCATION
-  MARSHALLS GRANITE AGGREGATE SETT TO EDGE
-  RESIN BOND GRAVEL
-  EXISTING BOUNDARY WALL TO PLOT 1
-  REPLACEMENT SECTION TO EXISTING BOUNDARY WALL TO PLOT 1
-  1.8M HIGH BRICK WALL
-  1.8M HIGH TIMBER FENCING
-  0.6M HIGH NATURAL STONE WALL (PLOT 4)
-  0.6M HIGH PICKET FENCE (PLOTS 2 & 3)

**INDICATIVE ACCOMMODATION SCHEDULE**

- PLOT 1:  
EXISTING HOUSE 2700-3000SQFT  
(ESTIMATE)
- PLOT 2:  
4 BED HOUSE 1757 SQFT
- PLOT 3:  
4BED HOUSE 1757 SQFT
- PLOT 4:  
4 BED HOUSE 1757 SQFT

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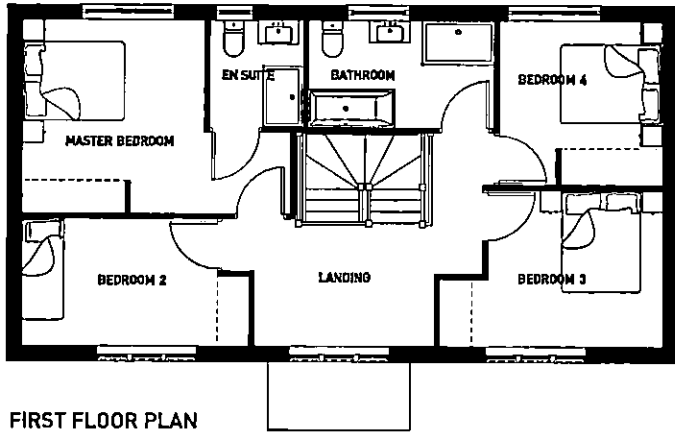
**LAND AT FAYRE COURT, FAIRFORD - SITE LAYOUT**



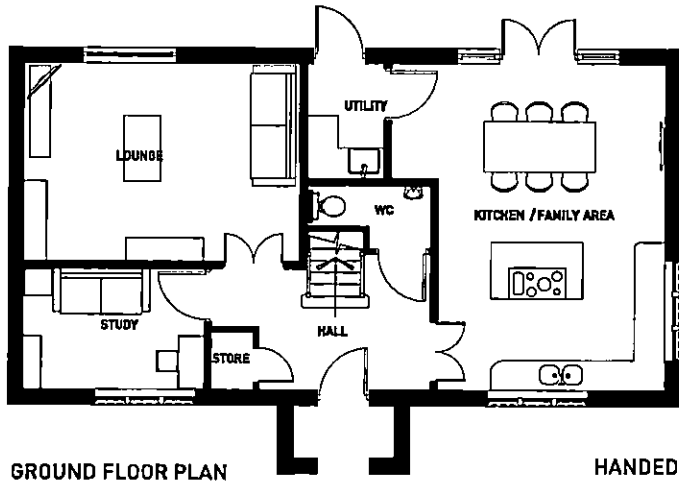
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LAND AT FAYRE COURT, FAIRFORD - HOUSE TYPES - PLOT 2 ELEVATIONS



