



## Notice of a meeting of Planning Committee

**Thursday, 17 July 2014  
6.00 pm**

<b>Membership</b>	
<b>Councillors:</b>	Andrew Chard, Matt Babbage, Jacky Fletcher, Diggory Seacome, Garth Barnes (Chair), Flo Clucas, Bernard Fisher, Colin Hay, Helena McCloskey, Andrew McKinlay, Klara Sudbury, Pat Thornton, Malcolm Stennett and Simon Wheeler

The Council has a substitution process and any substitutions will be announced at the meeting

## Agenda

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **PUBLIC QUESTIONS**
4. **MINUTES OF LAST MEETING** (Pages 1 - 22)
5. **PLANNING/LISTED BUILDING/CONSERVATION AREA  
CONSENT/ADVERTISEMENT APPLICATIONS,  
APPLICATIONS FOR LAWFUL DEVELOPMENT  
CERTIFICATE AND TREE RELATED APPLICATIONS –  
SEE MAIN SCHEDULE**
  - a) **13/02174/FUL 86 Cirencester Road** (Pages 23 - 362)
  - b) **14/00739/FUL Telford House, Princess Elizabeth  
Way** (Pages 363 - 366)
  - c) **14/00766/CONDIT Asda Stores Ltd, Hatherley Lane** (Pages 367 - 382)
  - d) **14/00938/FUL 126 Warden Hill Road** (Pages 383 - 394)
  - e) **14/01017/FUL 4 Keynsham Bank** (Pages 395 - 400)
  - f) **14/01043/FUL 102 Mandarin Way** (Pages 401 - 408)

g) 14/01079/FUL 40 Dagmar Road

(Pages 409 - 412)

**6. ANY OTHER ITEMS THE CHAIRMAN DETERMINES  
URGENT AND REQUIRES A DECISION**

**Contact Officer:** Judith Baker, Planning Committee Co-ordinator,  
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## Planning Committee

**19<sup>th</sup> June 2014**

### **Present:**

#### **Members (13)**

Councillors Barnes, Chair (GB); Hall, Vice-Chair (PH); Babbage (MB); Chard (AC); Fisher (BF); Colin Hay (CH); McCloskey (HM); McKinlay (AM); Seacome (DS); Sudbury (KS); Thornton (PT); Wheeler (SW).

**Substitutes:** Councillor Adam Lillywhite (AL)

#### **Officers**

Tracey Crews, Head of Planning (TC)  
Martin Chandler, Team Leader, Development Management (MC)  
Emma Pickernell, Planning Officer (EP)  
Lucy White, Planning Officer (LW)  
Michelle Payne, Planning Officer (MP)  
Chloe Smart, Planning Officer (CS)  
Karen Radford, Heritage and Conservation Manager (KR)  
Lindsey Mulraine, Trees Officer (LM)  
Cheryl Lester, Legal Officer (CL)

### **1. Apologies**

Councillors Clucas, Fletcher and Stennett.

### **2. Declarations of interest**

**14/00415/FUL** Devonshire House

Councillor Lillywhite – personal and prejudicial – is a neighbour of the application site.

**14/00681/FUL** 1 Malvern House, Malvern Street

Councillor Hay – personal and prejudicial – is a CBH board member.

**14/00736/FUL** The Council Depot

Councillor Hay – personal and prejudicial – is a CBH board member.

### **3. Public Questions**

There were none.

### **4. Minutes of last meeting**

Resolved, that the minutes of the meeting held on 15<sup>th</sup> May 2014 be approved and signed as a correct record without corrections.

## 5. Planning applications

As new Chairman, GB reminded Members that they only need to speak if they disagree with the officer recommendation. CL explained voting protocol, for the benefit of new Members, as follows:

- if the officer recommendation is to permit, and a majority votes in support of this, the application is permitted; if a majority votes against the recommendation, the application is refused;
- if the officer recommendation is to refuse, and a majority votes in support of this, the application is refused; if a majority votes against the recommendation, the application is permitted;
- there is no requirement for a separate vote to refuse or permit in either of these cases;
- if Members want to defer their decision, an express move to defer is required.

GB reminded everyone present that application 13/02174/FUL 86 Cirencester Road has been deferred and will not be considered at this meeting.

Application Number:	<b>14/00297/FUL</b>
Location:	<b>25 Bennington Street, Cheltenham</b>
Proposal:	<b>Replacement of existing shopfront and door with timber sliding sash window and timber entrance door</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Refuse</b>
Committee Decision:	<b>Permit</b>
Letters of Rep:	<b>2</b>
Update Report:	<b>Officer comment on Cllr Walklett's concerns</b>

### Introduction

**MJC** explained the background of the two applications at 25 Bennington Street, which are back at committee following deferral in April.

The first application, for the removal of a shop front and replacement with a timber sash window and door, was deferred in April to enable the applicant to provide more evidence to justify the removal of the shop front. MJC has had several constructive meetings with the applicant, to furnish Members with the additional evidence. The applicant explained that suggested solutions as to how the shop front could be retained are unviable. The recommendation remains to refuse, as officers don't feel that the matter has been looked at in an exhaustive way, although the application before members tonight is better than the previous one, and includes more evidence.

Members will note from the blue update that Councillor Walklett is disappointed at the way these progressions have been discussed, but unfortunately cannot be at the meeting tonight. If Members are minded to follow the officer recommendation and refuse, JW has asked that they consider a deferral instead to the he can address the Committee next month.

### Public Speaking:

#### **Mr Burnett, applicant, in support**

Was under the impression that he and the officers were going to talk to address a compromise over what could be done, and also that enough information had been provided to iron out the details. For

the meeting today Cllr Ryder became aware application going back on Monday, but Cllr Walklett knew nothing about it then and talks with him never took place. Regarding 25 Bennington Street, this was a house until the 1930s, and as no permission has ever been given for it to be classed as commercial premises, it still is a house. Similar properties with shop fronts have been converted back into houses. The cost and implications of saving the shop window are disproportionate and unaffordable. Has been told that if this work is not done, the Council can move in and take the building over, but he and his family would like to see this matter addressed with a proper conclusion and the property becoming a house in the street scene. Notes other houses in the street have up-and-over doors, uPVC windows opening onto the streets. Will make sure the new windows will be up to specification – sliding sash windows made to a high standard of workmanship. Has tried to do everything right. Repeated that Cllr Walklett didn't know about the meetings taking place until Tuesday.

**Member debate:**

**BF:** having heard what Mr Burnett has said and read the blue update, thinks this application should be deferred. The recommendation is still to refuse, but if Cllr Walklett can attend further discussions between the applicant and officers, there is still the chance of a resolution which is suitable to both sides.

**CH:** has a couple of questions. Notes that what is left of the original shop window is not balanced and doesn't look quite right as part of it has already been taken out. If the window on the left side was the same size as the others on either side, would that require structural alterations to put build up the wall? This would seem a better way forward if possible, but if Members aren't minded to do this and to agree that the shop front can go, has some difficulty with the proposal. The windows in the houses on either side are bigger and off-set. If the shop front goes, the house in question ought to have a window which looks the same as its two neighbours.

**AM:** has looked at this application long and hard over a number of months and wonders how we have got to where we are today. If the move to defer fails, will move to approve. Has had enough of this application – the window may be of high merit and in a conservation area, but one-third of it has already been removed; uPVC windows are not ideal for Bennington Street, but would not be unique. Agrees with CH – it would be a better application if the proposed window matched those in the neighbouring houses – but does not consider that CBC has a strong argument to turn this application down.

**AC:** agrees with AM. The window has already been mutilated and is of little interest to anybody. It is out of place and inappropriate to a residential property – no-one wants a window like that in a bedroom. Will vote in support.

**HM:** if the application is deferred, is it possible to get a structural engineer's report to determine if there is any alternative solution? If Members are minded to approve, is it worth removing the shop window carefully and keeping it in The Wilson or somewhere similar?

**BF:** AM says CBC doesn't have a strong case to refuse but should remember that this case has already been to appeal and turned down. To ignore what a Planning Inspector has said could be dangerous.

**PT:** HM has said what she was going to say – doesn't see why the window cannot be removed and kept, with a note where it came from and what it looked like in situ, leaving Mr Burnett to complete the alterations to his residence. Would not want this bedroom in her bedroom or living room. Realises that KR will not be happy with this suggestion and have reasons why it would not be suitable.

**SW:** echoes HM and CH. Was originally in favour of keeping the shop front but this has already been altered, and we can only consider what it before us today. Realises the option to install a window to match what is next door on both sides isn't on the table before us but asks this could be dealt with under delegated powers.

**DS:** is normally in favour of keeping and restoring buildings of historic interest but in this case, would favour a single window. Appreciates this would mean the loss of another shop front in the street, but this saga needs resolving - would support replacing the shop front at 25 Bennington Street with a single timber-framed window.

**MJC, in response:**

- to CH's question about finding a different way of keeping part of the window, is not a structural engineer so cannot put any suggestions forward. The idea of rebalancing the window in a different way raises the question of what officers are trying to preserve - not a new shop front but the retention of what is there now;
- it's true that a section of the original shop front has already been removed – this was approved to enable access to the apartment upstairs, and there was never any question of rebalancing the window;
- if Members give consent, officers would like some control over what window goes in – this would need to be good quality, with a suitably-sized aperture, and consistent with the street scene. Officers could work with the applicant to achieve this;
- to HM's suggestion that the window could be moved to The Wilson, this is out of planning officers' control, but removing the window without spoiling it would require careful thought, and a method statement for its removal and re-use. This would need to be discussed with the applicant, with those discussions reported back to the Chair and Vice-Chair if Members are so minded.

**KR, in response:**

- the officer report summarises all the issues well. Members need to keep in mind current legislation, the fact that the property is in a conservation area, and the appeal inspector's clear comments about the value of the shop front to the conservation area – it should be retained but altered to allow the conversion to two flats. These points have played an important part in her interpretation of the current proposal.

**PT:** has two questions. Regarding the lintel above the shop window, could this be removed safely in order to return the shopfront to a residential dwelling, as other houses in the street do not have as lintel? Also, if Members are minded to permit the application, will BF withdraw his move to defer?

**MJC, in response:**

- is not a builder or a structural engineer, but does not think it would be difficult to remove the lintel – there are other examples of this having been done around the town.

**BF:** does not want to withdraw his move to defer. There are still technical issues which need to be settled, and no structural report to support the applicant's comments. One extra month will not make a lot of difference.

**MB:** if a vote on a move to approve is lost, does this mean the application is refused?

**CL, in response:**

- There has been an express move to defer; if this is lost, a Member will have to move to permit or refuse as the officer recommendation. If a majority votes for a move to permit, permission is granted, if not permission is refused.

**Vote taken on BF's move to defer**

4 in support

9 in objection

**Motion lost**

**AM:** moves to permit.

**SW:** MJC has suggested that onus will be with the applicant regarding the size and design of the window if the application is approved.

**CL, in response:**

- suggests that the move should be to delegate approval, to allow conversations between officers and the applicant to take place, with final approval of condition wording agreed with the Chair and Vice-Chair.

**AM:** is proposing approval, with all relevant issues conditioned. A delegated approval leaves the situation in limbo again.

**MJC, in response:**

- Members would be voting to approve, leaving officers to resolve the issues and ultimately sign the application off with the Chair and Vice-Chair. All conditions will be crafted before the decision is issued.

**AM:** that was fine and would be acceptable

**Vote on AM's move to permit**

9 in support

4 in objection

**PERMIT**

Application Number:	<b>14/00298/FUL</b>
Location:	<b>25 Bennington Street, Cheltenham</b>
Proposal:	<b>Replacement sliding sash UPVC windows in first floor (front elevation) - RETROSPECTIVE APPLICATION</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Refuse</b>
Committee Decision:	<b>Refuse</b>
Letters of Rep:	<b>1</b>
Update Report:	<b>Officer comment on Cllr Walklett's concerns</b>

**Public Speaking:**

**Mr Burnett, applicant, in support**

Thanked Members for their previous decision – will work with MJC and the borough council to make the place as they want it. Is now seeking approval for the upstairs windows, which have been installed to a high standard, with bull-nose edges and set back with only half-an-inch of the frame showing. Could make the bottom windows the same, make them look like wood, and do whatever is needed to make the building look right. Notes that other UPVC windows in the street look bulky and open

outwards, which is surprising as they should be sliding sash windows. The windows he has installed are of high quality and look right in the street scene.

**Member debate:**

**AM:** refers Members to his earlier comments. Is in favour of supporting this application, as what is installed is no different from any other windows in the street.

**AC:** agrees. These windows are the same as others and fit in well. Cannot see any reason to change them.

**PT:** moves to approve.

**SW:** doesn't agree with AM, in that these windows don't look like others in the street – they look more like traditional sash windows and it's only possible to tell that they are UPVC when up close. Would go with an approval.

**MJC, in response:**

- would just make the point that Members have approved the previous application for a timber sliding sash window downstairs and are now voting on UPVC windows upstairs in the same building. Members should be aware and bear this in mind.

**KS:** hasn't seen the windows, but thinks they should be the same – either all wood or all UPVC – as it wouldn't be right to have different windows top and bottom. This is a conservation area, and it would not look good on CBC. Planners ask people to jump through hoops when working on buildings in conservation areas and need to be consistent here. The previous application for a timber window has been approved; the upstairs windows look nice too, but the two sets of windows should be matching. We cannot allow two different types of window on one building – otherwise, what is the point of having a conservation area?

**CH:** as a carpenter, would prefer to see wood windows in these circumstances, but looking down this street, which he knows well, notes that these UPVC windows look good. We have to be pragmatic here. There are some ghastly windows along the street, but to insist that one is all-timber is a strange decision. Doesn't like UPVC windows but some are better than others and these are OK.

**KR, in response:**

- it is worth remembering that the original application was for the conversion of a part commercial, part residential building into two flats, and one of the conditions was that windows should be timber. The applicant chose to ignore this and install UPVC, which is why this application is here now. In a conservation area, we need to consider the heritage of the area, and shouldn't forget that these are unauthorised UPVC windows.

**DS:** referring to the previous comment, wants to see authentic windows, rather than a mish-mash of UPVC upstairs and timber downstairs. If the UPVC windows are refused today, suggests delegating the decision for timber windows to avoid the need for the applicant to come back to committee.

**MJC, in response:**

- the applicant already has permission for timber windows upstairs – this was a condition of the original planning application – and to revert to this would not need planning permission.



**MB:** if the decision is delegated to the Chair and Vice-Chair, can this be made to include a change of materials for the downstairs window?

**MJC, in response:**

- as these are two separate applications and each must be considered on its own merits – the two must not be blurred. If permission for this application is refused, the applicant will have to consider how to progress from here. The previous application cannot be reconsidered;
- Members are being asked to consider whether or not the applicant should be allowed to retain the UPVC windows. Officer recommendation is to refuse.

**KS:** wasn't at the previous meeting when these applications were discussed. Why are there two applications for one house? It would be easier to understand if treated holistically.

**MJC, in response:**

- the applications are separate because that is how the applicant made them. Officers cannot require an applicant to make one comprehensive application;
- this was done in anticipation of two different decisions. CBC cannot issue split decisions. This is what has confused the issues.

**Vote taken on PT's move to permit**

6 in support

7 in objection (including Chair's casting vote)

1 abstention

**REFUSE**

Application Number:	<b>13/02174/FUL</b>
Location:	<b>86 Cirencester Road, Charlton Kings, Cheltenham</b>
Proposal:	<b>Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)</b>

Consideration of this application was **DEFERRED** and carried over to a future meeting.

Application Number:	<b>14/00311/CONDIT</b>
Location:	<b>Hunting Butts Farm, Swindon Lane, Cheltenham</b>
Proposal:	<b>Removal of condition (b) on Application Reference Number: 88T/5657/01/02, dated 15/06/1988, to allow the five B &amp; B units to be occupied for permanent residential occupation</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Permit</b>
Letters of Rep:	<b>0</b>
Update Report:	<b>Officer comments; recommended condition</b>

**MJC** introduced the application as above, explaining that the original 1988 planning application for five bed and breakfast units included a condition to prevent sole residential occupancy. This application is

at committee due to an objection from the parish council, which is included in the report. The officer recommendation is to permit.

**Public Speaking:**

There was none.

**Member debate:**

**BF:** is perturbed by this. We are being asked to remove a condition, but there is no evidence as to why the condition was included in the first place, and it shouldn't be removed without a good reason why. At the time of the original application, there were surplus farm buildings, and owners were encouraged to use them to boost employment and tourism – holiday lets encompasses both these things which, as a private dwelling, will be lost. We need tourism and employment in the town, and five bed and breakfast units generates both. Also, there is nothing in the report about access for dustbin lorries – Ubico staff will not drag bins more than 9m to be emptied – and this could become a problem. The buildings are described as 'redundant farm buildings' but this is still called a farm, and if the agricultural land is sold in the future, it could become active again. If this dwelling is in separate ownership, it could be a cause for concern. Is also concerned that this site is in the green belt, and we have already fought an application to build on Hunting Butts Farm. This is a back-door application to get a dwelling in the green belt. The update suggests a condition to remove permitted development rights, but a planning application to expand the property could follow. Does not consider good enough reasons have been put forward to remove the condition, and believes that this property in the green belt should remain as holiday lets.

**MJC, in response:**

- could also flip this to say that the reason for the condition as stated in the 1988 planning permission could have been a lot stronger. At the recent training session, members were told about the tests the conditions have to follow;
- regarding bin collection, the current use as holiday lets already creates waste which has to be disposed of in a suitable manner. This scenario will be no different with the change of use;
- regarding the potential of the land coming back to farming use, yes this is possible though unlikely. The current government position regarding agricultural buildings, allowing barns to be converted into dwellings without planning permission, so to refuse on these grounds would not carry much weight at an appeal.

**AM:** a point of clarification – the application is to turn five bed and breakfast units into one residential dwelling, and the description refers to the main farm house. Does the current application just refer to the stable block?

**MJC, in response:**

- yes, the application relates specifically to the building which houses the five bed and breakfast units. The rest of the complex will remain in current use.

**BF:** there are other holiday lets in the parish, at Home Farm, Deep Street, and Gravel Pit Lane, which could almost become a housing estate. Has great concern that in allowing this to happen, we are letting people acquire houses in the green belt through the back door. Why is there no record of why the condition was included in the first place? We should keep better records.

**CH:** there are no alterations proposed for the buildings here, and if people want to live in a redundant chicken farm without alterations, will watch with interest.

**Vote on officer recommendation to permit**

12 in support

1 in objection

**PERMIT**

Application Number: **14/00395/FUL**  
 Location: **39 Keynsham Street, Cheltenham**  
 Proposal: **Proposed erection of single storey 2 bedroomed dwelling to rear of 39 Keynsham Street**  
 View: **Yes**  
 Officer Recommendation: **Permit**  
 Committee Decision: **Permit**  
 Letters of Rep: **8**      Update Report: **None**

**EP** said the proposed dwelling will have a single access between Keynsham Street and Hales Road. Previous issues with the design have been resolved, there are no amenity or highways issues, and the recommendation is to approve.

**Public Speaking:**

**Mr Iles, applicant, in support**

Introduced himself to Members as the owner of the property in Keynsham Street – it was left to him by his father in 2010 and has been in the family since 1960. All the family live and work locally. Welcomes the positive recommendation for approval from officers, and notes a common thread from objectors, that it will set an unwelcome precedent and be the thin end of the wedge, that he owns other property in the street, and is likely to renovate and rent this out. In fact, has no intention of putting in any further planning applications. Originally considered two dwellings on the site, but realised this would be too much and withdrew the application. Has revised the plans over six months, and has the approval of the Architects' Panel and Civic Society. Would not have done this if he was a greedy developer, out to maximise profits. Has worked with an architect and planning consultant to create a sympathetic, modest dwelling. This will not be the first house to be proposed on green land in Keynsham Street – the first was erected in 2006, has not been controversial, and in eight years has created no adverse impact on road safety. His proposal will not mean any change to the level of vehicular access, and there are no highways objections. The lane is tight but it's possible for two cars to pass. It's true that refuse lorries don't enter the lane and residents of the new dwelling would have to take their bins to the end of the lane, but this happens already, here and elsewhere in town.

**Councillor Jordan, in objection**

This application was originally for two houses, but has been reduced in number, improved in design, and he has no objection to it in principle. However, is concerned about the unadopted road. A similar application was approved at Victoria Terrace, but there the road was tarmac'd over and looked normal. This is a narrow dirt track, near Hales Road traffic lights. There is already one house there, and the question could be asked as to whether one more will make a lot of difference - the judgement must be based on what the tipping point might be. The road is mainly used by residents of Hales Road to access the backs of the properties. The biggest concern is refuse collection. It may only be one more house but what is the tipping point? Rubbish bins will have to be dragged to the corner and left on the public highway. There are also three flats at the back of London Road which access on to the same lane, and also need to drag their rubbish to the corner. Said again that one more house might not make a lot of difference, but could be the tipping point, and, having spoken to Rob Bell at Ubico, there are many examples of this around the town.

**Member debate:**

**KS:** has a bit of a problem with this proposal – not with the dwelling itself, but the fact that all the impact will be on the neighbours, regarding parking etc. Sees it as a bit like trying to get a camel through the eye of a needle. The lane is in bad condition and quite rough, and it will be quite a long walk to the junction with Hales Road, to drag a wheelie bin and recycling boxes. This is a town centre location, but there is no street lighting, and it should be more accessible. The proposed dwelling is a bungalow, likely to be lived in by older people, which makes this even more difficult. Regarding traffic, there are always a lot of vehicles travelling north to south along Hales Road, and the traffic lights are busy at all times – it isn't easy to turn right and there is always traffic coming from the left, with no pedestrian crossing. Is concerned this proposal might be a step too far, and doesn't consider this the right location for this type of development – which is the golden rule for approval.

**SW:** also has a few problems with this application. The applicant said he has heard people's comments about this being the 'thin end of the wedge' and said that they don't need to worry. Further applications might or might not come in, but not for consideration at this time. Is concerned future residents may not be able to get their dustbins out – if so, should it be a decision for Planning Committee to allow an extra house to be built? If the application was for two houses, the decision would be a lot more straightforward. The road already exists but is poor quality, with access for motor vehicles. People will have to take their bins out – should this affect members' decision tonight?

**PH:** residents are also concerned about access for emergency vehicles. Knows that ambulances can access far worse roads in the countryside so does not think this would be a problem, but is not so sure about fire engines. Has access been established for this?

**CH:** in view of Councillor Jordan's comments, if Members are minded to approve the application, can officers do anything to assess what level of occupation of the lane is acceptable, to allay neighbours' fears? To be honest, does not see one extra dwelling as a problem and is minded to approve. Regarding emergency services, sometimes it's not possible to get the tender close to a house, but there are other facilities which can be used in this situation – but thinks a fire engine could get down the lane if needed.

**BF:** following on from PH's comments, it would be useful to know the width of the lane. If the proposal is permitted, there will also be construction traffic to contend with, and although this will only be for a short period of time, it could cause mayhem in the area. A property being built in Hatherley Road has led to vehicles parked on the pavements and illegally on the road. If contractors' vehicles use the back lane at Keynsham Street, it could all be quite a muddle for a number of months.

**EP, in response:**

- regarding emergency vehicles, officers always consult on this type of application, and they will have given consideration to this. They have raised no objections in this instance;
- to CH's comments about officers' view on the future capacity of the lane, this would not be required as part of the application, but officers can speak to Highways officers to see if they have a view for future reference;
- regarding construction traffic, a construction method statement can be conditioned if Members want it. The issue needs some thought but isn't insurmountable;
- in response to BF's comment, the width of the lane is 4.5m.

**Vote on officer recommendation to permit**

9 in support  
3 in objection  
1 abstention

**PERMIT**

Application Number: **14/00415/FUL & LBC**  
 Location: **Devonshire House, Wellington Road, Cheltenham**  
 Proposal: **Part demolition of existing outbuildings and rebuilding to provide garaging/workshop/bike store with new ancillary living accommodation at first floor**  
 View: **Yes**  
 Officer Recommendation: **Permit/grant**  
 Committee Decision: **Permit/grant**  
 Letters of Rep: **14** Update Report: **Suggested conditions**

**Councillor Lillywhite declared a personal and prejudicial interest and left the Chamber during this debate.**

**MJC** introduced the application for planning permission and listed building consent as above – garage at ground floor, with ancillary living accommodation above. It is at Committee at the request of Councillor Prince, due to concerns about the impact on the conservation area, the effect on neighbouring amenity, and highways concerns. Officer recommendation is to permit/grant.

**Public Speaking:**

**Mr John Cooper, neighbour, in objection**

Has lived in the property next door for 11 years, and is speaking in objection to this application to turn a garage workshop into two-storey living accommodation. There have been nine objections from neighbours, for whom this is the last chance to stop the construction of a modern building at the bottom of a garden in a conservation area, within the curtilage of a listed building, and adjacent to the house originally built by Joseph Pitt – Pittville House. There was a similar application ten or 11 years ago, which was recommended for refusal and subsequently withdrawn, with the heritage and conservation officer describing it as a pivotal heritage site and highly sensitive. The heritage and conservation officer now describes the application site as private and discreet. The objections from neighbours have not been heard. His family is unclear as to whether the 6m high building will overlook his kitchen, deck, daughter's bedroom and guest bedroom – the plans do not make this clear and further information is required. Neighbours feel that officers have not listened to their comments, and neighbours cannot understand the u-turn from the conservation and heritage officer, concerning this prominent dwelling in the Pittville Estate. From a common sense point of view, it seems likely that this 1950s garage on a back wall is likely to be turned into a residential dwelling via a back door route.

