



**TOWN AND COUNTRY PLANNING ACT 1990**  
**PLANNING STATEMENT TO ACCOMPANY AN**  
**APPLICATION FOR:**

*“Full planning permission for the erection of 2 dwellings,  
on land east of The Leys, Adderbury”*

**On behalf of**  
**Mrs B Biggam**

**January 2021**

**PF 9614**

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## 1.0 INTRODUCTION

1.1 This Planning Statement is prepared on behalf of Mrs B Biggam, in support of a full planning application for the erection of 2 dwellings on land east of The Leys, Adderbury. The application description is:

*“Full planning permission for the construction of 2 dwellings, on land east of The Leys, Adderbury”*

1.2 This planning application follows the withdrawal of 2 separate planning applications for the erection of 3 dwellings on land east of The Leys. The first application was withdrawn to address Adderbury Parish Councils query on the ownership of the existing service road. The ownership issue has been addressed. The Title Plan and covering letter at **Appendix 1** confirms the Applicants ownership of the service road.

1.3 The second planning application was withdrawn to address; (i) concerns of the Case Officer relating to scale and massing, and the impact of the Proposed Development on the rural character of the surrounding; and (ii) Oxfordshire County Council (the Local Highway Authority (LHA)) concerns regarding the impact the Proposed Development would have on the local highway network.

1.4 The Project Team has reviewed the scheme and made the following changes:

- Reduced the number of dwellings from 3 to 2 and the extent of the Site area, edge red on the Site Location Plan;
- Incorporated a pedestrian footpath that extends from the star of the service road, alongside the proposed Plots 1 and 2;
- In response to representation made by a neighbour, Plot 1 has been relocated further into the site; and,
- The inclusion of a Transport Technical Note that addresses the concerns from the LHA.

1.5 The purpose of this Planning Statement, as an overarching document, is to explain the planning background of the proposals for the Local Planning Authority (LPA) and the surrounding community, and to consider the national, regional and local planning policy framework within which the application will be assessed.

1.6 The application is supported by the following suite of drawings and reports:

### Drawings

- Dwg No. PF/9614.01 5392 SLP Rev A Site Location Plan
- Dwg No. 5392.02 Rev E Site Layout Plan
- Dwg No. 5392.03 Rev A Proposed Floor Plans Plot 1
- Dwg No. 5392.04 Rev A Proposed Floor Plans Plot 2
- Dwg No. 5392.06 Rev A Proposed Elevations Plot 1 - Sheet 1
- Dwg No. 5392.07 Rev A Proposed Elevations Plot 1 - Sheet 2
- Dwg No. 5392.08 Rev A Proposed Elevations Plot 2 - Sheet 1
- Dwg No. 5392.09 Rev B Proposed Elevations Plot 2 - Sheet 2
- Dwg No. 5392.12 Rev A Proposed Roof Plans
- Dwg No. 5392.13 Rev A Indicative Perspectives Plot 1
- Dwg AA-TCP-01 Tree Constraints Plan

- Dwg AA-TTP-01 Tree Locations Plan
- Dwg A TPP 05 Arboricultural Tree Protection Plan

**Reports:**

- Design and Access Statement
- Landscape and Visual Appraisal 6755.LVA.002
- Ecology - Ecological Impact Assessment
- Ecology - Great Crested Newt Assessment 2017-10(04)
- Ecology - Bat survey 2017-10(04)
- Arboricultural Method Statement AA AMS 03
- Arboriculturally Tree Protection plan AA TPP 03
- Transport Technical Note

