

Item No 01:-

18/01869/FUL

**Land Adjacent Fosse Lodge
Stratford Road
Moreton-In-Marsh
Gloucestershire
GL56 9NQ**

Item No 01:-

Removal of Condition 30 of planning permission 17/00842/FUL for the provision of a shared footpath and cycleway at Land Adjacent Fosse Lodge Stratford Road Moreton-in-Marsh Gloucestershire GL56 9NQ

Full Application 18/01869/FUL	
Applicant:	Mr Tim Harris
Agent:	Brandon Planning & Development Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Alison Coggins
Committee Date:	11th July 2018
RECOMMENDATION:	PERMIT

Main Issues:

(a) Highway and Pedestrian Safety

Reasons for Referral:

The application has been referred to the Planning Committee for determination at the discretion of Officers following the decision of the Planning Committee at the February Meeting to grant planning permission with the condition the subject of this application, and the subsequent refusal of planning application 18/00737/FUL to remove Condition 30.

1. Site Description:

The application site is located on the eastern side of the A429 (the Fosse Way) and is within 200 metres of residential development at the northern side of Moreton-in-Marsh. The established lawful use of the site is as a vehicle breaker's yard, although more recently an unauthorised use as a nursery was operating prior to its closure following the serving of an Enforcement Notice. There are two extant outline planning permissions for a total of 3 dwellings upon the site.

The entire site is rectangular in form, having a maximum width of 11 metres whilst being 154 metres in length when measured along the frontage of the site. There is metal fencing around the perimeter, and an existing vehicular access towards the south of the site.

To the north of the site are two residential properties; Fosse Lodge being located immediately to the north of the application site, whilst to the north-west is Fosse Manor Farm.

The site is located outside of any development boundary as defined by the adopted Local Plan and is also outside the Cotswolds Area of Outstanding Natural Beauty, but is within the Moreton in Marsh Surrounds Special Landscape Area.

2. Relevant Planning History:

94/01498/FUL: Use of parts of site for car repair yard; scrap metal dealer; car breakers yard; associated sales and storage; vehicular access and operations base for one commercial vehicle. Permitted 21.09.1995.

96/00767/FUL: Erection of a general purpose workshop required in association with the Lawful use of the site as a scrap metal dealer and car breakers yard. Refused 06.06.1996

98/00596/OUT: Outline application for the residential re-development (3 dwellings) of scrap metal dealer, car breaker and motor vehicle repairs yards (demolition of existing buildings). Refused 08.07.1998.

98/02061/OUT: Outline application for the residential re-development (3 dwellings) of scrap metal dealer, car breaker and motor vehicle repairs yards (demolition of existing buildings). Refused 31.12.1998.

04/00437/FUL: Erection of single dwelling and garage to replace car repair and scrap yard. Refused 30.04.2004.

15/00426/OUT: Outline application for the erection of 2 dwellings (all matters reserved except means of access and layout). Withdrawn 11.06.2015.

15/02701/OUT: Outline application for the erection of 2 new dwellings (access and layout to be determined). Permitted 27.08.2015.

15/05550/OUT: Outline application for the erection of 1 new dwelling (access and layout to be determined). Permitted 08.03.2016.

16/03238/OUT: Redevelopment of former scrapyards for a residential nursing home (C2). Withdrawn 08.02.2017.

17/00842/FUL: Redevelopment of former scrapyards for the erection of 10 dwellings. Permitted 15.02.2018.

18/00737/FUL: Removal of condition 30 of planning permission 17/00842/FUL for the provision of a shared footpath and cycleway. Refused 12.04.2018. Appeal lodged.

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR05 Pollution and Safety
 LPR08 Special landscape Areas
 LPR19 Develop outside Development Boundaries
 LPR38 Accessibility to & within New Develop
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

Highway Authority: No objection, comments incorporated into the report

5. View of Town/Parish Council:

No response received

6. Other Representations:

Four objections have been received raising the following comments: -

- footpath is needed as residents at the site will walk into town with high risk of serious injury to pedestrians and drivers
- a compulsory purchase order should be considered
- the site is an eyesore but the footpath is needed
- developer's responsibility to provide the footpath
- undermines the Council's stated aim to reduce reliance on the private car
- residents driving into Moreton will exacerbate existing parking problems
- precedent of conditions being removed

7. Applicant's Supporting Information:

Supporting Statement (contained within application form)
Letter from Batsford Estates (1983) Company Ltd

8. Officer's Assessment:

Introduction

Full planning permission was granted by the Planning and Licensing Committee for the redevelopment of this site in February of this year, with Condition 30 being imposed as an amendment to the Officer recommendation. The condition is worded as follows: -

The development shall not be occupied until details of a shared footpath and cycleway have been submitted to and approved in writing by the Local Planning Authority to link the application site with the existing footpath at the junction of the A429 with the Todenham Road. The development shall be completed in accordance with the approved details and retained thereafter.