**Ms Lisa Shortland, applicant, in support**

Thanked officers for their hard work and prolonged discussions resulting in the recommendation to grant permission. Has lived at Devonshire House since 1999 and spent 15 years lovingly restoring the neglected building. On site visit, Members will have seen that the house and gardens have been meticulously renovated and maintained to a high standard. It is disappointing that some people have suggested that this proposal will have a negative impact on the conservation area, as they have sought professional advice at every stage, using an historical consultant to research the grounds and building, and working with CBC's conservation officer and planning officers to design an attractive

brick-built coach house and garage which will maintain the integrity of the original vision for the house and grounds, as confirmed by council officers and the Architects' Panel. Have aimed to restore the setting of Devonshire House in keeping with its historical origins. Views down Pittville Mews are over car parking, a blank wall, and a modern five-storey development. Recent landscaping and tree planting, and hopefully the reinstatement of the coach house, will improve the outlook not only for residents of Devonshire House but also for other residents in the area, as well as restoring some of the privacy lost when recent developments were built, and create parking, storage and ancillary accommodation, not impacting on the privacy or light of others, and removing parked cars from within and around the grounds. Whilst appreciating the neighbours' concerns, have been mindful of their desire for privacy and light and will happily accept any reasonable conditions to protect this amenity in the future. Regarding earlier comments about a u-turn in advice, this is not the case, and hopes that Members will permit a thoroughly researched and professionally supported proposal.

**Councillor Prince, in objection**

Notes that the consultant employed by the applicant has had a complete change of view – when employed by CBC, vigorously opposed a similar development on this site, and questions why her opinion has changed so much. Also notes that opinions in the report of the Conservation Officer are completely different from those given for the earlier proposal – CBC's conservation policy has not been weakened since then so how can these views change so dramatically? Considers this two-storey building will have a dramatic effect: the view from Pittville House will be lost, with residents looking out on a blank two-storey wall; no consideration has been given to local residents; the effect will be overbearing. Would have no objection if the application was simply to restore the current buildings, but the proposed two-storey building will impact heavily on the area. Officers have asked the applicants to remove the window overlooking the town house – questions why, despite this not being done, the recommendation remains to permit, and wonders if the reason why the applicants do not want to remove this window is because of potential future residential use. If Planning Committee wants to permit this application, asks that two conditions are included: firstly, that the window overlooking the town house is removed, and secondly, that residential use will not be permitted.

**Member debate:**

**SW:** for clarification, can officers explain which windows are considered to give rise to overlooking?

**PT:** is puzzled. Looking at the existing buildings, notes that the garages have up-and-over doors to access the road, which is much more friendly. This design shows double doors opening at both ends, and thus encroaching on the road, and the drawings show where yellow lines will run close to the garages.

**AC:** was going to say the same. The open doors will obstruct the building next door. Had been going to vote against this application after reading the papers, but after seeing the site on planning view felt it will be OK – but would like to see a change to the garage doors.

**MJC, in response:**

- to SW, the windows in question are rooflights on the north elevation – side on to the rear of Pittville House gardens. There is a condition in the update requiring a sill height of 1.7m, which would prevent outward view downwards. There is also a suggested condition that the building should only be used for purposes ancillary to Devonshire House;
- regarding the garage doors, this is difficult. Would expect for them to open vertically as proposed but this could be conditioned if Members want.

**KR, in response:**

- to the comments that conservation advice has changed from the previous application 10 years ago, her predecessor referred to Devonshire House itself as a highly sensitive pivotal heritage site in its corner plot, and she would agree with this. She referred to the new building at the back of the house as being private and discreet, not the house itself;
- Members have made valid comments about the garage doors. Traditional garage doors open outwards, but as MJC has said, a condition can be included to require up and over doors if this is what Members want.

**SW:** for clarity – was not on planning view – do the doors open on to the highway?

**KR, in response:**

- yes, they do.

**CH:** garage doors are only opened when someone is going in or out, and if they are in somebody's way, they would be shut. It is unlikely that they would be left open for long periods of time as the owners will want to protect what is in the garage and therefore keep them shut. Two outward-opening doors are more traditional than tracked ones, and if the idea is to be sympathetic to the buildings that might have existed here in the past, the current drawings are right.

**PT:** it's all very well going back in time, to when there would have been horses and carts in the coach houses, but looking at the illustration, it appears that the doors open so widely that they will impinge on the neighbour's gate. Up-and-over doors will give a better look to the whole area. If going down the traditional route, there should be no yellow lines, cobbled streets etc. If we are allowing a modern building in the curtilage of an historic one, it should be as simple as possible.

**DS:** cannot see why Members are getting so hung up on the doors. The residents will want to keep them closed, to protect what is in the garage.

**HM:** tracked doors would be an improvement. The existing single storey garage will be brought forward to line up with other garages, and if doors are open, they will impinge on the gate to Pittville House. For one reason or another, people often leave their garage doors open at times.

**PH:** did a quick arms' length measurement on planning view, which clearly demonstrated to AC and PT that the garage doors would impact on the gates of Pittville House. Up-and-over or tracked doors are the sensible option.

**AC:** agrees. In addition, these sort of doors can be operated remotely, allowing the residents to drive up and get away quicker, thus causing less obstruction.

**MJC, in response:**

- if Members are minded to approve, and condition regarding garage doors can be worked out and agreed with the Chair and Vice-Chair before the permission is issued.

**CH:** tracked doors or bi-fold doors would be OK, but objects to up-and-over doors – they are hideous and would spoil the character of the area.

**GB:** officers have got the gist of Members' feelings about the garage doors.

**Vote on officer recommendation to permit, with additional condition re garage doors as discussed**

12 in support – unanimous

**PERMIT**

Application Number: **14/00523/FUL**  
Location: **Gallagher Retail Park, Tewkesbury Road, Cheltenham**  
Proposal: **Proposed erection of retail warehouse unit on car parking adjacent to Unit K Gallagher Retail Park**  
View: **Yes**  
Officer Recommendation: **Permit**  
Committee Decision: **Permit**  
Letters of Rep: **0**      Update Report: **None**

**EP** introduced the application as above, adding that it is for use by Majestic Wine. A retail consultant has confirmed that there will be no adverse affect on the town centre, and there are no highways objections. The application is at committee due to an objection from the parish council.

**Public Speaking:**

There was none.

**Member debate:**

**BF:** welcomes the application, but would like a condition included requiring a contribution to the TRO on Manor Road, where the 60mph speed limit and parking restrictions has impacted on Manor Road and Hayden Road, with Jaguar workers parking on Hayden Road. The TRO will cost £5k, and a contribution should be conditioned.

**EP, in response:**

- a contribution such as this would have to be required through S106 and it would need to be proved necessary to mitigate harm. Highways officers do not identify any harm, and therefore there are no grounds to require such a contribution.

**BF:** Highways officers are wrong. They are aware of the impact the scheme is having, and have made a mistake. This new retail unit will attract more people. In is favour of the proposal but wants to do it properly.

**EP, in response:**

- if the condition BF wants is attached to the decision and the applicant goes to appeal, CBC would be severely criticised for attaching such a condition with no grounds.

**BF:** all conditions are appealable. This is much needed, and £5k isn't much for a development on this scale.

**CL, in response:**

- is very dubious about requiring such a contribution. It would have to be through an S106 agreement, and this would have to be delegated. If the applicant goes to appeal, and there is no evidence of any potential highways issues, costs against CBC could be awarded;



- also, if BF wants to add the condition against officer advice, in order to avoid a potential situation where, under protocol, a majority of Members are opposed to the condition but otherwise support the application, and a vote against the recommendation *with* the condition would result in the application being refused, BF must move to amend the officer recommendation with the addition of this condition. A separate vote can be taken on that first.

**PT:** is it possible to include in the recommendation that the issue of a TRO is explored – to leave the gate open, and allow the issue to be looked at behind the scene after the vote?

**KS:** has sympathy with BF's comments but thinks it unfair on the applicant to impose this condition. Would ask, however, that officers to take note of these concerns when considering the Local Plan. This area is very different from ten years ago – a thriving trading estate – but there are issues with the road network which need to be looked at strategically.

**Vote on BF's suggested amendment – inclusion of a condition requiring a contribution to TRO**

1 in support

11 in objection

1 abstention

**MOTION LOST**

**Vote on officer recommendation to permit**

13 in support – unanimous

**PERMIT**

Application Number:	<b>14/00530/FUL</b>
Location:	<b>282 London Road, Charlton Kings, Cheltenham</b>
Proposal:	<b>Demolition of existing dwelling and erection of two new dwellings</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Refuse</b>
Letters of Rep:	3
Update Report:	<b>None</b>

**EP** described the application, reminding Members that they refused an application for two dwellings at this site two months ago, primarily because they did not like the flat-roofed design. The applicant has now altered this to a pitched roof design, which is acceptable to officers. The application is at Committee due to an objection from the parish council.

**Public Speaking:**

**Mr Gavin Hill, neighbour, in objection**

Lives next door to the application site. This is the third application for two dwellings of contemporary architecture on this site, which lies in the Cudnall Street Conservation Area. The first was withdrawn due to overwhelming objection to its contemporary design; the second was refused by Committee in March. The refusal reason stated that, while the Cudnall Street Conservation Area is generally characterised by traditional dwellings with pitched roofs, and the existing building contributes towards this character and makes a positive contribution, the proposed houses, by reason of design and roof form, would be incongruous and failed to preserve or enhance the character of the conservation area, contrary to Local Plan policies BE3 and CP7. This gives a very clear steer on what is acceptable and what not, but the applicant chose to ignore the refusal reason, added mono-pitched roofs to the design and made a new application four working days after the previous one was refused – a sign of naivety

or arrogance. As one Member pointed out at the last committee meeting, this type of design would be more suited to the Costa del Sol. Tellingly, the Heritage and Conservation Officer supported the previous application but recommends refusal of this one. Has no objection in principle to the demolition of the existing dwelling and erection of two new ones, as the site can accommodate these, but he and his neighbours strongly object to the contemporary architecture proposed. Generally likes contemporary architecture provided it is coherent, sits well in its setting and adds to it, but this application does none of these things. The previous refusal reason is equally relevant here. Urges Members to refuse the application on grounds of inappropriate design within the local context.

**Member debate:**

**KS:** to her, the houses look a bit like angry frowning faces, though realises that this is in the eye of of the beholder. Said at the previous meeting the flat-roofed dwellings were not appropriate here and were more suited to a Mediterranean setting than to our wet climate, but was not anticipating the pitched roofs as presented now, which are an insult to the intelligence. This is very disappointing; is not happy to support this application.

**HM:** was not at the March meeting, but looked at the minutes and at the refusal reason and notes that the flat-roofed design was considered inappropriate. Also noted the Conservation officer's concern about the view from Ryeworth Road - the dwellings would be visible 2m above the hedge. This proposal is worse – the dwellings will be visible 3.3m above the hedge. As this was not discussed at the March meeting and refusal on these grounds cannot therefore be proposed, will abstain from the vote.

**BF:** the Conservation Officer's recommendation is to refuse, and Members should follow this advice. Regardless of the hedge, most of the previous refusal reasons still apply. Is not against development of this site, but not what is proposed.

**SW:** was very concerned about the flat roof, and would like to have seen an ordinary pitched roof rather than what is being offered now. Although the corner is quite concealed, the proposed dwellings will not make a great view; would like to see a more traditional house, but has little to put forward as a strong refusal reason.

**PH:** at the last meeting, felt she could support the application – it had merit, and being built on ground much lower than Cudnall Street, very little of it was on show. HM has made an important point, and the proposed roof has exceeded Members' demand for a proper roof – it doesn't do much for the design of the dwelling or for the site. Will find it difficult to refuse or support this application, so will probably abstain.

**KS:** moves to refuse, based on comments from the Conservation Officer. Was not happy with the flat roof, but was not anticipating this 'angry person' on the corner. The houses need to be shorter if pitched roofs are added. This is not acceptable.

**EP, in response:**

- Members are clearly concerned with the design and taking the previous scheme into account. They should not feel tied by this, and should consider the current scheme afresh, looking at it in its own right;
- if Members are minded to refuse, it is always helpful if they can identify the specific harm they consider it will do.

**PT:** this is a Catch 22 situation. If the application is refused on design, we should say that this is a secluded, attractive corner of the conservation area and these two houses don't fit – proposals can be refused if they don't complement the existing dwellings. Is unhappy that the developer has simply slapped two roofs on the previous design, without giving real consideration to what Members wanted – they are trying to do what is best for the town, yet these dwellings will stick out like a sore thumb. It's true that only a few people will see it, but this doesn't matter – it should still complement the area.

**BF:** the officer has asked for reasons to refuse – all the Conservation Officer's comments are valid here, and also comments made by KS.

**KR, in response:**

- following on from what PT has said, if this application is refused and goes to appeal, how the refusal reason is worded will be critical. The NPPF states that local planning policy and decisions shouldn't impose or stifle certain styles, and should promote local distinctiveness. Keeping this in mind, a refusal based on KR's reasons as set out in the report should be OK and in line with the NPPF.

**HM:** in response to the question of what the harm of this proposal would be, the Conservation Officer's comments say it all.

**EP, in response:**

- if Members want to refuse on the grounds set out in the report by the Conservation Officer, they must be sure to have read the comments preceding her conclusions to make sure they agree with the comments leading to her recommendation.

**Vote on KS's move to refuse on grounds set out by KR in officer report (NPPF, PPS5, CP7 and GE2)**

12 in support

1 abstention

**REFUSE**

Application Number:	<b>14/00554/FUL</b>
Location:	<b>82 Little Herberts Road, Charlton Kings, Cheltenham</b>
Proposal:	<b>Proposed two storey side and single storey rear extension (Following demolition of existing single storey side extensions).</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Permit</b>
Letters of Rep:	<b>1</b>
Update Report:	<b>None</b>

**CS** described the application as above. It is at Committee due to an objection from the parish council. Officer recommendation is to approve.

**Public speaking:**

None.

**Member debate:**

None.

**Vote on officer recommendation to permit**

13 in support – unanimous

**PERMIT**

Application Number:	<b>14/00660/FUL</b>
Location:	<b>16 Greenhills Road, Charlton Kings, Cheltenham</b>
Proposal:	<b>Erection of a single dwelling to the rear of 16 Greenhills Road and associated access drive, following demolition of existing attached garage and re-instatement of integral garage within existing dwelling</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Refuse</b>
Letters of Rep:	<b>8</b>
Update Report:	<b>None</b>

**MJC** introduced the application, which is at Committee due to a parish council objection as set out in the report. Officer recommendation is to approve, and Members are reminded that they approved a similar application on an adjacent site a few months ago.

**Public Speaking:**

**Mr David Jones, agent, in support**

Is speaking on behalf of the applicant, and this application follows the committee's approval of similar proposal at 17 Greenhills Road in October last year. Officers concluded that that development complied with local and national planning policy, and nothing has changed since that permission was granted, making it a compelling recent precedent. The scheme has been amended in line with the officer's comments and those of the Architects' Panel and is before Members with a clear and unequivocal officer recommendation to approve. Regarding the neighbour objections: the principle of development in rear gardens in this area has been clearly established with backland developments at Haymens Close, Charlton Gardens and 17 Greenhills Road; there is no common theme to existing development in the area, regarding styles and materials, so this proposal cannot be said to be out of keeping, backed up by Paragraph 60 of the NPPF; the proposal is not too large or high – in fact it is lower in height than the permitted scheme next door, and the floor area is comparable and urban grain consistent with developments already permitted in the area; regarding any impact on privacy, the scheme has been designed to ensure that no overlooking takes place, is 32m away from its nearest neighbour (the nationally recognised window-to-window separation is 21m), and properties backing on to the site have gardens over 50m long; and finally there have been no highways objections and the access has been designed to match that at 17 Greenhills Road. In summary, the NPPF, Local Plan and Garden Land SPD do not seek to prevent appropriate development on garden sites, and the NPPF includes a presumption in favour of sustainable development. This is sustainable development, and compliant with local and national planning policy.

**Member debate:**

**PH:** is the local borough councillor and notes that there have been many comments from concerned local residents, all well-researched and including a wealth of detail to support their cases and urge us to consider them and the Development on Garden Land SPD. Policy CP7(c) clearly states that any new building should complement local development. At the previous meeting about the proposal next door, it was identified that since 2002 there has been a ribbon of development in this area, and the principle of building here has been established and may continue, which means that Policy CP7(c) is

all that is left for neighbours to comment on. The report states that a contemporary approach must be considered appropriate. As the local councillor, is concerned about this, and would like to see the application refused.

**MJC, in response:**

- the comment in the officer report has been taken out of context, although he understands Members' frustration here. We have already heard comments from the NPPF about not stifling innovation or imposing architectural styles; there are many different styles in Greenhills Road. If the scale, massing and footprint are right, architecture is a secondary consideration – which is why the report states that this proposal is acceptable;
- there is no defined architectural style in the area, and neither is it a conservation area, so the comment in the officer report is fair;
- neighbours' concerns have been considered and the scheme amended in response to them, so the consultation process was clearly worthwhile.

**BF:** it's a shame when siting and mass makes architecture irrelevant – that's how we ended up with 60s tower blocks.

**KS:** believes MJC's comments hit the nail on the head – the concern is that these houses are being proposed in back gardens where one would expect there to be some subserviency – could they be tweaked a bit to allow this? A holistic view of this area needs to be taken – maybe a masterplan, allowing no more than two properties per driveway? Traffic speed and volume is a real problem to the local community. This proposal is too big and dominant for a back garden development, and refusal reasons could be based around its scale, bulk and mass rather than its design.

**GB:** is KS moving to refuse?

**KS:** yes, though not sure whether CP4 or CP7 is a more appropriate refusal reason.

**PH:** we should be able to use CP7 – the existing houses along the road are all traditional but the proposal is not, and therefore contravenes CP7. If the application Members considered earlier was considered inappropriate in Cudnall Street, this is worse as it is much more out in the open.

**MJC, in response:**

- needs a bit more assistance in forming refusal reasons. KS's analysis is helpful but the substantive issue is the grain of the area. There is helpful advice in the SPD regarding the hierarchy of an area – the existing dwelling achieves this, the proposed dwelling does not;
- considers that refusal on CP7 Could be appropriate, though in this situation, it would not be entirely advisable to major focus on architecture due to the variety in the area;
- between KS and PH, there is the makings of a refusal reason, although officer recommendation is to approve.

**PH:** KS's comment about the proposal needing to be subservient is very important – it is not subservient.

**Vote taken on KS's move to refuse on CP7 and the SPD**

5 in support

4 in objection

4 abstentions

**REFUSE**

Application Number:	<b>14/00681/FUL</b>
Location:	<b>1 Malvern House, Malvern Street, Cheltenham</b>
Proposal:	<b>Proposed dropped kerb to the side of 1 and 2 Malvern House, Malvern Street</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Permit</b>
Letters of Rep:	<b>0</b>
Update Report:	<b>None</b>

**Cllr Hay declared a personal and prejudicial interest and left the Chamber during this debate.**

**MJC** described the application, which has been made to aid bin collection by Ubico. It is at Committee because CBC is the applicant. The recommendation is to permit.

**Public Speaking:**  
None.

**Member debate:**  
**AC:** who will pay for this to be done? The tax payer?

**GB:** that is not a planning consideration and officers cannot advise on it.

**Vote on officer recommendation to permit**  
11 in support  
0 in objection  
1 abstention  
**PERMIT**

Application Number:	<b>14/00736/FUL</b>
Location:	<b>The Council Depot, Swindon Road ,Cheltenham</b>
Proposal:	<b>Proposed installation of variable refrigerant volume (VRV) system to provide air-conditioning to CBH offices at Central Depot Site</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Permit</b>
Letters of Rep:	<b>0</b>
Update Report:	<b>None</b>

**Cllr Hay declared a personal and prejudicial interest and remained out of the Chamber during this debate.**

**CS** introduced the proposal, which will be installed at the back of the building. It is at Committee because CBC is the applicant.

**Public Speaking:**  
None.

**Member debate:**  
None.

**Vote on officer recommendation to permit**

12 in support – unanimous

**PERMIT**

Application Number:	<b>14/00880/TPO</b>		
Location:	<b>Unit 3 Naunton Park Industrial Estate Churchill Road</b>		
Proposal:	<b>Ash to rear of unit - fell</b>		
View:	<b>Yes</b>		
Officer Recommendation:	<b>Refuse</b>		
Committee Decision:	<b>Refuse</b>		
Letters of Rep:	<b>5 + petition</b>	Update Report:	<b>Additional representation</b>

Application Number:	<b>14/00975/CONF</b>		
Location:	<b>Unit 3, Naunton Park Industrial Estate ,Churchill Road</b>		
Proposal:	<b>Confirmation of Tree Preservation Order 14/00720/TREEPO; Twin-stemmed ash on north west boundary with 37 Asquith Road</b>		
View:	<b>Yes</b>		
Officer Recommendation:	<b>Order is Confirmed</b>		
Committee Decision:	<b>Order is Confirmed</b>		
Letters of Rep:	<b>2</b>	Update Report:	<b>None</b>

**LM** explained that these two applications would be considered together as they are linked. The applicant applied to fell the tree; the Tree Section considers it worth protecting so wish to confirm the preservation order. The recommendation is therefore to refuse the application to fell the tree and confirm the TPO. If Members don't agree, they can vote to permit the felling of the tree and not confirm the TPO.

**Public Speaking:**

None.

**Member debate:**

**KS:** wholeheartedly supports the officer recommendation. This tree is very important to residents in the area, who do not want to lose it.

**GB:** as ward councillor, fully endorses these comments from the chair.

**CH:** notes that the tree has been hacked about a bit and looks a mess now. Presumes that it will be tidied up, and the branches will be vertical.

**Vote on officer recommendation to refuse felling of the ash and confirm order**

13 in support – unanimous

**REFUSE FELLING OF THE ASH AND ORDER IS CONFIRMED**

**6. Any other business**

There was none.

The meeting ended at 8.40pm.

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<b>APPLICATION NO:</b> 13/02174/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th January 2014	<b>DATE OF EXPIRY:</b> 5th March 2014
<b>WARD:</b> Charlton Park	<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	CTC (Gloucester) Ltd
<b>AGENT:</b>	Mr Giles Brockbank
<b>LOCATION:</b>	86 Cirencester Road, Charlton Kings, Cheltenham
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. Members will recall that a decision was taken to defer the above planning application and remove it from the Schedule for discussion at the Planning Committee meeting of Thursday 19th June.
- 1.2. Just prior to June's Committee Meeting, the County Highways Officer had reviewed the revised layout and delivery arrangements at the front of the store, and subsequently had concerns about HGV driver visibility at the southern egress point. The problem identified would likely necessitate a switch in direction of delivery vehicles with all servicing and deliveries taking place from the south bound direction only. This goes back to the original proposal and, in principle is likely to be acceptable in terms of highway safety. However, given the many sensitive and complex issues associated with this application, it was felt that time should be allowed for all Officers to fully assess both the current proposed delivery arrangement and the proposed alternative and to carry out any necessary additional survey work in relation to the two access points.
- 1.3. Local residents would also be given the opportunity to comment on any revised drawings and Delivery Management Plan submitted.
- 1.4. Revised layout and elevation drawings and a proposed highways plan which show the switch in delivery to a north bound access and egress, accompanying swept path analysis/tracking diagrams and a revised Delivery Management Plan (DMP) have now been submitted. The revised DMP is now clearer with more structure and some irrelevant background information and reference to other reports and surveys have been deleted. The proposed highways plan details visibility splays, car park and delivery bay vehicular tracking, road markings and pavement alterations and off site highways works (reduced pedestrian crossing on Bafford Lane/Cirencester Road junction and an uncontrolled pedestrian crossing on Cirencester Road).
- 1.5. A full written response from the County Highways Officer will be available as an update report prior to Committee.
- 1.6. A revised Environmental Noise Survey and Noise Impact Assessment Report have also been submitted. This was in response to some inconsistencies and errors in the original report, largely due to an inaccurate recording of the date/times of the survey carried out. The accompanying letter to the revised report outlines the corrections made and clarifies a number of procedural/measurement queries raised by both local residents and Officers. This review undertaken by the applicant's Environmental Consultants has not altered the overall results and conclusions of the noise survey. The Council's Environmental Health

Officer has also considered the revised report and is satisfied that the survey has been carried out in accordance with regulations and has no further comment or planning conditions to add to her original response. The revised report and accompanying letter are available to view via public access.

- 1.7. A revised landscaping drawing has also been submitted. The planting proposed along the boundary with Newcourt Road has been enhanced to ensure that the character of the lane is retained as far as possible. Notwithstanding the revised landscape details which are considered acceptable in principle, a full landscape condition has been suggested and discussions and subsequent approval of appropriate species and a planting strategy would take place post decision.
- 1.8. Where relevant, the suggested conditions have been amended to reflect revised reports, DMP and drawings. The condition relating to deliveries to the site has also been amended to allow for early morning newspaper deliveries as follows:-

*All deliveries to the site (including the collection of waste) shall only take place between the hours of 07:00 and 19:00 Monday to Friday, 08:00 and 18:00 Saturdays, 10:00 and 14:00 Sundays and Bank Holidays. Newspaper deliveries can be made to the site between 06:00 and 19:00 only. When newspaper deliveries are made before 07:00 hours all newspaper delivery vehicles must park and unload in the customer car park and not in the delivery bay at the front of the store.*

*Reason: To protect the amenity of the residents in nearby residential properties in accordance with Policy CP4 of the Local Plan.*

- 1.9. The Council has also received a number of additional third party representations in response to the additional public consultation exercise carried out and these are attached. All new and additional comments made by local residents have been considered in light of the amended scheme.
- 1.10. The original Officer Report and the two previous update reports are also attached for ease of reference.
- 1.11. As previously stated, the Highways Officer's full consultation response and confirmation of the Officer recommendation will be available as an update.

<b>APPLICATION NO:</b> 13/02174/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th January 2014	<b>DATE OF EXPIRY :</b> 5th March 2014
<b>WARD:</b> Charlton Park	<b>PARISH:</b> CHARLK
<b>APPLICANT:</b>	CTC (Gloucester) Ltd
<b>LOCATION:</b>	86 Cirencester Road, Charlton Kings, Cheltenham
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)

### REPRESENTATIONS

Number of contributors	<b>121</b>
Number of objections	<b>118</b>
Number of representations	<b>1</b>
Number of supporting	<b>2</b>

**Please note, the figures above refer to the total number of representations. Those received as a result of the public consultation exercise, following receipt of revised drawings and associated on documents on 26<sup>th</sup> June, are listed below. Representations received *before* that date and circulated with last month's agenda are listed separately.**

11 Newcourt Road Cheltenham Gloucestershire GL53 9AZ	
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**Comments:** 7th July 2014  
Letter attached.

