

PLANNING AND LICENSING COMMITTEE

10th July 2019

ADDITIONAL PAGES

ADDITIONAL PAGES - CIRCULATED TO MEMBERS BY POST

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LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Additional Representations on Schedule Items

Pages 1 - 21

PLANNING AND LICENSING COMMITTEE

10th July 2019

ADDITIONAL PAGES ON SCHEDULE ITEMS

Item Ref. No Content

04	19/01706/FUL	<p>Email received from Applicant on the 3rd July 2019:</p> <p>'Based on a point raised at the April Committee hearing and in light of the fact Cllr Beale still has concerns over the revised design - we felt it may be useful to gain feedback on the design from a collective of independent design and planning specialists.</p> <p>We therefore submitted our revised proposals to the South West design review panel sometime ago.</p> <p>In summary, the design review panel feel our design proposals are of a high quality and they are supportive off our modern approach to the site. They did feel that the landscaping and our analysis of the site required some further work and partly in response to their initial feedback – an independent Landscape and Visual impact assessment was carried out.</p> <p>After the results of the comprehensive impact assessment of the site were obtained, a revised / more suitable landscaping plan was produced.</p> <p>We feel these revisions now demonstrate how the proposals successfully tie both the proposed architectural design and the proposed landscaping to the existing character of the site, in such a way that they will make an even more positive contribution to the area as a whole.</p> <p>We had hoped to get further feedback from the DRP on the revised analysis of the site and revised landscaping but they do not meet very regularly.</p> <p>We therefore attach the DRP's initial comments , if you can please upload these that would be much appreciated as we intend to make reference to them at the meeting.</p> <p>Kind Regards David Maguire <i>BA Arch, Dip Arch</i> The DMD Group'.</p>
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		<p>A copy of Design Review Panel's comments are attached.</p> <p>A copy of the Applicant's letter to Members of Planning and Licensing Committee is attached.</p>
07	18/02520/FUL	<p>Letter of Objection and attachment received 5th July 2019 – Please see attached.</p> <p>Additional information received in email from Fairford Town Council dated 5th July 2019 – Please see attached.</p> <p>Comments from County Highways – Please see attached letter dated 4th July 2019.</p>

The Design Review Panel

www.designreviewpanel.co.uk



Site	Land West of Brans Cottage, Brans Lane, Upper Oddington, Gloucestershire, GL56 0XQ
Proposal	Proposed new build residential house
Local Authority	Cotswold District Council
Applicant	The DMD Group
Agent	The DMD Group
Review Date	2 nd May 2019

This remote desktop review has been booked by The DMD Group. This is the first time the Panel has reviewed a design proposal for this site.

Paragraph 129 of the NPPF states: -

“Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements ... In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.”

Therefore, the Panel recommends the following: -

Generally, the Panel considers that the architectural / building design presented for review is of a high quality and, subject to the comments within this document being addressed, the building design is supported by the Panel. It is noted that the site is infill, within a village context, with dwellings to three sides, and therefore the Panel considers that construction of a well-designed new dwelling on the site would not be inappropriate.

As above the Panel supports the contemporary/modern design approach being undertaken; the house stands alone, within a fairly large site and at some distance from its neighbours, and therefore the Panel does not consider there to be a need to reflect closely the architecture of those neighbouring properties. In any case, the Panel would not support a pastiche of a 18th or 19th century traditional Cotswold village typology.

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It is noted that local and national policies for the Conservation Area place strong emphasis on respecting the existing character of the area, but do not exclude contemporary design where it is of sufficiently high quality, and where it is, would not be completely out of context. However, whilst the local policies allow a certain degree of flexibility in terms of architectural design, they do include explicit requirements for the use of local building materials. This is reinforced by the 'Cotswold AONB Landscape Strategy and Guidelines' (adopted 2016). Oddington is close to the boundary between two landscape character types: Type 15 'Farmed slopes' and Type 17 'Pastoral lowland vale', and for both landscape types the guidance relating to new development and infilling of existing settlements includes a specific requirement to promote the use of local stone and building styles.

It is considered that the proposals would benefit from additional work being produced on the analysis of context, landscape and visual impact, along with clearer communication of how this has informed the design decisions; that is to say it is suggested that it would be beneficial for a systematic analysis to be provided of how visible the proposed development will be and what its impact on the local or wider landscape will be. Given the acknowledged sensitivity of the site, it is suggested that it may be beneficial for a basic landscape and visual impact assessment to be provided.

The information contained in the agent's covering letter dated 26 March 2019 suggests that the Design Statement may not be fully doing justice to the proposal; it is felt that the design team may have actually considered matters more carefully than the Design Statement would indicate.

In a spirit of helpfulness, it is suggested that the Design Statement could be strengthened in several respects, particularly in its description and understanding of the site and its context within the AONB and (largely) within the Conservation Area. As above, it is noted that the agent's covering letter (dated 26 March 2019) accompanying the application is well written and contains valuable information that could usefully have been included in the Design Statement. For example, the Design Statement refers to the site being described as 'wasteland' in the CA appraisal document, the clear implication being that therefore 'anything goes' in terms of new development, since new development would have to be truly appalling not to be better than 'wasteland'. The Panel considers it is inherently unlikely that the land is totally lacking any features of merit or interest and that it does not serve any useful function in terms of the local environment or character of the village; by way of confirmation, the agent's letter sets out what appears to be a much more measured and balanced approach, stating:

"...We are not sure what condition the site was in back in 2004 (when the conservation area appraisal was adopted) but in 2018 whilst it is correct to describe the field as uncultivated and unmanaged, its appearance is just that – it doesn't look like a wasteland, but would certainly benefit from some management. The proposals have (and continue) to fully acknowledge that it is a sensitive environment..."

