

# Bredon and Bredon's Norton Parish Council

March 2023, Issue 102

## “Bridge To Nowhere” planning application decision quashed in the Appeal Court

Since Tewkesbury Borough Council sought to grant itself planning permission during the Covid pandemic, for the “Ashchurch Bridge over Rail” development, Bredon Parish Council has been collaborating with Ashchurch, Northway and Kemerton Parish Councils to oppose this application.

This application set to put an 18 metre high structure over the railway embankment in fields between Bredon & Northway as a precursor to the construction of over 10,000 houses for the Tewkesbury Garden Town project. All 4 local councils consider that this application was ill conceived & did not provide the level of information or meet the thresholds normally required for such an application to be decided, in such an environmentally sensitive area. Building the bridge using £8.1m of public money would also mean that future planning applications relating to the Garden Town would, in effect, become a fait accompli & not receive due & proper consideration. Notwithstanding Tewkesbury Council granted themselves permission for the bridge.

The Judicial Review brought in the name of Ashchurch Parish Council, was supported by all 4 Parish Councils to challenge Tewkesbury Borough Council's decision to grant itself permission was unsuccessful. Ashchurch, Bredon & Northway Parish Councils were undeterred and pressed on with seeking grounds and funding to appeal the decision, at the Court of Appeal, as the Parish Councils believed their views were correct and justice should prevail.

The appeal was heard in the Royal Courts of Justice in Dec 2022 on 3 grounds:

- i) that Tewkesbury's Planning Officer had misdirected the elected members in his report to Committee
- ii) that the Planning Committee were incorrectly instructed during the planning meeting that they were not allowed to consider any harm that the scheme might cause but could consider the benefits it might bring; and
- iii) that by bringing forward a plan for just the bridge alone (with no connecting roads or associated housing) Tewkesbury had circumvented the need for an Environmental Impact Study to take place at the site.

The panel of Appeal Court judges agreed on all three grounds and quashed the planning permission.

### Planning continued...

**W/22/02726** - Blenheim House, Tewkesbury Road, Bredon's Hardwick. The construction of up to 2 self-build dwellings. **Objection:** It is considered that the application does not provide sufficient information to enable any objective comments to be made, as it is not clear the proposed location of the dwellings, their size or style, or the position of access points, etc. Notwithstanding this, the Parish Council has reviewed the information provided and is concerned by the neighbours' comment that a large number of trees have been cleared from the site. It is hoped that the Council's Tree Officer / Arboriculturist will investigate this claim and check the trees removed, to ensure that none were subject to TPO's, but further whether it is necessary for the trees to be replaced. The Council's concern is that whilst the plot may be large enough to accommodate 2 dwellings, it is believed that this represents over development, which is outside of the development boundary. The implication of the proposed development would be significant affecting the Cross Keys Inn street-scene and will potentially affect an area which is already subject to flooding on the public highway to the front of the applicant site.

**W/22/01945** - The Cottage, Chapel Lane, Westmancote. Alteration, refurbishment & extension of residential dwelling, including alterations to garden boundary treatment and provision of new vehicle access off Chapel Lane. **Objection:** The Parish Council's comments, submitted in a letter of 16th December 2022, still apply. However, it is recognised that there are some improvements in the revised application, but the amendments are not considered to go far enough, as the alteration/extension should be subservient to the existing building. Changes are still required to the roof height (a reduction in the ridge height, pitch, or changing to a hipped roof) and the width of the extension which is still too close to the stone boundary wall. The proposals do not comply with NPPF and development plan policies, or the South Worcestershire Design Guide. The council recommend this latest application is be refused and any future plans submitted are in line with BPNP policies and guidance.



### Planning Applications

**The Parish Council's role is only advisory. For more details, please refer to [www.wychavon.gov.uk](http://www.wychavon.gov.uk).**

**For consideration by Wychavon:**

**W/22/01380** - True Blue Farm, Lower Lane, Kinsham. Various internal alterations, erection of ground floor extension & orangery, refurbishment, & conversion of existing out building to living accommodation, construction of new link to out buildings. No objection, subject to approval by the Conservation Officer.

**W/22/02719** - The Birches, 11 Perwell Close, Bredon. Removal of existing conservatory to be replaced with an extension. Conversion of existing garage to bedrooms. Erection of a new garage, plus internal works to provide open plan living spaces. No objection, subject to approval by the Conservation Officer.

**W/22/02668** - Severn Sailing Club, Wharf Lane, Bredon's Norton. Certificate of lawfulness for existing use of 15 caravan pitches. No objection, but it is suggested that a condition be imposed which restricts the use of the 15 pitches should be for members and invited guests only and should not be let.

**W/22/02723** - The Olde Forge, Rectory Farm Lane, Bredon's Norton. Construction of a two-storey extension to the rear of the property with minor interior alterations & on the front elevation, to alter the dormer window to Bedroom 3. No objection. (It was noted that a neighbour had queried the ownership of the adjacent footpath).

**Date of Next Meeting(s):**

**Monthly Parish Council**

*Monday 13th March*  
takes place in Bredon  
Village Hall at 7pm