5 Charlton Close Cheltenham Gloucestershire GL53 8DH	
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**Comments:** 2nd July 2014  
Letter attached.

1 Regis Close Charlton Kings Cheltenham Gloucestershire GL53 8EQ	
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**Comments:** 4th July 2014

Thank you for your letter of 27th.June, 2014, about the proposed convenience store on Cirencester Road. We have read the revised layout and Delivery Management Plan, and continue to oppose the application most vigorously, as little of substance appears to have been altered.

1. Despite deliveries being only from the South, views of the swept paths for both sizes of delivery vehicles, (10.7 and 12 metres), show that they will use the full road width, including the south-bound carriageway, when entering and leaving the store. This is on the Cirencester Road, where the south-bound side usually has many cars parked along it for long periods of time. The increased danger to pedestrians, (adult and child), remains, as well as to the many other road vehicles. To quote Corun's words: "All HGV delivery vehicles will.....depart the site via the customer only access to the North". In other words a customer entering the store car park could meet an HGV leaving it, surely a recipe for organised chaos!
2. The mention of Delivery Risk Assessment at Tesco Express in Grange Road, Tuffley, Gloucester is quite irrelevant. Anyone with a knowledge of Gloucester will know that that shop is in the middle of a large housing estate, and not on a busy A road like the A435 Cirencester Road.
3. Corun's Best Practice Informatives, (paragraphs 9 - 13), all rely on the co-operation of the HGV drivers on a continual permanent basis to keep their deliveries quiet. Human nature dictates that this will not happen unless a store supervisor watches each and every entire delivery, which is unlikely.
4. Car parking for both staff and customers remains inadequate. If staff should be prevented from using any of the 17 spaces provided, they will just park in the nearby roads, as will some customers, no doubt.
5. Any given residential area has only a finite retail purchasing potential. A new store will dilute the takings of the existing three nearby businesses, and may well cause them to close. One of these three shops, (Budgens), contains the only Post Office in Charlton Kings. If these shops have to close, then there will be staff job losses, more than off-setting any new jobs created by a new store. Surely it must be regarded as immoral for large national chain-stores to use their financial 'muscle' to obliterate small opposition retail businesses, particularly when it is contrary to the wishes of the local community. The amount of written opposition to this application from the Charlton Kings residents surely shows that it is not wanted or needed.
6. The loss of the car-wash will be regrettable; it is a much-used amenity. The site undeniably is an eyesore and needs improving; this is the fault of the site owner and not the car-wash.
7. The appearance of the proposed store is at odds with the adjacent green park space and the surrounding residential properties.
8. Would a better use of the site not be to provide housing, such as was built 100 yards up the Cirencester Road in Croft Court, on the site of the old Croft Garage, since we are told that new housing is much in demand?

We hope that the Planning Committee will not be intimidated by any threat of an appeal if the application is refused, and that the members will recognise and grant

what the Charlton Kings community asks for, and refuses what it does not want or need.

17 Croft Parade Charlton Kings Cheltenham Gloucestershire GL53 8LE	
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**Comments:** 7th July 2014

In common with almost 98% of local residents who have commented on this case I am, once again, stating my absolute objection to this application.

I will not re-iterate my previous documented concerns (significant traffic impact, no need for more retail outlets, adherence to sustainability etc), although they are still valid and represent reasons enough not to proceed, but simply wish to comment on the revised application.

In short: what's changed? Apart from drawing "corrections" that (somehow) were erroneously included in the initial application. A major component of the latest update from the developer is a revised Delivery Management Plan (DMP).

THIS IS UNWORKABLE AND UNENFORCEABLE. I WOULD LIKE TO SEE DETAILS OF HOW SUCH A PLAN WILL BE FUNDED, ENFORCED, REVIEWED AND KEPT RELEVANT.

In my opinion, I feel this is simply a theoretical exercise to placate people and to try and see the application over the line. Examining the DMP (ref: 13-00324/DMP/01/REV G JUNE 2014), can you please respond to these points :-

General Delivery Management

1. *"All HGV deliveries will arrive from the south, turn left into the site via the southern access from Cirencester Road, and depart the site via the customer only access to the north. Loading and unloading will take place within the dedicated delivery bay located off street along the site frontage."*

QUESTION: HOW WILL THIS BE ENFORCED? WILL OFFICERS FROM THE COUNCIL BE PRESENT TO MAKE SURE THIS COMMITMENT ("All deliveries ...", "depart the site via the customer only access to the north") IS UPHELD? DOES ANYONE REALLY BELIEVE THIS??

2. *"Each delivery vehicle driver, or his/her assistant, will contact the store in advance, providing ample warning of their impending arrival."*

QUESTION: HOW IS THIS POLICED? DO PEOPLE REALLY THINK THIS POLICY WILL HAPPEN? WHAT HAPPENS IF (AS LIKELY) THEY ARRIVE WITHOUT NOTIFICATION (e.g. it only takes a delay due to traffic congestion en-route) - THE ANSWER IS THEY WILL PARK UP ON THE CARRIAGEWAY UNTIL ACCESS IS AVAILABLE OR SIMPLY UNLOAD WHILST PARKED ON THE CARRIAGEWAY/PAVEMENT. THIS PRACTICE CAN BE SEEN EVERYDAY IN SIMILAR DEVELOPMENTS.

3. *"All deliveries will be undertaken within the confines of the site; no kerb side deliveries will be undertaken, therefore ensuring free traffic flow on Cirencester Road."*

QUESTION: AGAIN, THIS IS AN EMPTY STATEMENT. HOW WILL IT BE ENFORCED? WHAT HAPPENS IF IT IS NOT (answer - probably nothing, because this application will be history)?

4. *"Any cages used to transfer goods into each unit will be fitted with rubber wheels to reduce noise disturbance to surrounding residential properties."*

QUESTION: IS THIS A REAL POINT? IT IS RIDICULOUS TO SUGGEST THIS TYPE OF "ENHANCEMENT" WILL REALLY MAKE A TANGIBLE POSITIVE DIFFERENCE TO THE OVERALL EXPERIENCE FOR LOCAL RESIDENTS AND SMACKS OF DESPERATION TO FILL COPY. QUITE SIMPLY, THIS SHOULD BE TREATED WITH THE CONTEMPT IT DESERVES.

#### Best Practice Informatives

Firstly, "best practice" is just that: a recommended (but not enforceable) way of doing things. There is nothing to suggest (looking at similar developments) to suggest any of these will be followed. Taking some of the initiatives:-

1. *"Delivery vehicle engines and chiller units will be switched off during deliveries to ensure vehicle noise is kept to a minimum."*

COMMENT: THIS IS NONSENSE AND WILL NOT BE FOLLOWED. AS AN EXAMPLE, I LIVE NEAR THE CO-OP IN CHURCH PIECE, CHARLTON KINGS AND EACH MORNING CYCLE PAST THE REAR OF THE STORE (TYPICALLY 07:15-07:30). FREQUENTLY, THERE IS A LORRY DELIVERING FOR THAT DAY - THE ENGINE IS FULLY ON AND VERY AUDIBLE EVEN THOUGH THE VEHICLE IS STATIONARY AND BEING UNLOADED. THIS IS ESPECIALLY TRUE IN WINTER OR COLD WEATHER.

2. *"Delivery vehicles fitted with tail lifts will be operated with care to avoid excessive noise. Where possible tail lifts will be fitted with buffers to avoid excessive noise when lowered into position."*

*"Cabin doors will be closed gently; engines will be started without excessive acceleration."*

COMMENT: AGAIN, AS PER (4) ABOVE, THESE DO NOT EVEN DESERVE A RESPONSE. WHAT IS "with care"! WHAT IS "closed gently"!! I ASSUME THE DRIVER WILL BE TIP-TOEING AROUND IN PADDED BOOTS!!

ANYONE WHO HAS OBSERVED A RETAIL DELIVERY, ESPECIALLY WHERE THE DRIVER AND STORE STAFF ARE UNDER TIME PRESSURE TO COMPLETE THE DELIVERY AND MAINTAIN THEIR DAILY SCHEDULES, WILL BE ABLE TO CONFIRM THESE INITIATIVES ARE COMPLETE FANTASY.

I WONDER WHAT RESPONSE A MEMBER OF THE PUBLIC, STANDING NEXT TO THE VEHICLE AND STORE, WOULD RECEIVE IF THEY POINTED OUT THAT THE DELIVERY WAS NOT FOLLOWING THE GENERAL DELIVERY MANAGEMENT AND BEST PRACTICE INITIATIVES? I THINK WE ALL KNOW WHAT THE REPLY WOULD BE...

I am concerned that I feel the Council, who are meant to represent the residents of communities in Cheltenham, are not listening to the majority view from local residents, most of whom have set out well-reasoned, articulate objections and who are not against development of the site.

15 Newcourt Road Charlton Kings Cheltenham GL53 9AZ	
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**Comments:** 4th July 2014

Objections are registered to the above planning application (including revisions) on the following grounds:

Amenity - CP4(a)

The green space adjacent to the site is one of the few remaining green sites within Charlton Kings and as such is an area of important amenity value to the local community. It is used extensively throughout the year for a variety of sports and leisure activities. As two sides of the area are bordered by the Cirencester Road and Newcourt Park estate, the opportunity to park cars when visiting is limited to Newcourt Road, normally a small lay-by adjacent to the area once occupied by the Paragon Laundry. The site covered by the Planning Application was previously a filling station and is currently a car-wash. The current use affords ample parking space for customers & staff and therefore has no impact on parking space in the surrounding area. By its nature, it also has minimal noise and environmental impact on the adjacent green space.

The projections used for forecast traffic use in Appendix D are based on national projections and have no specific relevance to Cirencester Road. The road is frequently congested with on road parking immediately opposite the site and on both sides of the road immediately south. Access onto the Cirencester Road from Bafford Lane is already difficult as the view south is regularly obscured by parked cars. Together with cars turning out of and into Croft Road this means there are already two very busy junctions within 100 metres of the site. The high frequency of parking and deliveries to the new site means a third busy junction will be added thereby leading to the potential for further congestion and accidents on this busy major road.

In addition, the Transport Statement Car Parking Accumulation Study omits to take any account of spaces needed for employees on site and the Delivery Management Plan does not state what the policy will be regarding staff parking.

With a projected 20 staff, and assuming a 3-shift system, this could mean that up to 7 of the 17 parking spaces might not be available to customers throughout the opening hours. This could result (at worst) in a net 10 spaces being available for other customers, of which 2 are designated for the disabled. The potential lack of parking together with the difficulty of access from a busy major road, could lead to a significant parking overspill into the surrounding areas. With legal parking in Cirencester Road at saturation point, it is most probable that Bafford Lane and Newcourt Road will become overspill parking areas for customers, with easy access across the green space to the retail unit.

As well as having a detrimental impact on traffic flow (these roads are in the main very narrow) and the privacy of residents in Bafford Lane & Newcourt Road (including the adjacent care home at Bafford House), this overspill could have an adverse impact on parking for users of this important green space in a highly populated residential area. Any ban on staff parking on site would only exacerbate the problem.

If this application is to be successful more off-road parking must be provided to alleviate congestion, overspill parking and an increased threat of road traffic collisions.

There is likely to be new and excessive noise disturbance to local residents because of this change of use. With operating hours scheduled to be 06.00 to 23.00 (exceeding current use on the site by at least 5 hours) and with the addition of an ATM machine, this will effectively become a 24-hour-use site.

The Revised Environmental Noise Survey deals primarily with ambient (background) noise and fails to take any account of specific (short-term) noise such as emptying of waste bins, delivery lorry reversing warning alarms, slamming of car doors etc., This noise travels further and is far more disturbing for people living nearby than a rise in ambient noise, especially homes on the Cirencester Road and Bafford House Residential Home which are only 50 to 300 metres from the site. Whilst the revised Delivery Management Plan specifies ways in which noise from deliveries might be minimised, there can be little confidence that delivery drivers and staff will adhere religiously to these working practises.

### Viability - CP4(e)

The DPDS Retail Impact Assessment identifies the likely major impact to the existing convenience stores in Croft Road, Church Road and Lyefield Road and confirms that the proposal contravenes the Council's Policy RT7. It is noted that whilst Mango refute the DPDS assertion, unless they can bring in new custom from passing trade, and with no planned increase in housing (and therefore demand) within the area, existing custom will simply be divided over a larger number of shops.

As a minimum, viability of the adjacent NISA Store and Butcher's Shop will be under threat, both of which are highly valued facilities within the local community. Any job gains from the new retail store will be offset by closure of these businesses, with the added risk of empty/redundant premises reflecting badly in a highly visible area on a major artery into the town.

The report also throws considerable uncertainty as to the impact upon the existing Co-op store in Church Road and Budgens in Lyefield Road. Any risk of closure of the latter would also result in a major impact to the community with the potential closure of the recently relocated Post Office.

### Summary

The application fails to take account of impact on an important community green space, specifically, insufficient staff parking facilities leading to overspill parking in Newcourt Road that could curtail the availability and use of an important leisure facility for local people. The Environmental Noise Survey, whilst addressing ambient noise, takes no account of the specific (short-term) noise problem which is more likely to have a detrimental effect on residents within the immediate area including the adjacent care home. Additionally, the proposed store provides no new facilities for the local community and the very real prospect of shop closures at Croft Road, resulting in no net gain in employment. The likely impact upon other local shops could result in the loss of amenities including the recently relocated Post Office.



The application contravenes the Council's Local Planning Policies CP4 & RT7 in that it proposes amenities for which there is already adequate provision at the current time and represents an unacceptable harm to the amenity of adjoining land users and the locality.

NB: Should planning approval be considered, the issues of staff parking policy, potential parking overflow into Bafford Lane & Newcourt Road and a substantial boundary wall (to screen the premises from the adjacent green-space and reduce noise) should be satisfactorily addressed before approval.

57 Bafford Lane Cheltenham Gloucestershire GL53 8DN	
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**Comments:** 7th July 2014

Having attempted several times to complete my feedback online, I have failed to navigate the very complicated website & therefore am using email to voice our strong objection to the proposed development of the site at 86 Cirencester Road.

The proposed development area is part of, or adjacent to, a conservation area. This part of Charlton Kings is already well-served by a convenience store and a supermarket close by in the village. The area is already marred by litter and the surrounding streets cannot accommodate the level of parking that exists even now. The proposed store would only add to the current problems. Whilst the current site is not exactly "pretty", a Tesco store would be an eyesore. It would not benefit the local community & would only attract passing trade that brings no benefit to local businesses, but adds noise, nuisance & litter to an area valued by us residents.

For these reasons my husband & I would like to register our strong objection to the proposal.

High Ridge 33 Charlton Close Cheltenham Gloucestershire GL53 8DH	
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**Comments:** 30th June 2014

In response to the revised Delivery Management Plan, which now has deliveries arriving from the south and exiting to the north:

1. There is no mention in this DMP of how delivery lorries will turn around to head back south, assuming that is required. I want to know what CBC Planning are going to do to stop delivery lorries using Moorend Rd & Newcourt Rd as a shortcut back to the main route south.
2. I have still seen no response from CBC Planning as to how this DMP will be enforced. Previous comments suggest that similar DMPs in Glos. have not been enforced and are not enforceable.

Surely enough has been said: it's time to listen to the community who live here, do the right thing, and reject this development proposal.

Charlton Kings needs houses, not shops.

70 Little Herberts Road Charlton Kings Cheltenham Gloucestershire GL53 8LN	
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**Comments:** 1st July 2014

I concede that the amended proposal for lorries to enter the site from the south only and exit in the same direction is an improvement for traffic in the immediate vicinity of the proposed development but where are the lorries going to go once they have left the site? There is no easy access to a major road so these new lorry movements will still cause problems on the surrounding roads.

It also does not change the issue that there is no requirement for a second convenience store at that location. A low level block of flats would still be the preferable development for that site.

98 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DG	
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**Comments:** 3rd July 2014

I object most strongly to this over-sized retail outlet which is only 50 yards away from the retail outlet Nisa on the opposite side of the road. The traffic is heavy and particularly dangerous during rush hour with school children and commuters - if the go ahead is given it is only a matter of time before a serious accident occurs. The road is too narrow to cope with large lorries - i live opposite the Nisa outlet - we already experience difficulties with deliveries and it is very dangerous trying to exit my driveway onto Cirencester Road....something which will only become more hazardous with additional traffic. This is a local community who does not want this additional traffic/noise and danger - clearly the planning committee who are approving this application do not live anywhere near Cirencester road.

**Comments:** 3rd July 2014

Further comment to make on the extended hours (this was on my original comment but the website crashed!)..... the second time.

I also am disappointed that we received a letter this week allowing the comments to be made on the revised application only up until 7th July.....Is this in the hope that not many people will have the necessary time to comment????

Finally----- I am horrified to see the hours proposed:

Why is the application for extended hours up to 23.00 in a residential area?

At the moment the Nisa shop on Cirencester Road closes at 9pm and there is a welcome respite from the noise and traffic. I cannot believe to agree to opening hours until late in the evening is in the interest of the community.

157 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DB	
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**Comments:** 3rd July 2014

The revised plans still neglect to address the main objections of increased traffic flow, not enough parking, noise and disruption associated with long opening times as well as early/late deliveries and no need for another convenience store! I object to the plans as of July 3rd 2014. I am also in support of Mr Steve Harvey fronting the objections on our behalf and speaking for us as residents of Charlton Kings.

70 Little Herberts Road Charlton Kings Cheltenham Gloucestershire GL53 8LN	
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**Comments:** 1st July 2014

The revised plans do nothing to address the principal objection than another store is not required in this area.

Where do the delivery vehicles go after leaving the site? They are not permitted to turn across the traffic so must head on into Cheltenham adding to the already busy traffic.

7 Bafford Lane Cheltenham Gloucestershire GL53 8DN	
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**Comments:** 1st July 2014

We write with regards to the proposed planning at the above site.

We are totalling against the proposed convenience store being built on the above site. Charlton Kings does not need another supermarket. There is adequate shops including supermarkets, post office, chemists and corner shops, another supermarket would have a detrimental affect to those businesses. Also the main reason for being against the plans is the dire affect to the road users and people who live in the vicinity. We live in Bafford Lane and it is a very dangerous junction with the Cirencester Rd at the best of times....added parked vehicles will cause more danger. It has been noticed at other convenience stores that customers park on the road rather than park in the car park if they are only buying a paper or a loaf of bread etc. The road is busy enough without more parked cars.

We are amazed at the proposed opening hours...how can a supermarket be granted early morning to late evening opening when the existing car wash company can only operate from 9-00am to 6-00pm during the week and 10-00am until 2-00pm on a Sunday .A supermarket with deliveries from early morning to evening and customers all day will cause much more disruption than cars be washed. Please consider the plight of the locals and the problems it will cause if the planning is granted.

24 Croft Road Charlton Kings Cheltenham Gloucestershire GL53 8LA	
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**Comments:** 7th July 2014  
Letter attached.

155 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DB	
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**Comments:** 4th July 2014  
I cannot understand why this application remains as recommended as Permit.

The original entrance to the site was to have been from the south along the A435 Cirencester Road. This was abandoned as it was considered that it would be impossible to enforce any restriction and we would have HGVs waiting on the road for someone from the shop to stop serving customers, get some keys and get outside and open up the bollards at the entrance. HGVs cannot possibly wait on the road because the homes on that side of the road have cars parked on the road, and the entrance to Bafford Lane/Newcourt Road would be effectively closed by an articulated lorry parked and waiting across it. Plan B was to enter the site from the North, but a neighbour who is a Civil Engineer and Highways expert, has proven that this was untenable because of the safety implications of a HGV trying to leave the site but not being able to see across his cab and only being able to use wing mirrors to see fast traffic, and more importantly, pedestrians on that pavement. Note it was a well informed resident that pointed this out and which was accepted by the planning team, which is why is was deferred from the June meeting. Gloss CC highways has agreed that this simply was too dangerous.

So, we are back to Plan A which has already been agreed is not workable, cannot be enforced and would cause untold traffic disturbance and delays, on a busy, fast road. Once irate, delayed car users are past the obstruction they will speed up to make up for lost time, this is human nature, it will happen. The much vaunted Delivery Management Plan will not work and I would ask Councillors how your staff intend to enforce something that the Glos CC Highways staff member is saying is enforceable simply because he has been told by your staff that they will make it happen. How please. He is cashing cheques on your behalf. Who will ensure that sleeping children and families will not be disturbed by engines idling, to keep goods cool, to keep drivers cool now and warm in the winter, will ensure that doors are not slammed shut, startling

you awake early mornings 7 days a week etc. The parking provision is inadequate, where will the staff park?

Please ask your staff also when will the cleaners be on site, before 0700 to clean before customers arrive or after 11pm when staff and customers have gone? These questions remain unanswered; please can you find out for us how this will be managed.

The Cycling campaign derided the cycle provision, are they now happy that cycle parking is satisfactory now, there hasn't been an update from them, why not? As it stands now they are unhappy, how is that sustainable? Safe? Green?

Can I also ask why the very valid comments of the Urban Design team, who are clearly the only ones in touch with any sort of reality, have been totally ignored by your staff and totally rubbished by the developers? Too true to the reality perhaps. Perhaps there is a lot of merit in what the Urban Design team had to say, so let's just ignore it. Is that acceptable Councillors? Please ask your planning staff why those comments were simply ignored, as if they had no validity - when clearly they do.

Before we moved here my husband checked on the planning permission for the site and saw the Planning Inspectors provision for the protection of our amenity from noise and disturbance. Those conditions have simply been ignored, yet they remain in force. Can you please ask your planning staff how is it sustainable, a change for the better as stated in the National Planning Policy Framework document, for such a vast increase in operating hours to be anything but detrimental to our amenity? The issue of light pollution has not been addressed by the planning team. A supermarket with stock, including alcohol, and an ATM, will not be in total darkness after hours simply for security reasons. This has been pointed out and we have asked how this would be managed - lights out at 11 or will the lights burn throughout the night, adding to the ambient light of the street lights, and disturbing our schoolchildren who sleep at the front of our home? The site will be lit, 7 days a week, 24 hours a day, 365 days a year - how will that not affect our amenity?

Regarding sustainable development, how is it a change for the better that the 8 car wash workers will lose their livelihood and jobs and that our local corner shop, the privately owned NISA, will almost certainly close? Don't take my word for that, the Council's own Consultants DPDS have already stated that.

And when takings at the Co-op in Church Piece fall, which they will if a big national shop moves in here as is expected, what happens then? How is that sustainable? The Co-op is closing stores on a weekly basis, it's been heavily reported in the national press, and pressure on this one will surely make them think twice about continuing to keep it open here. Then what?

The council report on this application has cleverly steered you to thinking that the locals don't want this shop because there isn't a "need" for it, and need is not a planning reason for refusal. What we have said, over and over, is that we do not need a shop here TO add to the volumes of traffic that will traverse this busy, fast road. We do not need the surrounding roads to be blocked by staff parking or HGVs waiting. We do not need all the added noise and disturbance associated with a shop working 24/7/365 days a year. That's what we do not need and there are very valid planning reasons in the local plan, the NPPF and the Joint Core Strategy to help you say NO, Refuse.

11 Newcourt Road Cheltenham Gloucestershire GL53 9AZ	
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**Comments:** 3rd July 2014

The resubmission of this planning application concerning the access proposals in no way alters the original and fundamental objections which are environmental (noise pollution, inhibition of access to green areas, and the threat to jobs in existing businesses of a similar nature in the area.

The bounds for objection are:

Noise: there is still likely to be new and excessive noise disturbance because of this effective change of use. The operating hours are scheduled to be 06.00 to 23.00, exceeding current use on the site by at least 5 hours. It is noted that there will remain an ATM machine on site, effectively making this a 24-hour-use site. It is noted that the site will be close to a residential care home for the elderly, and this application will increase noise and general disturbance to residents. The resubmission asserts that the ambient noise will be within 'acceptable' levels. This is judgemental and not attested by evidence from those likely to be affected. Besides, ambient noise is less of an issue than specific noise intrusion at normally quiet times of the day for residents, eg starting heavy duty engines, 'revving up' from stationary, reversing (especially if, as is likely, to be accompanied by a warning signal), loading, and the transmission of verbal communications between operatives.

Traffic: the projections used for the forecast use in Appendix D are based on national projections and have no specific relevance to Cirencester Road, Charlton Kings. The road is frequently congested. The resubmission includes only one additional parking space to the 16 parking spaces originally intended is consequently and still likely to prove inadequate for the projected retail use, thereby causing overspill onto the main Cirencester Road or nearby residential roads, which are already at saturation point. Comparisons with the existing and previous use of the site are irrelevant as the site currently has copious parking space based on short duration and high through-put. If this application is to be successful more off-road parking must be provided to alleviate both congestion and an increased threat of road traffic collisions as a result of increased use.

The observations concerning the availability of public transport are misleading. The bus service is hourly and it is unlikely that potential customers for this site's provision will be drawn to it because of the bus service.

Visual impact: while the current site does not enhance the visual impact of the area, and there has been some improvement to the original design, this resubmission will continue to have a negative impact, because of low quality building material. The basic design remains unimaginative, providing a highly disappointing entrance to Cheltenham on one of its major arterial approaches.

Privacy: Parking will almost certainly overspill into nearby residential roads as a result of the inadequate on-site parking provision, thereby reducing privacy in a predominantly residential area. A principal source of overspill parking is likely to be from staff, who will be unable to use even the limited parking space available. This

overspill would inhibit parking for visitors, especially dog walkers, to the local green area, contrary to Local Plan Policy CP4(a).

Amenity: the area is currently well-provided for in terms of small local convenience stores and supermarkets and has no need of enhanced provision. There is already a convenience store on the opposite side of the road. Besides the proposal is in reality for a local supermarket incorporating convenience store elements, which is unnecessary in the area because of existing provision.

