

Upper Rissington Parish Council

Village Hall, Wellington, Upper Rissington, Gloucestershire, GL54 2QW
Telephone: 01451 810839 – E-mail: clerk@upperrissington-pc.gov.uk

Dear Ms Gore,

I have been instructed by the Parish Council to write to you regarding the apparent breaches of the various planning consents/conditions relating to what is known as the 'Victory Fields' development and to request that Cotswold District Council ('CDC'), as the Local Planning Authority ('LPA'), use its powers to enforce the developers to meet the conditions upon which planning consent was approved.

The development was permitted under the following planning application references:

- 08/03697/OUT
- 12/03810/REM
- 12/03811/REM
- 12/03812/REM
- 12/03895/REM
- 12/03896/REM

Since the development commenced, the Parish Council and many residents have highlighted numerous compliance issues to: CDC, the Ward Member, the County Councillor and have also involved our local Member of Parliament. In the interest of brevity, I will not detail all the issues identified, but have highlighted a number below where the compliance failure appears incontrovertible.

Fire Hydrants

In her Appeal Decision, the Inspector set a number of conditions relating to the development. One of these (Condition 29 - refer to Appendix 1) was that no phase of the development may be occupied until a scheme for the provision of Fire Hydrants had been submitted to, and approved by, the LPA in consultation with Gloucestershire Fire and Rescue Service ('GFRS') and that no phase of the development may be occupied until the hydrants have been installed in accordance with the approved scheme.

Having reviewed the CDC planning portal, the Council is unable to see that Condition 29 has been satisfied and that a hydrant scheme has been approved by the Fire Authority.

Furthermore, recent conversations between a Councillor and GFRS have raised concerns that GFRS are unaware of the location of hydrants in the development.

Councillors have recently walked around the development and were surprised to find that:

- there are a number of Fire Hydrant covers on the 'highways/pedestrian areas', but the yellow signage was not present;
- there were a number of yellow hydrant signs on street furniture where a Fire Hydrant cover could not be located;
- there are still old 'military' hydrant signs in places where no hydrant was found.

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Additionally, fire safety legislation specifies the distance no house should be from a working/identified hydrant and given the topography of Upper Rissington – not close to any local river – it is imperative that adequate water supplies are readily available to GFRS in the event of a fire.

A substantial number of the planned units permitted under the development are already occupied and the apparent failure of the developer to comply with Condition 29 (and CDC to enforce compliance) potentially puts the lives of residents at risk.

Given the lack of uniformity with the fire hydrants and the distinguishing notices and marks indicating their location, along with the seemingly lack of engagement with GRFS when installing the fire hydrants, the Council questions the reliability of the hydrant system and would urge the LPA, as a matter of urgency, to enforce the developers to consult with the Fire Authority to ensure all fire hydrants meets with their approval.

Water Butts

Underlying her Decision, the Inspector set a number of environmental / sustainability conditions. One of those related to the provision of water butts for each dwelling (Condition 23 - refer to Appendix 1). The essence of the condition was no dwelling was to be occupied before a water butt had been permanently installed.

Given the Outline Design has increased the total area of impermeable surfaces in the village by circa 3.2 ha and in line with the Government's policy to reduce flood risk by use of water butts and SuDS across the drainage network, it was envisaged runoff rates and volumes would be maintained close to pre-development rates, thereby not increasing the risk of surface water flooding elsewhere within the local catchment.

It is not within the Council's powers to inspect each property, but our random sample and speaking with residents has not found one new resident with a water butt installed!

Anecdotal evidence further suggests that down pipes have not been connected to soakaway pits.

Whilst the lack of provision of water butts (or soakaway pits) is unlikely to adversely affect the flood risk to Upper Rissington, the impact the increased surface runoff assumptions would have on Hazleford Brook needs to be seriously considered by flood risk areas within the local catchment. This risk to lower-lying areas is further exacerbated with the continuing delays to the attenuation pond; giving additional serious concerns regarding the Brook. I am, therefore, copying this letter to the Chairman of the Westcote Parish Meeting, as the sewage/pumping station and the Brook are situated within their parish.

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Art Work

One of the conditions (Condition 18 - refer to Appendix 1) relating to the Village Square was that the artwork (as approved by the LPA) shall be installed prior to the occupation of any building.

A review of the planning portal has not revealed any approval of the artwork by CDC and a site visit shows that no artwork has been installed despite the building being occupied several months ago.

As previously stated, the points mentioned are merely a sample of the issues, but are examples of where the developer has failed to comply with conditions and therefore amount to breaches of planning control against which the LPA may take enforcement action.

Residents understandably feel concerned that the developers are not being held to account and forced to deliver what is set out in the planning consent. Without appropriate action being taken against the developer by the LPA, it seems likely that public faith in the planning process will deteriorate further, such that the process has no credibility.

I look forward to hearing what action you will be taking.

Yours sincerely,

Original Signed

Dawn Laird
Acting Clerk
Upper Rissington Parish Council

Copied to:

Mark MacKenzie-Charrington – Cotswold District Councillor
Robin Hughes – Chairman of Cotswold District Council planning committee
David Neudegg – Partnership Managing Director CDC
Geoffrey Clifton-Brown MP
Nigel Moor – Gloucestershire County Council
Trevor Bigg – Chairman of Westcote Parish Meeting
Rt Hon Theresa May MP
Alok Sharma MP – Minister of State for Housing and Planning
Environment Agency

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Appendix 1

Appeal Decision 08/03697/OUT - Condition 23:

Prior to the occupation of each residential unit (including each dwelling house and residential building in multiple occupation), full details of the water butt that will serve that residential unit shall be submitted and approved in writing. Each water butt shall have a minimum capacity of 200 litres (or aggregate capacity for buildings in multiple occupancy). Prior to the occupation of each residential unit, the approved water butts serving that residential unit shall be permanently installed.

Appeal Decision 08/03697/OUT - Condition 29:

No phase of the development shall be occupied until a scheme for the provision of fire hydrants to serve that phase has been submitted to and approved in writing by the Local Planning Authority, in consultation with Gloucestershire Fire and Rescue Service. No phase of the development shall be occupied until the fire hydrants for that phase have been installed by the developer in accordance with the approved scheme.

Village Square - 12/03812/REM Condition 18:

Prior to the commencement of the development, full details of the public art to be provided as part of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the precise location of the artwork(s), materials and design. The artwork(s) shall be installed prior to any building hereby permitted being brought into use.

Reason: To ensure that in accordance with the requirements of the associated S106, public art is delivered on site for the benefit of the local community.