## 2.0 SITE AND SURROUNDINGS

- 2.1 Adderbury is one of Oxfordshire's larger villages lying in the administrative boundary of Cherwell District Council. Adderbury has a population of around 2,400 people living in around 1,200 dwellings. Adderbury lies 3 miles outside of Banbury and 25 miles north of Oxford. The village straddles the Sor Brook, a tributary of the River Cherwell which divides the village into two neighbourhoods, East Adderbury and West Adderbury.
- 2.2 The main A4260 runs north-south through the village connecting it to Banbury to the north and to the south to Kidlington and beyond to Oxford. There are regular bus services to these towns. Kings Sutton station is located 3 miles to the northwest, and Banbury station is 4 miles to the north, providing regular and frequent trains to London, Oxford, Manchester and Birmingham.
- 2.3 The residents of Adderbury have access to a range of everyday facilities and services including; a post office; Adderbury Stores; a range of public houses; and library and Primary School. There are several public open spaces for residents to enjoy including, the Lucy Plackett Playing Field and The Lakes nature reserve.
- 2.4 The application site is located to the rear of The Leys in Adderbury and comprises an area of unmanaged scrubland with occasional mature ornamental trees. The site has a gentle slope west to east. The existing railway corridor to the north of the site (outside of the site) comprises an earth bund that entirely contains views of the site to the north. The land to the south and west (outside of the site) gently rises to Horn Hill Road and Berry Hill Road. There are several TPO across the Site.
- 2.5 The western boundary of the site is contiguous with the curtilage of the existing dwelling known as Leys House, with Leys Cottage and The Leys road corridor and dwellings beyond. The northern site boundary is defined by a concrete service road running broadly east to west that leads to the sewage treatment works. The eastern boundary extends further into scrubland with occasional mature trees. There is a derelict tennis court adjacent to the southern site boundary adjacent to the neighbouring dwelling known as Culbone, beyond.
- 2.6 The sites western boundary lies contiguous with Adderbury Conservation Area (CA). A CA is an area of *'special architectural or historic interest, the character of which is desirable to preserve or enhance'*. The Adderbury CA follows an east-west axis through the village and comprises the historic village core, principally lying along both sides of the High Street, and its setting. The CA identifies 8 distinct areas within the village that have particular defining characteristics.
- 2.7 The Character Area known as The Valley Landscape is a parcel of land that runs to the rear of the built development within the CA and follows the Sor Brook that severs the village east and west. The Valley Landscape to the south includes The Lucy Plackett Playing Field and bounds the dismantled railway landscaped bund. The adjacent recreation ground to the rear of the dismantled railway line bund allows classic views of the Church of St Mary over the open space.
- 2.8 The street's character includes The Leys, which has strong linear streets which retain strong building lines, with a mix of modern and historic dwellings. This area has a rural ambience but has elements of suburban character such as wall mounted street lights. The topography creates a distinctive character of varying roof lines. The plots are spacious with large front gardens.

- 2.9 The CA to the south east of Adderbury and the The Leys is mainly made up of modern infill dwellings. The Grade II listed Leys Cottage is located on the corner of The Leys.
- 2.10 The CA Appraisal includes a visual analysis which identifies significant features, such as landmarks, important green spaces, and positive views. Important landmarks include the Grade I listed Church of St Mary and the Grade II Listed Adderbury House. The important green spaces include the Lucy Plackett Playing Field and green space adjacent to New Road, both contribute to positive views of the Church of St Mary.

### **3.0 THE DEVELOPMENT**

- 3.1 The proposed development consists of the erection of 2 x 5-bedroom dwellings, each with a double garage. Each dwelling has a separate 'drive' accessed off the adjacent service road. The drive facilitates internal vehicular turning areas and additional visitor car parking.
- 3.2 The dwellings have been carefully located within their plots to ensure that the significant trees within the site can be retained. The dwelling will take on a contemporary appearance, with stone walls under a tiled roof. Modern building materials and techniques will allow for large glazed areas on the ground floor with single opening side hung windows on the first floor.
- 3.3 Access to the dwellings will be off the existing service road. The radii at the junction of the service road and The Leys has been increased to improve manoeuvrability and vision. A footpath runs alongside the dwellings, and extends from the corner of the service road and The Leys until it reaches the eastern boundary of Plot 2.
- 3.4 The existing Public Right of Way (PRofW) will be diverted to run parallel to the southern boundary of The Leys garden and then on an east-west alignment along the service road.

### **4.0 PLANNING POLICY CONSIDERATIONS**

- 4.1 This section of the statement identifies the planning policy context in which the application will be assessed. The national context, which includes the implication of the National Planning Policy Framework (NPPF) and other relevant national documents is discussed first, followed by local planning policy and context.

#### **National Planning Policy Framework (The Framework)**

- 4.2 The updated National Planning Policy Framework (NPPF) was published in February 2019 and updates the NPPF of March 2012 and subsequent July 2018 revision. It states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 explains that there are three objectives associated with sustainable development; economic, social and environmental. These three objectives are 'interdependent' and to be pursued in 'mutually supportive ways'.

**An economic role** – contributing to building a strong, responsive and competitive economy, by ensuring sufficient land of the right type is available in the right place and at the right time

to support growth and innovation; and by identifying and coordinating development requirements, including provision of infrastructure;

**A Social Role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and

**An Environmental Role** – contributing to protecting and enhancing our natural built and historic environment, as part of this helping to improve biodiversity, use of natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

4.3 The NPPF introduces the presumption in favour of sustainable development. Paragraph 10 states that this is *“at the heart of the Framework”*.