The resubmission itself demonstrates evidence of existing saturation, providing as it does examples of supermarkets and convenience stores within a short distance from the proposed site. There is no demonstrable need for an additional supermarket in the area, there being two local supermarkets within walking distance of the proposed site, plus, as noted several convenience stores.

That the area is saturated with similar retail outlets negates the argument that new jobs will be generated. It remains likely that jobs will be lost at existing sites. The application therefore contravenes Local Planning Policy CP4(e).

An alternative use should be found if there is to be a redevelopment on the site.

High Tor 29 Charlton Close Cheltenham Gloucestershire GL53 8DH	
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**Comments:** 2nd July 2014  
Letter attached.

133 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DB	
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**Comments:** 6th July 2014

I am writing to continue my objection to the proposed erection of a new convenience store at 86 Cirencester Road, Charlton Kings. I have viewed the revised plans, the delivery management system and environmental noise survey and none alleviate my concerns penned in a previous correspondence dated 27 January 2014.

The fact is that such a development is not required in the area. It is superfluous to the needs of the community and many have made this perfectly clear.

It will have an adverse affect on the amenity and environment in terms of increased noise, light and air pollution, increased traffic both moving and static and it will affect local businesses in the area, possibly putting one convenience store, which has served the community well for decades, out of business.

As for the environmental noise survey, it seems that the criteria used to establish whether a noise is significant or noticeable, i.e. measured over a period of time, is a

developer's dream to justify noise, particularly short, loud noise. Even a gunshot could be deemed insignificant. A slamming car door or rolling shutter is just that. You cannot make them disappear by applying bureaucratic survey criteria.

The more overall worrying concern is that developers, backed by huge financial support in the form of a national multi-store supermarket company in this case, can impose their ideas on a community which quite clearly does not want those ideas. We need affordable housing, we have a brownfield site, for most the solution is simple. If the site is contaminated then surely it is the responsibility of the owners whose previous business contaminated the site to reinstate it. There are at least 45 such sites in the village which have over the years been redeveloped for housing, so it is possible.

The whole development is financially driven with the site owner maximising their profits and a large supermarket chain continuing in its quest to drive out smaller competition in local communities thus increasing their dominance.

And so it is to the Planning Committee that I appeal. As our elected Councillors you chose to put yourself forward to serve your community. The electorate have put their faith in you to do just that. Now is the moment, now is your opportunity. If you cannot stop an unwanted development like this then what hope is there for communities such as ourselves? Why go through all this process if the outcome is inevitable and big moneyed businesses with unlimited resources and access to the planning officers always get their way?

**Comments:** 7th July 2014  
Letter attached.

70 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DA	
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**Comments:** 7th July 2014  
Letter attached.

Goodwood Newcourt Road Cheltenham Gloucestershire GL53 9AZ	
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**Comments:** 5th July 2014

I have looked at the revised plans for the above development. The changes to the document seem superficial and, more importantly, unenforceable in the long term. My objections remain:

Traffic danger: Despite the change of access route (unlikely to be adhered to), with some proposed specified timing windows to avoid school start and finish, the fact remains that this development will increase the dangers caused to road users and pedestrians by lorries entering and exiting the site at an already difficult crossing to a



far greater degree than is the case with the current car wash. There remains the danger of delivery vehicles using Newcourt Road, which is very narrow and Bafford Road, which has a dangerous blind corner, as rat runs. Which ever way the delivery vehicles come, there remain serious traffic danger implications.

Short term parking by people just stopping for a minute will cause noise and disruption to neighbours on Cirencester Road and, it is more than likely, also on Newcourt Road. It adds to the dangers presented to pedestrians and road users.

Noise, despite what the developers say (their figures are very hard to believe), noise will be a serious issue for the immediate neighbourhood, particularly early morning and in the evening after 7pm, as proposed hours are significantly longer than at present.

Inappropriate development for a village Charlton Kings is a village and this kind of development should be refused on the grounds that it contributes to unsightly urban sprawl rather than keeping the feel of a village. The planning committee should be sensitive to this, contravening as it does the vision for good planning.

There is no need for any further supermarket in the village; it already has a good supply of small independents and local supermarkets in the heart of the village. I note that the figures used conveniently place these outside the area of the development, giving the impression that Charlton Kings might need more supermarkets. Nothing could be further from the truth.

This development is almost universally opposed by the local community, the Parish Council and the Civic Society. The planning committee are no doubt aware of the government's move towards and recognition of the importance of local democracy, and it is hard to see why such a development should even be considered in the face of such universal disapproval. I find it hard to understand that the local planning officer can signal approval of a development which is so opposed by the local community. The site should be earmarked for residential development as a better solution.

31 Charlton Close Cheltenham Gloucestershire GL53 8DH	
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**Comments:** 2nd July 2014  
Letter attached.

64 Little Herberts Road Charlton Kings Cheltenham Gloucestershire GL53 8LN	
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**Comments:** 1st July 2014  
We continue to strongly object to the proposed erection of a new convenience store at 86 Cirencester Road and see nothing in the revised plans to make us change our minds. As already noted by several commentators there is already a plethora of c-

stores in the immediate vicinity with no need for yet another such store in Charlton Kings. Equally the issues with parking and congestion on an already very busy road remain of great concern. As stated before, if the site is to be redeveloped then it would make more sense to turn it into residential rather than retail units.

165 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DB	
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**Comments:** 3rd July 2014  
Letter attached.

**Comments:** 8<sup>th</sup> July 2014  
Letter attached.

1 Shrublands Cheltenham Gloucestershire GL53 0ND	
---	--

**Comments:** 7th July 2014

1. This website is not user friendly and undemocratic! My objection is in support of 145 fellow objections when I logged in.
2. The amended application does not address the substantive issues raised by former objections. It is merely attempting to keep reapplying so that local people will either tire of the cumbersome process or sneak the application in during summer months when residents may not be aware of the further application.
3. The majority of local residents oppose the development. The local ward of Charlton Park elected Paul Baker as Councillor last week on 3rd July with a key part of his campaign being to oppose this development.
4. The proposed development is not wanted or needed. The goods and services offered are already well provided locally and these proposals will add nothing. For whose benefit is this development? Not local residents.
5. The proposed development will adversely affect these existing services eg. Local butchers, florist, pharmacy, post office within small convenience store and other small stores which locals people value.
6. As other comments suggest the development will seriously and adversely impact traffic and road safety, noise and light pollution.
7. The granting of this application will have financial cost implications to and incur extra costs to public services being costly and unnecessary.
8. At a time of national house shortages it is not a good use of space and resources to sanction such a development. Residential usage would be far more appropriate.

Pippins Newcourt Road Charlton Kings Cheltenham GL53 9AZ	
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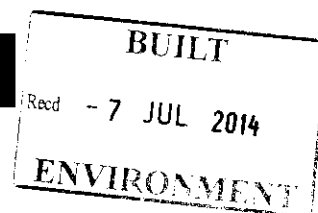
**Comments:** 8<sup>th</sup> July 2014

11 Branch Hill Rise Charlton Kings Cheltenham GL53 9HN	
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**Comments:** 8<sup>th</sup> July 2014



*'The Poplars'*  
*11 Newcourt Road*  
*Charlton Kings*  
*Cheltenham*  
*Gloucestershire*  
*GL53 9AZ*



The Planning Department  
Municipal Offices  
Promenade  
Cheltenham  
Gloucestershire  
GL50 9SA

**R.E: THE ERECTION OF A NEW CONVENIENCE STORE (A1) WITH ASSOCIATED PARKING (FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON THE SITE) AT 86 CIRENCESTER ROAD CHARLTON KINGS CHELTENHAM**

**REF: 13/02174/FUL**

3 July 2014

To whom it may concern

**Planning Application: 86 Cirencester Road, Charlton Kings - Resubmission**

With reference to the above revised planning application, the proposed access for deliveries does not address the fundamental objections for the development. The proposal remains unacceptable for the following reasons:

Noise: there is still likely to be new and excessive noise disturbance because of this effective change of use. The operating hours are scheduled to be 06.00 to 23.00, exceeding current use on the site by at least 5 hours. It is noted that there will remain an ATM machine on site, effectively making this a 24-hour-use site. It is noted that the site will be close to a residential care home for the elderly, and this application will increase noise and general disturbance to residents. The resubmission asserts that the ambient noise will be within 'acceptable' levels. This is judgemental and not attested by evidence from those likely to be affected. Besides, ambient noise is less of an issue than specific noise intrusion at normally quiet times of the day for residents, eg starting heavy duty engines, 'revving up' from stationary, reversing (especially if, as is likely, to be accompanied by a warning signal), loading, and the transmission of verbal communications between operatives.

Traffic: the projections used for the forecast use in Appendix D are based on national projections and have no specific relevance to Cirencester Road, Charlton Kings. The road is frequently congested. The resubmission includes only one additional parking space to the 16 parking spaces originally intended is consequently and still likely to prove inadequate for

the projected retail use, thereby causing overspill onto the main Cirencester Road or nearby residential roads, which are already at saturation point. Comparisons with the existing and previous use of the site are irrelevant as the site currently has copious parking space based on short duration and high through-put. If this application is to be successful more off-road parking must be provided to alleviate both congestion and an increased threat of road traffic collisions as a result of increased use.

The observations concerning the availability of public transport are misleading. The bus service is hourly and it is unlikely that potential customers for this site's provision will be drawn to it because of the bus service.

Visual impact: while the current site does not enhance the visual impact of the area, and there has been some improvement to the original design, this resubmission will continue to have a negative impact, because of low quality building material. The basic design remains unimaginative, providing a highly disappointing entrance to Cheltenham on one of its major arterial approaches.

Privacy: Parking will almost certainly overspill into nearby residential roads as a result of the inadequate on-site parking provision, thereby reducing privacy in a predominantly residential area. A principal source of overspill parking is likely to be from staff, who will be unable to use even the limited parking space available. This overspill would inhibit parking for visitors, especially dog walkers, to the local green area, contrary to Local Plan Policy CP4(a).

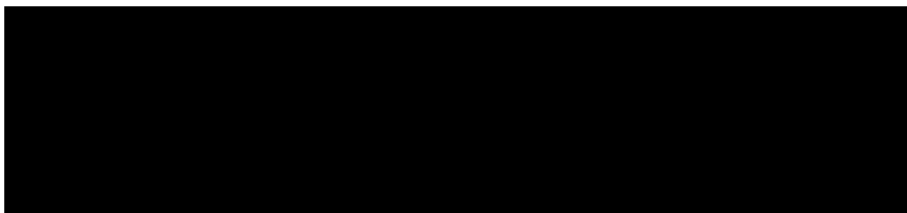
Amenity: the area is currently well-provided for in terms of small local convenience stores and supermarkets and has no need of enhanced provision. There is already a convenience store on the opposite side of the road. Besides the proposal is in reality for a local supermarket incorporating convenience store elements, which is unnecessary in the area because of existing provision.

The resubmission itself demonstrates evidence of existing saturation, providing as it does examples of supermarkets and convenience stores within a short distance from the proposed site. There is no demonstrable need for an additional supermarket in the area, there being two local supermarkets within walking distance of the proposed site, plus, as noted several convenience stores.

That the area is saturated with similar retail outlets negates the argument that new jobs will be generated. It remains likely that jobs will be lost at existing sites. The application therefore contravenes Local Planning Policy CP4(e).

An alternative use should be found if there is to be a redevelopment on the site.

Yours faithfully

A large black rectangular redaction box covering the signature and any accompanying text or stamp.

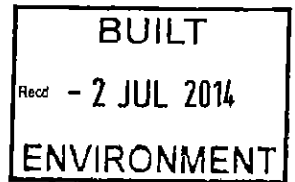
5, Charlton Close.

Mike Redman  
Director, Built EnvironmentCharlton Kings  
GL53 8DH.

1/7/14.

Tracey Crews,  
Head of Planning CBC.

Dear Ms Crews &amp; Mr Redman

Re Proposed convenience store,  
86, Cirencester Rd.

Ref. 13/02174/FUL

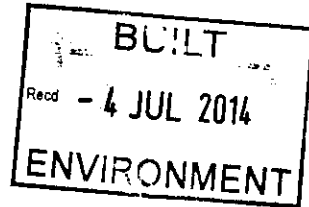
I am writing again to register my strong objection to the above proposed development. While recognising the revised plans are a slight improvement, I still consider the development detrimental to our local area, on the grounds of noise, pollution, parking and traffic issues, and adverse effects on local businesses. We value our local shops and feel it immoral that a convenience store that the vast majority of local residents oppose could be forced upon us resulting in the inevitable closure of an existing store.

There is also the safety issue of Newcourt Rd. Most locals prefer to turn right to avoid travelling along Newcourt Road — this development will make exiting onto the Cirencester Road more hazardous.

Yours Sincerely.

2nd July, 2014.

Mrs. White,  
Planning Department,  
Cheltenham Borough Council,  
Municipal Offices,  
Promenade,  
Cheltenham,  
GL50 9SA.



Dear Mrs. White,,

**Planning Application No. 13/02174/FUL - Cirencester Road Development**

I have looked at the revised plan for this proposed development regarding change of direction for traffic entering the premises. A few points arise from this alteration:

- What steps, if any, will be taken to prevent lorry drivers ignoring the requirement to continue in the northerly direction should they wish to return to the direction from whence they came, e.g. a barrier in the middle of the road?
- If they do follow the specified direction, which side roads will be designated for use to enable them to return to the direction from when they came? Presumably this will be the local roads which cannot take large lorries.

In addition, the revised plan makes no effort to address other concerns raised by me (and others) in my letters of the 20th January and 2nd July, particularly:

- drivers, including lorry drivers, stopping on the road for the quick purchase of a snack, etc.; double yellow lines will not deter many motorists.
- the difficulty of drivers trying to exit from Newcourt Road, Bafford Lane, and Pumphreys Roads.
- Pedestrians trying to cross the road especially children in the morning and afternoon during term time.

Be realistic for heavens sake and realise that human nature being what it is, these events will occur and can only be prevented by the permanent stationing of a traffic warden.

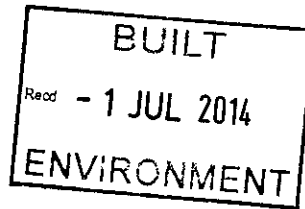
One solution, of course, would be for traffic lights to be positioned in the area, but, I for one, would object to my taxes being used for an unwanted so called amenity. New housing is much more important.

**Again I register my objection to this scheme.**

Yours sincerely,

[REDACTED]

29 Charlton Close  
Charlton Kings  
Cheltenham  
Glos GL53 8DH



Mrs L. White  
Planning Office  
Cheltenham Borough Council  
PO Box 12  
Municipal Offices Promenade,  
Cheltenham  
GL50 1PP

30th June 2014

Dear Mrs White

Re Planning Application no: 13/02174/FUL  
Convenience Store with associated parking Cirencester Road

Further to the notification received today that the application has been revised I wish to make the following comments:-

I object on the following grounds:-

- 1) A convenience store on this site would be superfluous and unnecessary.
- 2) The viability of the privately owned businesses in Charlton Kings would be threatened.
- 3) Traffic congestion would be horrendous and dangerous, not only on the Cirencester Road but in the surrounding narrow roads. Whatever parking may be provided it will not prevent people leaving their cars on the Cirencester Road (just for a moment?!) or in Newcourt Road or Bafford Lane. Access and visibility is already poor at that junction and on that stretch of the Cirencester Road and further hazards would render exiting from Bafford Lane/Newcourt Road very very dangerous.
- 4) This development would have a detrimental effect on the amenity and environment of the surrounding properties.

As far as the revised access proposals are concerned – who is going to monitor this to see they are upheld?

Will “planting” on Newcourt Road be carried out and what difference will that make to such a narrow road and narrow plot of land at that point?

It would seem you and the planning committee are keen to accommodate this proposal.

You clearly do not live in the area to realise the implications on our community that this totally unnecessary plan would mean.

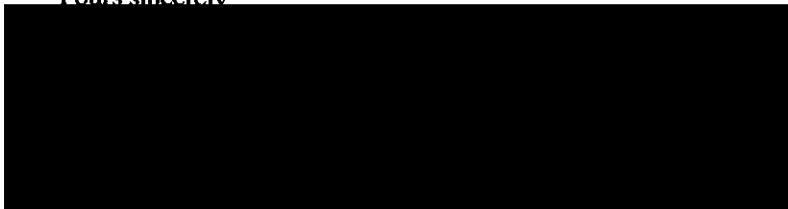
The area is already VERY difficult to negotiate both for cars and parents crossing with young children.. Do you really want this hazard on your conscience?

This is a residential area already well served by shops. We do not need this development so what right do those who do not live here have to say that we do?

A well planned development of houses would be aesthetically pleasing, environmentally more acceptable and in line with government policies

I trust you will give these points serious consideration. And it would be courteous if we could have acknowledgement of this letter

Yours sincerely





6 July 2014

Mrs Lucy White  
Cheltenham Borough Council Planning Officer  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham GL50 1PP

Dear Mrs White

**CBC Planning Reference 13/02174/FUL**

I am writing to continue my objection to the proposed erection of a new convenience store at 86 Cirencester Road, Charlton Kings. I have viewed the revised plans, the delivery management system and environmental noise survey and none alleviate my concerns penned in a previous correspondence dated 27 January 2014.

The fact is that such a development is not required in the area. It is superfluous to the needs of the community and many have made this perfectly clear.

It will have an adverse affect on the amenity and environment in terms of increased noise, light and air pollution, increased traffic both moving and static and it will affect local businesses in the area, possibly putting one convenience store, which has served the community well for decades, out of business.

As for the environmental noise survey, it seems that the criteria used to establish whether a noise is significant or noticeable, i.e. measured over a period of time, is a developer's dream to justify noise, particularly short, loud noise. Even a gunshot could be deemed insignificant. A slamming car door or rolling shutter is just that. You cannot make them disappear by applying bureaucratic survey criteria.

The more overall worrying concern is that developers, backed by huge financial support in the form of a national multi-store supermarket company in this case, can impose their ideas on a community which quite clearly does not want those ideas. We need affordable housing, we have a brownfield site, for most the solution is simple. If the site is contaminated then surely it is the responsibility of the owners whose previous business contaminated the site to reinstate it. There are at least 45 such sites in the village which have over the years been redeveloped for housing, so it is possible.

The whole development is financially driven with the site owner maximising their profits and a large supermarket chain continuing in its quest to drive out smaller competition in local communities thus increasing their dominance.

And so it is to the Planning Committee that I appeal. As our elected Councillors you chose to put yourself forward to serve your community. The electorate have put their faith in you to do just that. Now is the moment, now is your opportunity. If you cannot stop an unwanted development like this then what hope is there for communities such as ourselves? Why go through all this process if the outcome is inevitable and big monied businesses with unlimited resources and access to the planning officers always get their way?

Yours sincerely

[Redacted Signature]

70 Cirencester Road,  
Charlton Kings,  
Cheltenham,  
Glos. GL53 8DA

Recd - 4 JUL 2014

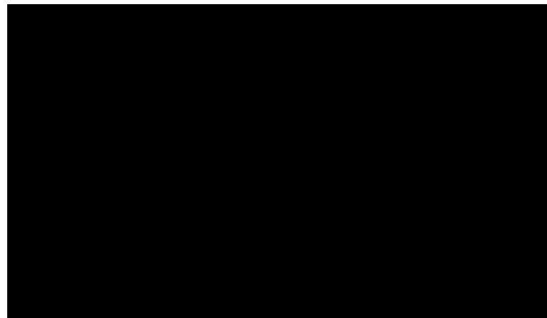
ENVIRONMENT

Planning Application 13/02174/FUL

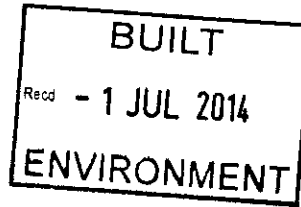
The main objection to this application is the inclusion of a convenience store.

In the less than 1/2 mile between NISA and Budgens There is also the COOP.

To allow a <sup>further</sup> convenience store, supported by a major supermarket, within this 1/2 mile is nothing more than letting a bully into the playground.



31 Charlton Close  
Charlton Kings  
Cheltenham  
Glos GL53 8DH



Mrs L. White  
Planning Office  
Cheltenham Borough Council  
PO Box 12  
Municipal Offices Promenade,  
Cheltenham  
GL50 1PP

30th June 2014

Dear Mrs White

Re Planning Application no: 13/02174/FUL  
Convenience Store with associated parking Cirencester Road

Further to the notification received today that the application has been revised I wish to make the following comments:-

I object on the following grounds:-

- 1) A convenience store on this site would be superfluous and unnecessary.
- 2) The viability of the privately owned businesses in Charlton Kings would be threatened.
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- 4) This development would have a detrimental effect on the amenity and environment of the surrounding properties.

As far as the revised access proposals are concerned – who is going to monitor this to see they are upheld?

Will “planting” on Newcourt Road be carried out and what difference will that make to such a narrow road and narrow plot of land at that point?

It would seem you and the planning committee are keen to accommodate this proposal.

You clearly do not live in the area to realise the implications on our community that this totally unnecessary plan would mean.

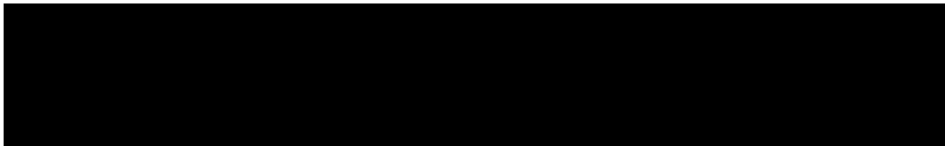
The area is already VERY difficult to negotiate both for cars and parents crossing with young children.. Do you really want this hazard on your conscience?

This is a residential area already well served by shops. We do not need this development .

A well planned development of houses would be more acceptable

I trust you will give these points serious consideration

Yours sincerely





165 Cirencester road

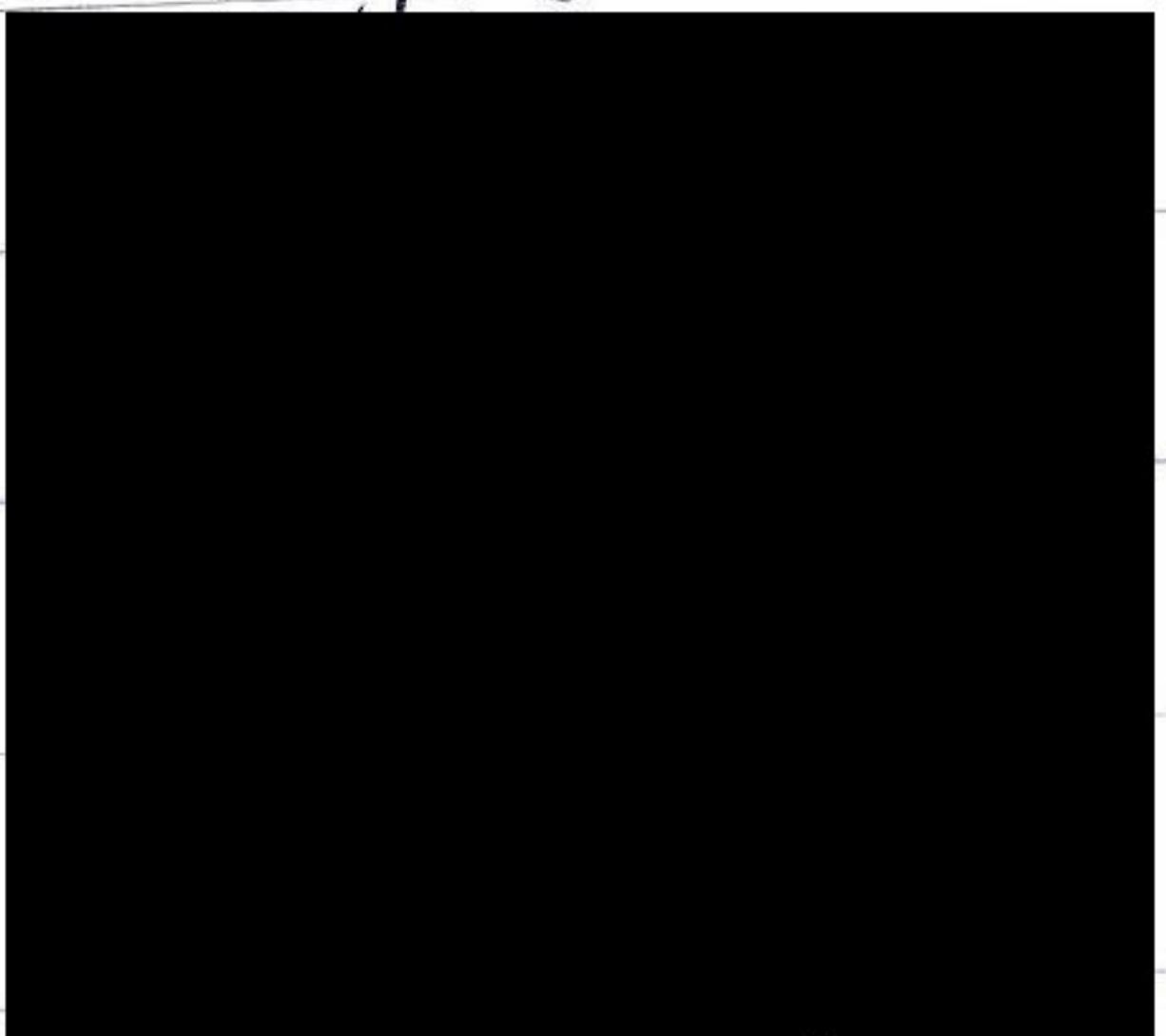
We have already got too much pollution around the area and we don't want any more vans reversing out, leaving their engines on. Where will cars park?

Do not want any more noise than we've already got.

It will make it harder to cross the road.