FIRST FLOOR PLAN



GROUND FLOOR PLAN

HANDED

LAND AT FAYRE COURT, FAIRFORD - HOUSE TYPES - PLOT 2 FLOOR PLANS



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FRONT ELEVATION

SIDE ELEVATION

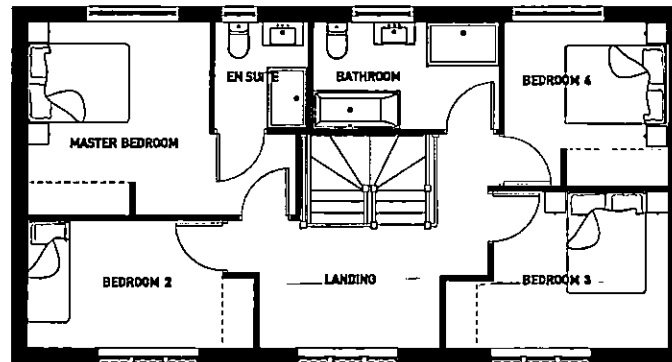


REAR ELEVATION

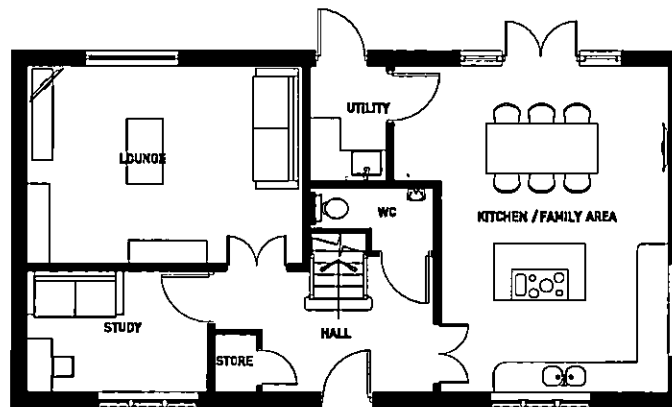
SIDE ELEVATION

LAND AT FAYRE COURT, FAIRFORD - HOUSE TYPES - PLOT 3 & 4 ELEVATIONS





FIRST FLOOR PLAN



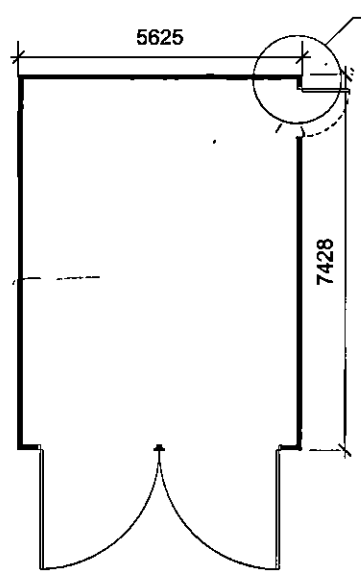
GROUND FLOOR PLAN

HANDED

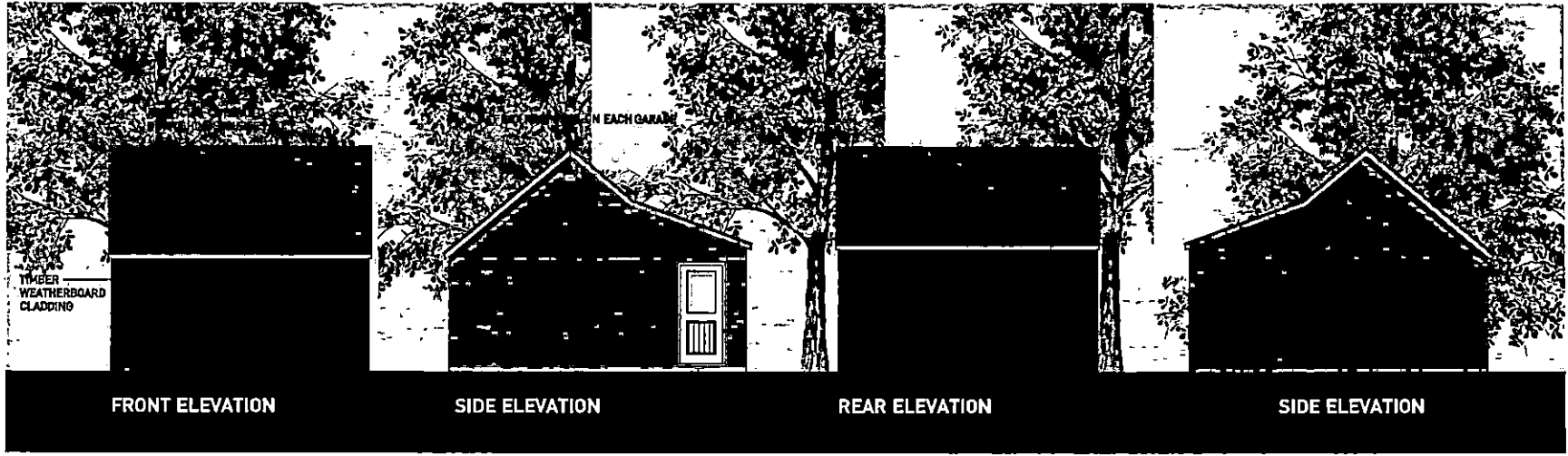
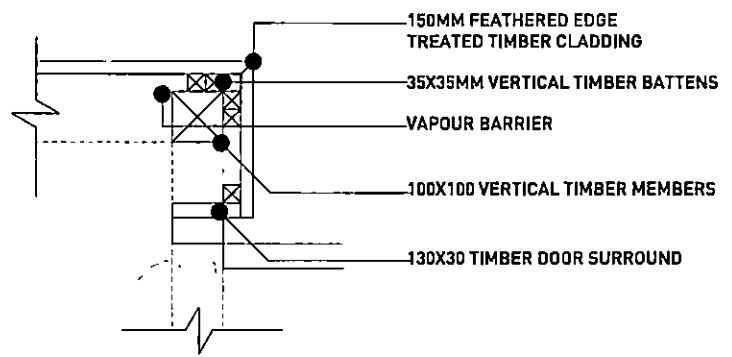
PLOTS 3H, 4AS

