

Stroud District Council is starting the process of reviewing the current Local Plan. This consultation is seeking views about the range of issues that the next Local Plan will need to tackle, and options for addressing them. This includes the identification of potential areas for growth and development. We ask a series of questions throughout the consultation document (each of which is numbered). Please refer to the question number and/or topic in your response, where relevant.

You can download a PDF or an editable electronic copy of this form from our website www.stroud.gov.uk/localplanreview. You will also find the main consultation document on this web page, as well as some supporting material and further reading. **Please note: there is a separate form for you to fill out if your comment relates specifically to a site submission / proposed alternative site (Local Plan Review: Call for Sites).**

The consultation closes on Tuesday 5th December 2017. Please email completed electronic responses to local.plan@stroud.gov.uk or post paper copies to **Local Plan Review, The Planning Strategy Team, Stroud District Council, Ebley Mill, Westward Road, Stroud, GL5 4UB**. Should you have any queries, the Planning Strategy Team can be contacted on 01453 754143.

Consultation response form PART A

Your details

Thank you for taking part. Please fill out your personal information in PART A. Your contact details will not be made public and won't be used for any purpose other than this consultation. We will not accept anonymous responses. Your comments may be summarised when we report the findings of this consultation.

Your name

(title): <input type="text"/>	name: <input type="text"/>
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Your company name or organisation (if applicable)

Your address (optional)

Your email address *

Your phone number (optional)

If you are acting on behalf of a client, please supply the following details:

Your client's name

(title): <input type="text"/>	name: <input type="text"/>
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Your client's company or organisation (if applicable)

Keeping you updated:

Would you like to be notified of future progress on the Local Plan review? (* we will do this via email)

- i) When the findings from this consultation are made public Yes please No thanks
- ii) The next formal round of public consultation Yes please No thanks
- iii) No further contact please

Consultation response form PART B:

If you have several different comments to make, you may wish to use a separate PART B sheet for each one (although you do not have to). If you use multiple PART B sheets, please make sure you fill in your name on each of them (you only have to fill out PART A once, as long as it is clearly attached to your PART B sheets when you submit the forms to us).

Your name

Your organisation or company

not applicable

**Your client's name/organisation
(if applicable)**

not applicable

The consultation is seeking views about whether the big issues identified within this paper are the right things to focus on and what options exist for tackling them. Are there other issues, options or opportunities that have been missed? **Please note: there is a separate form for you to fill out if your comment relates specifically to a site submission / proposed alternative site (download a copy of the sites form at www.stroud.gov.uk/localplanreview).**

We ask a series of questions (highlighted in pink boxes) throughout the consultation paper. Each of the questions is numbered. Please can you reference the question number(s) and/or the topic here:

Question number: Specific comment relating to Housing Site MIN B (page 38)

Please use this box to set out your comments:

(Attach additional sheets of paper or expand this box if you need to)

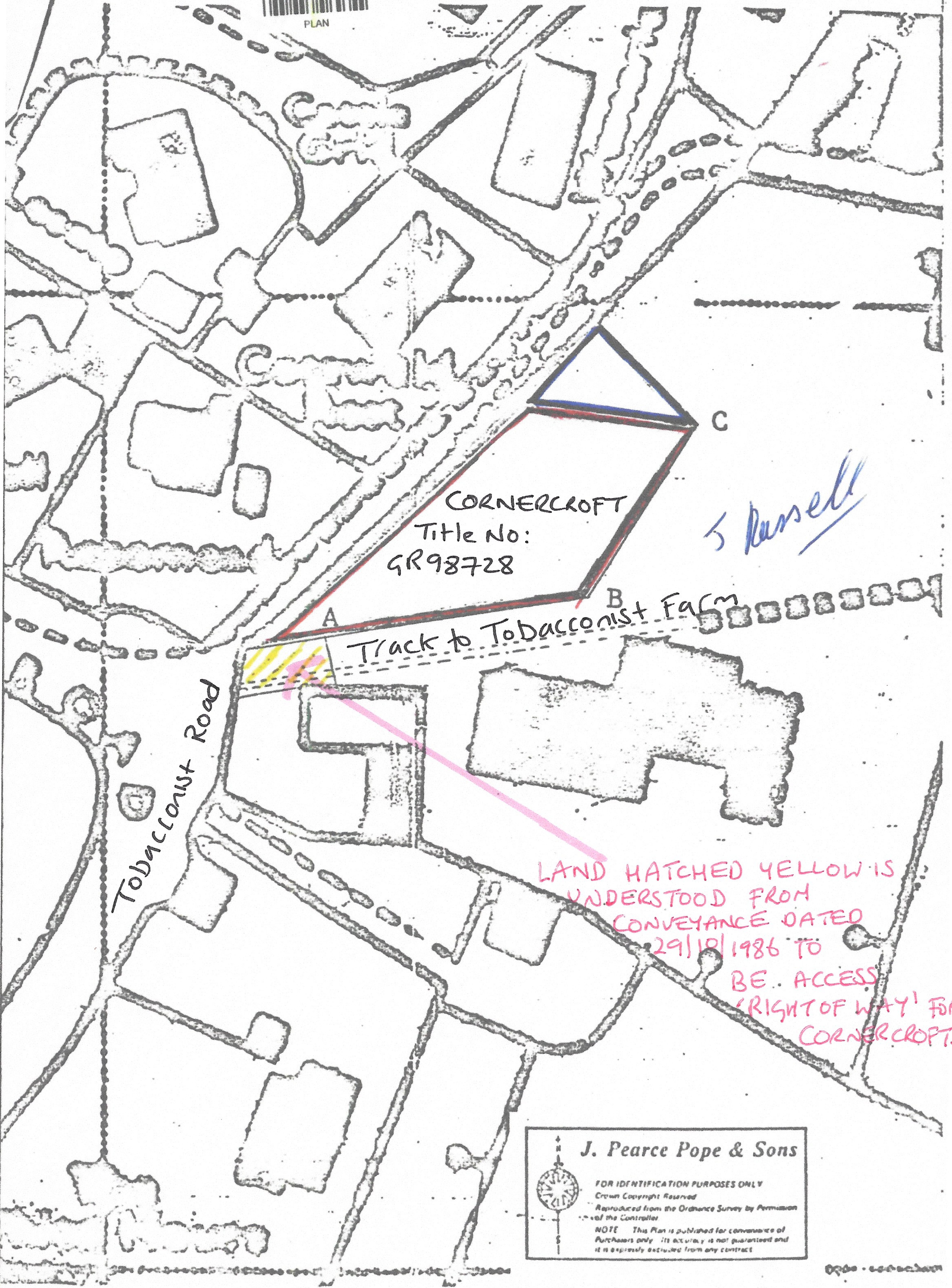
Please see attachments to this email for submission, which comprises:

- Attachment A - Submission to Local Plan Review for Cornercroft, Tobacconist Road
- Attachment B - Email to Stroud District Council dated 12 December 2015
- Attachment C - Register of Title for GR98728, for Cornercroft, Tobacconist Road
- Attachment D - Conveyance Document for GR98728, Cornercroft, Tobacconist Road
- Attachment E - Annotated Conveyance Plan for GR98728, Cornercroft, Tobacconist Road

EXTRACT FROM OFFICIAL CONVEYANCE DOCUMENT DATED 29-OCTOBER 1986



PLAN



CORNERCROFT
Title No:
GR98728

S Russell

Track to Tobaccoist Farm

Tobaccoist Road

LAND HATCHED YELLOW IS UNDERSTOOD FROM CONVEYANCE DATED 29/10/1986 TO BE ACCESS 'RIGHT OF WAY' FOR CORNERCROFT.

J. Pearce Pope & Sons

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Attachment A: Submission Local Plan Review – Catherine Towers

This submission to the Stroud District Local Plan Review (Local Plan Review) is being made on behalf of [REDACTED], sole owner and occupier of [REDACTED]. [REDACTED] has asked me to make the submission on her behalf. I am her daughter, [REDACTED] and can be contacted on [REDACTED].

This comment relates specifically to the identification of Site MIN B (MIN005), land to the East of Tobacconist Road (for housing and/or community uses) on page 38 of the Stroud District Local Plan Review | Issues and options Report 2017 (Local Plan Review). It is stated on page 38 of the Local Plan Review that the site has been identified through the Strategic Assessment of Land Availability 2017 (SALA 2017) .

This submission considers that the information provided in the SALA 2017 for the MIN 005 Site Assessment (Land at Glebe Farm, Tobacconist Road, Minchinhampton) may not be complete and therefore not accurate for the reasons provided below.

The following statements are made in the SALA 2017 about MIN005:

- **Site Description:** *The site is serviced by an access track from the local road which passes in between two residential properties.*
- **Availability:** *The owner/agent confirms that the site is available now for development, and that there are no legal or ownership problems which could limit development.*

The information presented may not be accurate regarding the second point - Availability. This is because the owner/occupier of Cornercroft, Tobacconist Road (one of the two residential properties referred to in the first statement above) has a lawful right of way over this access track but **has not** been consulted about the availability of this land for development. This may therefore amount to a **'legal or ownership problem'** about the availability of this land.

This matter first became apparent in late 2015 when a planning application was lodged with Stroud District Council for the development of MIN B (MIN005) for residential and community development. At the time, the applicant appeared to be unaware of the right of access, and consequently proposed to divert the pedestrian and vehicle access from Cornercroft to a new estate road. At no time during the planning application process was the sole owner/occupier of Cornercroft ([REDACTED]) consulted about this. A submission explaining the occurrence of this omission was made to the applicant's planning consultant, Barton Willmore, and Stroud District Council at this time. The submission was made by email and is included below as Attachment B.