Reason: *The provision of a pedestrian and cycle link is required due to the distance to the site from the nearest footpath, having regard to the scale of the development and the speed of traffic using the A429, as the failure to make such provision would result in a severe impact upon highway safety. In addition, the provision of pedestrian and cycle facilities would accord with the sustainable objectives Cotswold District Local Plan Policy 38 and the National Planning Policy Framework.*

An application to remove this condition was refused under reference 18/00737/FUL on 12th April 2018, for the following reason: -

The provision of a pedestrian and cycle link is required due to the distance to the site from the nearest footpath, having regard to the scale of the development and the speed of traffic using the A429, and the failure to make such provision would result in a severe impact upon highway safety. In addition, the provision of pedestrian and cycle facilities would accord with sustainability objectives. The removal of this condition is therefore contrary to Cotswold District Local Plan Policy 38, Policies INF3 and INF4 of the emerging Cotswold District Local Plan, and Section 4 of the National Planning Policy Framework.

An appeal has been lodged with the Planning Inspectorate in respect of this decision.

The supporting statement submitted with the current application sets out the justification for the removal of the condition and states that: -

- the footpath / cycleway cannot be delivered as the width of the highway is not sufficient
- the highway verge varies between the site and the junction of the A429 with the Todenham Road, and is less than 2 metres in width in parts, and less than 1 metre in places
- there are existing highway signs that could not be accommodated elsewhere
- a combined cycleway and footpath would require a minimum 3.5 metres to meet the Highway Authority's cycle facilities guidelines
- the mature trees that line the adopted highway on the eastern side of the A429 would be affected to the point that little or no vegetation would remain
- planning permission has already been granted for 3 residential units on the application site without any similar requirement to provide a footpath or cycleway

In addition, it is stated that providing a combined footpath/cycleway on private land to the east of the A429 is neither practical nor deliverable, requiring the agreement of two private landowners including a development company. There is no support for such a link from the Highway Authority, and the provision of a shared footpath and cycleway from the site to Todenham Road would not link to any existing shared cycleway and footpath.

(a) Highway and Pedestrian Safety

With regard to the recent planning history for this site, outline planning permission was granted for the erection of 2 dwellings under reference 15/02701/OUT, with a further single dwelling being granted outline permission under reference 15/05550/OUT. The County Highways Officer (CHO) raised no objection to either application, subject to conditions and there was no requirement for any form of footpath link to be provided from the site into Moreton.

Turning to the most recent permission for 10 dwellings, the provision of a footpath was discussed by Officers but the CHO made its recommendation without such a requirement, as it was considered unreasonable based on potential movements, distance from the site and the ability to provide a safe and suitable link not encroaching on third party land.

Having regard to paragraph 206 of the National Planning Policy Framework (NPPF) this states that: -

Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

In the case of the 2018 application, Officers considered that the requirement to impose this condition would fail these tests, having regard to the condition being reasonable, in that the footway cannot be provided upon either land within the applicant's control or upon highway verge, and also whether it is necessary when bearing in mind the advice of the Highway Authority, which did not consider such a condition to be required. With regard to this application, the Highway Authority has commented that they do not consider Condition 30 to be necessary based on the estimated pedestrian and cycle trips generated by 8 apartments and 2 dwelling houses. They have also noted that there is limited highway extent to the south of the site alongside the Fosseway to provide a suitably wide shared pedestrian and cycle path without encroaching on third party land, which cannot be guaranteed to ensure that the condition is deliverable.

With regard to this application, correspondence received by the applicant from Batsford Estates, which owns the adjoining land, has been submitted. This states that whilst they support an alternative use of the former scrap yard site, they are unable to give permission for a footpath to be located upon either the Estate land or the tenanted agricultural land to the east of the site.

The concerns raised by Members in imposing this condition are noted, as are the concerns raised by residents. However, the Highway Authority has repeated its earlier advice that they do not consider the condition to be necessary, there is insufficient land within the public highway to allow the footpath and cycleway to be constructed, and the owner of the adjacent land in third party control has now provided written confirmation that they will not allow their land to be used for this purpose.

9. Conclusion:

The condition is considered to fail to comply with paragraph 206 of the NPPF and the removal of it would accord with Section 4 of the NPPF, Policies 38 and 39 of the adopted Local Plan, and Policies INF3 and INF4 of the emerging Local Plan.