It is felt that it would be beneficial for additional evidence to be provided so as to give confidence that the qualities of the existing site, the qualities of the Conservation Area and the qualities of the AONB have been fully appreciated and have informed the design. It is not suggested by the Panel

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that these qualities have not been appreciated, or that they have not informed the design to a degree, however additional evidence within the proposals would enable a clearer assessment of the adequacy of appreciation and reflection of these qualities within the design. The Panel notes that the photomontages are based upon showing established planting circa 18 months post construction. It is noted that the proposed and existing views seem to differ from each other in terms of viewpoint and are therefore not directly comparable. Notwithstanding the above, it is noted that the new building is lower in height than those around it and is set into the lower part of a relatively large site; therefore, based upon the information provided, the Panel does not consider the proposals would be intrusive.

Regarding landscape design, generally, it is considered that the landscape design would benefit from further design development. The specification of the trees (and the hornbeam to be trained as a hedge) is felt to be idiosyncratic and insufficient. It is considered that if semi-mature or advanced nursery stock is to be used, as a minimum the size of container or root-ball should be specified. It would be beneficial to demonstrate that the choice of planting species has been influenced by the character of the village, the Conservation Area or the wider AONB; currently this is not apparent.

The Panel considers that, in the same way that contemporary architectural design can be successfully introduced, provided it has a satisfactory relationship to the existing character of the built form, for example through the use of traditional local materials, contemporary landscape design can be successful provided there is some equivalent link to the local character of the natural environment, for example by inclusion of at least a proportion of species and plant forms that are characteristic of the area. It is noted that The Cotswold Conservation Board draft position statement on tree planting within the AONB provides guidance on planting that is resilient to climate change and maintains landscape character. It promotes the use of native broadleaved species including, for example, beech.

It is felt that the landscape design, as shown in the indicative images, seems very stark; it is considered that the impact of the house to its setting will be as much about the landscape as the building, particularly as it appears there will be significant cutting into the site requiring a retaining wall on the boundary. It is suggested that it would be beneficial for the landscape design intent to be made clearer. It is noted that the landscape plan shows plant species, and some 'inspiration' photos, however the Panel feels it would be helpful for further information to be provided regarding how the house and landscape are proposed to be integrated. It is suggested that additional eye level sketch visuals, demonstrating the proposed sense of place may be beneficial.

In terms of the new (revised proposal), the architectural design using Cotswold stone is supported by the Panel, however the Panel is not supportive of the landscape design which it is considered requires further design development and revision. Notwithstanding the revisions needed to the landscape proposals it is considered that these could be made without the need for further changes to the architectural design. The Panel considers that a revised proposal which is satisfactory in both architectural and landscape design could be achieved for this site.

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SUMMARY OF RECOMMENDATIONS, (to be read in conjunction with the above).

In summary, the main conclusions of the Panel are: -

- Subject to the matters identified within this feedback document being appropriately responded to, the principle of a single low-profile house of contemporary design on this site is supported by the Panel
- The Panel supports the contemporary/modern design approach being undertaken
- Additional information regarding the analysis of context, landscape & visual impact, along with clearer communication of how this has informed the design decisions would be beneficial
- It is suggested that the Design Statement could be strengthened
- It would be beneficial for additional evidence to be provided so as to give confidence that the qualities of the existing site, the qualities of the Conservation Area & the qualities of the AONB have informed the design
- Based upon the information provided, the Panel does not feel the proposals would be intrusive
- It is considered that the landscape design would benefit from further design development & it would be beneficial for the landscape design intent to be made clearer
- The architectural design using Cotswold stone is supported by the Panel

The Design Review Panel

NOTES:

Please note that the content of this document is opinion and suggestion only, given by a Panel of volunteers, and this document does not constitute professional advice. Although the applicant, design team and Local Authority may be advised by the suggestions of the Design Review Panel there is no obligation to be bound by its suggestions. It is strongly recommended that all promoters use the relevant Local Authorities pre-application advice service prior to making a planning application. Further details are available on the Council's website. Neither Design Review Ltd nor any member of the Panel accept any liability from the Local Authority, applicant or any third party in regard to the design review panel process or the content of this document, directly or indirectly, or any advice or opinions given within that process. The feedback and comments given by the Panel and its members constitutes the members individual opinions, given as suggestions, in an effort of helpfulness and do not constitute professional advice. The local planning authority and the applicants are free to respond to those opinions, or not, as they choose. The Panel members are not qualified to advise on pollution or contamination of land and will not be liable for any losses incurred by the Local Authority or any third party in respect of pollution or contamination arising out of or in connection with pollution or contamination.

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Land off Brans Lane, Oddington

Initial proposals for this site were presented at the April 2019 Planning Committee.