It's going to be one of those popular shops and there will be too much traffic and doors slamming. The road is already busy.

from





## Comments on the proposed development at 86 Cirencester Road

165 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

### Transport Arrangements:

With reference to Corun Associates Delivery Management Plan, Southern Approach – Left in / Left Out Arrangement 13-00234/DMP/01/Rev.G

#### Direction of Approach and Departure

Given the withdrawal of the previous version of this proposal, with deliveries approaching from the North and exiting to the South (right in, right out), I trust that the Officers, the Applicant and their Consultants (\*) now accept that this would have produced an extremely hazardous situation with lorries pulling out of the site to head South with no effective visibility of the south-bound lane.

While I am pleased that this has been recognised we must now return to the problems with the Southern approach model that was in the original application and then withdrawn.

With the current layout scheme some cars will inevitably (either by error or deliberately) park in the delivery bay (especially likely if the car park is full or it's entrance blocked by a delivery lorry exiting the site.). This car would then have to reverse out onto the Cirencester Road, adjacent to the junction with Newcourt Road as their forward exit would be blocked by the bollards.

In the event that one of the delivery lorries arrives whilst a car is blocking the bay the driver will be forced to pull up outside the store and either unload kerbside, or, when the bay is empty, reverse back across the junction with Newcourt Road, or try to find a way round the block. Given the time pressures delivery drivers are working under i.e. a fixed number of driving hours and a set number of drops to make; unloading kerbside or reversing across the junction are the most likely outcomes.

The flaws with this proposal have not only been identified by the author (a Civil Engineer with over 20 years experience in Highways & Streetworks and the management of a fleet of Commercial Vehicles), but were also used by the Applicant's own Transport Consultants, Corun, in their justification for changing the approach direction from that in the original proposal to that in the version withdrawn last month (as detailed in their Technical Note – Delivery Route Options June 2014).

A further error has appeared on Corun drawing SP01 Rev.B and SP01-2 Rev B. The new tactile paving on the northern side of the Newcourt Road junction points in the wrong direction, guiding visually impaired pedestrians diagonally south-east across the Cirencester Road, rather than safely crossing Newcourt Road.

(\* despite repeated previous assurances that there was nothing wrong with HGV visibility & patronising comments that members of the public may not understand HGV movements. May I

politely suggest that some members of the public may have a greater understanding and experience of HGV's than the ability to use "Autotrack" on a PC)

## **Delivery Management Plan**

Item 1. As explained above, the inevitable risk of cars parking in the loading bay will create hazards, compounded if a delivery arrives at the same time.

Item 4. The notion that every delivery driver (which will include employed and agency drivers from both the Supermarket's Regional Distribution Centre and from direct suppliers) will phone the store in advance is simply not believable.

Item 7. Fitting rubber wheels to the delivery cages will make no difference to the noise levels as it is not the noise of the wheels on the surface but the rattle of the cages themselves when they are moved. Solid wheels of polyurethane or rubber will not stop the rattling. What the author of the DMP is alluding to (but not actually stating) is pneumatic rubber tyres, which would give a small amount of suspension and reduce (though not stop) the cages rattling. However pneumatic wheeled cages are not produced as the small amount of suspension combined with short wheelbase, narrow track and high centre of gravity would make the cages unstable and potentially dangerous to operatives.

Item 9-13. Engines and Chiller Units to be switched off, operation of tail lifts with care, quiet door closing, no engine revving, waste returning and avoidance of school movement times, have all been listed as 'Best Practice Informatives'; presumably so as not to bind the store operator and/or in recognition that they are very unlikely to be carried out or enforced.

Delivery Co-ordination is proposed by the store manager to stop deliveries clashing. The evidence from other similar sites including Hewlett Road, Queens Road in Cheltenham and Grange Road, Tuffley provide plenty of evidence to the contrary. The County's Highways Planning Liaison Officer has stated the Grange Road store does not comply with its' DMP and so does create problems.

The statement that "all suppliers will adhere to the DMP or risk being removed from the supplier register" is simply ridiculous. Are we seriously meant to believe that a national supermarket chain will drop suppliers that fail to comply with a DMP to one store in Charlton Kings?

The example Working Risk Assessment is for the same store as mentioned above that the County's Highways Planning Liaison Officer has stated does not comply with its' DMP. May I politely suggest all in all that it is not worth the paper it is written on?

Although no design has been provided, there is comment on a new uncontrolled pedestrian crossing of the Cirencester Road, south of Newcourt Road and north of Pumphrey's Road. It has been verbally suggested by the County's Highways Planning Liaison Officer that this would include build outs to narrow the carriage way at this point. It is most unfortunate that no details have been produced, which makes it difficult to make definitive comments, however such works could make commercial vehicle movements (eg. deliveries, refuse & recycling) turning right (North) out of Pumphrey's Road more difficult and hazardous.

In addition, while improving pedestrian crossing safety, such a proposal will create a 'pinch point' for cyclists. In such proximity to two side junctions, the store car park, delivery bay and bend on the road this would present a definite hazard for cyclists and an increased likelihood of accidents.



A question that has been asked by many residents, and to the best of my knowledge has been studiously ignored, is where are the staff of this proposed store going to park their cars? If it is in the site's car park then there will obviously be less parking for customers, increasing the chance of customers parking in the delivery bay or across driveways of local residents on the Cirencester Road or side roads. If not the car park, then it can only be on the surrounding roads, again to the detriment and hence loss of amenity to the residents. An obvious place would be the lay-by on Newcourt Road; thus preventing dog-owners, including several infirm / disabled dog-owners who currently regularly park there to exercise their pets, from parking.

## Environmental Noise Survey:

With reference to the Environmental Noise Survey & Noise Impact Assessment Report 19838/N1A1 Rev.3 by Hann Tucker Associates:

The site has formerly been a Petrol Filling Station, but has not been one since 1996 and the 'Fallback Position' of the site is that which it currently has planning consent for, namely New and Used Car Sales.

As an aside (and while not pertinent to the details of the case) the fact that the Hann Tucker Associates believe the site to be "within the jurisdiction of Cheltenham City Council" gives yet another of many examples of the lack of accuracy which the whole application has been prepared. Numerous errors and omissions have been identified by local residents and then revisions have quietly been made to the paperwork.

The reports author admits that the methodology used for this report "is only intended to assess fixed sources of industrial noise such as plant, equipment and machinery. Using it to assess noise sources which are not static (i.e. vehicle movements) is widely considered to be stretching the use of the standard".

Section 5.4, "Subjective Evaluation", states that "in lieu of a more appropriate method, we have assessed potential noise from delivery and staff vehicle movements based on calculated changes in ambient ( $L_{eq}$ ) noise levels at the nearest noise sensitive receptors". A far more appropriate measure for assessing the impact on neighbouring residents amenity would be peak noise values ( $L_{max}$ ), as defined in Appendix A of the report as "the maximum sound pressure level recorded...  $L_{max}$  is sometimes used in assessing environmental noise where occasional loud noises occur, which may have little effect on the  $L_{eq}$  noise level."

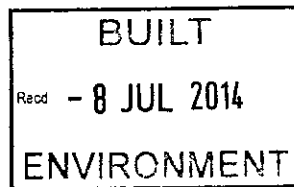
I would strongly contend that assessing the noise impact on residents of noises such as car doors slamming late at night, or the roller-shutter door of the newspaper delivery vehicle should be made on the basis of  $L_{max}$ . Such analysis would produce a very different conclusion, which is why it has not been considered.

It is not appropriate, despite the report's statement to the contrary, to use the assessment intervals stipulated in BS4142, that by the authors own admission, is aimed at the assessment of continuously running plant, not at discrete loud noises such as doors being slammed or the operation of roller shutter doors.

In addition to these failings, no mention has been made of the impact on residents of the 24 hour / day use of the cashpoint with associated car doors, engines, conversations & radios / music, as suffered by residents near the Croft Road junction. CBC officers have noted this point in as much as they have requested that the machine not “beep” in operation, but with respect, the machine beeping will be the least of the noise problems it generates.

In conclusion, this report is deeply flawed, and has, by it's use of just  $L_{eq}$  and ignoring of the impact on residents of  $L_{max}$ , been written to produce the conclusion that the Applicant requires, rather than an accurate assessment of the impact on residents. As such it should be discarded and, in the absence of any serious work, a common sense approach should be adopted. The car wash operations were limited from 9am to early evening to protect the amenity of the residents. The car sales site worked similar hours. Why should the same not apply to this proposed use of the site?





Peppins  
Page 55 Newcourt Road  
Charlton Kings  
Cheltenham  
GL53 9AZ  
4th July 2014

Dom ref 13/02174/FUL

Dear Madam,

Re erection of new convenience store etc

I was kindly helped by a member  
of your staff when I visited on Wednesday  
2nd July 2014

I am horrified and deeply amazed  
that this application can continue to  
be considered. It is opposed by a high  
percentage of those concerned, is cruelly  
offensive to local small enterprises  
and possibly endangers the use of the  
neighbouring green space

A convenience store is not the  
only possible use for this site. A  
dwelling for a first time buyer is  
a sensible thought which would not

---

be offensive to local households No  
Page 58  
mention in this recent amendment is  
made of the distress which will be caused  
to residents of Newcourt Road - already  
over trafficked to the residents or to  
Charlton Close if people use it for  
parking their cars.

Yours faithfully

A large black rectangular redaction box covering the signature and any text below it.

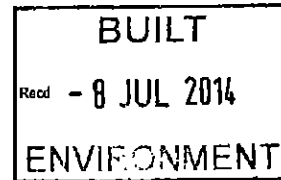
11 Branch Hill Rise,  
Cheltenham

re: 13/02/14/FUL

GL539HN

3-7-14

Mrs. Lucy White,  
Cheltenham Borough  
Council,  
Municipal Offices,  
Promenade,  
Cheltenham.



Dear Mrs. White,

Having seen the plans for revised delivery arrangements for a proposed "convenience store" on the site of 86 Cirencester Road, I am no more convinced than formerly of the need for this development.

I still object for the reasons I have already stated: Increase in traffic, undermining local trade, which is currently well-used and varied, loitering, littering, late-night opening and noise issues.

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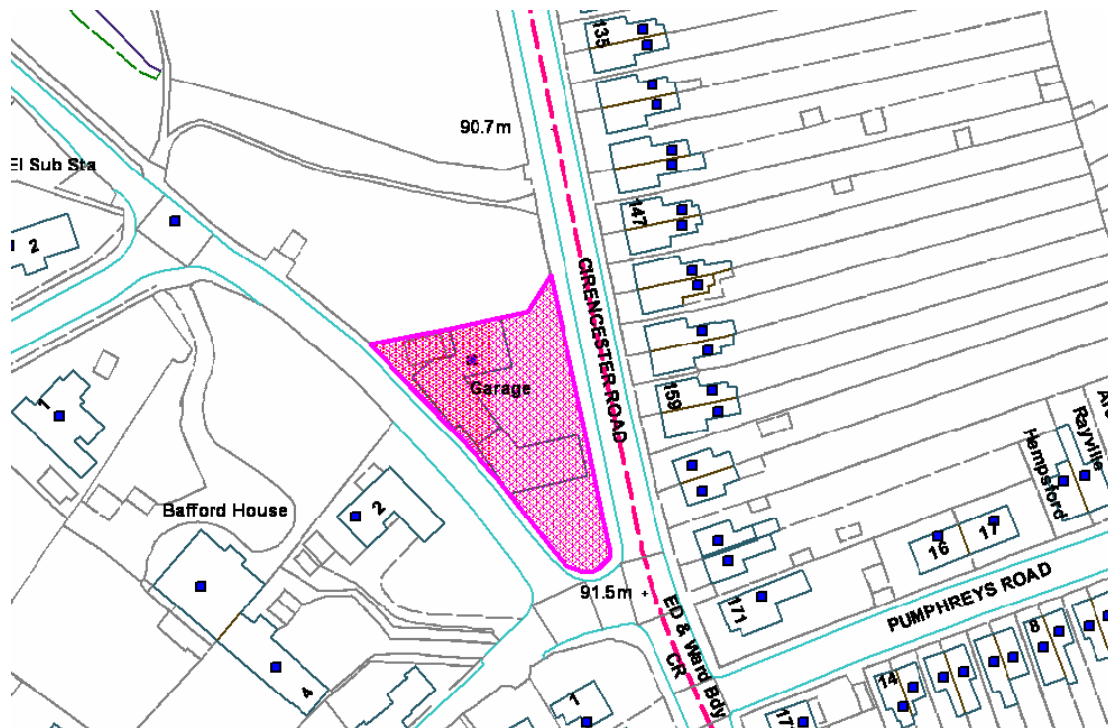
This plan is not needed and not wanted. Please respect "localism" when making your decision.

Yours sincerely,

A large black rectangular redaction box covering the signature and name of the sender.

<b>APPLICATION NO:</b> 13/02174/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th January 2014	<b>DATE OF EXPIRY:</b> 5th March 2014
<b>WARD:</b> Charlton Park	<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	CTC (Gloucester) Ltd
<b>AGENT:</b>	Hunter Page Planning Ltd
<b>LOCATION:</b>	86 Cirencester Road, Charlton Kings, Cheltenham
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application is before Committee at the request of Councillor Penny Hall. The reasons for referral are to allow debate on the proposal's potential to affect the amenities of local residents and the effect on traffic in surrounding roads with reference to Local Plan Policy CP4. There has also been considerable concern expressed by local residents about the proposed development both prior to and following submission of this planning application. A total of 114 letters of objection and a petition with 950 signatures have been received by the Council.
- 1.2 The applicant proposes the erection of a new convenience store (A1) with associated parking, following demolition of all existing buildings on the site. Landscaping, replacement boundary treatment and alterations to the existing access to the site are also proposed.
- 1.3 The scheme as originally submitted proposed an additional two A3 units with a total area of around 93 sq metres adjacent to and slightly forward of the main A1 store near the corner of the site and fronting Cirencester Road. The amended scheme, submitted in May 2014, removes the two A3 units. There are also changes to the design, materials and layout. The servicing/storage area has been relocated to the rear with access either through the store or via a side door fronting the car park. The car park is now slightly larger with one additional parking space and reconfigured spaces to allow better use of the car park. The delivery/loading bay remains at the front of the store but delivery vehicles would be required to access the site from the north and egress in a southerly direction only. There are additional alterations and enhancements to the landscaping and boundary treatment particularly along the Newcourt Road elevation and on the corner at the junction with Bafford Lane.
- 1.4 The scheme has been revised largely in response to the lengthy discussions that have taken place with Officers and County Highway Engineers and the issues raised during these negotiations.
- 1.5 In addition to those relating to design and planning policy, the application submission includes a number of detailed reports and statements covering transport, parking and highway safety issues, delivery/service management, environmental and noise impact, site contamination and a retail impact assessment. The majority of these documents have been revised during the course of negotiations and following receipt of the amended scheme. The only additional document is a Delivery Management Plan (DMP) submitted alongside the revised scheme. The DMP seeks to regulate deliveries to the site to prevent pedestrian/vehicular conflict and minimise disturbance to local residents.
- 1.6 Given the proximity of the proposed development to existing neighbourhood shopping centres and the potential harm to the vitality and viability of those centres the Council also sought an independent assessment of the applicant's Retail Impact Statement.
- 1.7 It is also worth noting that there has been extensive pre-application advice given in relation to this site over the past three years and various proposals have been put forward to the Council which have included mixed use development in the form of a retail unit on the ground floor with residential above.
- 1.8 During pre-application discussions the Council had concerns about the height and scale of development proposed for this suburban location where existing development is typically two storey and domestic in scale. Earlier proposals would have dominated not only this corner plot but the open parkland to the north and neighbouring dwellings, particularly those facing the site on Cirencester Road. The corner of the site at the junction with Bafford Road and Newcourt Road is narrow and not significant in townscape terms and sits in the streetscene fairly discreetly, however its shape and corner position make it

clearly visible when approaching from both the north and south with the open space to the north creating an important backdrop.

## 1.9 Site Context

- 1.10** The application site is a corner plot fronting Cirencester Road, Newcourt Road and Bafford Road. The site is accessed via Cirencester Road (A435) which is one of the main approaches into Cheltenham from the south. The site and its context has, generally, a suburban feel and lies adjacent to an open area of parkland to the north with the remainder of surrounding development being predominantly red brick and two storey with Victorian cottages immediately opposite the site and later mid 19<sup>th</sup> century residential development further south. Newcourt Road abuts the rear boundary of the site and research indicates that this is an ancient track, now sunken and tree lined. The boundary with Newcourt Road is lined by a low overgrown wall and self-seeded trees and shrubs and has a distinctive country lane feel. The property at the rear of the site is a single storey dwelling but separated from the site by Newcourt Road. Within the immediate locality, Bafford House further north on Newcourt Road is a grade II listed building (currently used as a nursing home) and 1 Bafford Road opposite the corner of the site is locally listed.
- 1.11** The Cirencester Road Local Neighbourhood Shopping Centre is located approximately 100 metres further south on Cirencester Road/Croft Road and consists of a Nisa convenience store, a butcher shop and hairdressers. Further east are the well established local centres of Charlton Kings offering a range of shopping and other local facilities.
- 1.12** The site is currently used as a hand car wash facility but its previous use was a petrol filling station. It has also more recently been used for car sales and car repairs/workshop. Despite its current use, it has retained the appearance of a service/petrol filling station with characteristic features remaining; a large hard standing covering virtually the entire site, a canopy and various buildings which once occupied a kiosk and car repair workshop. The pumps and some ancillary buildings have been removed from the site but the underground tanks are believed to be intact. The application site is therefore in existing commercial use and is classified as a brownfield site (previously developed land).

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Landfill Sites boundary  
Smoke Control Order

### Relevant Planning History:

**70/00281/PF 13th October 1970 PER**

Charlton Kings Garage Cheltenham Gloucestershire - As Cb08798/02 except Provision of 3 Areas for Display of Cars For Sale and Re-Siting 2 New Vehicular Accesses (Amendments And Additions to Proposals Above Approved On 19.5.70)

**74/00310/PF 30th September 1974 PER**

Charlton Kings Garage Cheltenham Gloucestershire - Omission Of Car Wash And Erection Of Service Bay Attached To Existing Workshop For Maintenance Of Cars

**91/00260/PC 25th April 1991 PER**

Amendment To Previously Approved Area For The Display Of Cars For Sale On Forecourt

**94/00215/PF 28th April 1994 REF**

Redevelopment Of Existing Car Sales And Service Station Premises To Provide Additional Service Bay And Administration Accommodation

**96/00984/PC 16th January 1997 PER**

Change Of Use To Used Car Sales From Existing Used Car/ Fuel Sales

**09/00407/FUL 5th May 2009 PER**

Extension of opening hours of existing car wash to seven days a week 9am-7pm

### **3. POLICIES AND GUIDANCE**

#### Adopted Local Plan Policies

CP 1 Sustainable development  
CP 2 Sequential approach to location of development  
CP 4 Safe and sustainable living  
CP 5 Sustainable transport  
CP 7 Design  
BE 12 Advertisements and signs  
GE 1 Public green space  
GE 5 Protection and replacement of trees  
GE 6 Trees and development  
NE 4 Contaminated land  
EM 1 Employment uses  
RT 1 Location of retail development  
RT 4 Retail development in local shopping centres  
RT 6 New local shopping centres  
RT 7 Retail development in out of centre locations  
RT 8 Individual convenience shops  
UI 2 Development and flooding  
UI 3 Sustainable Drainage Systems  
TP 1 Development and highway safety  
TP 3 Servicing of shopping facilities  
TP 6 Parking provision in development

#### Supplementary Planning Guidance/Documents

Flooding and sustainable drainage systems (2003)  
Landscaping in new development (2004)  
Planning obligations (2003)  
Planning obligations: transport (2004)  
Security and crime prevention (2003)  
Shop front design guide SPD (2007)  
Sustainable buildings (2003)  
Sustainable developments (2003)

#### National Guidance

National Planning Policy Framework



## 4. CONSULTATIONS

### **Architects Panel**

*5th February 2014*

#### Comments on the Application

The development footprint is broken down into various single storey retail units which are set back from the main road frontage which would create unpleasant urban spaces as currently designed. The form and massing whilst perhaps echoing what is there currently, do not respond to the grain of the area; a more considered analysis and response to the grain would benefit the scheme and more vertical scale could benefit this corner site.

We believe a mixed use scheme with residential units over the retail could provide this scale and make better use of the site and also provide more visual interest and natural surveillance. Aesthetically the scheme is competent but below what we would like to see on a key site like this.

#### Summary

We could not support the scheme in its current form.

*4th June 2014*

The panel was disappointed to see that the scheme appears to have gone backwards from the pre-application proposal, with an apparent loss of confidence in how to handle the previous scheme. The drum that enabled the building to address the tapered end of the site has been lost and the building is now a very basic almost crude cranked, single storey brick shed with attached, flat roofed outbuildings. Apart from being an improvement over the existing semi abandoned forecourt the proposal itself will contribute little to this prominent location. The view from the north is now particularly disappointing.

The panel felt that the material palette was over fussy, particularly with the unnecessary introduction of rusticated Cotswold stone simpler render would probably work better. The large windows, but then covered with garish posters is unpleasant. In this domestic setting, views into the building would make it more inviting, from the car park, street and approaching from the north. The design has lost any robustness could the eaves be extended as a small canopy could the entrance be articulated more strongly, along with more careful handling of the bicycle parking, paving etc?

Regrettably the panel would not support the application in its current form.

### **Cheltenham Civic Society**

*10th February 2014*

This is a reasonable and unexceptional design for a convenience store

### **Parish Council**

*28th January 2014*

#### **OBJECT**

**EXCESS TRAFFIC COMING ONTO MAJOR ROAD.**

**POTENTIAL PROBLEMS WITH DELIVERIES AND CROSSING OF THE MAIN ROAD BY CHILDREN.**

**IMPACT ON NEIGHBOURS**

**DETRIMENTAL ENVIRONMENTALLY UNNECESSARY ADDITIONAL RETAIL UNITS**

10<sup>th</sup> June 2014

The proposal is contrary to both the Parish objective and policy of ensuring that we make best and most sustainable use of our resources and protect the areas and features that residents of Charlton Kings most value, and to the NPPF and JCS principle that “ The purpose of planning is to help achieve sustainable development”. In this respect an additional convenience store would work against a sustainable future for existing businesses, there being 3 existing convenience stores within a half mile radius and a further 3 within a 1 mile radius. The development site is neither large enough, nor in an appropriate location, to service and manage customer access to a supermarket that would, by its position, be of greatest benefit to passing trade.

In more detail our objections are:

- A new supermarket would impact on other similar retail units in the near vicinity. Despite the applicant's contention that other similar shops could thrive alongside a new supermarket, it is our view that the NISA, Co-op foodstore, and Budgen's Smith and Mann stores would suffer a significant drop in business, which could lead to local job losses and possible store closures. Of particular concern is the potential impact on the footfall in Budgen's Smith and Mann in Lyefield Road West, which has only recently taken on the village Post Office following the failure of the previous Post Office franchise. Should this application be approved, it would have the potential to jeopardise the viability of Budgen's Smith and Mann and hence the survival of its integrated Post Office which is easily accessible and in the centre of the village. This would be a serious loss to the community. Given the current difficulties of the Co-op Group, it's possible that a drop in the profitability of its store in Church Piece would lead to closure and hence a big hole in the centre of the currently vibrant precinct. In addition there would be adverse impact on local specialist shops such as the butchers on Cirencester Road. For the community rather than the applicant in isolation, we believe that a development of this type on this site would be likely to reduce, rather than enhance the economic sustainability of the overall retail sector in Charlton Kings, and any local jobs generated by the development, would be offset by job losses elsewhere in the local economy.
- The proposal fails to meet Strategic Objective 5 of the Joint Core Strategy to ensure that “all new developments are valued by residents as they .....provide *well-located* (our italics) infrastructure which meets the needs of residents.” This proposal would generate an increase in vehicle movements along an already busy stretch of Cirencester Road, and there would be a considerable traffic hazard caused by vehicles entering and leaving the site which is close to a bend in the road. The development would create a potential hazard caused by vehicles parking on Cirencester Road itself, either side of the new building. Although some provision is made for on-site delivery vehicles we feel it would be unlikely to be effective in restricting all deliveries within the curtilage of the development and would cause significant hazard on the Cirencester Road.
- It also fails the NPPF test of “improving the character and quality of an area *and the way it functions* (our italics)” and the Joint Core Strategy Core Policy SD5 safety and security objective of contributing to safe communities by reducing conflicts between traffic and cyclists or pedestrians. Because this site is on the other side of the Cirencester Road to where most local customers are located, in the absence of yet another set of pedestrian-controlled traffic lights, there would be considerable risks to pedestrians including the many schoolchildren who pass this way.
- A development of this nature would impact negatively on those residents living opposite and near the proposed store in terms of their quality of life; extra traffic, multiple daily deliveries, long opening hours causing noise and exhaust pollution from cars coming and going and light pollution from the site for many hours per day.

The Council is aware of the mix of feelings both for and against but in our view, there are valid planning-related reasons for refusal, as outlined above, including the longer-term impact on local businesses and employment.

**Should the Borough Council be minded to approve this application, the Parish Council requests that the following conditions be attached:**

- The developer should fund a traffic regulation order to introduce no waiting at any time along the boundary of the site comprising A435 Cirencester Rd and Newcourt Rd in order to maintain safety for through traffic and pedestrians using the A road and to prevent obstruction and allow freedom of movement along Newcourt Rd.
- There should be restrictions on the hours of operation and the periods when deliveries can be made, in order to reduce the impact on the quality of life of local residents, in particular noise levels for those residents in the immediate vicinity.

### **GCC Highway Development Management**

*10<sup>th</sup> June 2014*

#### Proposal

Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)

#### Introduction

This is a complicated site, with a use that often generates some high emotions with residents. The consultation process has been lengthy, and has involved much dialogue with the applicants transport consultants, and the highway authority. The key issues are servicing of the units, and car parking for customers. The original proposal has reduced from the A1 and 2 A3 units, to a single A1 unit.