LAND AT FAYRE COURT, FAIRFORD - HOUSE TYPES - PLOT 3 & 4 FLOOR PLANS

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CORNER DETAIL 1:10



FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION

LAND AT FAYRE COURT, FAIRFORD - GARAGE FLOOR PLANS, ELEVATIONS & DETAIL

| T 01285 641717 | F 01285 642348 | www.pegasuspg.co.uk | Team: MCC/EJT/BG | Date: MARCH 2015 | Scale: 1:100 @A3 | drwg: W.0308\_03-6C | Client: Richard Wingfield |





# LAND AT FAYRE COURT, FAIRFORD

## SUPPORTING STATEMENT ON ACCESS

MAY 2015



PFA Consulting  
Stratton Park House  
Wanborough Road  
Swindon  
SN3 4HG

*engineering the future*

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## DOCUMENT CONTROL

Job No	R336		
File Reference	G:\workfiles\R336\REPORTS\R336-DOC01 Supporting Statement on Access-Issue 3.docx		
	Name	Date	Initials
Prepared By	T Paine	14.05.15	TP
Checked By	J Alexander	14.05.15	JA

Issue	Date	Comments	Approved
3	14.05.15		P Finlayson

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**APPENDICES**

**Appendix A PFA Consulting Drawing Number R336/4 Rev A – Access Visibility**

## 1. INTRODUCTION

- 1.1. This supporting statement on access has been prepared by PFA Consulting on behalf of Richard Wingfield. It deals with the site access arrangements to a proposed development comprising the erection of three dwellings including associated landscaping and other works on a site known as Land at Fayre Court, Fairford. There is an existing house on the site, which will be retained.
- 1.2. The proposed development is the subject of a planning application that was submitted to Cotswold District Council (CDC) in October 2014. CDC's reference for the planning application is: 14/04583/FUL. The location of the application site is shown on Pegasus Urban Design's Site Location Plan dated 23 September 2014, an extract from which is reproduced below as Figure 1.1.

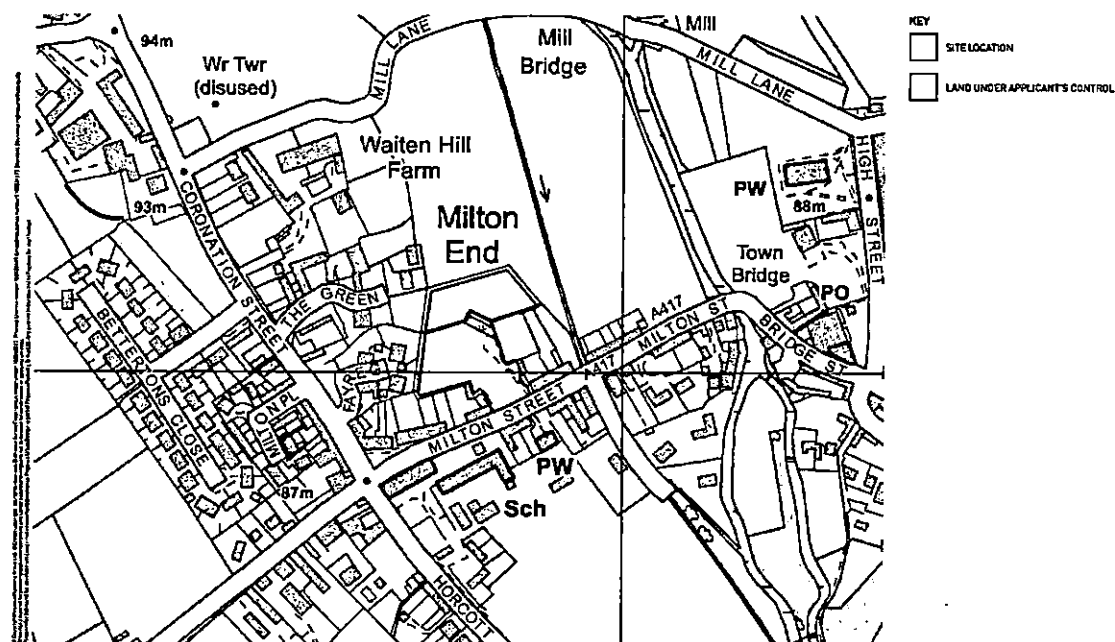


Figure 1.1: Extract from Pegasus Urban Design's Site Location Plan Dated 23 September 2014 (NTS)