4.4 The Framework sets out the meaning of the presumption in favour of sustainable development under specific themes, summarised below.

*Delivering a wide choice of high-quality homes*

4.5 The Government’s ambition is to boost significantly the supply of housing (paragraph 59). Chapter 12 goes on to state that the creation of high-quality building and places is fundamental to what planning and the development process achieves. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities.

4.6 Planning policies and decisions should ensure that developments; will add to the overall quality of the area; are visually attractive as a result of good architecture, layout with appropriate and effective landscaping; sympathetic to local character and the landscape setting; establish a strong sense of place; and create places that are safe.

*Protecting the Environment*

4.7 The Framework includes policies that seek to protect the environment contained in Section 9: Promoting sustainable transport; Section 14: Meeting the challenge of Climate Change; Section 15: Conserving and enhancing the natural environment; and Section 16: Conserving and enhancing the historic environment.

*Promoting Healthy Communities*

4.8 Section 8 of the Framework deals with policies to promote healthy communities and recognises the important role that planning can make in creating social interaction and creating healthy, and inclusive communities. Paragraph 91 encourages *“safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”*

## Local Plan Policies

- 4.9 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that the determination of planning applications should be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.10 In this instance the development plan consists of the saved policies of the Cherwell Local Plan (adopted 1996) and the Cherwell Local Plan 2011-2031 (adopted July 2015). The following planning policies are most relevant to this application.

### Adopted Local Plan 1996

- C8: Sporadic development;
- C28: Layout, design and external appearance of new development;
- C30: Design Control

### The Cherwell Local Plan 2011-2031(Adopted July 2015)

- PSD1: Presumption in Favour of Sustainable Development;
- Villages 1: Village Categorisation
- ESD 1: Mitigating and Adapting to Climate Change
- ESD3: Sustainable Construction
- ESD7: Sustainable Drainage System (SuDS)
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD 1: Conservation Target Areas
- ES 13: Local Landscape Protection and Enhancement
- ESD15: The Character of the Built and Historic Environment

### Adderbury Neighbourhood Plan (2014-2031) (ANP)

- AD1: Adderbury Settlement Boundary
- AD2: Green Infrastructure

### Other Material Considerations

- 4.11 In this instance the following are other material considerations are relevant to this planning application.
- Planning practice guidance
  - Planning Practice Guidance
  - Adderbury Conservation Area Appraisal 2012 (ACAA)
  - Cherwell Residential Guide SPD (2018)

## 5.0 PLANNING ASSESSMENT

5.1 This planning issues identified as relevant to this application are:

- Principle of development;
- The Social Objectives of Sustainable Development  
Requiring good design;



Impact on the charter of the local area.  
Residential amenity;

- The Environmental Objectives of Sustainable Development
  - Highway safety;
  - Landscape and visual impact;
  - Heritage – impact on the Adderbury Conservation Area; and,
  - Ecology and Biodiversity.

## 5.2 Principle of Development

- 5.2.1 Policy Village 1 of the CLP 2031 sets out the hierarchy for development within the rural areas and groups villages into three categories (A, B and C). Adderbury is identified as a Category A village, which are identified as the most sustainable settlements within the rural area of the District based on; population size; number and range of services; accessibility (travel time and distance) of the village to other services and urban areas by private car and public transport; and accessibility in terms of walking and cycling, and local employment opportunities.
- 5.2.2 Policy Villages 2 considers the rural housing allocation and allocates 750 dwellings within the plan period to be delivered within Category A settlements (over and above minor windfall developments). This policy allows for development on the edge of the village that is compliant with the Local Plan as a whole. The policy does not restrict the proportion of the 750 dwellings referred to that may be built in one village, nor controls the phasing.
- 5.2.3 The Adderbury Neighbourhood Plan was made in July 2018. Policy AD1: Adderbury Settlement Boundary identifies a settlement boundary at Appendix 1 of the Plan. The policy allows infill development, within the development boundary, and goes on to state that developments outside the settlement boundary will not be supported unless it is demonstrated that... *'they will enhance or at least not harm, local landscape character'*
- 5.2.4 By referencing new homes that would be considered isolated and would not be supported, except in special circumstances as described in paragraph 79 of the Framework, Policy AD1 further differentiates between developments that could lie outside the settlement but could still be regarded as sustainable. Policy AD1 acknowledges that sites, such as the application site, that lie outside the settlement boundary could still be regarded as sustainable.
- 5.2.5 Policy AD1 is in conflict with Policy Village 1 of the CLP 2031 that only allows development within the built-up area of a settlement and the saved policy H8 of the CLP 1996. Section 38(5) of the Planning and Compulsory Purchase Act 2004 states that if a policy for an area is conflict with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the latest document to be adopted, approved or published. (PPG Paragraph: 012 Ref ID: 21b-012-20140306). It is considered that ANP policy AD1 will be significant in the determination of the principle of development.
- 5.2.6 The Landscape and Visual Appraisal (LVA) that accompanies this application has concluded that the proposed development will enhance the immediate surrounding area.
- 5.2.7 It is considered that the principle of the proposed residential development is acceptable.

