

From: Councillor David Willingham <Cllr.David.Willingham@cheltenham.gov.uk>
Sent: Friday, March 15, 2024 2:16 PM
To: Michelle Payne <Michelle.Payne@cheltenham.gov.uk>
Cc: Michael.ronan@onelegal.org.uk; Councillor Victoria Atherstone <Cllr.Victoria.Atherstone@cheltenham.gov.uk>; Built Environment (CBC) <Planning@cheltenham.gov.uk>; Councillor Paul Baker <cllr.paul.baker@cheltenham.gov.uk>; 'david.willingham@gloucestershire.gov.uk' <david.willingham@gloucestershire.gov.uk>
Subject: 23/00625/FUL

Dear Michelle,

I write in connection with application 23/00625/FUL, 456 High Street.

I have a number of concerns that I still believe will make the decision either *ultra vires* or give the appearance of CBC acting non-transparently in its own financial self-interest. The details of these issues are below.

- Despite it being listed as available in the latest officer report, the DVS viability report into the development does not seem to have been published. This is directly in contravention of the Council's own JCS policy SD12.
- The Council does not seem to have considered its HRA obligations, which I believe are triggered because it is both the LPA and a financial beneficiary of the scheme, which will thwart a previous advertising permission which it granted also as LPA.
- Inadequate consideration has been given to applying the Grampian Condition requiring the TRO to exclude the properties in the proposed development from being able to apply for parking permits. This seems like a necessary, reasonable and proportionate way of addressing the harm from parking. With the further information which I will make in the representation below. I believe this needs to be reconsidered.

I also include below a further representation which I believe needs to be considered. I am making it in my capacity as the Gloucestershire County Councillor for St Mark's and St Peter's and can resend it from that email address if necessary. It can also be published on publicaccess.

I believe that the addition of a Grampian Condition requiring that the dwellings in the development be excluded from being entitled to Cheltenham Zone 12 parking permits before construction / occupation can occur is necessary, reasonable and proportionate to tackle the demonstrable harm that will be caused if the development does not have this as an enforceable condition. I also do not believe that the Council taxpayer of Gloucestershire should be forced to pay for this when it is necessary for the development not to cause serious harm and danger from parking chaos. The inherent danger from the parking situation is that vehicles will enter Stoneville Street or Bloomsbury Street, be unable to find parking and unable to turn round, so will then have to blindly reverse onto the B4633 Gloucester Road. This is an unacceptable road safety risk that I don't believe has been addressed or considered by the applicant. I also note that the DVS viability report has not been published, and the applicant suggesting that finding the £15k to modify the TRO does not seem credible, has not been publicly evidenced, and thus cannot be independently checked.

I further note that as the County Councillor, I have been lobbied by residents for a post-implementation review of the Z12 parking zone. There is therefore the opportunity for the developer to be conditioned to make a contribution towards the TRO modification, with other funding coming from the Councillor Highways Local budget. For the avoidance of doubt, the post-implementation review would be to consider extending the Z12 scheme to cover some roads

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currently affected by parking displaced from the Z12 zone. This would seem to give a reasonable prospect of the Grampian Condition being deliverable and financially viable.

If parking conditions to protect extant residents from the parking chaos and highway dangers the proposed development will cause are not required by condition and at least partly funded by the applicant, the decision to permit the development would represent an abject failure of the planning process to protect existing residents from harm and the public purse from being abused for private profit.

Kind regards

Cllr Dr David Willingham

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Borough Councillor for St Peter's, Cheltenham
County Councillor for St Mark's and St Peter's