Some members supported the scheme. The main feedback from members who expressed concerns related to:

- The previously proposed use of Cotswold coloured concrete and how it might weather over time.
- Concerns over how the development might appear when viewed from public vantage points in the Conservation Area, and the loss of open space.

Main Revisions/Supporting Information.

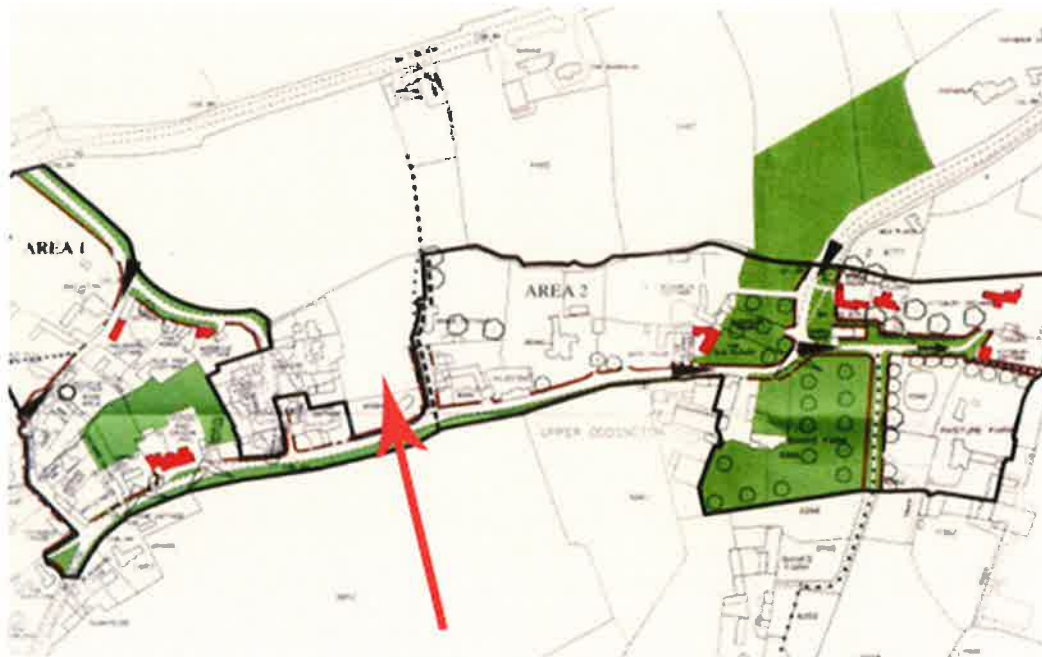
- The controversial concrete has been omitted and replaced with Cotswold stone. The introduction of traditional stone now better relates these proposals to the existing character of the village.
- Design simplification of the western elevation. A committee member queried why the colonnade returns were on display on the western elevation. We agreed that this elevation could be simplified and as such the colonnade return now sits seamlessly behind a newly introduced parapet up stand.
- Based on a point raised at the previous committee that the quality of the design was subjective, we felt it may be useful to gain feedback from a collective of independent design and planning specialists, in order to continue our improvements to the scheme.

In summary, the design review panel for the south west region of the UK feel these design proposals are of a high quality and they are supportive of our approach to the site. They did feel that the landscaping and analysis of the site required some further work. In response to their feedback, an independent *Landscape and Visual impact assessment* has been carried out for the site.

- The idea of this assessment (in addition to the heritage statement) is to comprehensively test the effects (good or bad) that the proposals might have on the character and appearance of the Conservation Area and on the AONB.
- After the results of the impact assessment were obtained, a revised landscaping plan was produced in line with its findings. These revisions now demonstrate how the proposals successfully tie both the proposed architectural design and the proposed landscaping design to the existing character of this site, in such a way that they are likely to make a positive contribution to the area as a whole.
- In response to queries about the potential impact on views from the public footpath and the loss of an open space in the conservation area, the *Landscape and Visual Assessment Report* evidentially demonstrates that the site is well contained and currently has very few positive features which add to the character and appearance of the conservation area. Indeed, the land is not identified as important open space in the Council's own Conservation Area Appraisal. (See attached map below).
- The Heritage statement also concludes that the proposals will not have a negative effect on the conservation area or the AONB, but rather will add some much needed Architectural interest to this part of the conservation area.
- The stream to the north of the site has been identified as a sustainable source of Geo thermal heating for the home. Electrical car charging points and rainwater harvesting systems have also been introduced to further enhance the sustainability credentials.

Thank you for taking the time to read this summary. If you have any queries or would like any further information please do not hesitate to get in touch with Mr David Maguire.

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Extract from Conservation Area Appraisal – the site is not identified as an important open space even though other sites both in and outside the Conservation Area are identified as such



Lesley-Jane Weaver

Subject: FW: Objection to Planning Application 18/02520/FUL

Importance: High

From: Margaret Bishop

Sent: 05 July 2019 01:06

To: Planning Mail (CDC)

Subject: Objection to Planning Application 18/02520/FUL

Case Officer

Ref 18/02520/FUL

Application for erection of 2 dwellings at Land South of Wick House, East End, Fairford

Thank you for your letter regarding the hearing of the above application on 10th July 2019.

Unfortunately, we will be unable to attend the hearing, but would like to submit the attached file as additional evidence for consideration by the Planning committee.