- 1.3. In October 2014, CDC sent an e-mail to the applicant's agent informing it that the application was valid and requesting a plan showing visibility splays from the widened access. It stated:

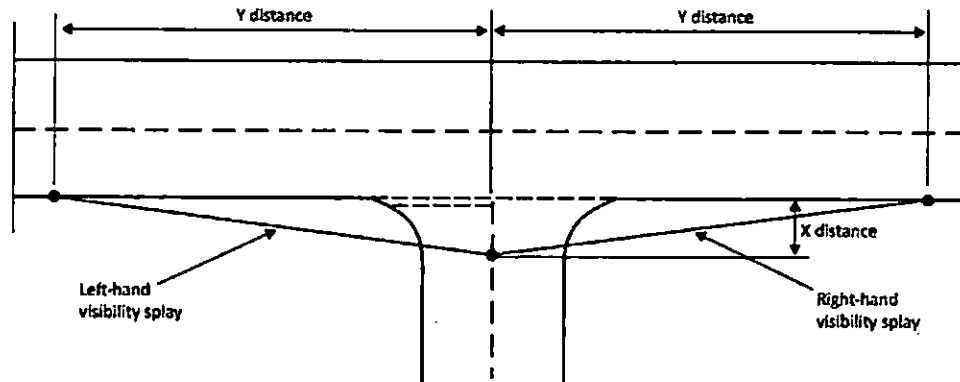
**"In accordance with GGC's guidance, visibility splays of 54 metres will be required."**

CDC referred the agent to Gloucestershire County Council's Standing Advice relating to proposed or existing residential development comprising 5 dwellings or less.

- 1.4. This supporting statement on access sets out the visibility splay requirements according to the Standing Advice, it then describes the existing access arrangements and then turns to the proposed access arrangements. A comparison between the existing access and the proposed access is set out in the summary and conclusions.

## 2. VISIBILITY SPLAY REQUIREMENTS

- 2.1. Visibility splays at priority junctions and accesses are made up by two components, which are known as the 'y-distance' and the 'x-distance'.
- 2.2. The y-distance is the distance measured along the major road (the A417 Milton Street in this case). The x-distance is the distance back along the centre of the minor road (the site access in this case) from which point a driver needs to have a clear line of sight to a point on the nearer edge of the major road carriageway corresponding to the y-distance. See diagram below:



- 2.3. The dimension of 54 metres referred to by CDC is derived from Table 3.10 of the Standing Advice, which sets out 'deemed to satisfy' visibility standards. This dimension is the y-distance required for accesses onto roads that are subject to a 30mph speed limit and allows for actual speeds that are 4mph greater than the speed limit (viz 34mph).
- 2.4. With regard to the x-distance, the Standing Advice advises:
- "The default x-distance for this Standing Advice is 2.4m. Where 2.4m cannot be achieved, consideration can be given to reducing the x-distance to 2.0m where:-**
- a) the speed limit is no greater than 30mph; and
  - b) the site is located on a residential street; and
  - c) there is no departure from the forward visibility requirements; and
  - d) the adjacent highway carriageway width is not less than 5.5m."
- 2.5. In the vicinity of the application site, the A417 Milton Street is subject to a speed limit of 30mph, it acts as a residential street with direct frontage access and on-street parking as well as a thoroughfare and bus route, there is adequate forward visibility along the road and the adjacent carriageway width is around 7 metres. It is on this basis that PFA Consulting is of the opinion that the x-distance can be reduced to 2.0 metres.
- 2.6. Therefore, based on the Standing Advice, the visibility splay requirements have been taken to be 2.0 x 54 metres.



### 3. EXISTING ACCESS ARRANGEMENTS

- 3.1. The site currently has access from Milton Street by way of a 3.5 metre wide private driveway. The driveway is a track with a loose gravel surface bordered by a wall to the west and a side wall of a house (Caldecott Cottage) to the east. Access to Milton Street is in the form of a footway crossover.
- 3.2. A view of the existing site access is shown in Photograph 3.1 below:



Photograph 3.1: View of existing site access

- 3.3. The existing site access and associated visibility splays are shown on PFA Consulting's Drawing Number R336/4, which is reproduced at Appendix A. It can be seen that existing visibility splays are limited to approximately 2.0 x 35 metres to the east and 2.0 x 7.4 metres to the west.