### 5.3 The Social Objectives of Sustainable Development

#### *Requiring good design;*

- 5.3.1 The Framework (Section 12) acknowledges that good design is a key aspect of sustainable development. It creates better places in which to live and helps to make development more acceptable to local communities (paragraph 124). Planning policies and decision making should ensure the developments respond to its context, be visually attractive as a result of good architecture, layout and landscaping. These aims are echoed within Local Plan policies ESD 15 of the CLP 2031, CS28 of the CLP 1996 and the adopted Cherwell Residential Guide SPD.
- 5.3.2 The reduction in the proposed number of dwellings from 3 to 2 has improved the integration of the development with the physical built form of the village. The scale of the proposed development, and the architectural style reflects the immediate surroundings and sits comfortably beside the larger more modern homes along the southern most part of The Leys. The scale of the plots and ratio of the built-up part of the site to the undeveloped reflects the housing density of the immediate locality.
- 5.3.3 The proposed dwellings have a modern architectural style. To ensure that the dwellings respect the village location, they will be constructed of Cotswold stone (facing) under a tiled roof, with timber windows and doors.
- 5.3.4 The Proposed dwellings will not appear alien in the immediate surroundings and integrates effectively within the immediate surroundings. The proposed development is in accordance with the Framework and policy ESD15 of the Local Plan.

#### *Impact on the character of the local area*

- 5.3.5 The immediate locality is rural in character. The most significant contribution to the character of the site and immediate area are, the trees, the east-west sloping contour of the site, the steep landscaped incline (outside the site) and the sites semi-enclosed feel.
- 5.3.6 An arboricultural report and impact assessment accompanies this application. The survey categorises trees as to their value, with Category A and B being the most valuable, down to G being the least, and U, being of no value. There are several TPO on the Site.
- 5.3.7 The layout, particularly relating to the position of the built form and the access within the site has been carefully undertaken, to ensure that all the most valuable trees, (Those with a TPO status and category A and B) that contribute positively to the character and appearance of the site are retained.
- 5.3.8 The general clearing up of the site, the quality of the architectural design and place making will make a positive contribution to the site and the local area. The Proposed Development is in accordance with the Framework and policy ESD15 of the Local Plan.

#### *Residential amenity*

- 5.3.9 The Leys terminates to the south in a 'cul de sac' of three dwellings with long rear gardens. The southern boundary of the site is contiguous with the boundary of the dwelling known as Culbone on The Leys. In response to representation made by the occupier of this dwelling, Plot 1 has been relocated 5m further

into the site, increasing the separation between Culbone and Plot 1 to c35m, and Plot 2 separated by c47m. This separation, together with the existing boundary landscaping and trees will mitigate the impact of the proposed development on neighbours.

- 5.3.10 It is concluded that the proposed development will have no adverse impact on the ability of its neighbour to enjoy their properties, and will provide a good standard of amenity for future occupiers. The Proposed development is in accordance with the Framework and policy ESD15 of the Local Plan.

#### 5.4 The Economic Objectives of Sustainable Development

- 5.4.1 Although it is appreciated that the proposed development is small scale, the construction phase of the development will require a range of professional and associated skills, ranging from designers, engineers, construction workers and machine operatives. Employment related to construction works may not necessarily be new jobs but continued employment and on-going construction work for local construction companies.

- 5.4.2 As a result of potential local construction expenditure on materials and other local services such as plant hire, the development will also have a wider indirect benefit to the search area in terms of the supply chain.