The theoretical modelled flow calculations given in the FRA are for fluvial floods only, and are therefore invalid. The figures should be added on to increased groundwater levels in wet seasons.

The FRA states (4.33) *Neither the EA or the CDC have provided any past records of groundwater flooding to have affected the site.* Surely those who wrote the report must be aware that these two bodies are not responsible for groundwater flooding. The Floods and Water Management Act 2010 places responsibility on lead local flood authorities (LLFAs), to manage flood risk from surface and groundwater. The LLFA in this area is Glos. C.C. who, in their GCC Groundwater Intermediate Assessment (Atkins 2015) identify Fairford as subject to groundwater flooding, and their Map for Fairford (p52) shows variable ground water levels with multiple exceedances above ground level. They note that for areas such as Fairford with sand and gravel deposits above impermeable bedrock, care should be taken and recommend (p17, 6.2) *Consideration should be given to areas identified as having granular superficial deposits such as the sand and gravel deposits during the planning process and for new developments which include the provision of infiltration SuDS. The superficial deposits might appear suitable for infiltration SuDS; however additional infiltration from such systems could result in raised groundwater levels and potential for groundwater flooding.*

The FRA also states, at 6.4 , that *in the event of drainage exceedance/failure, overland flows will follow the topography. Levels fall away steeply to the S towards the unknown drain located approximately 105m to the S (which is the Court Brook).* Lygon Court lies immediately S of the site, between the site and the Court Brook. In other words they have demonstrated that in flood conditions, floodwater will be channelled off the site into Lygon Court. This is completely unacceptable and the application should be refused .

The recent hydrological and geological report commissioned by Fairford Town Council gives detailed evidence, and we understand that this and other reports have been provided to the Planning Committee We trust you will take note of them.

Yours sincerely,

Dr. G.B.Bishop, Ph D, C Eng, M.Eng, .and Mrs. M Bishop

In April 2015, the Government changed the planning process, to ensure that sustainable surface water drainage systems (SuDS) are put in place for any development so that it does not increase flood risk to others. Local planning authorities are required to satisfy themselves that proposals for the management of surface water are adequate and appropriate, so that flooding risks (including sewer flooding) are not increased elsewhere. **The proposals for flood risk management for the application for development at Wick house are neither adequate nor appropriate.** Fairford has been identified as suffering ground water flooding in wet seasons, even in flood Zone 1 areas. The site includes flood Zone 2 and Zone 3 areas. Building here is likely to increase the flood risk to others, because adding impermeable material to the river basin will put up the groundwater level.

The flood risk modelling given in the applicants FRA considers fluvial flooding only and ignores the risk from other sources, - surface water and groundwater flooding. Their modelled flow calculations are for fluvial floods only, and do not include any contribution from increased groundwater levels. High ground water levels are frequently experienced in parts of Fairford, as indicated by ground water flood risk maps. (see Gloucestershire Groundwater Management Plan- Groundwater Intermediate Assessment - South Cotswold District, G.C.C. April 2015. -p12 *The data provided for Cricklade, Spine Road and Fairford observation wells indicates many exceedances of the ground level recorded.* Map and Data for Fairford Appendix C, p 52) The water table is known to be significantly variable and close to or above the surface in wet seasons which means that pluvial/surface water cannot be dealt with by soak-away methods and the consequential run-off is likely to increase flood risk elsewhere. The Developers' proposals include *Roof areas to drain to soakaway* which is likely to be ineffective.

The GCC Groundwater Assessment report also notes at Section 8.6 - Application of the Sequential Approach to Other Sources of Flooding.

8.6.1 Development proposals in any location [Flood Zones 1, 2, 3a and 3b] must take into account the likelihood of flooding from sources other than rivers and the sea [where applicable]. The principle of locating development in lower risk areas should therefore be applied to other sources of flooding.

8.6.2 The information collated within the SFRA has identified areas in which risk from other sources of flooding is likely to be an important consideration. The Council should therefore use the Sequential Approach to steer new development away from areas at risk from other sources of flooding, as well as fluvial.

The FRA fails to recognise that the 'un-named stream' mentioned, 105m to the South of the site, is the Court brook, and then states that there is no record of previous flooding on the site, but this area was one of the worst affected areas in the 2007 floods. Wick House, East End house and Lindenfield, the 3 houses nearest to the site, were all seriously flooded, and there has been considerable flooding since, including sewage flooding in 2013/2014 and as recently as 2016 from run-off from the A417 after a heavy storm. The EA report of the 2007 floods (Fairford, Whelford, Kempsford & Lechlade Floods Review July 2007, Environment Agency, 2008) gives details p14 *the River Coln overflowed its left bank just downstream of the Town Bridge. Water flowed into Back Lane, but the majority surged down the A417, London Street, some diverting down the Plies into Moor Lane and Courtbrook. The Coln also overflowed at Dilly's Bridge adding more water heading towards Courtbrook and Moor Lane. Surface water run-off flowed into the drainage system which became overloaded causing houses at East End, Moor Lane and Courtbrook to be flooded.* and p15 *....the exceptional rainfall was unable to soak into the ground and led to high rates of surface water runoff. The rainwater collected in the lowest areas of Fairford and flooded many properties in Milton Street, Court Brook and East End due to overloaded surface water drainage system.*

The FRA states (4.38) the risk of sewer flooding could be deemed LOW, but Thames Water has recorded that sewer flooding has been a problem in the area and their investigations have identified that high groundwater levels are a contributing factor. Their published Fairford Drainage Strategy, Stage 1, 2016 states p13 *'The foul sewerage system in Fairford has become*

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overwhelmed for weeks at a time in recent years following prolonged heavy rainfall. We believe that the system has surcharged because of a combination of groundwater infiltration to public sewers and private drainage, surface water run-off from saturated fields, inundation from highways and public spaces, surface water connections and river water overflowing from the River Coln. And (section 2.4 p21) Soakaways can only function satisfactorily when ground conditions allow soakage, and may be completely ineffective when groundwater levels are high.