**5. SUMMARY AND CONCLUSIONS**

- 5.1. This supporting statement on access has been prepared by PFA Consulting on behalf of Richard Wingfield. It deals with the site access arrangements to a proposed development comprising the erection of three dwellings including associated landscaping and other works on a site known as Land at Fayre Court, Fairford. There is an existing house on the site, which will be retained.
- 5.2. In October 2014, CDC sent an e-mail to the applicant's agent informing it that the application was valid and requesting a plan showing visibility splays from the widened access. It stated:

**"In accordance with GGC's guidance, visibility splays of 54 metres will be required."**

CDC referred the agent to Gloucestershire County Council's Standing Advice relating to proposed or existing residential development comprising 5 dwellings or less.

- 5.3. Based on the Standing Advice, the visibility splay requirements have been taken to be 2.0 x 54 metres.
- 5.4. The existing site access arrangements have been examined and have been found to be sub-standard in respect of visibility splays, which are limited to approximately 2.0 x 35 metres to the east and 2.0 x 7.4 metres to the west.
- 5.5. The proposed site access arrangements, which will take the form of a re-aligned and widened private driveway will have a bound surface; will be 4.1 metres in width on the approach to Milton Street (enabling two cars travelling in opposite directions to pass each other); will have pedestrian / driver visibility splays; and will achieve visibility splays of 2.0 x 54 metres in both directions in accordance with the visibility splay requirements.
- 5.6. A comparison between the existing access arrangements and the proposed access arrangements has been set out in **Table 5.1** below.

**Table 5.1: Comparison of Site Access Arrangements**

Component	Existing Access		Proposed Access	
		In accordance with MfGS?		In accordance with MfGS?
Surface of access	Loose gravel	×	Bound surface	✓
Pedestrian to driver visibility	No	×	Yes	✓
Visibility splays	2 x 35m to the east 2 x 7.4m to the west	×	2 x 54m both directions	✓

Note: MfGS is Manual for Gloucestershire Streets, 3<sup>rd</sup> Edition

- 5.7. It is on this basis that it is considered that the proposed site access arrangements will achieve significant improvements over the existing site access arrangements, which are materially substandard in respect of visibility, and safe and suitable access to the site can be achieved for all people in accordance with the NPPF.

