

AP 9.8 WDC to provide inspector with land registry title for RUR11, particularly information on the restrictive covenant.

Response:

This Action Point followed from discussion of the letter from the Margaret Beer Charitable Trust that was included in the Council's Hearing Statement on RUR11. The letter said:

To Whom It May Concern:

Following recent communication from DP Architects, on behalf of clients Mr and Mrs T Stoddart, I confirm the following points.

1. Mr and Mrs Stoddart occupy 16, High Heavens Wood, Marlow Bottom SL7 3QQ, formerly owned by The Margaret Beer Charitable Trust (MBCT) as a wildlife sanctuary.
2. As Trustee of the MBCT, in principle I have no objection to the possible future development of land within the curtilage of 16, High Heavens Wood. Currently there is a covenant in place restricting any such development.

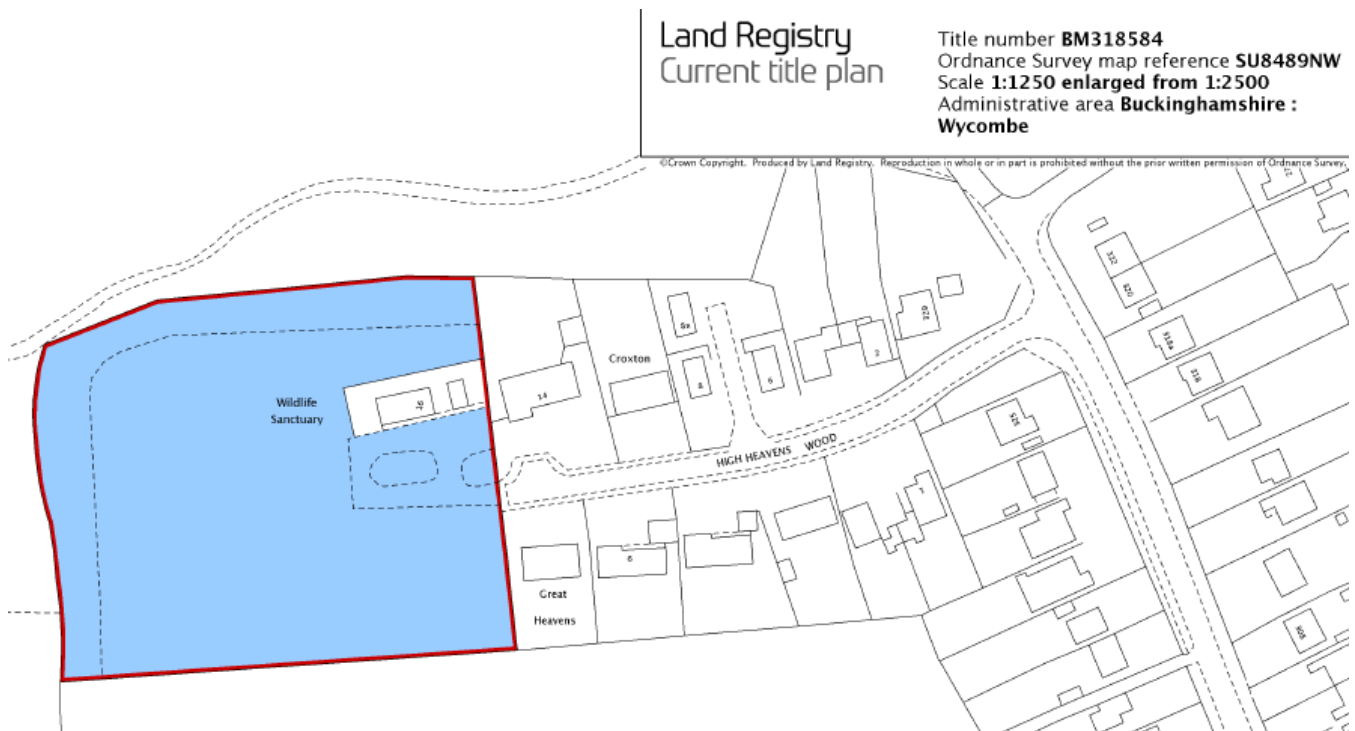
Subject to terms and contract being agreed between the two relevant parties, bound by this covenant, I provisionally endorse any future change of land use in Marlow Bottom or plans by Wycombe District Council to acquire more land as part of its Strategic Development Plan.

Yours faithfully

Paul Morrison

Trustee
Margaret Beer Charitable Trust

The following extracts are from a Land Registry search (dated to February 2017)



The search disclosed a restriction on the Title:

- 3 (13.12.2011) RESTRICTION: No disposition of the part of the registered estate shown tinted blue on the title plan (other than a charge) by the proprietor of the registered estate or by the proprietor of any registered charge is to be registered without a certificate signed by Paul Morrison of The Croft, Stockley Lane, Calne, Wiltshire SN11 0NF and Graham Horder of 27 St Davids Close, Chepstow, Monmouthshire NP16 5JZ or other the trustees for the time being of the Margaret Logan Beer Charitable Trust (Registered Number 1071947) or their conveyancers that the provisions of clause 11.4.1 of the Transfer dated 4 November 2011 made between (1) Paul Morrison and Graham Horder and (2) T Stoddart and N Stoddart have been complied with.

There are further Charges pertaining to the use or development of the land (but not relevant to the proposed Plan allocation):

1. No sand or gravel stone chalk brick-earth or other substrata to be excavated or dug from the said piece of land except in the course of laying the foundations of the houses or outbuildings to be erected thereon or for use in erecting such buildings
2. Not at any time to permit use or allow to be used upon the said piece of land any wooden hut shed caravan or house on wheels adapted for or intended as a dwelling or sleeping room.
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4. Not to carry on or permit to be carried on any noxious noisome or offensive trade business occupation or manufacture on the said piece of land."
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