And (p 33) In the case of Fairford, whilst SuDS might help to reduce the risk of flooding following rainfall when groundwater levels are low (i.e. typically during summer months), they may not be as effective in reducing the flood risk when groundwater levels are high (typically during the winter months) See also Thames Water's "Fairford Drainage Strategy – Stage 3 – (Nov 2018) p 15 Groundwater can enter our sewers when levels are high which reduces their capacity and increases their risk of flooding. There's a strong link between the rising groundwater levels across the Fairford area and the drainage issues some of our customers have experienced, including sewer flooding and restricted use of their toilets and bathrooms.

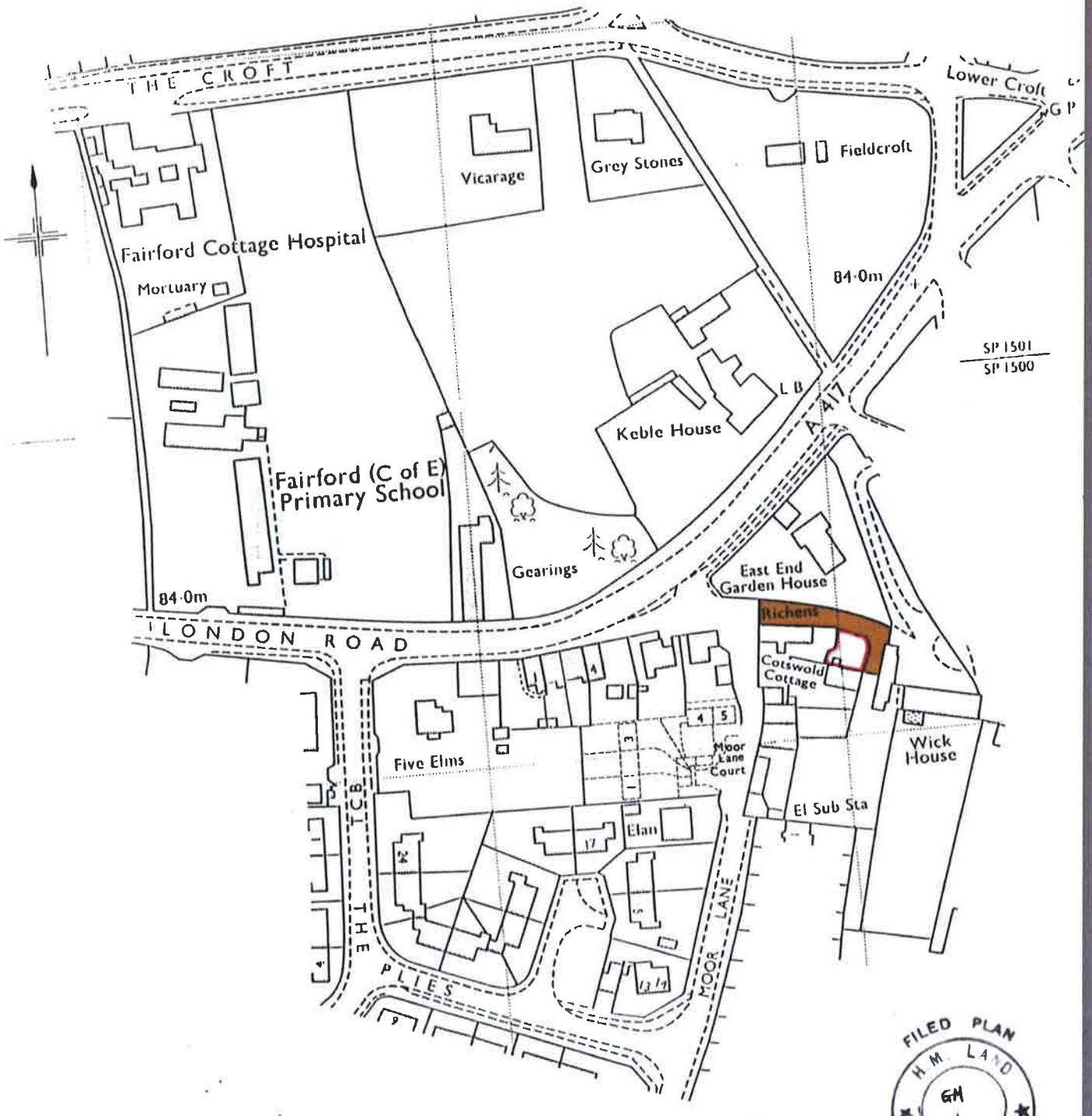
Because of continuing concerns about flooding from 'other sources', Fairford Town Council commissioned Water Research Associates (WRA) to perform a detailed survey of groundwater levels in Fairford and to review existing surface water data. WRA found that the groundwater levels rise quickly in winter and fall similarly quickly in summer. They note that CIRIA guidelines emphasise that effective SuDS infiltration schemes require groundwater levels to be at least 1 m below the bottom of soakaways. They concluded that SuDS solutions using infiltration are unlikely to be effective in the low-lying areas to the south of the town because of frequent high groundwater levels. The main conclusions of their report Groundwater Monitoring & Review of Flood Risk at Fairford Final Report, 2018 (WRA November 2018) are: - **Floods and SuDS**