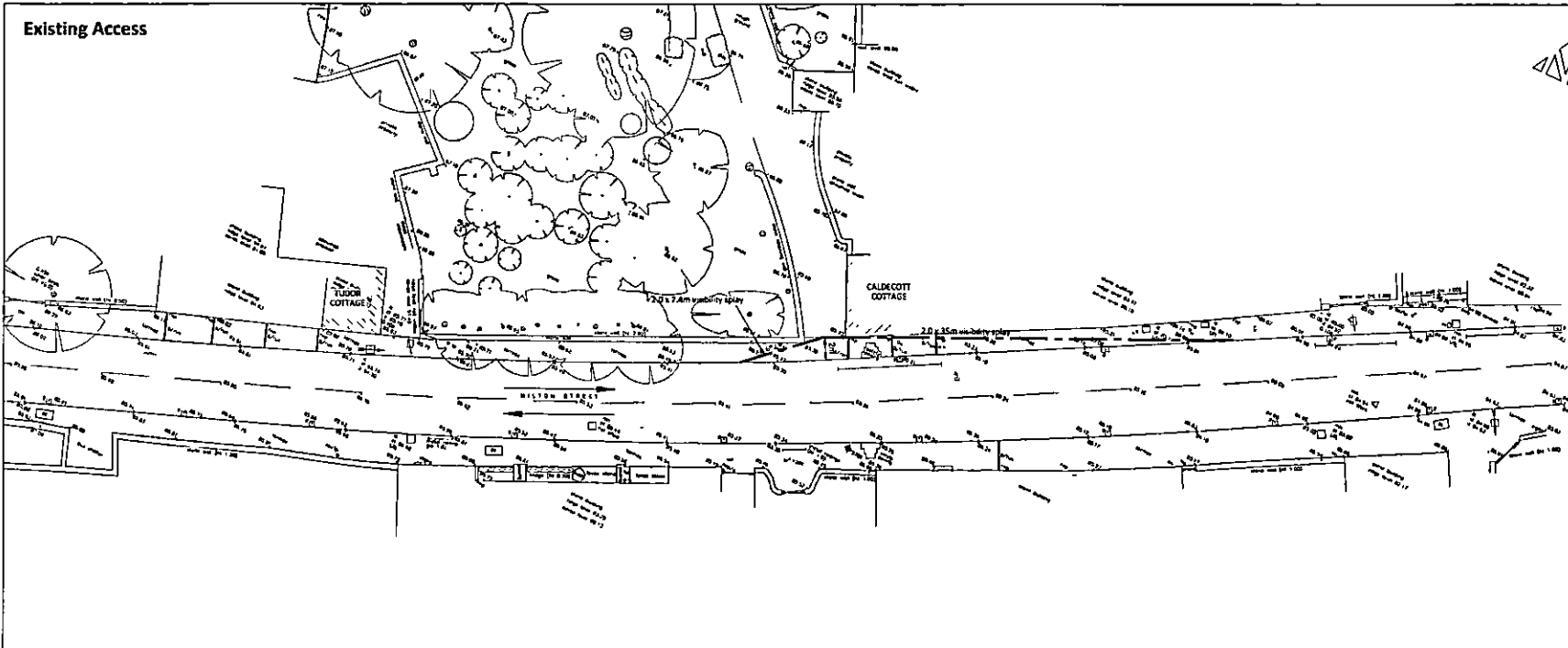
#### 4. PROPOSED ACCESS ARRANGEMENTS

- 4.1. The proposed site access arrangements will take the form of a re-aligned and widened private driveway. The proposed driveway will have a bound surface and will be a minimum of 4.1 metres in width on the approach to Milton Street (enabling two cars travelling in opposite directions to pass each other). Pedestrian / driver visibility splays will be provided to enable drivers to see pedestrians and pedestrians to see vehicles emerging onto the footway on Milton Road. The existing stone wall fronting Milton Road will be re-aligned and visibility splays of 2.0 x 54 metres will be achieved in both directions in accordance with the visibility splay requirements (see above). To reduce the impact on the stone wall, the visibility splay to the west has been measured to the nearside edge of the vehicle track in accordance with paragraph 10.5.3 of Manual for Streets 2, which states:

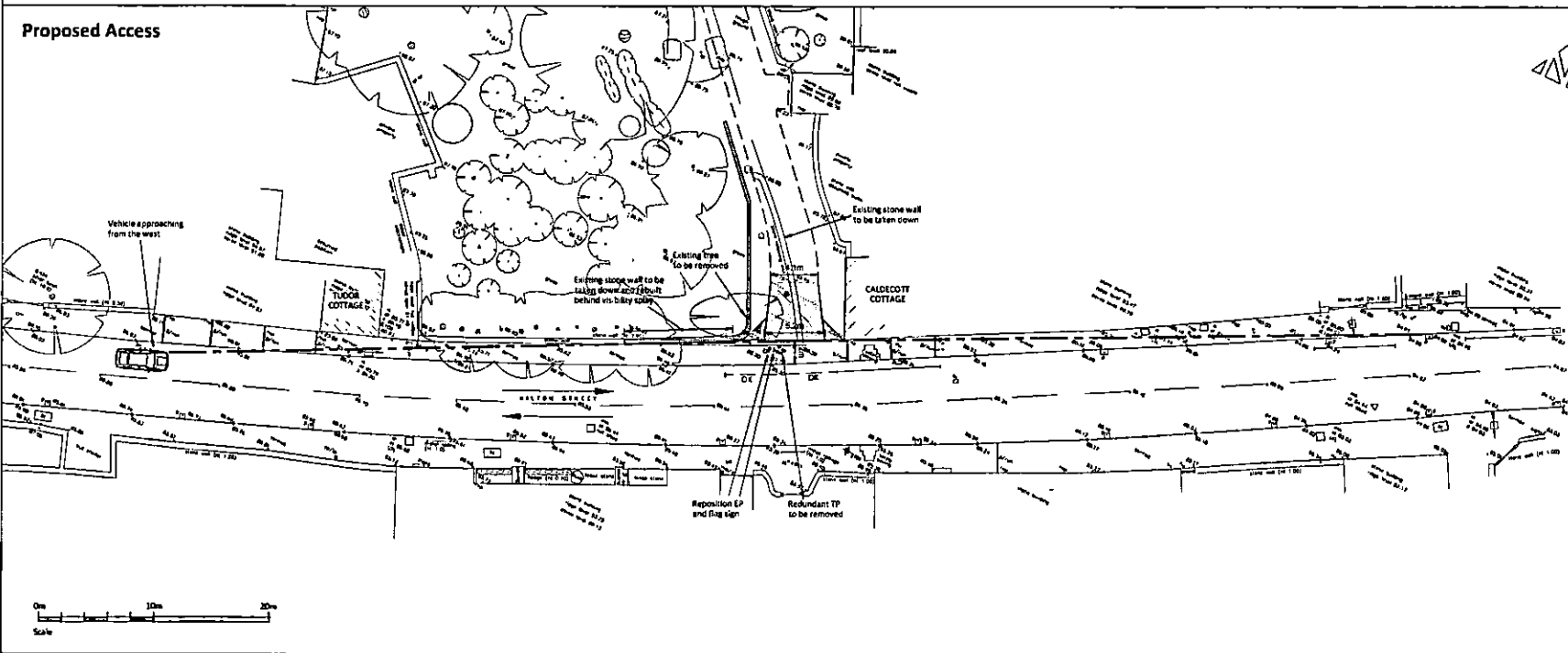
**“The Y distance represents the distance that a driver who is about to exit from the minor arm can see to the left and right along the main alignment. For simplicity it has previously been measured along the nearside kerb line of the main arm, although vehicles will normally be travelling at a distance from the kerb line. Therefore a more accurate assessment of visibility splay is made by measuring to the nearside edge of the vehicle track...”**