The original servicing arrangement was an on plot service bay controlled by demountable bollards operated by staff through a Delivery Management Plan (DMP), which would be secured by a planning condition and enforced by CBC. Gloucestershire County Council as the local highway authority has assessed this application in light of the National Planning Policy, and the CBC Local Plan.

In determining the type of recommendation the highway authority primarily needs to assess if:-

- the cumulative impact from the application is severe
- safe and suitable access for all can be achieved
- the opportunities for sustainable transport modes have been taken up
- the development will generate high turnover on-street parking.
- any adverse impacts do not significantly and demonstrably outweigh the benefits of allowing the proposal

It is disappointing that at a very late stage in the application process, the applicant has changed the servicing arrangement from that negotiated during the last few months. The applicant is now proposing a servicing arrangement similar to a relatively new store in Tuffley, Gloucester. Whilst this arrangement is similar it does not currently operate as expected, partly due to the lack of a fully enforced DMP. Given that the likely occurrence of right turning HGV's into the site will be low, and certainly well below any requirement for right turn measures, and the fact that fuel tankers could have made this manoeuvre, I do not consider that this would not conflict with the severe criterion at paragraph 32 of the NPPF

### Fall Back Position

A key factor in determining this application is the previous uses of the site. The current use is a hand car wash, which has permitted opening hours of 9am – 7pm seven days a week. Previous to that use, it was petrol filling station. The petrol station would have generated significant vehicle trips accessing the site from 2 access points, and had fuel servicing for the underground tanks. The ancillary shop would have generated some non-car trips also.

The applicant has undertaken a vehicle trip analysis (Table 6.3 of the Transport Statement), and determined that the proposed development will result in less vehicular traffic (-391 daily trips), when compared with the previous Petrol Filling Station. This is a key factor in determining the degree of impact in use which will have a positive impact on highway safety and capacity.

### Layout

The internal layout has undergone many versions, during protracted negotiations with the applicant. This final version now proposes just a single retail unit, with access via the north east corner, car parking to the north and a service/refuse area to the rear. Main servicing will be at the front of the store via a dedicated lay bay, controlled by rising bollards on egress. An ATM is located next to the entrance along with cycle stands. An existing street light will need to be relocated.

### Service Bay

As part of the application a Delivery Management Plan (DMP) has been submitted. This DMP will detail exactly how servicing will operate safely and efficiently, to ensure that the car park pedestrians are not affected and that servicing will not be carried out on the adjacent highway. The DMP should be conditioned so that if it is not complied with CBC can act on any breach.

### Accessibility

The new retail unit will attract increased pedestrian footfall and NPPF policy requires that safe and suitable access is made for all users. Consideration has been given to new pedestrian facilities taking into account the existing signal controlled crossing to the south of the site, the signal controlled junction at the Cirencester Road/Moorend Road/ junction, and the build out north of the site. GCC considers that pedestrian permeability can be improved by narrowing the junction width of Newcourt Road with Cirencester Road and another build out can be created on the southern radii of this junction.

### Car parking

17 spaces are shown of which 2 disabled have been provided at the entrance. Again car parking has been the subject of much discussion, but GCC now feel that with the single retail unit and the parking accumulation work that has been carried out, the spaces will accommodate for the majority of the users. It is impossible to stop all indiscriminate parking, but the layout should be attractive for the users, and as attractive as parking on street. Notwithstanding this GCC is seeking a contribution to control any future abuse, which could be as simple as waiting restrictions along the site frontage or strategically placed street furniture to deter kerbside or part footway parking. CBC is not keen on an over proliferation of street furniture so this will be used as a reactive measure.

### Mitigation

1. Delivery Management Plan – Conditioned
2. Pedestrian crossing facility likely to be a build out. This should have the added benefit of reducing speeds discriminate parking – Contribution £14,252.53 (Mitigation 2 & 3 combined)
3. Reduce the junction width of Newcourt Road with Cirencester Road, to improve the pedestrian safety. This should have the added benefit of reducing speeds, discriminate parking – Contribution (see above)

4. Future waiting restrictions and kerbside street furniture to deter discriminate adjacent parking – Contribution - £10,000 (£5,000 TRO + £5000 Street furniture)

Contribution Total - £24,252.53

### Conclusion

The servicing of the unit should operate safely if the DMP is adhered to, and this will mean strict monitoring and enforcement by CBC. The car parking level is adequate but some drivers will park on the carriageway. Therefore we need to be able to implement future measures, to reduce this impact. Therefore if the Delivery Management Plan is operated correctly, then the cumulative impact from the application should not be severe, and a safe and suitable access for all users can be achieved. Furthermore if the customers of the store use the adequate parking provision, then the development should not generate high turnover on-street parking. If indiscriminate parking is found to be causing a severe highway problem in the future, then the proposed parking mitigation will allow the highway authority to cost effectively mitigate any issues.

Therefore having regard to the previous uses of the site, the highway authority considers that as the cumulative impact from the application will not be severe, and safe and suitable access can be provided, it raises no highway objection to the proposal subject to the recommended contributions and conditions.

### **Cheltenham Cycle Campaign**

*21st January 2014*

I wish to register an objection to this application on behalf of Cheltenham & Tewkesbury Cycling Campaign with regard to the provision of cycle parking. This organisation neither endorses nor opposes the scheme as a whole, which is a matter for the wider community.

According to the Transport Statement (para 5.3.7) the developer proposes to provide 6 cycle parking stands enabling parking for "at least 12 bicycles". Aside from the fact that 6 stands could not possibly provide for more than 12 cycles (each stand being suitable for only 2 cycles), the site layout provided with the Transport Statement (Appendix A) shows only 3 stands and these are located at the far end of the car park, in an inconvenient, unsuitable and potentially hazardous location. Moreover, the drawing suggests that two faces of the stands would be unusable due to the proximity of the boundary fence and adjacent car parking.

6 Sheffield/Universal stands for cycle parking should be provided close to the store entrance and where cyclists do not have to ride through the car park, where there would be potential conflict with cars manoeuvring and reversing. The stands need to have sufficient clearance on all sides (at least 1 metre) for access and not be liable to obstruction in any way. The most appropriate place for cycle parking in the proposed development would be in the area protected by bollards adjacent to the store entrance and Cirencester Road.

In addition, provision should be made of covered long-term cycle parking for store staff so that they may be encouraged to cycle to work.

I would be grateful to see revised plans for cycle parking and would be happy to liaise with the developer to ensure that this is achieved satisfactorily.

## Environmental Health

Revised Comments 6<sup>th</sup> June 2014

In relation to application 13/02174/FUL for the site 86 Cirencester Road, Charlton Kings, Cheltenham, Gloucestershire, GL53 8DA please can I add the following conditions and advisory comments:

This proposal includes an amount of demolition of existing buildings, this will inevitably lead to some emissions of noise and dust which have a potential to affect nearby properties, including residential property. I must therefore recommend that if permission is granted a condition is attached along the following lines:

Condition: The developer shall provide a method statement detailing how they will control noise, dust, vibration and any other nuisances from works of construction and demolition at the site, as well as how the waste will be stored and removed from the site and/or recycled on site. The statement should also include controls on these nuisances from vehicles operating at and accessing the site from the highway. Such a statement is to be submitted to and approved by the Local Planning Authority before work commences on site.

Reason: To protect the amenity of the residents in nearby residential properties.

Condition: Prior to the commencement of any development at this site, the end user of the proposed A1 unit (and any subsequent user(s)) of the units shall submit a waste management plan which will be reviewed and if deemed to be satisfactory approved by the Local Planning Authority. The plan shall indicate where the waste and recycling for all units will be stored and the proposed means of collection and how the waste collection contractor will reduce the impact from noise on near by residential premises. The approved plan shall be implemented upon first opening of the unit and continued for the duration of the use. Please note that part of this condition is that all waste and recycling collections can only take place between the hours of 08:00 - 18:00.

Informative: It has been confirmed to this department that for the A1 unit all waste made up of stock and packaging will be removed by the delivery vehicle once empty and therefore, the only waste receptacle necessary for this unit will be a bin to hold staff waste only. As this has now been confirmed by the applicant, this now needs to be set as a definite control for the site.

Reason: To protect the amenity of the residents in nearby residential properties.

Condition: The delivery management plan (dated May 2014) which has been submitted with this application will be adhered to by the end user of the A1 unit and all subsequent users. Any required amendments must be submitted in writing to the Local Planning Authority and may only be implemented once approved by this authority. The plan submitted details measures to minimise the possibility of noise nuisance being created by deliveries to the store. If the plan is approved all deliveries to all units at this site shall only take place in accordance with the plan submitted.

Informative: The scheme includes measures to control noise from all sources involved with the loading bay area including: vehicle movements, use of chiller units on vehicles, handling of cages, use of dock levellers and lifts, voices of staff, vehicle radios, audible reversing alarms from vehicles etc. The plan should be subject to regular review.

Reason: To protect residents of local property from loss of amenity due to noise from regular deliveries by HGV's, refrigerated vehicles running, loading equipment etc.

Condition: Deliveries to the A1 unit may only be made between:

- 07:00 – 19:00 Monday to Friday
- 08:00 - 18:00 Saturday
- 10:00 - 14:00 Sunday or a Bank Holiday

On the current noise impact assessment it states that a single delivery will be made between 06:00 – 07:00 with other deliveries made between 07:00 – 23:00. These timings are not in keeping with the condition as set above and the condition will remain going forward with this application.

I would recommend that the developers have reference to the "quiet deliveries demonstration scheme" more information is available at:

<http://www.dft.gov.uk/publications/quiet-deliveries-demonstration-scheme/>

Reason: To protect residents of local property from loss of amenity due to noise from regular deliveries by HGV's, refrigerated vehicles running, loading equipment etc.

Condition: Newspaper deliveries and smaller milk/bread etc. deliveries to the A1 unit may only be made from 06:00 onwards. The delivery vehicle must pull in and park within the customer car park for the site and not on the highway - this is to increase the distance the delivery vehicle will be from the near by residential properties during the delivery time.

Reason: To protect the amenity of the residents in nearby residential properties.

Condition:

The premises planned for this site may only be open to customers from 07:00 – 23:00 from Monday - Saturday and 07:30 - 22:30 on a Sunday and Bank Holiday.

In the current noise impact assessment it states the opening hours to be 06:00 – 23:00 Monday to Sunday. These timings are not in keeping with the condition as set above and the condition will remain going forward with this application.

Reason: To protect the amenity of the residents in nearby residential properties.

The times as detailed in the above conditions for deliveries and opening hours for all of the units as proposed for this site, have been decided by Environmental Health in conjunction with the Planning Officer using a number of factors. Research was undertaken into the opening and closing times for six other similar sites which are based in heavily populated residential areas in Cheltenham. These times were reviewed and found to vary by up to two hours later in the morning and hour earlier at night from the applicants proposed opening hours. This information was taken into consideration as well as the very close proximity of the residential houses to the front and rear of this site when the officer was compiling these comments and the times stated in them.

In the future (if this application is given permission) and the site is fully functioning and we in the Environmental Health department were to receive a noise complaint, we would assess the noise under the Environmental Protection Act 1990 to decide if it is a statutory nuisance or not. This assessment would be undertaken by a fully qualified and authorised EHO and they would subjectively decide through monitoring which can be completed by the complainant as well as the officer, if the noise generated by the source is severe enough that it would unreasonably interfere with the use or enjoyment of another property (i.e. the complainants home) and the officer must see evidence that the problem is occurring regularly and is continuing for a period of time that makes it unreasonable. If we judged that the noise was causing a statutory nuisance, we are legally obliged to serve an abatement notice which states that the nuisance described in the notice is to be abated. If the notice is not complied with or is breached we have the power to initiate prosecution proceedings.

When reviewing planning applications such as this time and deciding upon time limits for conditions we have to decide if in our professional judgement if the proposals are likely to give rise to a statutory nuisance, if we do, then we can compile comments/proposed conditions in order to change the activity or site in order to reduce this likelihood before it is built or the activity has begun. When reviewing the proposed opening, closing and delivery

times for this site it was our judgement that the times put forward were too early and had the likelihood to potentially cause a statutory nuisance for the people living in the residential properties near to the site. Therefore, we have proposed times which we feel are in line with other similar sites in the town as well as being in line with other activities recommended times for work.

Condition: If any premises on the site will host an external cash point, it must be a silent operation pre 08:00 and post 22:00.

Reason: To protect the amenity of the residents in nearby residential properties.

### Plant and extraction equipment for the A1 use premises

Condition: The proposed unit on the site will require air conditioning plant, chiller units for the refrigeration systems as well as extraction systems. Details for all of the extraction and ventilation equipment for the unit shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved extraction and ventilation schemes for each of the units shall be implemented on site prior to the opening of any of the units and shall be maintained in accordance with the manufacturer's recommendations.

Reason: To protect the amenity of occupiers of nearby properties.

### Condition:

(If applicable) Prior to the first use of part of the A1 unit as a cook off area/catering unit, the schemes detailing the means of ventilation for the extraction and dispersal of cooking odours must be submitted to and approved in writing by the Local Planning Authority (part of which has been requested above).

The approved scheme shall be installed before the use hereby permitted commences and thereafter maintained in strict accordance with the manufacturers and installers instructions, details of which must be submitted as part of the scheme.

Reason: To protect the amenity of the residents in nearby residential properties.

### Informative:

The complete extraction system serving the area should be designed and commissioned by competent specialist engineers. The design of air pollution control equipment should be based on peak load conditions, i.e. the worst case scenario.

The scheme shall include the following:

- Full details of the system layout
- Housing of filters, motor and fan inside the building where possible
- Integrated grease baffle filters
- Suitable odour treatment plant to render the exhaust odourless at nearby residential property
- Specification of a motor and axial fan with variable speed controller
- An acoustic report detailing the predicted noise levels from the extraction equipment as they affect nearby residential properties.
- Circular section ducting preferred with a minimum of bends
- High level exhaust point fitted with a vertical discharge cowl that achieves maximum efflux velocity. This shall be at least 1 metre above roof ridge level of the host building



## Page 71

Condition: Notwithstanding the submitted details, fascia signs on each retail unit shop frontage hereby approved shall be limited to one small 'halo' lit or externally illuminated fascia sign.

Reason: To protect the amenity of the residents in nearby residential properties.

Condition: The total noise generated from all units and all items of plant and equipment associated with this application shall be controlled to the extent that the rating level (in accordance with BS 4142: 1997) as measured or calculated at 1m from the façade of the nearest noise sensitive premises shall not exceed a level of 5dB below the existing LA90 background level with no tonal element to the plant. This control shall be demonstrated by an assessment which shall be sent to this authority prior to the end users occupying the units at site. Should any changes be made to the building or the plant serving it by new occupants of the site in the future, these alterations will need to be forwarded to this authority prior to being made and may only be undertaken once the planned changes have been reviewed and approved.

Reason: To protect the amenity of occupiers of nearby properties.

### Advisory:

- 1) Should a survey of the existing building (prior to any work beginning) indicate the presence of any asbestos containing materials, the demolition of the building will need to be undertaken in accordance with the legislation surrounding asbestos removal and the demolition of buildings containing asbestos and the waste disposed of in a legally compliant manner.
- 2) It has been confirmed to this department that the totem pole as detailed in the application is to be removed from these proposals; the removal of this would be supported by this authority.

### **Contaminated Land Officer**

*14th January 2014*

Please can you add the full standard contaminated land condition to this application due to previous use as a fuel filling station.

### **Urban Design**

*6th March 2014*

The proposal is for a retail development on a former filling station, currently a hand car wash.

The site is within a well-established residential suburb on Cirencester Road - an arterial approach to the town centre. It is a constrained, triangular site opposite housing and adjacent to an open space. The neighbourhood is well provided with a range of facilities (schools, shops, open space, pubs etc) which make it a pleasant place to live.

There are two main areas of concern the character of the built form in relation to context and the impact of the proposal on the quality of life of those around it. Both are considered important determining factors within the NPPF.

Following negotiation, the built form is considered acceptable in terms of mass, layout, materials etc. Landscape discussions are moving positively.

In terms of the quality of life of neighbours and those who use the area, the proposal is unconvincing. It seems likely that the nature of the site and its locations will combine with the nature of the proposed use to have adverse impacts on the quality of life of those around it.

### The site and its context

The site sits on the corner of Cirencester Road (a main approach to Cheltenham from the south east at this point passing through Edwardian suburban development), Bafford Road (a comparatively narrow old farm lane to the west) and Newcourt Road (which appears to be an ancient track, now a sunken tree-lined suburban road to the northwest). It is currently a car wash and was formally a petrol filling station and car sales site.

The site is adjacent to an open area of parkland which sits between the Newcourt and Cirencester Roads. Much of the surrounding development is early 20th Century, predominantly 2-storey; opposite on Cirencester Road buildings are red-brick under slate roofs; to the south, white render predominates in 2-storey Victorian cottages and later mid-20th century development. Nearby Bafford House on Newcourt Road is an earlier Grade II listed building and 1 Bafford Road (immediately opposite to the south) is locally listed. The neighbourhood is well-established and has a range of facilities locally, including shopping, schools, library, pubs etc.

The site itself is typical of a service station/garage with a large hard-standing, canopy and buildings which previously formed a kiosk and car sales display area. It is now used as a hand car wash. It is unattractive on its frontage to Cirencester Road (where its boundary is marked by a low post and chain fence) and the corner (where there is scrappy vegetation and a low stone wall). To the rear, Newcourt Road is sunken and the boundary is lined by a low overgrown stone wall, topped by self-seeded trees and shrubs, backed by a 2m fence and a breezeblock wall (to one of the out-buildings). To the open space, part of the site is open across the low stone wall through parkland trees; part is enclosed by the buildings. The site serves a useful function currently, but as a brownfield site in a suburban area it is underutilised.

### Considerations

Negotiations on the design of the proposal have centred on the sensitivity of the site and its context both in character and quality of life terms.

### Character

Previous pre-application negotiations on design, over a number of months, have moved the proposal from high four storey block (residential over retail) on a steady building line, to the current proposal - a single-storey block with a staggered building line. The basis for this approach has been:

1. The 4-storey height was uncharacteristic of this suburban setting, where there are few buildings greater than 2-storeys - none in the immediate area.
2. The presence of a 4-storey block was likely to dominate neighbouring properties and the open space in a manner which was over-bearing and would adversely affect residential amenity and the general character of the streetscene both in the area and on the approach to Cheltenham.
3. The applicant initially considered that the height could be used to mark the corner. However it was considered that that this is unnecessary because the junction is not significant in townscape terms and sits in the streetscene fairly anonymously but for the presence of the existing garage, which although unattractive lends to the sense of space here and is lost in a backdrop of trees on the approach from the south.

Some objectors to the scheme suggest that a flat roof is not contextually sensitive. Whilst most roofs in the neighbourhood are pitched, a flat roof on an acceptably designed building of this size and footprint is considered preferable. This is because, as outlined above, an important part of the design negotiations has been focussed on losing height from the original proposal. Additionally, the lowering of height sets the proposal better within the context of the adjacent park setting with its backdrop of trees on the southern approach. In order to span a building of this depth a pitched roof would dominate the building, would most likely be unacceptably high and would be prominent in the street scene.

The comments from the architects' panel appear to seek a solution akin to that which was originally put forward in pre-application (residential over retail). This is not considered appropriate on the site for the reasons discussed above.

Reflecting on comments submitted it is reasonable to say that a residential scheme could sit well on the site, and provide a more vernacular building style which fits well within its context. There would be an ability to break up the building mass and it might well work in 2-storeys with a pitched roof. However, the scheme under consideration is not residential and the built form design needs to reflect the requirements and function of the proposed use.

The visual impact of development on Newcourt Road, which is sunk below the level of the site, was a concern in negotiations. The small overgrown retaining wall and unkempt hedge give the street an almost rural character. However the site is not deep and tapers to the south, so it seems likely that any redevelopment would see the removal of this planting as part of the building works and, notwithstanding any replanting, this will alter the lane's character. Negotiations through the Council's Landscape Architect are seeking a reinstatement of planting in some form on this frontage.

The building and layout proposal is a consequence of the negotiations based on the proposed use. In terms of built form, mass, block layout and landscape. In these terms the proposal is satisfactory (subject to the Council's Landscape Architect's detailed negotiations, which are on-going at the time of writing). Since earlier negotiations, the height is significantly reduced, the staggered building line on the Cirencester Road breaks up the mass and reinstates some space (albeit for service requirements see comments below); the small landscape area on the south will soften the built form; the trees to the north continue to provide a useful screen and backdrop.

### Quality of Life

The NPPF makes a number of statements which indicate that quality of life is important part of the planning system and in determining planning applications. These include:

- Paragraph 9 which states that sustainable development involves positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including improving the conditions in which people live
- Paragraph 56 good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 58 decisions should aim to ensure that developments will function well and add to the overall quality of the area (and) establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit

From these statements it is evident development proposals should benefit the daily lives of the people they affect and that, in this respect, the way which developments function is as important as the way they look. In terms of quality of life, a balance needs to be struck between local impacts and benefits to the wider community, and this may require a different

weight in consideration of strategically important proposals and those with little strategic value.

Servicing for the site has been a concern throughout the discussions. The Highway Authority will comment on general access, parking and service arrangements. However, servicing, traffic and parking related to stores of this nature in suburban situations can create amenity issues and during negotiations on this site, on-going concerns on similar developments elsewhere in the town have been a concern.

It is proposed to access this site from the Cirencester Road which is the only realistic option. Using the space between the building and the open space for parking seems appropriate and use of a bespoke boundary treatment which allows indivisibility between the site and the open space would settle the site better in its context.

However, a desire to ensure that servicing is not direct from the busy highway has placed it within the site, on the most prominent frontage. The space available is tight and to ensure its availability for servicing, access controls are proposed and bollards will run along the boundary to Cirencester Road. Visually this is little better than current boundary arrangements (low posts and chain) and is not the betterment which might be expected from a bespoke design. Notwithstanding this, the main concern is the functioning of service arrangements and their impact on the quality of life of neighbours. The space available is tight. Servicing may function as intended in ideal circumstances but there is little margin for error before noise and disturbance from manoeuvring cars and delivery vehicles, reversing alarms, movement of cages etc. begin to affect the amenity of those living around it or using the open space.

Undoubtedly the uses on the site (both current and past) will have generated movement, traffic and noise but it seems unlikely that this will have been at the intensity of the use now proposed. The circumstances of the site (its constrained size; its situation on a busy arterial route into the town; its location within an established suburb) and the nature of the proposed use (retail with long opening hours, deliveries from large vehicles, frequent customer visits) suggest that it may not function in a manner which enhances the quality of life of those living near it, and it seems most likely it will have adverse impacts. It seems doubtful that these concerns can be addressed by conditions to control hours (avoiding busy traffic conditions, peak times for trading and quiet times for neighbours).

In terms of the quality of life of neighbours and those who use the area, the proposal is unconvincing.

### **Landscape Architect**

5<sup>th</sup> June 2014

Drawing Title: Landscape Proposals Drg. No. 02 Rev: C

There is information missing from this revision which was included on Rev B. Rev C should be amended as follows:

- North boundary with Newcourt Park: The drawing should show the extended dry-stone wall as previously agreed and shown on Rev B. This should be labelled, '*Extended dry-stone wall to match existing boundary wall*'.
- Boundary with Newcourt Road: The new stone retaining wall should be drawn and labelled on the plan, so that it is consistent with the Proposed Rear (West) Elevation shown on Drawing 'Proposed Elevations Sh2' Drg. No. 13 Rev J. It should be labelled, '*Stone retaining wall. Materials to match the proposed rebuilt stone wall on the southern boundary of the site*'.

- Planting: There are changes to the planting proposals from Rev B to Rev C. Most are acceptable, but the following require consideration and clarification.

### *Rosa 'Meidland'*

In Rev B there were 74 No. *Rosa 'Meidland'* in the planting bed at the top of the retaining wall along Newcourt Road. These have been omitted in Rev C. The drawing should be amended to include the *Rosa 'Meidland'* hedge. If it is no longer the intention to plant these roses, please submit alternative planting proposals.

### *Lavandula spica 'Hidcote'*

74 No. *Lavandula spica 'Hidcote'* are shown planted at the back of the SE border. Lavender requires full sun in order to thrive. Although this border is SE facing, the lavender is planted behind 3 No. *Betula utilis jacquemontii*, which will cast dappled shade. Consider replacing the lavender with a more shade tolerant species.

### *Car park, Hebe 'Marjorie' and Lonicera pileata*

There is a planting space next to the NW border with the car park. In Rev B this was planted with *Hebe 'Marjorie'* and *Lonicera pileata*. In Rev C the planting has been omitted. This planting should be reinstated.

### Drawing Title 'Proposed Elevations Sh2' Drg. No. 13 Rev J

- Boundary with Newcourt Road:

A band of blue engineering brick is shown running along the base of the building and extending as a wall towards the NW corner of the site.

The use of blue engineering brick along this boundary should be reconsidered. If engineering bricks are required below DPC, consider red bricks instead in order to limit the palette of colours and so create a less visually cluttered boundary.

### **Tree Officer**

22nd January 2014

The Tree Section has no objections to this application providing the following conditions can be attached:

### No roots over 25mm to be severed

Any works taking place in the root protection area shall be carried out by hand and no roots over 25mm to be severed without the advice of a qualified arboriculturist or without written permission from the Local Planning Authority's Tree Officer.

Reason: To safeguard the retained/protected tree(s) in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

### Protective Fencing

Tree protective fencing shall be installed in accordance with the specifications set out within the Arboriculture Report dated December 2013 and Drawing Number CC TP1.

The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

## Protection of RPA's

All sequencing and detail of works taking place on site (including demolition and site clearance) to take place in accordance with the Method Statement within the Arboricultural Report dated December 2013.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

Overall, from the Tree Section's perspective, the proposed landscaping is acceptable and the 3 x *Betula utilis jacquemontii* will compliment this corner of the site well. However, I have some reservations about the suitability of the proposed *Prunus laurocerasus* 'Otto Luyken' to the south west of the site along Newcourt Road. This does not contribute much to wildlife, nor will it have much impact along this part of the lane where an existing (if informal) 'hedge' will have to be removed to facilitate this development. I have requested CBC's Landscape Architect to put forward some suitable alternatives for this area.