- *6-2-1 Fairford has experienced significant fluvial flooding from the River Coln and Court Brook on a number of occasions and with a changing climate it is likely that such events will become more common.*
- *6-2-2 There have also been floods from surface runoff and also from an overwhelmed sewer system. As part of any further development developers should contribute to significant improvement in the sewer system.*
- *6-2-3 There is no scope for SuDS drainage using infiltration in the low-lying areas associated with alluvial deposits of the Coln valley due to frequent high groundwater levels.*
- *6-2-4 Attenuation storage ponds in low-lying areas provided as a SuDS solution can only take the form of shallow depressions that would require significant land.*
- *6-2-5 Ideally development should be directed away from the Coln and Court Brook corridor*

The developers propose that run-off from the site will be dealt with by SuDS infiltration methods, and state that initial soakaway storage calculations have been undertaken as part of the FRA, and these should be confirmed at detailed design stage. This will be too late. All the evidence indicates that a soakaway SuDS solution on the site will not work in wet seasons because of high groundwater levels, and development would therefore increase the flood risk to others, specifically to the vulnerable elderly residents of Lygon Court, immediately downstream of the site. This low-lying part of Fairford in the Coln/Court Brook corridor S of A417 is not suitable for development and should be preserved as green space which can store water. Development should be subject to the Sequential test and diverted to one of the many more sustainable sites available in Fairford, in accordance with NPPF. The CDC Strategic Flood Risk Assessment (p 48) requires that **Developers should be able to demonstrate that a proposed development does not adversely impact on the local groundwater regime. The proposed development at Wick House fails this objective, so the application should be refused.**

H.M. LAND REGISTRY			TITLE NUMBER	
			GR 142926	
ORDNANCE SURVEY PLAN REFERENCE	SP 1500	SECTION D	Scale 1/1250 Enlarged from 1/2500	
COUNTY	GLOUCESTERSHIRE	DISTRICT	COTSWOLD	
				© Crown copyright 1985

The boundaries shown by dotted lines have been plotted from the transfer plan. The title plan may be updated from later survey information.



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Title Number : GR142926

This title is dealt with by HM Land Registry, Gloucester Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 5 JUN 2019 at 12:49:45 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: GR142926
Address of Property	: Cotswold Cottage, London Road, Fairford (GL7 4AN)
Price Stated	: £465,000
Registered Owner(s)	: GILLIAN EILEEN MURDOCH and STEPHEN MURDOCH of Cotswold Cottage, London Road, Fairford GL7 4AN.
Lender(s)	: HSBC Bank PLC

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Title number GR142926

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 5 JUN 2019 at 12:49:45. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the HM Land Registry web site explains how to do this.

A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

GLOUCESTERSHIRE : COTSWOLD

- 1 (15.11.1991) The Leasehold land shown edged with red on the plan of the above Title filed at the Registry and being Cotswold Cottage, London Road, Fairford (GL7 4AN).
- 2 (15.11.1991) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:
Date : 22 June 1797
Term : 1750 years from 22 June 1797
Rent : Two shillings
Parties : (1) Jonathan Wane
(2) Benjamin Carter
(3) Sarah Carter
NOTE 1: The Lease comprises also other land
~NOTE 2: Copy filed under GR370744
- 3 (15.11.1991) The land has the benefit of the following rights granted by a Conveyance and Assignment dated 3 June 1976 made between (1) Leonard James Hirst Darlington (Vendor) and (2) Tegid Arwell Pugh and Jane Margaret Pugh (Purchasers):-

"TOGETHER WITH the right for the Purchasers and their successors in title the owners and occupiers for the time being of Cotswold Cottage aforesaid and his and their servants and licensees (in common with all others having the like right) at all times to pass and repass along over and upon the drive or roadway coloured brown on the said plan with or without vehicles of any description for all purposes connected with the use and enjoyment of the property firstly and secondly hereinbefore described the Purchasers and theirs successors in title bearing a fair proportion according to user of the cost of keeping the said drive or roadway in repair."

NOTE: The land coloured brown referred to above is tinted brown on the filed plan.