#### 5.5 The Environmental Role

##### *Highway safety*

- 5.5.1 This planning application is accompanied by a Transport Technical Note (TTN) to address the concerns raised by the Local Highway Authority, based on the intensification of use of The Leys that would present a highway safety concern, as a result of vehicles having to reverse if they were to meet.
- 5.5.2 The TTN noted the rural character of the road network in Adderbury, the limited carriageway widths, absence of road marking with no dedicated footways. The nature of the road network being such that slow traffic speeds of a round 10mph, with vehicle giving way to each other or reversing over short distance being a normal occurrence.
- 5.5.3 The TTN concluded that the additional 2 dwellings will not materially increase the risk of 2 cars meeting each other, and that there is an effectively zero daily chance of vehicles meeting on the service road. Further should this happen, passing places have been provided. As there is good forward visibility along The Leys, vehicles leaving each plot, will see vehicles travelling along the access road in good time before they meet, negating the need for any reversing to allow passing.
- 5.5.4 Although it is not anticipated that the proposed 2 dwellings will impact the safety of pedestrians walking down the access road, in response to the LHA comments, a footpath has been included, to run from the top of The Leys to the end of Plot 2.
- 5.5.5 Each dwelling will have its own access from the adjacent Service Road. A turning area within each plot allows safe access and egress to the site. The double garage and external har surface will allow for family and visitor parking.

### *Landscape and visual impact*

- 5.5.6 An LVA accompanies this application. The appraisal assesses the principle of residential use of the site. The appraisal confirms that the internal features of the site, particularly the urbanising boundary treatments, and the immediate presence of residential development to the west and south, reinforces a settlement fringe character. The edge of settlement locations further reinforces the strong relationship with Adderbury.
- 5.5.7 The LVA concludes that the sensitively designed plot layout will not introduce new or alien features that do not already exist within the site or within the locally perceived landscape. The successful integration of the design and retention of significant trees and other landscape will ensure that the proposed development will be viewed within a mature vegetated setting, against the existing settlement edge of Adderbury.
- 5.5.8 The LVA has assessed the proposed development from 6 viewpoints; two (Viewpoints A and B) from within the site, and four (Viewpoints 1-4) from outside the site. The appraisal concludes that views from the wider countryside (Viewpoints 4 and 5) from Public Right of Way (PRofW) will be limited, as a result of intervening and the site's heavy landscaping and vegetation, which further illustrates the enclosed nature of the site. The mature intervening vegetation and the dismantled railway corridor further illustrates the strong degree of containment for the site.
- 5.5.9 The LVA concludes that the residential development of the site could be successfully integrated into the receiving landscape. Table 1 of the appraisal describes how the proposed development respond to the landscape related policy in the ANP. Table 2 of the appraisal describes how the proposed development respond to the landscape related policy within the adopted Cherwell Local Plan.
- 5.5.10 It is considered that the site is able to be developed for residential use without any adverse harm to the immediate or local character or landscape quality. The proposed development is in accordance with the Framework, the adopted Local Plan and Adderbury Neighbourhood Plan.

### *Ecology and Biodiversity*

- 5.5.11 A Preliminary Ecological Appraisal was undertaken in May 2017 to determine whether the presence of any important habitat or species may impacted by the proposed development. This Appraisal was updated in April 2020.
- 5.5.12 The Site was considered to have moderate ecological value due to the well vegetated and overgrown nature of the Site, which was considered to present suitable habitat for a range of protected and notable species including reptiles and amphibians, badgers and bats, although no direct evidence of these species were noted.
- 5.5.13 A small area of snake's head fritillary was identified at the Site (though it could not be established if this was a wild variety or garden species). Due to the rare nature of this plant within Oxfordshire it is recommended that the area of soil embankment in which the plants were growing is translocated to a new location to avoid the loss of this population from the proposed works.

5.5.14 There was no evidence of setts or of badger presence, other than a few potential snuffle holes. No further surveys are required. The only perceivable ecological value of the site appears to be for bats, nesting birds and Great Crested Newts. Following the recommendation of the appraisal a nocturnal bat survey and a Great Crested Newt survey were undertaken. It was noted that any tree or hedge removal should be undertaken outside the bird nesting period 1<sup>st</sup> March – 31<sup>st</sup> August.

5.5.15 A presence/absence and population Great Crested Newt survey was undertaken between April and June 2018. Following the survey, a Natural England Great Crested Newt risk assessment was carried out that indicated that without mitigation the proposed development could impact the species without mitigation. Section 5 of the survey identified ‘reasonable avoidance measures’ that would ensure the maintenance of the favourable conservation status of the Great Crested Newt within the locality.

*Impact on the Adderbury Conservation Area.*

5.5.16 The application site lies contiguous with the southern boundary of the Adderbury CA. The CA boundary then follows the top of the former dismantled railway bund that is adjacent to the northern boundary of the site. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area and that great weight should be given to this.