10. Proposed conditions:

In accordance with Section 73 of the Town and Country Planning Act 1990 (as amended), the development must be commenced not later than the expiration of 3 years from the date of planning permission 17/00842/FUL.

Reason: To conform with the requirements of Sections 73 and 91 of the Town and Country Planning Act 1990 (as amended).

The development hereby approved shall be implemented in accordance with the following drawing numbers: 2A; 3; 4; 5A; 6A; 7; 8; 9; 10; 11A; 12A; 13; 14 and 682-A.

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 and render and shall be permanently retained as such thereafter.

Reason: To ensure that in accordance with Cotswold District Local Plan Policy 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 clay tiles and shall be permanently retained as such thereafter.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy 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.

Prior to the construction of any external wall of the development hereby approved, samples of the proposed roofing material shall be approved in writing by the Local Planning Authority and only the approved material shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy 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.

Prior to the construction of any external wall of the development hereby approved, 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 shall be 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 Policy 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.

Prior to the construction of any external wall of the development hereby approved, a sample panel of render of at least one metre square in size showing its proposed texture and colour shall be 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 and shall be permanently retained as such thereafter. The panel shall be retained on site until the completion of the development.

Reason: To ensure that in accordance with Cotswold District Local Plan Policy 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 door and window frames shall be recessed a minimum of 75mm into the external walls of the building 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 Policy 42.

The oak shall not be treated in any way and shall be left to weather and silver naturally 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 Policy 42.

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 Policy 42.

New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority 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 Policy 42.

No windows and doors shall be installed/inserted/constructed in the development hereby approved, until their design and details 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 Policy 42.

The development shall not start before a comprehensive landscape scheme has been approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 45.

Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

Reason: To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy 45.

Before work starts or any part of the development is occupied, a 10 year landscape management plan, including management of the new roadside hedgerow and maintenance schedules for all landscape areas, both during and after the implementation of the approved development, shall be approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: In the interests of the character and appearance of the site and surrounding area in accordance with Cotswold District Local Plan Policy 45. It is important that these details are agreed prior to the commencement of development in order to ensure proper management of the landscape at the site both during and following the construction of the approved scheme.

Prior to the commencement of the development hereby permitted a land contamination assessment and associated remedial strategy, together with a timetable of works, shall be submitted to and approved in writing by the Local Planning Authority:

(a) The land contamination assessment shall include a desk study and site reconnaissance and shall be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses, identify risks to human health and the environment, and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be submitted and approved in writing by the Local Planning Authority prior to investigations commencing on site.

(b) The site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

Prior to occupation of the development hereby permitted:

(a) Approved remediation works shall be carried out in full on site under a Quality Assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority in writing.

(b) A completion report shall be submitted to and approved in writing by the Local Planning Authority. The completion report shall include details of the proposed remediation works and Quality Assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the completion report together with the necessary waste transfer documentation detailing what waste materials have been removed from the site.

(c) A certificate signed by the developer shall be submitted to the Local Planning Authority confirming that the appropriate works have been undertaken as detailed in the completion report.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework.

No development shall commence until a scheme for protecting the proposed dwellings from traffic noise has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall achieve internal levels of 30dB LAeq (8 hour) and 45dB L_AmaxF in all sleeping areas between 2300 hours and 0700 hours with windows shut and other means of ventilation provided. An internal level of 40dB LAeq 1 hour shall be achieved in all other areas of the building and an external level of 50dB LAeq (1 hour) shall be achieved in garden areas and balconies.

Prior to the permitted dwellings being occupied, all works that form part of the scheme shall be completed in accordance with the approved details.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy 5 of the Cotswold District Local Plan and paragraph 17 of the NPPF.

No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site except between the hours 7.30am to 6.00pm Monday to Friday, 8.00am to 1.00 pm Saturday, and not at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan Policy 5 and paragraph 17 of the NPPF.

No development shall commence on site until a detailed design, maintenance and management strategy for a sustainable surface water drainage system has been submitted to and been approved in writing by the Local Planning Authority. The design detail must demonstrate the technical feasibility/viability of the drainage system to manage the flood risk to the site and elsewhere, include measures to ensure water quality is protected and that these systems are managed for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is put into use or occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

Notwithstanding the submitted plans the existing available visibility splays from the site access shown on drawing no. 22505_08_020_02 shall be maintained for the existing and proposed site vehicle access. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point 2.4m inside the centre of the access measured from the nearside carriageway edge and between 0.26m and 2.0m at the Y points at the extent of splays to the nearside of the carriageway or nearside vehicle track edge above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 paragraph 25 and Local Plan Policy 38.

