



Planning Services  
Wychavon District Council  
Civic Centre  
Queen Elizabeth Drive  
Persnore WR10 1PT

14 July 2020

FAO Robert Smith

Dear Robert

**Planning Application Ref 19/02382/CU WWII Air Raid Shelter, Orchard Walk, Evesham**

I wish to register an objection on behalf of VECS to the proposed change of use of this structure to garages/B8 storage, for the following reasons:

- a) Section 26 – Declaration of the planning application form has not been signed and dated by the applicant, which makes the application invalid.
- b) The Air Raid Shelter, it is believed, is the only one remaining in and around Evesham. It is of an unusually large size and in good condition. In view of its local significance, the structure should be put forward for listing as an important historic building within the town. Investigations have already shown that no Air Raid Shelters are listed in the country of Worcestershire, although there are over 200 listed around the country. This is a structure that should be retained in its existing form and if possible, be made available to the local community as an educational and community resource.
- c) The applicant has only registered possessory title with the Land Registry. This covers only the building, with no land or reference to rights of vehicular access to the structure. The Air Raid Shelter would never have needed vehicular access, other than for its construction. Therefore, it has no historic right of access over the private road of Orchard Walk and as it has been redundant since the end of the war, no right has subsequently been established (see comment (e) below). Similarly, there would be no right to install services to the structure that would require ground disturbance, as the structure has no external ground associated with it.
- d) Orchard Walk is a private road, maintained at the expense of all of the properties served by it. When the original houses were sold by the builder, in 1898, the sale documents included a clause that limited the use of Orchard Walk to pedestrians. Recent sales, now recorded at the Land Registry, have perpetuated this restriction on the southern part of Orchard Walk for the odd numbered properties (3-21). These properties have vehicular access only part way down the Walk, to the rear (north side) of them. Half way along Orchard Walk, by the turn to the back of the terraced houses and back of the houses of Fairfield Road, there are large gate hinges, on a post that is still there, indicating that Orchard Walk was gated half way down. Subsequently, Laburnum Cottage and The Bungalow have achieved the right to drive down as far as their premises. All of these access arrangements are clearly recorded at the Land Registry, supporting the objection by the local residents that the Air Raid Shelter has no such established rights.
- e) The application form states that the building is used for 'light storage'. Local residents have seen little or no evidence of any such use, which if it had been taking place would have been unauthorised, therefore this statement should be ignored.
- f) The two existing doorways into the building, one each on the east and west sides, are only accessible by having the right to use the path on the west side, or over the garden of No3 Orchard Walk on the east



side. The path on the west side is not part of the public footpath network, but was provided in the 1890's when the two rows of terrace houses were built, for residents to access the west-east footpath from Cheltenham Road to the hospital. The Air Raid Shelter would only have had rights of pedestrian access during the war.

- g) There are a number of reasons why, setting aside the issues itemised above, this proposal should be refused.
- I. In the event that a right of vehicular access is achieved, there is no space associated with the structure to allow vehicles to turn around, without trespassing on private land on either side of the end of Orchard Walk. Thus, vehicles would have to reverse at least half way back down the Walk before being able to turn. This would present significant dangers to the many pedestrians and cyclists that use the road to gain access to the footpath network alongside the northern wall of the structure.
  - II. There is no space to park vehicles outside the building without blocking either the pedestrian access to the fronts of the odd-numbered old properties or the drive of The Bungalow on the opposite side.
  - III. The space between the side walls measures 16'. By the time that the internal dividing wall has been constructed, this would leave 15' 8" or 7'10" on each side. The standard size of a single garage in the UK is 8' wide. Therefore, the proposed sub-division into 2 units would create insufficient space to park and have adequate space to open the doors to get out, thus the proposed garage use for two units is not viable.
  - IV. There is no street lighting along Orchard Walk, making any vehicle movements during dusk and dark more dangerous to pedestrians and cyclists.

Before proceeding to determine this application, the applicant should be requested to:

- Demonstrate that the building has a right of vehicular access, otherwise it cannot be used as garages or for storage.
- Provide a signed application form.

In the event that the Local Planning Authority decides to grant planning permission, the Society strongly supports the following conditions:

- The recommendation of the Council's Archaeology and Planning Advisor that an archaeological condition be applied requiring investigations to be carried out prior to any work on the building.
- There should be a requirement for a full assessment of the ecological interest of the building, both inside and out.
- A condition should be included to prevent any external security lighting, to avoid any adverse effects on the nearest properties.
- The colour of the doors should be agreed; white is totally inappropriate in a red brick structure.
- There should be no external signage on the building, other than its name, to protect the integrity of the historic building.

I can be contacted on 07801 846049 or [gillandken@pawsons.co.uk](mailto:gillandken@pawsons.co.uk) if any further information is required.

Yours sincerely

Gill Pawson  
Acting Chair, Vale of Evesham Civic Society