5.5.17 The following elements have been identified to contribute to the character and appearance of the CA:

- Impact upon the Valley Landscape Character Area; the open space, (Lucy Plackett Playing field) adjacent to the dismantled railway bund and the view towards the Church of St Mary.  
**Impact:** The proposed development being located to the south of the bund and at much lower ground level will have no impact on the openness of the playing field or the view and setting of the Church of St Mary.
- Impact upon The Street Character Area: strong linear streets with strong building lines with a mix of historic and modern building. The Grade II listed Leys Cottage is located on the corner of Leys Road as it sweeps northerly to the more modern infill properties.  
**Impact:** The proposed development is separated from The Street Character Area and the listed Leys Cottage by the Leys House. The proposed development will have no impact on the features that contribute to the character and appearance of The Street character area. The proposed development will not harm the setting of Leys Cottage.

5.5.18 It is considered that the proposed development will preserve those elements that contribute to the character and appearance of the Conservation Area.

## 6.0 CONCLUSION

6.1 This planning application seeks permission to construct 2 dwellings on land to the rear of The Leys in Adderbury. Access to the Site will be from an existing service road on the northern boundary of the Site. Each dwelling will have its own driveway to enable safe access and egress.

6.2 The distribution of housing growth across the district is in line with the District spatial strategy. The proposed 2 dwellings will contribute to the housing growth across the rural areas and to Policy Villages 2. In line with the Framework, the Proposed Development will assist in boosting the supply of homes and makes efficient use of land.

- 6.3 Alongside a robust landscape strategy, the principle of development of the Site for residential use would be appropriate and would cause no harm to the immediate or wider landscape context. The Proposed Development will preserve the character and appearance of the Adderbury Conservation Area and will not impact the setting of nearby Listed Buildings
- 6.4 The Proposed Development will preserve the existing amenity enjoyed by the occupiers of neighbouring properties. The Proposed Development creates the opportunity to increase the biodiversity value of the Site.
- 6.5 The Proposed Development complies with both national and local planning policy.

**The Applicant respectfully requests Cherwell District Council to  
approve the application.**

# **APPENDIX 1**

Title Plan

Our Ref: PC/KWH/BIG00063/0002  
Your Ref:  
Date: 14 November 2019

# bower bailey

## SOLICITORS

Monument House, 31-34 South Bar  
Banbury, Oxfordshire. OX16 9AE  
T: (01295) 265566 F: (01295) 270536  
DX: 24214 Banbury

To Whom it may concern

Dear Sirs,

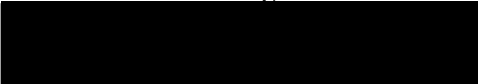

**Re: Our Client: Mrs Beris Fordyce Biggam**  
**Property: The Leys, Adderbury, Banbury, Oxfordshire OX17 3ES**

I confirm that I act for the above in various matters and that we are instructed to look into the title for her property which she purchased by way of a Conveyance dated 23<sup>rd</sup> July 1965. The investigation was due to a query regarding a track of land that lies within our client's title, as Adderbury Parish Council are of the opinion that this was within their title. We entered into correspondence with the Parish Council to supply a copy of our client's unregistered title and clarified to them that the track concerned was always within our client's ownership and they maintained this. As a result of the investigations we were instructed to submit an application to the Land Registry and confirm that title absolute was awarded to Mrs Biggam under title number ON351440 and a copy of the title and plan is attached hereto.

The track concerned is shown at the northern end of the property by a broken black line. The original Conveyance to Mrs Biggam in 1965 specifically makes reference to this track and says that she takes subject to "a right of way for the Banbury Rural District Council along the northern boundary of Ordnance Survey number 44 for the purposes of access to and egress from the Engine House shown on the said plan". A copy of the plan to the 1965 Conveyance is also attached. The Engine House is shown to the right of the property which is edged red.

I will confirm therefore that the track is totally within our client's title and has been since she acquired the property at The Leys, and she has been in occupation and use of the land including the track throughout. If you need any further information please let us know.

Yours faithfully,

  
Philip Cooksey Partner  
Bower & Bailey  


E: [pcooksey@bowerbailey.co.uk](mailto:pcooksey@bowerbailey.co.uk)  
I: [www.bowerbailey.co.uk](http://www.bowerbailey.co.uk)

OXFORD | BANBURY | SWINDON | WITNEY





# Official copy of register of title

Title number ON351440

Edition date 12.08.2019

- This official copy shows the entries on the register of title on 29 Aug 2019 at 09:00:12.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 29 Aug 2019.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry Gloucester Office.