Notwithstanding the submitted plans vertical continuous features, vegetation or boundaries are to be restricted between 0.26m and 2m above carriageway level between the nearside of the A429 and the estate road south of the site access to the boundary and north of the site access to the southern end of the southern apartment block.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 paragraph 25 and Local Plan Policy 38.

The parking space accesses hereby permitted shall not be brought into use until the estate roadside frontage boundaries have been kept clear to provide visibility splays extending from a point 2m back along the centre of the parking spaces measured from the estate road nearside vehicle track edge (the X point) to a point on the nearer carriageway edge of the public road 15m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y points above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and 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 paragraph 25 and Local Plan Policy 38.

Notwithstanding the submitted plans the building hereby permitted shall not be occupied until space has been laid out within the site for 13 cars to be parked including 11 resident and 2 visitor spaces, and for all vehicles to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway and 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 paragraph 35 and Local Plan Policy 38.

Notwithstanding the submitted plans the development hereby permitted shall not be occupied until secure and covered cycle storage facilities for a minimum of 12 bicycles has been made available within secure independently accessible spaces and stores including Sheffield style stands for the flats and individual stores for the house gardens.

Reason: To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework paragraph 35 and Local Plan Policy 38.

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.

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 20m of the proposed access road, including the junction with the existing public road has been completed to at least binder course level and associated visibility splays.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework paragraph 35 and Local Plan Policy 38.

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

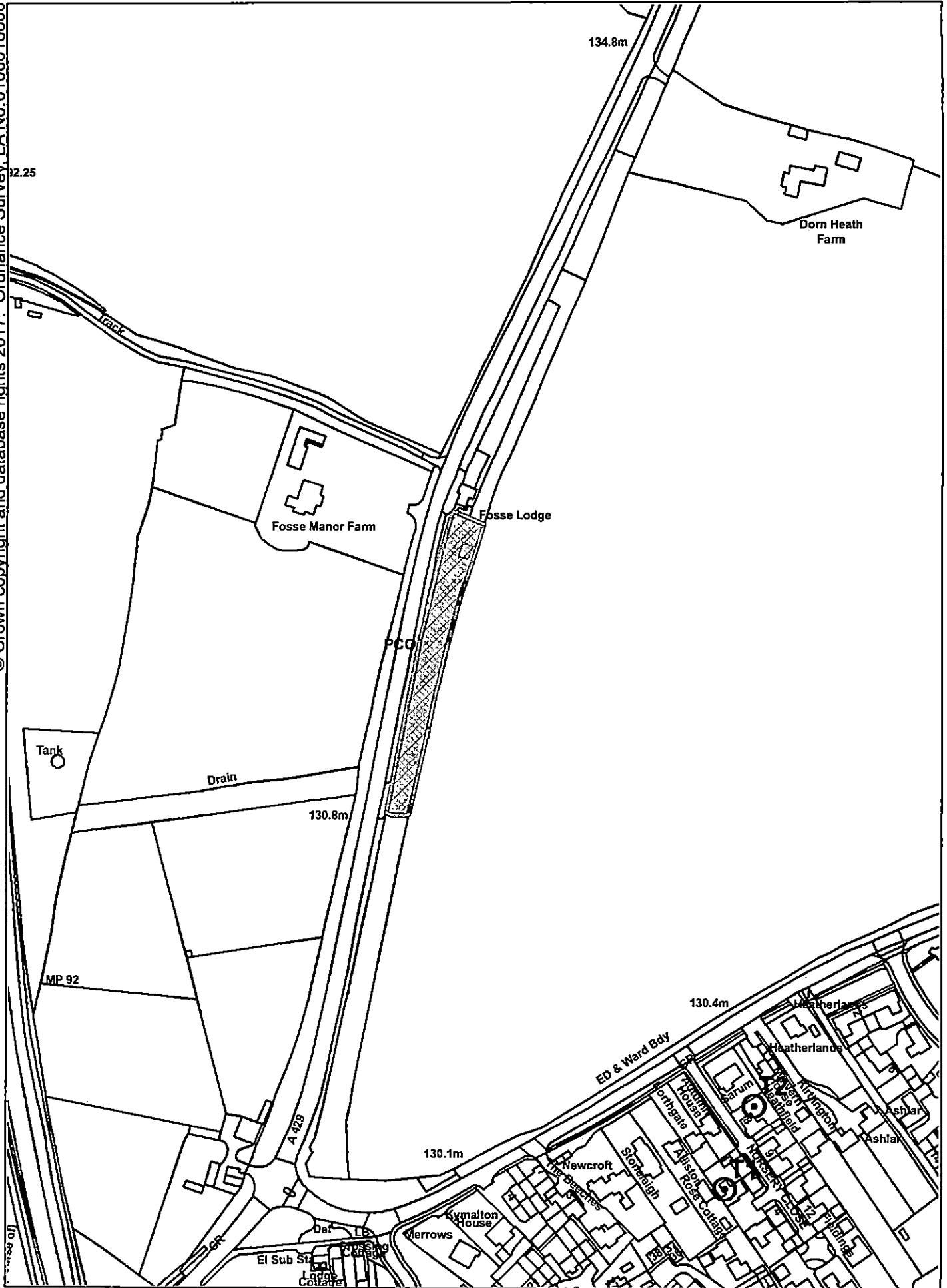
No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Prior to the first occupation of the development hereby approved, the turning facility adjacent to the entrance shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and such provision shall be maintained thereafter for the turning of vehicles.