## **Strategic Land Use Team**

*25th March 2014*

This is formal acknowledgement that the Strategic Land Use Team of Cheltenham Borough Council concurs with the policy assessment of the proposed development as outlined within the submitted DPDS report.

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>95</b>
Total comments received	<b>114</b>
Number of objections	<b>112</b>
Number of supporting	<b>2</b>
General comment	<b>0</b>

- 5.1** A total of 95 local residents were notified of the proposals and three site notices displayed within the vicinity of the site (Cirencester Road, at the junction with Croft Road and Newcourt Road). This exercise was repeated in respect of the revised scheme and a further three week period was allowed for local residents to submit further representation.
- 5.2** As a result of the two public notification exercises, a total of 112 representations have been received by the Council from individuals/households (110 objecting and 2 in support). There have also been a number of repeat and additional objections received by some local residents in relation to the amended scheme.
- 5.3** A petition with 950 signatures has also been submitted to the Council. The concerns raised by local residents are all very similar and can be summarised as follows:-
- Impact on existing neighbourhood shopping centres and potential closure of existing shops (in particular the Nisa store)
  - No evidence of demand or need in the area for another A1 convenience store. Existing centres provide adequate range of services for the local community
  - Flaws and inaccuracies in the applicants Retail Impact Statement produced by Mango
  - Sustainability of proposed scheme questioned when majority of customers will arrive by car
  - Increase in traffic and street parking, indiscriminate parking on road, highways safety implication of road junctions with Cirencester Road/Bafford Lane and Newcourt Road.

- Insufficient off-road parking spaces provided in car park
- Impact of early morning deliveries on neighbouring residents
- Impact on amenity of local residents in terms of noise, disturbance, late night disturbance and antisocial behaviour, excessive lighting and litter
- Proposed development is contrary to Policy CP4 of the Local Plan.
- A3/A5 use likely to generate significant parking and noise nuisance/disturbance issues
- Site is more suitable for residential purposes
- The revised scheme fails to address previous issues of need, road congestion and highway safety and impact on amenity.

**5.4** The two petitions of 600 and 350 signatures are headed “we oppose any proposed convenience shop at 86 Cirencester Road, the hand car wash centre, as it is contrary to the Local Plan Policy CP4, ‘it does not maintain the vitality and viability of the town centre and district and local shopping facilities’.”

**5.5** The Charlton Kings Parish Council has also objected to the proposed development.

**5.6** Due to the volume of comments received from local residents, a copy of all third party representations (including the petition) will be available to view in the Members’ lounge and planning reception at the Council Offices.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

**6.1.1** The key issues in the determination of this application are:-

- The principle of the redevelopment of this brownfield site for retail purposes
- The impact of the proposed development upon the vitality and viability of existing neighbourhood shopping centres
- Traffic, parking and highway safety issues associated with the three proposed retail units
- Delivery and service management of the site
- Impact on the amenity of local residents (particularly those living opposite the site and to the rear) in terms of noise, disturbance and light pollution

### **6.2 Principle of Retail Development**

**6.2.1** This site is currently in commercial use as a hand car wash and has previously been used as a petrol filling station and more recently for car sales and a vehicle workshop. The site serves a useful function and provides a local facility but as a brownfield site within an urban area it is underutilised. In principle therefore, the redevelopment of this site for retail use is acceptable.

**6.2.2** Officers had suggested to the applicant at pre-application stage that a purely residential scheme would be preferable for this site and would provide opportunities for a more vernacular building style which would fit well within its context of neighbouring residential development and would potentially have less impact on the locality in terms of noise and disturbance. However, the applicant has submitted a proposal for retail development and the Council must consider this proposal on its merits. The fact that Officers and local residents consider a residential scheme preferable for this site is not a material consideration in the determination of this application.

### **6.3 Policy Considerations**

- 6.3.1** The following paragraphs should be read in conjunction with both the applicant's retail impact statement (Mango report) and the Council's independent review of this assessment carried out by DPDS Consulting. Both documents are available to view on the Council's website.
- 6.3.2** Policy RT1 of the Local Plan states that retail development will be permitted subject to the availability of suitable sites or buildings which relate to their catchments and sets out the sequence of locations within the borough where retail development should be accommodated, with the order of preference being the Central Shopping Area, Montpellier and High Street West End, elsewhere in the Core Commercial Area, district and neighbourhood shopping centres and then out of centre sites which are accessible by a regular choice of means of transport. Policy CP2 also sets out a sequential approach to the location of all new development which generates a significant number of trips.
- 6.3.3** Policy RT4 states that proposals for retail development within defined boundaries of district and neighbourhood shopping centres will be permitted provided development is appropriate in scale and function to the centre, would not harm the vitality or viability of the town centre as a whole and would not conflict with the movement of through traffic. Policy RT6 states that proposals for new local shopping centres will only be permitted in an area of identified deficiency.
- 6.3.4** Policy RT7 states that retail development will only be permitted outside of defined shopping areas where a need for the additional floorspace has been demonstrated and the proposals would not harm the vitality and viability of the town centre or a district or neighbourhood centre.
- 6.3.5** Policy RT8 relates to proposals for individual convenience stores which are permitted outside of any defined shopping areas subject to a size limitation of 100 sq metres.
- 6.3.6** The policy guidance of the NPPF in relation to retail development continues the long established sequential and impact tests and where proposals fail to comply with these tests the advice is that they should be refused. The threshold for requiring a retail impact assessment is 2,500 sq metres unless there is a locally set threshold in a development plan. The proposed development is well below this threshold and there is no Local Plan policy which sets a local threshold.
- 6.3.7** However, given the proximity of neighbourhood shopping centres to the site, it is reasonable to assume that retail impact will be a material consideration in the determination of this application. The applicant has therefore submitted an impact assessment in support of the application which is discussed in more detail in section 6.4 below.
- 6.3.8** The application site is not within any defined shopping centre and more than 100 sq metres of retail floor space are proposed. The proposed development thus falls to be considered under Policy RT7 of the Local Plan. However, as identified in the DPDS review of the applicant's retail impact assessment, Policy RT7 is not entirely up to date in its reference to 'need' for new retail floorspace. There is no reference to need in the NPPF and DPDS subsequently advise that the Council should not place any great weight on the demonstration of need. However, the remainder of Policy RT7 and consideration of harm to the vitality and viability of an existing centre are consistent with the NPPF and should be afforded due weight.



## **6.4 Retail Impact Assessment**

- 6.4.1** Given the strength of local concern about the potential impact on existing neighbourhood shopping centres and the complexities of assessing this impact, the findings of the DPDS review of the applicant's retail impact statement are outlined in considerable detail in the following paragraphs. For ease, a highlighted summary is provided at the end of the section. Members should also be mindful that, for the purposes of determining this application, an assessment of retail impact upon the existing neighbourhood centres must be made on objective grounds only and emotive, non-material issues put aside.
- 6.4.2** A short addendum to the retail impact assessment was submitted in light of the amended scheme and the removal of the two A3 units. In summary, whilst the gross floor area of the A1 unit has increased from 373 sq metres to 423 sq metres, the proposed net tradeable floor area of the A1 unit has not and remains at 280 sq metres. As such, there is no requirement for further assessment by Mango of the retail impact issues associated with the proposals. Although the Mango report addresses the impact in terms of both the A3 and A1 units, one could argue that the overall trade draw and impact on existing neighbourhood centres will be less given that the A3 units have been removed.
- 6.4.3** As stated above, the main policy issues are the impact of the proposed development on the vitality and viability of identified shopping centres and the availability of sequentially preferable sites.
- 6.4.4** In terms of the sequential test, DPDS have identified that there are no opportunities to accommodate the proposed development in the three nearest neighbourhood centres to the application site; there are no available sites or properties suitable to accommodate a store of this type and size. It is also accepted that the purpose of the proposed development is to provide convenience shopping facilities for the local catchment and therefore any available town centre site could not be considered suitable for this purpose. On this basis, DPDS conclude that it would be unreasonable of the Council to sustain an argument that the proposed development failed to comply with the sequential test.
- 6.4.5** There are three neighbourhood centres within a reasonable travelling distance from the application site; Croft Road/Cirencester Road, Church Street and Lyefield Road West. The nearest, Croft Road, consists of 4 retail units, two of which sell food (Nisa and an independent butcher shop) the other two being a hairdressers and beauty salon. This centre has limited off road parking and street parking. DPDS conclude that the Nisa is a well stocked shop which offers a range and choice of goods which reflect its role within a neighbourhood centre.
- 6.4.6** Church Street centre is larger and offers more facilities, including a Co-op store and there is considerable overlap in catchment areas. Similarly, the Lyefield Road centre has a Budgens store and a range of other retail units, including a post office.
- 6.4.7** Overall, DPDS consider the area well served with local shopping with no significant shortage of shopping facilities for local residents.
- 6.4.8** DPDS has carried out an assessment of the expected turnover figures of the proposed convenience store suggested by Mango and in turn the expected trade draw from existing retail stores in the locality and beyond. Various sales densities have been put forward by Mango to estimate turnover. DPDS have commented on the basis of the higher sales density expected assuming the worst case scenario of a national multiple retail operator occupying this site.
- 6.4.9** Mango's figures for turnover and trade draw are based on the assumption that 80% of the trade of the proposed store would be drawn from Morrison's at Up Hatherley, Sainsbury's in Priory Road, Waitrose and other supermarkets further afield. DPDS has questioned that assumption on the basis that all the above stores are located a long distance from the site

and it is unlikely that top-up shopping from this area is currently taking place from these stores to any great extent. DPDS point to the broad view that like competes with like and the impact of the proposed new store would be felt most by existing local top-up facilities.

- 6.4.10** DPDS do however point out that the proposed store is on a busy main road carrying not only local traffic but traffic from Cheltenham to Cirencester and beyond. DPDS consider that with off road parking also available, a significant proportion of the new store's trade could be expected to come from passer-by traffic. In contrast, the existing centres, given their location and lack of parking opportunities would be expected to generate little turnover from passing traffic. DPDS therefore state that, in comparison with existing local centres, the proposed store would be attractive to local residents travelling by car due to ease of parking and it is reasonable to expect a considerable proportion of the estimated £1.7 m turnover to come from the local centres as well as passer-by traffic.
- 6.4.11** DPDS take into account that not all top-up shopping will take place locally but question Mango's low estimate of top-up shopping expenditure in the local area generally and in particular the Nisa store. DPDS claim that the Mango analysis is not credible and that the impact on the Nisa store would be much greater. This is because Mango have underestimated the likely turnover of the proposal and made unrealistic assumptions about trade draw. DPDS consider that if a national retailer was the end user the impact would be in excess of Mango's worse case 13-15% trade impact estimate. Despite this, Mango's calculations indicate a significant impact on the Nisa store and if you also take into account DPDS's criticisms in their analysis of turnover and trade draw estimates, DPDS consider the closure of the Nisa store likely.
- 6.4.12** The future of the butcher shop is less uncertain. Although some direct competition with the new store would be expected butchers do trade near to small supermarkets and can compete in price and quality. Whilst the butcher shop is likely to lose some turnover, the amount is difficult to estimate since little is known of its trading circumstances.
- 6.4.13** DPDS agree with Mango in that the impact on Budgens and the Co-op would be less and that the closure of these stores is significantly less likely and in the case of the Co-op unlikely.
- 6.4.14** In summary, DPDS conclude that the impact on Church Street and Lyefield Road West neighbourhood centres is unlikely to be sufficient to justify the refusal of planning permission on retail impact grounds. The impact on the Croft Road centre would be severe and the closure of the Nisa store is likely.
- 6.4.15** Whilst the proposed development would therefore be contrary to Policy RT7, DPDS considers that a refusal of planning permission on this basis would not be supported at appeal. DPDS state that the protection of local centres does not generally receive much support at appeal and points out that planning decisions have to be made in the public interest and should not be used to protect private interests. The Croft Road centre consists of 4 private businesses, two of which are unlikely to be affected by the proposed development. DPDS argue that the proposed wider and better range of local shopping facilities afforded by the potential replacement of an existing shop with a better store nearby could be considered to be in the public interest. Of particular relevance is the following comment from DPDS:
- "If the public interest that lies behind the policy to protect neighbourhood centres is to ensure the widespread availability of local shopping facilities, that objective would not be harmed. On the contrary, the proposal could be seen as enabling the modernisation of local facilities and as a refusal as protecting what are essentially private interests"*
- 6.4.16** DPDS conclude that there is no 'qualitative need' for a new convenience store in the area which is already well served by existing facilities. The Policy considerations must focus on the sequential and impact tests recognising that Local Plan Policy is

not wholly up to date in relation to 'need'. The issue of need therefore, should not be given significant weight. The sequential test is largely irrelevant since the aim of the proposal is to serve the local catchments. Town centre locations would be unsuitable for this purpose. Similarly, there are no other suitable sites in the three existing neighbourhood centres.

**6.4.17** Although DPDS are not convinced by Mango's assessment of impact on existing centres, as detailed above, this is tempered by acknowledgment of the difficulties in assessing the trade patterns of independent retailers. However, DPDS conclude that food stores in Church Road and Lyefield Road West centres are unlikely to close as a result of the proposal and any impact on these stores would not warrant refusal of this application.

**6.4.18** The impact on the Croft Road store would however be severe and there would be significant risk that the Nisa store would close. The proposed development is therefore contrary to Policy RT7 (and CP4). However, DPDS argue that the objective of this policy is protected in that if the Nisa store were to close, the public would still have access to local and arguably better shopping facilities. DPDS warn that refusing planning permission on impact grounds could be considered as protecting private interests and would place the Council at considerable risk at appeal.

**6.4.19** Additional information was also requested from the applicant with regard to Mango's estimated turnover figures and an Addendum to both the Mango and DPDS statements has been submitted. The conclusions reached by DPDS remain unaltered despite Mango's suggestion that a Spar or Londis type of store would have less turnover and therefore less impact on existing local centres.

**6.4.20** Officers concur with the conclusions reached by DPDS in respect of the impact of the proposed development on existing neighbourhood shopping centres and do not consider that there is sufficient evidence to be able to put forward a refusal on retail impact grounds and one which Officers consider the Council could substantiate at appeal.

## **6.5 Layout of Proposal**

**6.5.1** The proposed development consists of the demolition of all existing buildings and structures on the site and the erection of a single storey convenience store with a gross internal area of approximately 372 sq metres and a trading area of 280 sq metres. The applicant states that the trading area of the A1 unit may vary depending on the operator and their specific 'back of house' requirements but, in any case, would not exceed 280 sq metres due to Sunday trading restrictions. The Council is also informed that the amount of trading floorspace proposed is typical of a 'local' convenience store operated by one of the larger national supermarket chains.

**6.5.2** To the side/rear of the main store is an enclosed service area with refuse store, cage store, cold store and freezer and staff facilities. External access to this area is provided through a door on the side elevation facing the customer car park. An ATM is also proposed to the left of the shop entrance on Cirencester Road.

**6.5.3** A loading bay is provided at the front of the store with vehicular access from Cirencester Road. Lorries will enter the site from the northern crossover access from Cirencester Road and will exit from the southern access. Vehicular access is not restricted to this loading bay from the north but is restricted by automated bollards at the southern crossover which would be lowered only when deliveries to the site took place. A new, second access onto Cirencester Road (and the possible relocation of a street lamp) is also proposed to allow for servicing to the front of the store. A comprehensive Transport Statement and Delivery Management Plan have been submitted with the application and this is discussed in more detail later in the report.

- 6.5.4** A customer car park with 17 spaces (including 2 disabled) is located at the side of the proposed building adjacent to the parkland and cycle storage for up to six bicycles located outside the customer entrance. Landscaping and replacement walls and boundary treatment are proposed along the west and north boundaries and on the corner at the junction with Bafford Lane. A detailed landscaping scheme incorporating a landscape buffer along the Newcourt Road boundary has been submitted as part of the application.
- 6.5.5** The applicant proposes opening hours from 6:00 to 23:00 hours seven days a week. All operational considerations including delivery and servicing requirements are discussed later in the report.
- 6.5.6** Although there appears to have been much local speculation, the end user of the proposed convenience store has not been identified as part of the application details. Therefore, rumours about any particular store having an interest in this site should not form part of the decision making process and are not a material consideration.

### **6.6 Design and external appearance**

- 6.6.1** The removal of the two A3 units has prompted the architect to re-evaluate the layout and design of the proposed store, notably the relocation of the shop entrance to the corner facing the car park and the back-of house servicing to the rear and less visible part of the site but now easily accessible from the car park. The proposed A1 unit reads as one single storey structure with the southern section articulated and set at a slight angle to the remainder of the building.
- 6.6.2** Whilst the building is fairly uniform in its appearance, the mix of materials proposed and increase in fenestration should add visual interest and break up an otherwise expanse of brickwork. The building incorporates a zinc, overlapping, duo-pitched roof with predominantly brick facing walls with rough faced natural stone detailing on the end south elevation and part rendered side and rear elevations. Stone mullions have been introduced on the front elevation to add interest and attempt to reflect the proportions of the bay windows of the houses opposite.
- 6.6.3** The main store is otherwise fully glazed beneath a fascia fronting Cirencester Road but with this increase in fenestration the shop front is considered generally more active with views into the store. A 300mm course of blue engineering brick runs along the bottom of the entire building below DPC level and continues at the rear of the site to form a higher retaining wall. A new Cotswold stone wall is proposed along the boundary with Newcourt Road which wraps around the corner of the site at the junction with Bafford Lane.
- 6.6.4** The building is approximately 5.5 metres in height when measured to the ridge (3.7 eaves height) but with a slight step down in height at the rear facing Newcourt Road (4 metres when measured from car park level). The buildings are described in the architect's Design Development Statement as "a more contemporary aesthetic, utilising high quality materials ...a contemporary appearance, but will look familiar in the context in terms of form, scale and materials'.
- 6.6.5** The staggered building line on the Cirencester Road breaks up the mass of the building. The corner of the site is exposed and allows for some landscaping which should soften the built form with the trees along the north boundary continuing to provide a beneficial green visual buffer between the proposed car park and store and open parkland beyond.
- 6.6.6** The scheme as originally submitted was not that dissimilar in design, basic form, position on the plot and use of materials but included a flat, concealed membrane roof over the entire building and timber cladding detail. Many of the local objectors commented that this flat roof was contextually inappropriate. Officers consider that a flat roof on an acceptably designed building of the size and footprint is appropriate. To span a building of this depth would normally necessitate a high pitched roof (or alternative contrived roof form),

increasing the overall scale and bulk of the building and hence would dominate the building and appear prominent in the street scene. However, the proposed duo-pitched roof is considered both an improvement on the previous flat roof and is achieved without significantly increasing the overall height and bulk of the building. There have been no specific comments in relation to the proposed zinc roof following the second public consultation exercise.

- 6.6.7** Although the extent of built form along the west boundary will increase, the building height here is single storey and the sunken lane characteristics of Newcourt Road should be largely protected. A new retaining wall and planting is proposed along the west boundary and similarly a low stone wall along the north boundary with the park.
- 6.6.8** The Council's Landscape Architect has concerns about the use and extent of blue engineering brick along the Newcourt Road boundary. Engineering brick is normally used for retaining wall structures but the colour of the brick could be easily amended and approved via planning condition. This would improve the visual amenities and rural feel of Newcourt Road.
- 6.6.9** The Architects' Panel has commented on the revised scheme and considers the proposed building *'a very basic – almost crude – cranked, single storey brick shed with attached, flat roofed outbuildings'*. The Panel also felt *'that the material palette was over fussy, particularly with the unnecessary introduction of rusticated Cotswold Stone – simpler render would probably work better'*. There was also concern about the windows being covered with garish posters.
- 6.6.10** Firstly, the 'pre-application' drawings to which the Architects' Panel refer to in their comments relate to an earlier set of revised drawings submitted for discussion only but were presented to the Panel for their thoughts on the overall design concept. This scheme incorporated a tilted 'drum' element on the southern end of the site set much higher than the remainder of the mono-pitch zinc roofed building. Although the comments of the Panel were complimentary on many aspects of the revised scheme and not overly negative, the applicant chose not to pursue the 'drum' concept but adopt a more familiar contemporary approach to the proposed design.
- 6.6.11** Officers consider the comments from the Architects Panel perhaps a little too harsh. The use of stone detailing and recessed and exposed panelling on the front, side and rear elevations breaks up an otherwise expanse of brick work and render. There is some use of Cotswold stone within the locality and at the rear of the site and the proposed new and replacement side and rear boundary walls are proposed as stone walls. The duo-pitch standing seam zinc roof is commonly used in commercial buildings and mimics the traditional slate roofs of neighbouring development. The pitched roof form is considered an improvement on the previous flat roof; it adds interest and reduces the impression of bulk.
- 6.6.12** The relocated store entrance under a canopy is welcomed and reduces the potential for pedestrian/vehicular conflict during deliveries. The content and number of advertising panels occupying the glazing on the front elevation will require advertisement consent and could be adequately controlled. Similarly, the amount of opaque glazing proposed could be reconsidered to enable clearer views through the shopfront into the sales area. The internal layout of the store, although not a material consideration of this application, could be easily configured to prevent unsightly racks being positioned against windows.
- 6.6.13** Although Officers consider the scheme acceptable in its current form, the Panel's comments in relation to the roof/eaves overhang, articulation of the entrance and location of cycle racks are valid considerations. These are design details which could improve the overall appearance of the scheme and would be subject to approval via a suitably worded planning condition.

- 6.6.14** Notwithstanding the above comments, with careful consideration of quality, durability and how the individual elements of the proposed materials would work together, the scheme should deliver a building of acceptable and good quality appearance. Similarly, the approval of the detail of the proposed materials and fenestration could be satisfactorily dealt with via planning condition.
- 6.6.15** Whilst the proposed building is modern, functional but not remarkable in its appearance, Officers consider the overall layout and design satisfactory and the proposed buildings should sit comfortably on what is an awkward shaped site which tapers to the south. In comparison with the original proposals, the revised scheme offers improvements in architectural detailing, choice of materials and the way the building addresses the street.
- 6.6.16** Whilst the site would be more developed in terms of built form than the existing scenario, the proposed development should not appear prominent in the street scene when approaching from either direction. As such the proposed development adheres to Policy CP7 of the Local Plan.

### **6.7 Access and highway issues**

- 6.7.1** The application site is located on Cirencester Road (B435) which is a classified road and one of main arterial routes into and out of Cheltenham. The proposed development would generate a significant number of vehicular movements to and from the site on a daily basis. There are 17 customer car parking spaces provided on site and include disabled parking facilities. Cycle parking is also provided outside the main shop entrance.
- 6.7.2** An off road loading bay is provided at the front of the store which will be accessed from Cirencester Road. This servicing and loading bay will be used only by delivery and service vehicles and not for customer parking. To prevent indiscriminate parking and reduce pedestrian/vehicular conflict during deliveries, this area would be controlled via bollards placed at its southern entrance and road markings on the northern entrance to the loading bay. The bollards would be lowered only when a delivery vehicle needed to leave the site.
- 6.7.3** The original scheme proposed a similar loading bay at the front of the shore but delivery vehicles were restricted to entering the site from the south on Cirencester Road and leaving from the north. The amended scheme proposes a switch in direction with delivery vehicles now proposed to enter the site from the northern access and leave the site from the south. Deliveries will then be made either via the main shop entrance or the side service door. A revised vehicular tracking diagram and amended Transport Statement have also been submitted to illustrate the feasibility of this approach.
- 6.7.4** There has been lengthy and detailed discussion between the County Highways Officer and the applicant's highway consultant in relation to the highway issues associated with the proposed development. A number of surveys and further analysis on pedestrian safety and accumulated parking estimates have also been undertaken.
- 6.7.5** In consultation with Officers and the County Council, the applicant has also submitted a Delivery Management Plan (DMP) which would form part of any planning approval for this site. This document seeks to control and manage all retail and service deliveries to the site in a manner which should prevent the parking or waiting of delivery vehicles on the public highway and deliveries taking place directly from Cirencester Road, Newcourt Road or Bafford Lane. Any breach of the requirements of the DMP would potentially result in a breach of condition notice being served on the user of the site and appropriate enforcement action being taken. The DMP would apply to the end user of this site and any subsequent A1 user of the site, in perpetuity.
- 6.7.6** The DMP also includes reference to delivery times (in accordance with the suggested conditions relating to opening hours and delivery times), a warning system alerting the store of the arrival of a delivery vehicle, restrictions on the size of vehicles delivering to the site,

the need to switch engines off when deliveries take place, careful use of tail lifts to reduce noise disturbance and the use of rubber wheel cages. School drop off and pick up times would also be avoided.