## A: Property Register

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

OXFORDSHIRE : CHERWELL

- 1 (12.08.2019) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being The Leys, Adderbury, Banbury (OX17 3ES).
- 2 (12.08.2019) The land has the benefit of any legal easements granted by a Conveyance of the land in this title and other land dated 23 July 1965 made between (1) Albert Edward Exall and (2) Beris Fordyce Biggam but is subject to any rights that are mentioned in the said deed and affect the registered land.

*NOTE: -Copy filed.*

## 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 (12.08.2019) PROPRIETOR: BERIS FORDYCE BIGGAM of The Leys, Adderbury, Banbury OX17 3ES.
- 2 (12.08.2019) The value as at 12 August 2019 was stated to be between £500,000 and £1,000,000.

End of register

**These are the notes referred to on the following official copy**

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

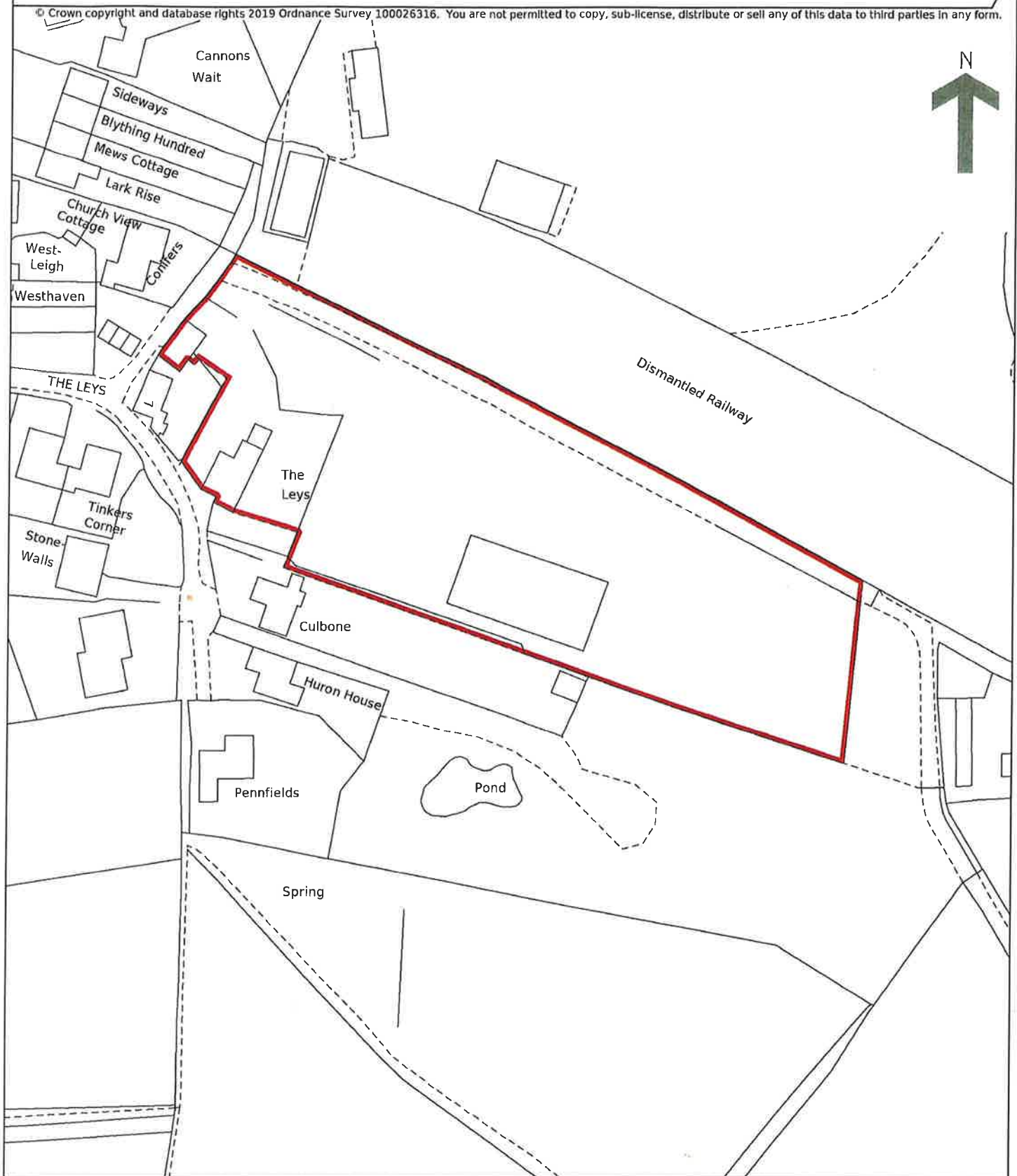
This official copy is issued on 29 August 2019 shows the state of this title plan on 29 August 2019 at 09:00:12. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Gloucester Office .