To further clarify the situation a copy of the Title (Title number GR98728) for the property known as Cornercroft, Tobacconist Road, Minchinhampton, is also attached (Attachment C). You will note that Clause 4 relates to the benefit of the 'right of way' and a copy of the Conveyance made 29/10/1986 (as referred to in Clause 4) is included as Attachment D. An annotated copy of a Plan from the Conveyance made 29/10/1986 is also included (Attachment E), with the area shaded yellow showing the 'right of way'.

Currently, the red-line boundary for MIN B, land to the East of Tobacconist Road, in the Local Plan Review and MIN005, in SALA 2017, appears to include the access track to the proposed residential site, but does not include Cornercroft, Tobacconist Road. This might be a significant omission if access to the proposed housing /community site is dependent upon access via this access track. Although clearly the suitability of Tobacconist Road and the access track to provide vehicular access to a site of this size would need to be fully assessed by a fully qualified traffic engineer, should development at this site be considered.

However, if the MIN B (MIN005) is to be accessed by Tobacconist Road and the access track, the matter of the 'right of way' constraint could be resolved by altering the proposed red boundary line in the Local Plan Review documents for MINB/MIN005) to **include** Cornercroft. Not only would this help to resolve the access issue to future development site MIN B/MIN005, but it would also reduce the real possibility of Cornercroft becoming unreasonably blighted due to its location, directly adjacent to, but not part of a significant development site.

In summary this submission requests the following:

1. That the Council recognises that there maybe legal/ownership problems with access to MIN B / MIN005 for housing / community development; and
2. That the Council realigns the red-line boundary for Local Plan Review Site MIN B/MIN005 to **include** the land under Title GR98728, being the land known as Cornercroft, Tobacconist Road, Minchinhampton.

Should the above changes to the red-line boundary not be made and Site MIN B / MIN005 is kept in the Local Plan Review for housing / community development, it is strongly requested that alternative access routes to the site, that do not use Tobacconist Road and the access track, be identified by Council.

This submission is made in good faith on behalf of the sole owner/occupier of Cornercroft, Tobacconist Road, Minchinhampton and is based upon the information available at the time of preparing the submission.

Please contact Catherine Towers, on [REDACTED] should you require any further information.

Thank you for your consideration of this matter.

From: [REDACTED]
Sent: Saturday, 12 December 2015 10:29 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: S.15/2567/FUL Land at Glebe Farm, Tobacconist Road - Right of Access for [REDACTED], Cornercroft, Tobacconist Road

Importance: High

Dear Nick

I am attaching a copy of an email that I have just sent to [REDACTED] of Barton Willmore, planning consultant for the above planning application.

Please could you include the matters set out in the email to Mr Porter as part of [REDACTED]'s formal submission to the planning application.

Please note that [REDACTED] is very concerned about the impact on the access to her property both during construction and after the completion of the project. Unfortunately, [REDACTED] has not been consulted about this change to her right of access at any point.

In addition, [REDACTED] would also like to include in her submission to Council her concerns about dust, noise and times of working hours during the construction phase, should the planning application be approved. [REDACTED] house is located directly adjacent to the main access road for the development and it is expected that there will be a high volume of construction vehicles travelling past her house during the site preparation and building stages of the development. In view of this, any planning permit issued should include conditions for environmental controls to ensure the suppression of dust and water runoff, and conditions to define site working hours that cannot be breached to prevent unacceptable noise in the early mornings, evenings and at weekends.

Thank you for your consideration of these matters.

Please contact me on email cathytowers@bigpond.com should you require any further information.

[REDACTED]

From: [REDACTED]
Sent: Saturday, 12 December 2015 9:57 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Right of Way Easement - Cornercroft, Tobacconist Road, Minchinhampton, Gloucestershire
Importance: High

Dear [REDACTED]

I am writing on behalf of [REDACTED] who is the sole owner and occupant of Cornercroft, Tobacconist Road, Minchinhampton, Gloucestershire. [REDACTED] has a vehicular and pedestrian right of access across the land in front of her property to Tobacconist Road and she has actively used this right of access for some 30 years.

00038f Cathy Towers

The development application plans for the Glebe Farm development, currently exhibited for public consultation, show that there is a proposal to extinguish this right of access, and to divert [REDACTED] vehicular and pedestrian access to Tobacconist Road via a new proposed estate access road. In view of this, please could you provide advice on the following matters:

1. Whether [REDACTED] has been formally consulted about the closure and diversion of her established right of way.
2. Whether an established and legal right of way can be lawfully extinguished upon transfer of ownership of land.
3. Whether an qualified traffic consultant has drawn up full plans for Mrs Turner's proposed new access and whether these plans have been approved by the appropriate authority as being a safe and manageable vehicular access.

Thank you for your consideration of these matters and I look forward to receiving your reply.

I will also be forwarding this email to Stroud District Council for their full consideration as part of the assessment of the planning application.

Regards

[REDACTED]