- 4.2. The proposed access arrangements are also shown on PFA Consulting's Drawing Number R336/4 Rev A, which is reproduced at **Appendix A**.

Existing Access



Proposed Access



Stratton Park House, Wanborough Road  
 Sandown, SA13 4HC  
 Telephone  
 01793 835000  
 Facsimile  
 01793 835500  
 Email  
 admin@pfapc.com  
 Website  
 www.pfapc.com

- KEY:**
- Site Boundary (indicated on site)
  - - - Existing visibility splay (as shown)
  - - - Proposed visibility splay (2 x 54m)
  - - - Pedestrian / driver visibility splay
  - ▬ Proposed stone wall
  - DT Proposed dropped kerb
- NOTE:**
- Drawing based on topographical survey undertaken by Midland Survey Ltd Drawing No 19516/2/11

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#	06/06/25	Minor amendments to existing stone wall.	CS
A	18/02/25	Facility note from proposed access encountered to rear side of vehicle track and ground at meeting of new wall to be taken down and re-built.	CS

Rev: Date Description

Client:

Richard Wingfield

Project:

Land at Fayre Court,  
 Fairford

Drawing Title:

Access Visibility

Drawing No: **R336/4** Rev B

Date	February 2025
Scale	1:200 @ A1
Drawn By	CS
Checked By	TP
E-Mail	cumber@pfapc.com
File Ref.	F:\Wan16\18336\Drawings



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## Highways Development Management

Shire Hall  
Gloucester  
GL1 2TH

Claire Baker  
Cotswold District Council  
Trinity Road  
Cirencester  
Gloucestershire  
GL7 1PX

Please ask for: Alison Curtis

Our Ref: C/2015/033452

Your Ref: 14/04583/FUL

Date: 20 May 2015

Dear Claire,

### **TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION**

**LOCATION: Fayrecourt Milton Street Fairford Gloucestershire GL7 4BN**

**PROPOSED: Erection of three dwellings including associated landscaping and other works**

Additional information was submitted on the 14<sup>th</sup> May 2015 in response to comments made by local Councillors at Planning Committee on 8<sup>th</sup> April 2015. The Highway Authority had not objected to the proposal of 3 dwellings accessed from Milton Street. Councillors raised concerns over the reduction of one part of the visibility splay distance.

As previously stated Milton Street is the A417 linking Cirencester with Lechlade and beyond. The site is located with a 30mph speed limit, footways are present on both sides of the road and street lights provide illumination to the footways and the 7m wide carriageway. On street parking is permitted and occurs regularly on the north (site) side of the road, this does reduce the effective width of the carriageway such that an HGV and another vehicle cannot pass but two way working remains for smaller vehicles. The existing site access and neighbouring property benefits from 'Keep Clear' markings which does provide a passing bay for oncoming HGVs. Milton Street has direct frontage access characteristic of a residential street.

Visibility splays are comprised of two parts; an 'x' distance of 2.4m is standard but can be reduced to 2m in certain circumstances and represents the position of a driver emerging from the minor arm of a junction. The 'y' distance is the length along the major road that is required to be seen and represents the Sight Stopping Distance of the speed the vehicles are travelling

at. The proposed 'y' distance of 54m is commensurate with a 30mph speed limit where a speed survey has not been undertaken, using evidence from across the County the recorded 85<sup>th</sup> percentile speed within 30mph limits is 34mph, and therefore 54m provides an appropriate distance for approaching vehicles to see a hazard, react to it and come to a stop without undertaking an emergency brake.