- 4 Unless otherwise mentioned the title includes any legal easements granted by the registered lease(s) but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

B: Proprietorship Register

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B: Proprietorship Register

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This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title good leasehold

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Title number GR142926

B: Proprietorship Register continued

- 1 (10.12.2018) PROPRIETOR: GILLIAN EILEEN MURDOCH and STEPHEN MURDOCH of Cotswold Cottage, London Road, Fairford GL7 4AN.
- 2 (10.12.2018) The price stated to have been paid on 1 November 2018 for the land in this title and in GR139263 was £465,000.
- 3 (10.12.2018) The covenant implied under section 4(1)(b) of the Law of Property (Miscellaneous Provisions) Act 1994 in the disposition to the proprietor is modified.
- 4 (10.12.2018) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 1 November 2018 in favour of HSBC Bank PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (10.12.2018) REGISTERED CHARGE dated 1 November 2018 affecting also title GR139263.
- 2 (10.12.2018) Proprietor: HSBC BANK PLC (Co. Regn. No. 14259) of Mortgage Service Centre, P.O. Box 6308, Coventry CV3 9LB.

End of register

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Title Number : GR139263

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REGISTER EXTRACT

Title Number	: GR139263
Address of Property	: Cotswold Cottage, London Road, Fairford (GL7 4AN)
Price Stated	: £465,000
Registered Owner(s)	: GILLIAN EILEEN MURDOCH and STEPHEN MURDOCH of Cotswold Cottage, London Road, Fairford GL7 4AN.
Lender(s)	: HSBC Bank PLC

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Title number GR139263

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 5 JUN 2019 at 13:01:03. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

GLOUCESTERSHIRE : COTSWOLD

- 1 (04.07.1991) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Cotswold Cottage, London Road, Fairford (GL7 4AN).
- 2 (04.07.1991) The Conveyance dated 5 October 1984 referred to in the Charges Register contains the following provision:-

"IT IS HEREBY AGREED AND DECLARED between the parties hereto that the Purchasers and the persons deriving title under them shall not be entitled to any right of light and air which might in any way prejudicially affect the free and unrestricted user by the Vendors and the persons deriving title under them of the adjoining property of the Vendors for building or other purposes."

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (10.12.2018) PROPRIETOR: GILLIAN EILEEN MURDOCH and STEPHEN MURDOCH of Cotswold Cottage, London Road, Fairford GL7 4AN.
- 2 (10.12.2018) The price stated to have been paid on 1 November 2018 for the land in this title and in GR142926 was £465,000.
- 3 (10.12.2018) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 1 November 2018 in favour of HSBC Bank PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (04.07.1991) By a Conveyance of the land in this title and other land dated 5 October 1984 made between (1) Tegid Arwell Pugh and Jane Margaret Pugh (Vendors) and (2) Timothy John Forrester and Diana Dickon Forrester (Purchasers) the land was conveyed subject as follows:-

"Subject to the liability (if any) as now exists to discharge the sum of Eight thousand pounds £8,000) or part thereof imposed by a Settlement dated the 4th day of October 1864 and a Deed dated the 23rd day of June 1874 in favour of Hugh William Heneage Raymond Barker."

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3 of 4: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (04.07.1991) By a Conveyance of the land in this title and other land dated 5 October 1984 made between (1) Tegid Arwell Pugh and Jane Margaret Pugh (Vendors) and (2) Timothy John Forrester and Diana Dickon Forrester (Purchasers) the land was conveyed subject as follows:-

"Subject to the liability (if any) as now exists to discharge the sum of Eight thousand pounds £8,000) or part thereof imposed by a Settlement dated the 4th day of October 1864 and a Deed dated the 23rd day of June 1874 in favour of Hugh William Heneage Raymond Barker."

NOTE: No further particulars of the Deeds referred to above were lodged on first registration.

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C: Charges Register continued

- 2 (10.12.2018) REGISTERED CHARGE dated 1 November 2018 affecting also title GR142926.
- 3 (10.12.2018) Proprietor: HSBC BANK PLC (Co. Regn. No. 14259) of Mortgage Service Centre, P.O. Box 6308, Coventry CV3 9LB.