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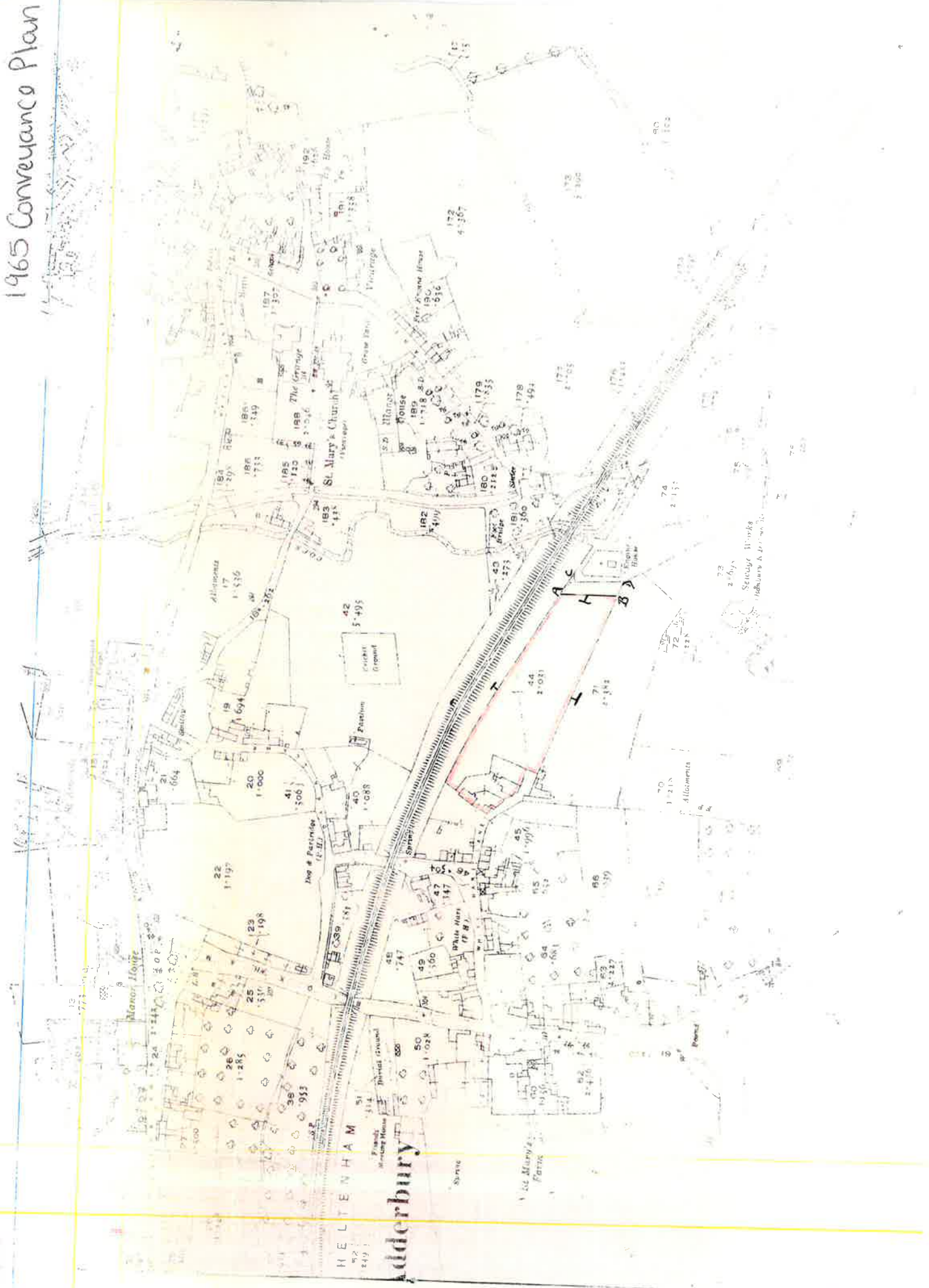
Title number **ON351440**  
Ordnance Survey map reference **SP4635SE**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **Oxfordshire : Cherwell**



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1965 Conveyance Plan



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