Reason: To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway and 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 paragraph 35 and Local Plan Policy 38.

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LAND ADJ FOSSE LODGE STRATFORD ROAD MORETON IN MARSH:2500

Organisation: Cotswold District Council

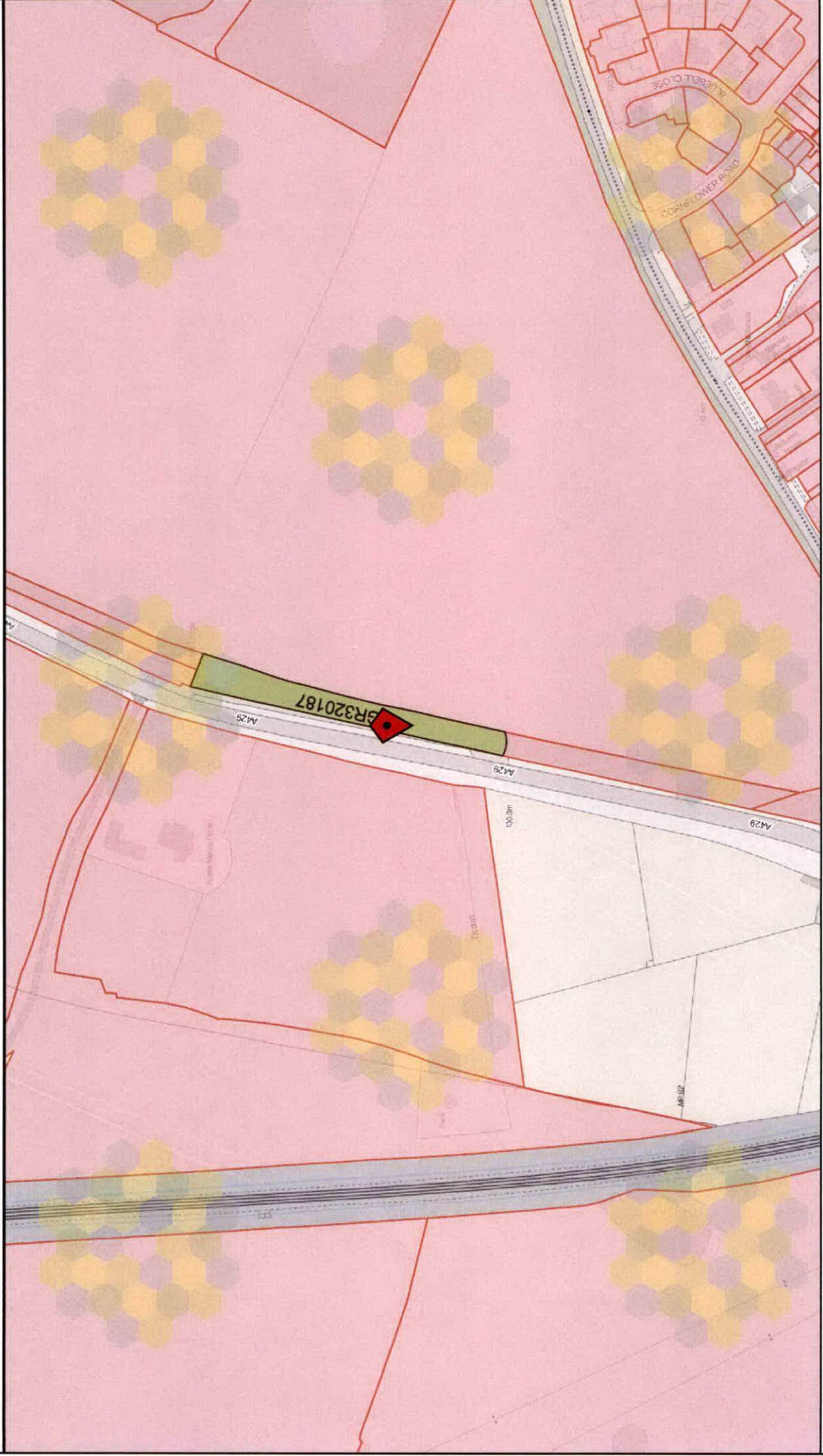
Department:

Date: 29/06/2018



COTSWOLD
DISTRICT COUNCIL

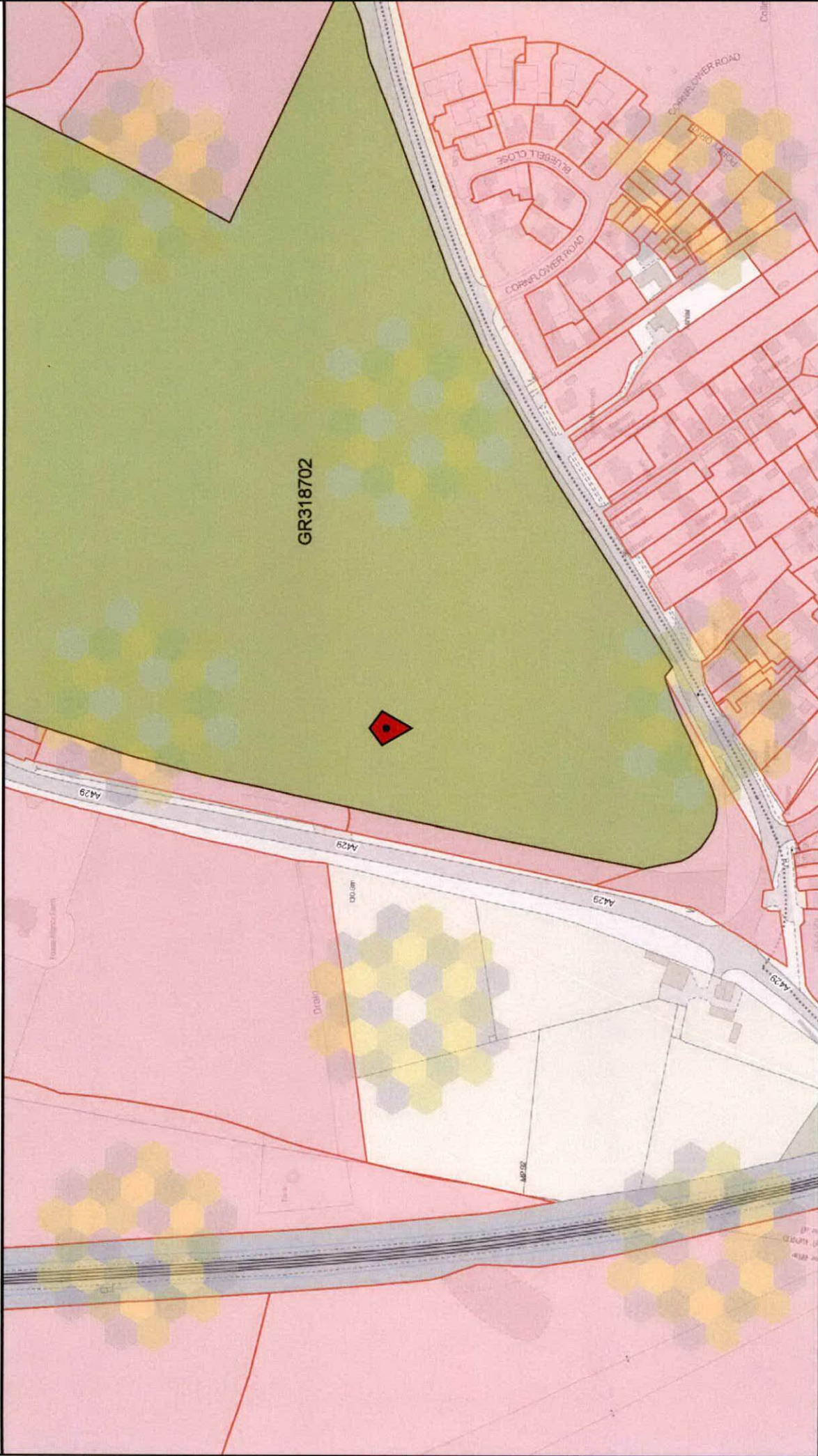




0 10 20 30 40 50 60 70 80 100m