GCC has published Standing Advice which includes advice on visibility splays this can be found at Appendix C of Manual for Gloucester Streets, and states:

*'The default x-distance for this Standing Advice is 2.4m. Where 2.4m cannot be achieved, consideration can be given to reducing the x-distance to 2.0m where:*

- a) *The speed limit is not greater than 30mph; and*
- b) *The site is located on a residential street; and*
- c) *There is no departure from the forward visibility requirements; and*
- d) *The adjacent highway carriageway width is not less than 5.5m.'*

Taking each point in turn:

- a) The speed limit is 30mph
- b) Milton Street has characteristics common to residential streets
- c) Forward visibility is good along Milton Street, such that forward visibility exceeds the sight stopping distance.
- d) The adjacent highway carriageway is 7m, this is 1.5m wider than the minimum 5.5m width required where a 2m x distance is acceptable. The available carriageway width is sufficient that should the emerging vehicle protrude slightly into the running carriageway, approaching drivers and cyclists can see this overhand from a reasonable distance and manoeuvre without undue difficulty.

In order to achieve the visibility splay of 2.0m by 54m improvements are being proposed to the existing access. The existing access is being widened to provide simultaneous access and egress to the site, the widening of the access also provides pedestrian visibility splays which are not currently available, posing a risk to pedestrians on the footway. The existing visibility splays are 2.0m by 35m to the east and 2.0m by 7.4m to the west, the existing 'y' distances are considerably shorter than the required distances and this proposal is an opportunity to improve them to the required distances. In addition the existing loose gravel surface will be replaced with a bound surface that will not spill onto the highway causing inconvenience and safety concerns for highway users.

The on street parking effectively lengthens the 'x' distance before vehicles emerging from the access join the running lane of the main carriageway. Current guidance acknowledges that parking within visibility splays is quite common in built up areas and that it does not create significant problems.

Planning Inspectors have found that a modest increase in movements through an existing access with substandard visibility would not have a harmful or unacceptable impact on highway safety. (APP/G1630/A/12/2171970).

The guidance contained in Manual for Gloucestershire Streets is 'deemed to satisfy' thereby, alternative proposals can be acceptable subject to an appropriate evidence base.

The additionally submitted information further supports the recommendation previously made on the 18<sup>th</sup> February 2015 and presented to Planning Committee on the 8<sup>th</sup> April 2015. The recommendation and recommended conditions still stand.

Yours sincerely,

Alison Curtis  
Development Co-ordinator

---

**From:** Planning mail  
**Subject:** FW: 3rd Party Planning Application - 14/04583/FUL

-----Original Message-----

From: BCTAdmin@thameswater.co.uk [mailto:BCTAdmin@thameswater.co.uk]  
Sent: 14 May 2015 10:15  
To: Planning mail  
Subject: 3rd Party Planning Application - 14/04583/FUL

Council Offices  
Trinity Road  
Cirencester  
Glos  
GL7 1PX

Our DTS Ref: 46133  
Your Ref: 14/04583/FUL

14 May 2015

Dear Sir/Madam

Re: FAYRECOURT, MILTON STREET, FAIRFORD, GLOUCESTERSHIRE, GL7 4BN

#### Waste Comments

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

#### Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Yours faithfully  
Development Planning Department



Development Planning,  
Thames Water,  
Maple Lodge STW,  
Denham Way,  
Rickmansworth,  
WD3 9SQ

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We provide the essential service that's at the heart of daily life.

The following information would show that Fayre Court is of significant social & historical importance. The feeling is that it should be preserved as such. The grounds are home to a magnificent hedge and a once beautiful formal garden (where plot 3 would sit).

Lucy Noël Martha (Noëlle), Countess of Rothes, and the wife of the 19th Earl of Rothes was one of the elite passengers onboard the Titanic. She took the tiller of Lifeboat No. 8.

After Norman Rothes, her first husband, died in March 1927, Noël remarried on 22 December 1927, to Colonel Claud Macfie, DSO, in London. The countess retained her title. The couple had no children. While Noël and Claud maintained a home in Sussex, **they lived most of the year at the Macfie estate, Fayre Court at Fairford, Gloucestershire.**

In her last years Noël was interviewed by author Walter Lord for his epic account of the *Titanic* disaster, *A Night to Remember*, which brought her compelling story to a new generation on its publication in 1955.

Noël, Countess of Rothes died in Hove, Sussex, on 12 September 1956, having suffered for some time from heart disease. **A memorial plaque was erected in her honor on the west wall of the chancel of St Mary's Church in Fairford.** It reads: "Noëlle, Widow of the 19th Earl of Rothes, and Beloved Wife of Col. Claud Macfie D.S.O. of Fayre Court, Fairford, At Rest 12 Sept. 1956. Holiness is an infinite compassion for others. Greatness is to take the common things of life and walk truly among them. Happiness is a great love and much serving." [23]