End of register

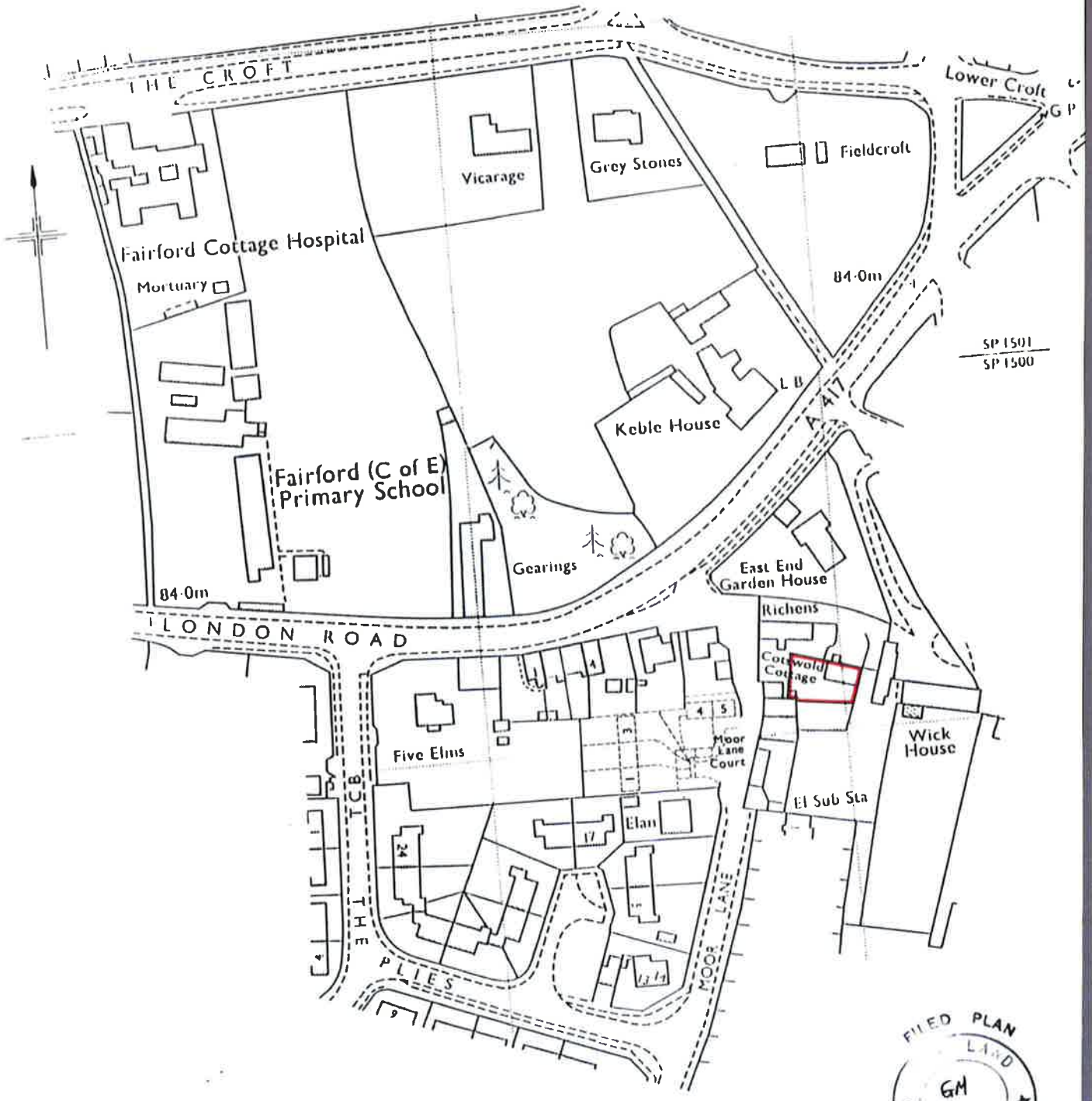
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H.M. LAND REGISTRY			TITLE NUMBER	
			GR 139263	
ORDNANCE SURVEY PLAN REFERENCE	SP 1500	SECTION	D	
COUNTY	GLOUCESTERSHIRE	DISTRICT	COTSWOLD	
			Scale 1/1250 Enlarged from 1/2500	
			© Crown copyright 1985	

The boundaries shown by dotted lines have been plotted from the transfer plan. The title plan may be updated from later survey information.



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Highways Development Management

Shire Hall
Gloucester
GL1 2TH

Adrian Walker
Cotswold District Council
Trinity Road
Cirencester
Gloucestershire
GL7 1PX

email: richard.jefferies@gloucestershire.gov.uk

Please ask for: Richard Jefferies

Our Ref: C/2018/041191

Your Ref: 18/02520/FUL

Date: 4 July 2019

Dear Adrian Walker,

TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION

LOCATION: Land South Of Wick House East End Fairford Gloucestershire GL7 4AP

PROPOSED: Erection of two dwellings

In regards to the above planning application, I have the following comments to make;

It has been brought to the LHA's attention that the above planning application was deferred to planning committee due to concerns raised by elected members in regards to highway safety matters.

Following a site visit, undertaken by highway officers on the 3rd July 2019, it was identified that the point of access in its existing state would not be suitable in its existing form to be intensified without further improvement, mitigation to the site access therefore;

The Highway Authority recommends that this application be refused for the following reasons:-

Insufficient evidence has been submitted to demonstrate that the proposed development can provide a safe and suitable access arrangement in accordance with paragraph 108 of the NPPF2019 and Cotswold District Local Plan.

I recommend that this application be refused on highway grounds for the following reason(s):-

Insufficient information has been submitted to demonstrate that the proposal can provide a safe and suitable access contrary to Section 9 of the National Planning Policy Framework 2019.

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'The highway authority would be unable to give consideration to an alternative recommendation unless the following information is provided;

- **Access arrangement to be designed in accordance with GCC's technical guidance and constructed to GCC adoptable standard. The council will require the first 20m of highway to be resurfaced in a bound material, to prevent debris from being tracked onto the highway.**
- **The LHA will require details of land ownership and vehicular access rights to the proposed dwellings.**
- **The applicant would be required to enter into a private street agreement with the existing residents to ensure the privately maintainable highway is maintained in perpetuity.**
- **Further consideration to be given for the re-location or boundary vegetation cut back to make PROW signage visible. PROW to be consulted.**

Requirement for S278

NOTE: The upgrade works to the access require alteration to the existing highway network and must be undertaken by the Highway Authority or its appointed agents. An Agreement under Section 278 of the Highways Act 1980 will be required.

The Local Highway Authority will need to be contacted prior to commencement of work on the access.

It should be noted, given officer concerns that the provision of new information may not result in a different recommendation for this location.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

Yours sincerely,

Richard Jefferies
Technician

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