Map scale 1:2500

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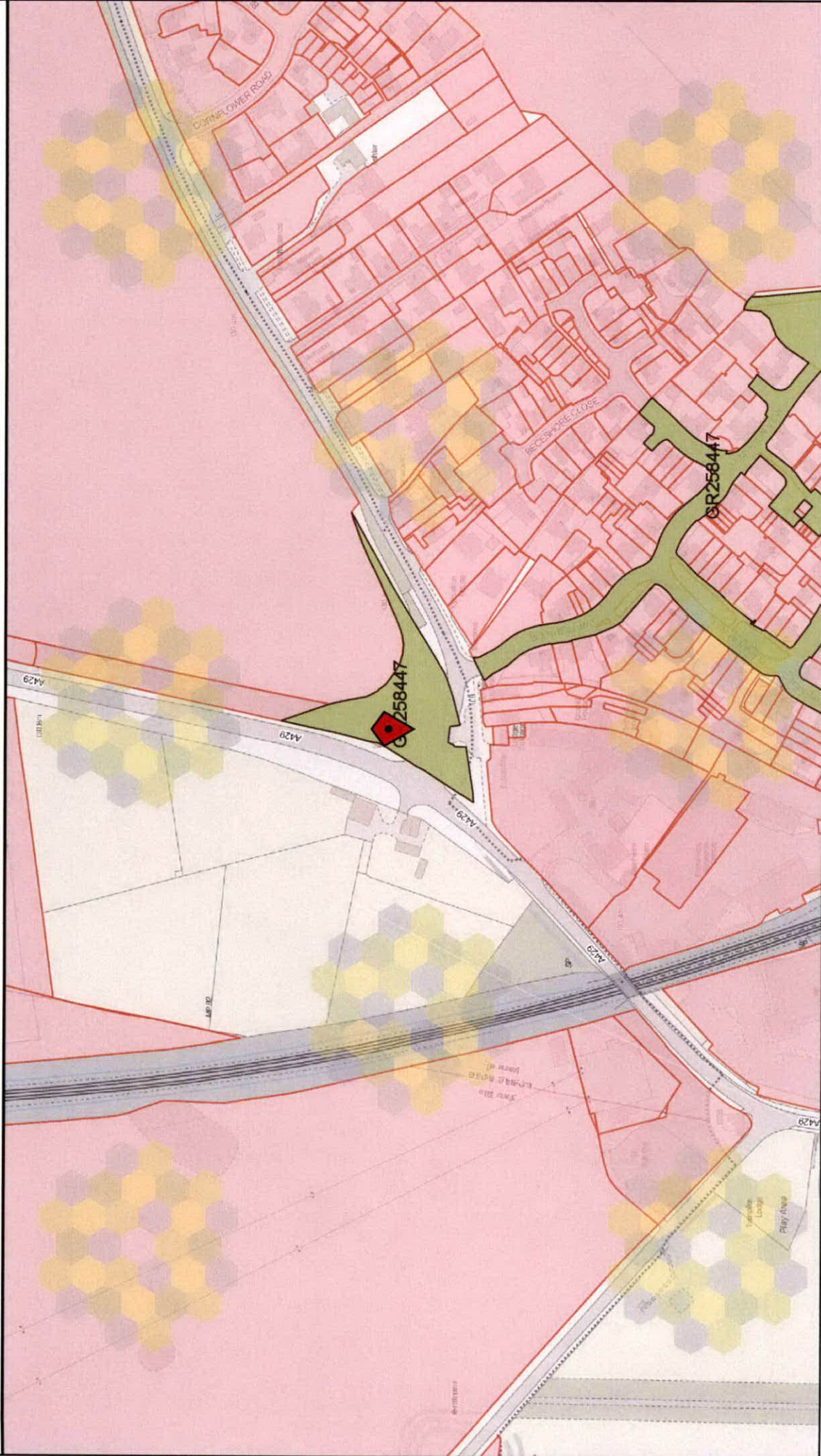


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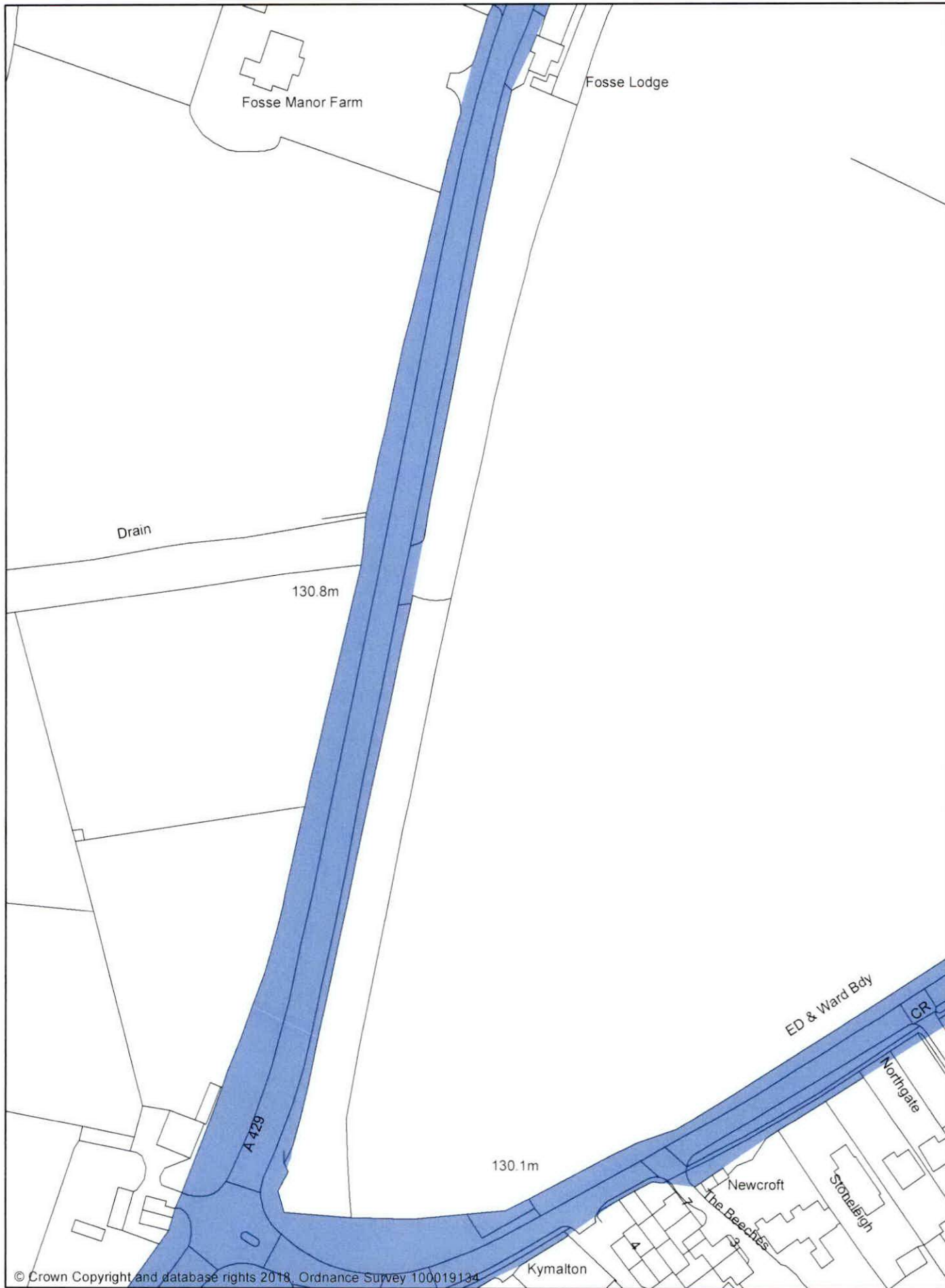
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Scale @A4: 1:1,500

DATE: 19/2/18

Please refer to the accompanying written material for an explanation of the information shown.
Please also note the publicly maintainable highway boundary has been marked in accordance with records examined by Glos. County Council, and in the absence of evidence to the contrary.



Batsford Estates (1983) Company Ltd.

The Estate Office, Batsford, Moreton-in-Marsh, Glos. GL56 9QF.

Tel: (01608) 650722.

Mr T Harris c/o Brandon Planning &
Development Ltd Hill Farm House
Main Street
Brandon
Warwickshire
CV8 3HW

15th May 2018

Dear Mr Harris

Re: Planning Condition in connection with Planning Application
17/00842/FUL

Further to our conversation with reference to the above, having discussed your request with the Directors, I am afraid we are unable to give permission for a footpath to be located on either the Estate land, as outlined in title GR121470 or tenanted agricultural land owned by The Hon RAH Wills, as outlined in title GR318702, in order to facilitate the above planning condition.

Whilst the Estate supports an alternative use of the former scrap yard site, unfortunately we cannot assist you with your request and feel that it is unreasonable to be expected to pursue this on land that it not within your control.

Yours sincerely



Victoria Jones

Batsford Estate (1983) Company Ltd