- 6.7.7** To minimise HGV movements to the site, all waste products from the store will be removed in the returning delivery vehicle. General refuse will be collected from the store once a week. All cages and other storage units will be contained in the back of house area and will at no time be left in the delivery bay or customer car park. Importantly, third party suppliers will be informed in advance of the DMP.
- 6.7.8** The Noise Impact Assessment has also been reviewed in light of the DMP and amended layout. Tested against the worst case scenario of HGV vehicles arriving between 06.00 and 07.00 am, the assessment indicates that proposed delivery vehicle movement noise levels are likely to have an insignificant effect on the existing ambient noise levels at the adjacent residential properties.
- 6.7.9** Further information was also requested in relation to parking accumulation and the layout and usability of some of the parking spaces. These issues are now largely resolved following the removal of the A3 units and resultant increase in the customer car park and more efficient use of space. The relocation of the customer entrance to face the car park should also reduce the potential for pedestrian/vehicular conflict in the loading bay area. It should also encourage the use of the car park in line with customer parking habits. The width of the service door has also been widened to allow easy manoeuvre of refuse bins and cages to the back of the store.
- 6.7.10** The Highways Officer considers the revised layout of the building and the location of the loading bay acceptable. The revised positioning and removal of bollards is also acceptable and should ensure that a vehicle is never waiting on Cirencester Road for the bollards to be lowered due to operator error or malfunction. The minimal use of bollards at pavement edge is deemed necessary to prevent private cars using the loading bay.
- 6.7.11** There have been concerns however, about the switch in direction with delivery vehicles now proposed to enter the site from the northern access and leave the site from the south. This is a fundamental change from the discussions and general agreement that had taken place prior to the submission of the revised scheme in May. The Highways Officer has assessed the implications of delivery vehicles on Cirencester Road waiting to cross the north bound carriageway and pedestrian/vehicular conflict at the Northern Cross over into the site opposite the shop entrance. In conjunction with the DMP, he is satisfied that servicing will operate safely and efficiently to ensure that pedestrians using the site will be unaffected and deliveries will not take place from the adjacent highway.
- 6.7.12** There are also issues relating to existing pedestrian infrastructure (crossings/desire lines etc) within the vicinity of the site and its capabilities of accommodating the likely increase in pedestrian flows. The location of a suitable crossing point/build-out facility immediately outside the proposed store and reducing the junction width of Bafford Lane/Newcourt Road plus tactile provision have been explored by the County Highway Development Management Team. They consider that pedestrian permeability can be improved by narrowing the junction width of Newcourt Road with Cirencester Road and an additional build out facility can be created on the southern radii of this junction. The Highway Officer's full consultation response will be available as an update.
- 6.7.13** The layout and level of car parking on the site is considered to accommodate for the majority of users of the proposed development. Although impossible to prevent all indiscriminate parking on the highway, the proposed layout should be attractive to customers and as attractive as parking on the street (which is always difficult in this location). Notwithstanding these comments, GCC is seeking a financial contribution from the applicant to control future parking abuse (i.e. waiting restrictions, street furniture).

- 6.7.14** The Highways Officer has also considered the previous uses of the site (the fall back position). The petrol filling station would have generated significant vehicular trips accessing the site at two points with frequent serving and deliveries to the underground fuel stores. The ancillary shop would also likely have generated non-car trips. The applicant's vehicular trip analysis concluded that the proposed development would result in less daily vehicular traffic when compared with the previous petrol filling station. The Highways Officer considers this a key factor in determining the degree of impact of the proposed use; the result being a positive impact on highway safety and capacity.
- 6.7.15** In conclusion and with regard to the previous uses of the site, the highway authority considers that the cumulative impact of the proposed development will not be severe and safe and suitable access can be provided. No highway objection is raised subject to conditions and the applicant entering into a legal agreement to ensure the provision of necessary highway works.

### **6.8 Impact on neighbouring property**

- 6.8.1** The site is currently used by a hand car wash facility which uses a jet washing operating system. The car wash operates seven days a week although opening hours are restricted to reduce noise and disturbance to local residents (09:00 to 18:00 hours Monday to Saturday and 10:00 to 14:00 hours on Sundays and Bank Holidays). One cannot argue that this use does not generate noise. The previous use of the site as a petrol filling station, a car workshop and for car sales would also have generated a certain level of daily vehicular movement, customer activity and noise and disturbance to local residents. Fundamentally, this is a brownfield site, on a busy road and currently in commercial use. Therefore, the proposed commercial use of the site must be considered acceptable in principle.
- 6.8.2** What does need to be assessed however, is the potential increase in noise and disturbance likely to be generated by the proposed convenience store and the impact of that increase upon the amenities of occupiers of neighbouring properties. The potential for noise would come from deliveries to the site, the use of the adjoining car park, the ATM, plant and ventilation equipment and the daily pedestrian activity on the site. There are also issues of light pollution to consider.
- 6.8.3** The majority of the concerns raised by local residents (in addition to the 'need' for this store) relate to noise and disturbance and the potential problems associated with delivery vehicles.
- 6.8.4** In consultation with the Council's Environmental Health Officer, Officers recommend that the opening hours are reduced slightly to that proposed by the applicant. To reduce the potential for noise and disturbance to local residents, particularly those living opposite the site, the suggested opening hours of the store are between 07:00 to 11:00 Monday to Saturday and 7:30 to 10:30 on Sundays and Bank holidays. These times are not dissimilar to those of other small local supermarkets and convenience stores across the County although many do open at 6:00. Given the proximity of residential properties and the site's out of town location, Officers consider this later opening restriction reasonable and appropriate.
- 6.8.5** Deliveries to the site would only be permitted to take place between 07:00 and 19:00 hours Monday to Friday, 08:00 and 18:00 Saturday and 08:00 and 10:00 and 14:00 on Sunday and Bank holidays. The applicant anticipates that there would be one, possibly two main deliveries each day. Newspaper deliveries would be allowed outside of these hours but not before 06:00 hours.
- 6.8.6** The Delivery Management Plan has been amended to include specific reference to the opening and delivery times of the store. The remaining stipulations of the DMP should further reduce the potential for noise break out; there are controls, for example, relating to the cage stores and delivery vehicle engines.



- 6.8.7** The Environmental Health Officer has assessed the 'Environmental Noise Survey and Noise Assessment Report' submitted by the applicant. This report considers, inter alia, estimated plant noise emission, vehicular noise measurements (from both the car park and delivery vehicles) and an overall delivery and customer noise impact assessment. She has no concerns about impact on nearby residential properties, particularly those opposite the site and the bungalow at the rear, subject to a number of conditions being imposed which relate to opening and delivery hours and the approval of ventilation/refrigeration equipment.
- 6.8.8** The totem sign initially proposed at the entrance to the site nearest to the parkland has been removed from the scheme. A condition has also been added to ensure that future signage and illumination of signs and adverts is kept to a minimum to reduce the potential for light glare. There is also a condition relating to the approval of lighting within the car park and security lights across the site. Members should note that all advertisements and signage would be subject to a separate application for advertisement consent. Anything shown on the submitted drawings is indicative only.
- 6.8.9** With all the above restrictions in place and accompanied by the Delivery Management Plan, Officers consider that there should be no significant harm to the amenities of occupiers of nearby properties caused by deliveries and the use of all the store's facilities and car park. What is proposed is a convenience store/small supermarket which would not require the level of deliveries and servicing normally associated with the larger supermarkets. One main delivery each day should not cause significant harm to amenity. Similarly, the use of the customer car park throughout the day should not generate noise disturbance significantly above the level of noise of existing traffic on Cirencester Road.
- 6.8.10** As stated previously, the site is currently in commercial use and the existing car wash business generates noise on a daily basis alongside vehicular movements and general activity on the site. This site is located adjacent to a busy arterial road with a considerable and constant flow of traffic which also generates noise. One should also bear in mind the other fall back situation of this site again being used as a petrol filling station which could also include a retail element.
- 6.8.11** Particular regard has been paid to the effect of the proposed development upon the amenities and living conditions of those living directly opposite the site, especially in relation to the potential for early morning deliveries to the site. However, on balance Officers consider that any noise and disturbance and subsequent harm to amenity generated by the proposed convenience store should be no worse than that caused by the current use of the site as a car wash facility and the location adjacent to a busy road. Although the characteristics and activity on the site would differ with an A1 use, any harm caused would not be significant enough to warrant refusal of the proposed development. The proposed development therefore adheres to Policy CP4 of the Local Plan.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** The application site is a former petrol filling station and currently used as a hand car wash facility. The site serves a useful function and provides a beneficial service to the local community but as a brownfield site within an urban area it is underutilised and generally detracts from the character and appearance of the locality.
- 7.2** Given that the site is currently in commercial use, the proposed redevelopment of the site for retail purposes is considered acceptable in principle. Any preference for residential development on this site should not be a material consideration.
- 7.3** Officers are aware of the extent of local opposition to this convenience store and the majority of comments focus on the lack of 'need' for another small supermarket within the

Charlton Kings catchment and the impact that a new store would have on existing shops and services. Given the proximity of three Neighbourhood Shopping Centres the Council sought an independent review of the applicant's Retail Impact Assessment.

- 7.4** The appointed Consultants, DPDS, have assessed the proposed development in terms of both need and impact and with reference to the Development Plan and National Planning Policy Guidance. Although DPDS conclude that there is no 'qualitative need' for a new convenience store in the area which is already well served by existing facilities, they clearly point out that Policy RT7 of the Local Plan is not up to date in its reference to 'need' for new retail floorspace. Importantly, there is no reference to 'need' in the NPPF and DPDS subsequently advise that the Council should not place any great weight on the demonstration of need. However, consideration of the sequential tests and harm to the vitality and viability of an existing centre are consistent with the NPPF and should be afforded due weight.
- 7.5** DPDS conclude that the impact on the Croft Road Nisa store would be severe and there would be significant risk that this shop would close. The proposed development is therefore contrary to Policy RT7. However, DPDS argue that the objective of this policy is protected in that if the Nisa store were to close, the public would still have access to local and arguably better shopping facilities. DPDS warn that refusing planning permission on impact grounds could be considered as protecting private interests and would place the Council at considerable risk at appeal.
- 7.5.1** With regard to the previous uses of the site, the highway authority considers that the cumulative impact of the proposed development will not be severe and safe and suitable access and adequate parking can be provided. The DMP should ensure that all servicing and deliveries to the site will operate safely and not from the adjacent highway. No highway objection is raised subject to conditions and the applicant entering into a legal agreement to ensure the provision of necessary highway works.
- 7.6** An A1 unit on this site would certainly generate noise and activity associated with customers visiting the site and deliveries. However, consideration of loss of amenity to the occupiers of neighbouring properties must focus on whether the harm caused would be significant and severe enough to warrant refusal of the proposed development.
- 7.7** The existing car wash facility generates noise and vehicular movements to and from the site on a daily basis. Cirencester Road is a busy road and traffic flow also generates considerable noise. Officers argue that any noise and disturbance generated by a convenience store should not be any worse than the current scenario. In consultation with the Council's Environmental Health Officer, opening hours and deliveries would be restricted to minimise early morning disturbance and the end user of the site would need to adhere to the Delivery Management Plan which would form part of any planning approval.
- 7.8** Following careful consideration of all the issues (particularly those relating to amenity) and with regard to the strength of local opposition to this scheme, Officers have no overriding objection to the proposed development in terms of the principle of a retail use on this site, loss of amenity to the locality, impact on existing neighbourhood centres, design and layout and highway safety.
- 7.9** It is therefore recommended that planning permission be granted subject to conditions and the applicant entering into a legal agreement with the County Council to ensure the provision of necessary highway works.
- 7.10** A full list of conditions will follow as an Update.

<b>APPLICATION NO:</b> 13/02174/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th January 2014		<b>DATE OF EXPIRY:</b> 5th March 2014
<b>WARD:</b> Charlton Park		<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	CTC (Gloucester) Ltd	
<b>AGENT:</b>	Hunter Page Planning	
<b>LOCATION:</b>	86 Cirencester Road Charlton Kings Cheltenham	
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. A full list of conditions is included at the end of this report.
- 1.2. For the avoidance of doubt, Members should be aware of a couple of drafting errors in the Officer's Report circulated last week. Cirencester Road is inaccurately referred to as the B435 instead of the A435. Both Planning Officers and the Highway Officer have been fully aware of the road's status during the consideration of the proposed development.
- 1.3. The opening hours of the car wash business currently on site were inaccurately quoted (they refer to the hours proposed by the applicant when planning permission was first sought). The approved hours of opening of the car wash are 09:00 to 18:00 Monday to Saturday and 10:00 to 14:00 on Sundays and Bank Holidays. Again, these restricted opening hours were known by both the Environmental Health Officer and Planning Officers during consideration of the proposed development.
- 1.4. The Council has also received a number of additional third party representations since the Committee Schedule was published and these are attached.
- 1.5. In response to some of the more recent comments and concerns raised by local residents, the applicant has submitted a Technical Note regarding the switch in direction for deliveries to the site. This Note also indicates that the layout of the proposed store will enable deliveries to take place in either direction should problems arise with a southern approach. This document is available to view on public access.
- 1.6. At the request of the County Highways Officer a swept path analysis/tracking diagram has also been submitted which shows the HGV cab position coinciding with the visibility envelope at the egress point for either a north or south exit from the site. This diagram will be displayed at Committee but is also available to view on public access.
- 1.7. Members will also be aware of a suggestion from one local resident to have a lorry parked on the site for Members to assess to visibility from the driver's position at the southern egress point. The County Highway Officer is satisfied that there would be adequate visibility from the southern access and therefore a lorry on site would not alter his assessment of the proposed development or his recommendation.
- 1.8. The applicant has also provided written confirmation and assurance from their appointed Environmental Consultants that the equipment used during the noise survey carried out earlier this year does not appear to have been tampered with or damaged, as reported by local residents. They have reviewed the data and can confirm that based on the survey results, the measurement position does not appear to have been obstructed and there

was no evidence of any obstruction or tampering when the equipment was collected. This equipment was also positioned approximately 5 metres above ground level and was locked for the duration of the survey. This letter is also attached.

## 2. CONDITIONS/INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 655 01655 08 Rev U, 655 13 Rev J, 655 12 Rev K, 655 17 Rev B, 655 18, 483 02 Rev d received 19th December 2013, 15th May 2014, 6th June 2014 and 9th June 2014.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 The development hereby approved and all deliveries and servicing of the development hereby permitted shall be carried out in strict accordance with the 'Delivery Management Plan 13-00234/DMP/01/Rev E June 2014' received by the Council on 6th June 2014, unless otherwise agreed in writing by the Local Planning Authority. Should any variation of the Delivery Management Plan (DMP) be deemed necessary, then the applicant or current occupier of the development hereby approved shall submit a revised DMP to be approved in writing by the Local Planning Authority. The development hereby permitted and all deliveries and servicing of the development hereby permitted shall thereafter be carried out in strict accordance with the revised approved DMP.  
Reason: To ensure the development and all deliveries and servicing of the site are carried out in strict accordance with the approved Delivery Management Plan in the interests of highway safety and to protect local amenity, in accordance with Policies TP1 and CP4 of the Local Plan.
- 4 The development hereby approved shall not commence on site until the following condition has been complied with and satisfactorily agreed, in writing, by the Local Planning Authority.

### i) Site characterisation

A site investigation and risk assessment should be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report must include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to:
  - human health
  - property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
  - adjoining land
  - ecological systems
  - groundwaters and surface water
  - archaeological sites and ancient monuments

- c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'

### ii) Submission of a remediation scheme

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use should be produced and will be subject to the approval, in writing, by the Local Planning Authority prior to implementation. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

### iii) Implementation of approved remediation scheme

Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of the development, other than that required to carry out remediation. Following completion of measures identified in any approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval, in writing, by the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination until section (iv) has been complied with in relation to that contamination.

### iv) Reporting of unexpected contamination

In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with section i) and a remediation scheme submitted in accordance with section ii). Following completion of measures identified in the approved remediation scheme, a verification report must be produced in accordance with section (iii).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy NE4 relating to development on contaminated land.

- 5 Prior to commencement of development full details of the proposed vehicular accesses and layout of the proposed delivery bay shall be submitted to and approved by the Local Planning Authority and prior to the first beneficial occupation of the development they shall be completed in all respects in accordance with details approved under this condition and shall be retained as such thereafter.  
Reason: To minimize hazards and ensure a safe and suitable means of access for all users of the development hereby approved in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 6 Prior to the first occupation of the development, the car parking area shall be completed and marked out in accordance with the approved plan(s). The car parking area shall thereafter be retained in accordance with the approved plans and kept available for use as car parking.

Reason: To ensure adequate car parking within the curtilage of the site in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 7 Prior to the commencement of development a phasing programme for the development hereby approved shall be submitted to and approved in writing by the local planning authority and the local highway authority. This phasing programme will need to ensure that the highway authority can implement highway works prior to the beneficial opening of the retail unit hereby approved.

Reason: To minimize hazards and ensure a safe and suitable means of access for all users of the development hereby approved in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 8 Prior to the commencement of any development on the site, including any works of demolition, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall provide for and include the following information:-

- a) the parking of site operatives' and visitor's vehicles
- b) the type and number of vehicles expected to occupy the site during the development phases (including demolition)
- c) the means of loading and unloading plant and materials
- d) the areas on site to be used for the storage of plant and materials used in construction and any resultant materials from demolition works
- e) wheel washing facilities
- f) access routes into and out of the site of all construction operations and vehicles
- g) measures to control the emission of dust and dirt during construction and demolition

The provisions of the approved statement shall be adhered to throughout the construction and demolition phases of the development.

Reason: To provide safe access to site during the construction period in accordance with Policy TP1 of the Local Plan.

- 9 The cycle parking provision shown on the approved plans shall be completed prior to the first occupation of the development and thereafter kept free of obstruction and available for the parking of cycles only.

Reason: To ensure adequate provision and availability of cycle parking in accordance with Local Plan Policy TP6 relating to parking provision in development.

- 10 Notwithstanding the submitted details, prior to the commencement of development, the design and details (including materials and finishes) of the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. the main shop entrance, canopy and supporting posts, fascia detail and glazing
- ii. eaves, soffit and parapet detail
- iii. windows, doors and shopfront glazing panels (including reveals, cills and any obscure glass)
- iv. stone panelling to glazing surrounds and stone banding detail
- v. rainwater goods
- vi. vents, flues and any other pipework
- vii. bollards and any other street furniture
- viii. security lighting and all external light fittings installed within the curtilage of the application site
- ix. bicycle stands

The design and details shall be accompanied by elevations and section drawings where considered necessary by the Local Planning Authority. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3, CP4 and CP7 relating to sustainable environment, safe and sustainable living and design, and national guidance set out within the National Planning Policy Framework. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

- 11 Prior to the commencement of development, a detailed scheme for boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and the boundary walls, fences or other means of enclosure shall be erected before the development hereby permitted is first occupied.

Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policy CP7 relating to design.

- 12 Prior to the commencement of development, samples of the proposed facing and roofing materials and boundary and retaining wall materials, including a sample panel of the stone walling on the proposed south elevation, shall be submitted to and approved in writing by the Local Planning Authority. The materials used in the development shall be in accordance with the samples so approved.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 13 Prior to the commencement of development, plans detailing the specification and location of all hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. All new hard surfacing areas shall be formed from permeable materials or provision shall be made to direct run-off from the hard surface to a permeable or porous area (soakaway) within the site.

Reason: To maximise the absorption of rainfall on site in accordance with Local Plan Policy CP1 relating to sustainable development.

- 14 Prior to the commencement of development, a detailed scheme for landscaping, tree and/or shrub planting and associated hard surfacing (which should be permeable or drain to a permeable area) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or completion of the development, whichever is the sooner.

Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7 relating to sustainable development and design.

- 15 Prior to the commencement of any works of demolition or construction a Method Statement detailing the control of noise, dust, vibration and any other nuisances arising from works of construction and demolition (including the methods for storage, removal and/or recycling of waste/salvaged materials) shall be submitted to and approved in writing by the Local Planning Authority. The statement should also include controls on noise and nuisance from construction and delivery vehicles operating at and accessing the site from the public highway.

Reason: To protect the amenity of the residents in nearby residential properties in accordance with Policy CP4 of the Local Plan.

- 16 All works relating to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the residents in nearby residential properties in accordance with Policy CP4 of the Local Plan.

- 17 Prior to the commencement of development, the end user of the proposed A1 unit (and any subsequent user(s)) of the unit) shall submit a waste management plan which shall be approved in writing by the Local Planning Authority. The plan shall provide details of where the waste and recycling for all units will be stored, the proposed means of collection and the methods the waste collection contractor will adopt in reducing the impact from noise on nearby residential premises. The provisions of the approved waste management plan shall be implemented upon the proposed retail unit being first open to customers and thereafter implemented for the duration of the use.  
Reason: To protect the amenity of the residents in nearby residential properties in accordance with Policy CP4 of the Local Plan.
- 18 All deliveries to the site (including the collection of waste) shall only take place between the hours of 07:00 and 19:00 Monday to Friday, 08:00 and 18:00 Saturdays, 10:00 and 14:00 Sundays and Bank Holidays.  
Reason: To protect the amenity of the residents in nearby residential properties in accordance with Policy CP4 of the Local Plan.
- 19 The use hereby permitted shall only be open to customers between the hours of 07:00 to 23:00 Monday to Saturday, 07:30 to 22:30 on Sundays and Bank Holidays.  
Reason: To protect the amenity of the residents in nearby residential properties in accordance with Policy CP4 of the Local Plan.
- 20 The proposed ATM shall operate in silent mode outside the hours of 08:00 to 22:00.  
Reason: To protect the amenity of the residents in nearby residential properties in accordance with Policy CP4 of the Local Plan.
- 21 Prior to the commencement of the use hereby permitted, details of the means of ventilation and extraction from air conditioning plant, chiller and refrigeration systems and the dispersal of cooking smells/fumes, including details of method of construction, odour control measures, noise levels, its appearance and finish shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and the store is open to customers and maintained in strict accordance with the manufacturer's and installer's instructions thereafter.  
Reason: These details need careful consideration and formal approval to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 22 The total noise generated from all items of plant and extraction and ventilation equipment associated with the use hereby permitted shall be controlled to the extent that the rating level (in accordance with BS 4142: 1997) as measured or calculated at 1m from the façade of the nearest noise sensitive premises shall not exceed a level of 5dB below the existing LA90 background level with no tonal element to the plant. This control shall be demonstrated by a noise assessment which shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any plant of extraction/ventilation equipment. Should any changes be made to the building or the plant and equipment serving it, the detail of these alterations shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The plant and extraction/ventilation equipment shall be installed and thereafter operated strictly in accordance with the approved details.  
Reason: These details need careful consideration and formal approval to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 23 Prior to the commencement of development, the surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems



(SUDS). This shall include a maintenance strategy and full details (including calculations) shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.

Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.

- 24 Any works taking place in the root protection area shall be carried out by hand and no roots over 25mm shall be severed without the advice of a qualified arboriculturalist or without the written consent of the Local Planning Authority'.

Reason: To safeguard the retained/protected tree(s) in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 25 Tree protective fencing shall be installed in accordance with the specifications set out within the Arboricultural Report dated December 2013 and Drawing Number CC TP1. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 26 All sequencing and detail of works taking place on site (including demolition and site clearance) shall take place in accordance with the Method Statement within the Arboricultural Report dated December 2013.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

### INFORMATIVES :-

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, the authority sought revisions to the detail of design, landscaping enhancement, boundary treatment, removal of signage, and additional information on highway delivery management and noise emissions.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The complete extraction system serving the unit should be designed and commissioned by competent specialist engineers. The design of air pollution control equipment should be based on peak load conditions, i.e. the worst case scenario.

The scheme shall include the following:

- Full details of the system layout
  - Housing of filters, motor and fan inside the building where possible
  - Integrated grease baffle filters
  - Suitable odour treatment plant to render the exhaust odourless at nearby residential property
  - Specification of a motor and axial fan with variable speed controller
  - An acoustic report detailing the predicted noise levels from the extraction equipment as they affect nearby residential properties.
  - Circular section ducting preferred with a minimum of bends
  - High level exhaust point fitted with a vertical discharge cowl that achieves maximum efflux velocity. This shall be at least 1 metre above roof ridge level of the host building
- 3     Given the proximity of neighbouring residential development, the number and size of fascia signs and other signage, graphics and advertisements and the level and amount of illuminated signage on the shop frontages should all be kept to a minimum.
- 4     Should a survey of the existing building (prior to the commencement of any works on site) indicate the presence of asbestos containing materials, the demolition of the building will need to be undertaken in accordance with the legislation surrounding asbestos removal and the demolition of buildings containing asbestos and the waste disposed of in a legally compliant manner.

<b>APPLICATION NO:</b> 13/02174/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th January 2014		<b>DATE OF EXPIRY:</b> 5th March 2014
<b>WARD:</b> Charlton Park		<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	CTC (Gloucester) Ltd	
<b>AGENT:</b>	Hunter Page Planning	
<b>LOCATION:</b>	86 Cirencester Road Charlton Kings Cheltenham	
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. The decision has been taken to defer the above planning application and remove it from the Schedule for discussion at the Planning Committee meeting of Thursday 19th June.
- 1.2. Having reviewed the revised layout of the proposed delivery bay at the front of the store, the County Highways Officer has concerns about HGV driver visibility at the southern egress point.
- 1.3. The Highways Officer (Mark Power) has revisited the site this week and met with a local resident. The visibility problem identified is an HGV driver potentially having difficulty in seeing traffic approaching on the southbound carriageway i.e. cars travelling towards Cirencester.
- 1.4. The problem identified may necessitate a switch in direction of delivery vehicles with all servicing and deliveries taking place from the south bound direction only. This goes back to the original proposal and, in principle is likely to be acceptable in terms of highway safety. However, given the many sensitive and complex issues associated with this application, which includes traffic and access considerations, it is felt that time should be allowed for all Officers to fully assess both the current proposed delivery arrangement and the proposed alternative and to carry out any necessary additional survey work in relation to the two access points
- 1.5. Members and local residents would also have sight of any amended drawings and Delivery Management Plan and an opportunity to comment on these in writing.

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<b>APPLICATION NO: 13/02174/FUL</b>		<b>OFFICER: Mrs Lucy White</b>
<b>DATE REGISTERED:</b> 8th January 2014		<b>DATE OF EXPIRY :</b> 5th March 2014
<b>WARD:</b> Charlton Park		<b>PARISH:</b> CHARLK
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<b>LOCATION:</b>	86 Cirencester Road, Charlton Kings, Cheltenham	
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)	

## REPRESENTATIONS

Number of contributors	<b>121</b>
Number of objections	<b>118</b>
Number of representations	<b>1</b>
Number of supporting	<b>2</b>

**Please note, the figures above refer to the total number of representations received. Those received as a result of the public consultation exercise, following receipt of revised drawings and associated on documents on 26<sup>th</sup> June, have been listed separately, together with the planning officer's updated report. The representations listed below were received before that date and were circulated with the officer report in June.**

130 Horsefair Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8JT

**Comments:** 3rd February 2014  
I strongly object to this proposal.

We already have three convenience stores within 5 minutes of the location that are well established within the community; we do not need another.

Parking and traffic around the area is already a problem which will be exacerbated by this proposal.

We do not need any additional retail units: the community is already well served by local shops and businesses and we risk drawing business away from them.

Charlton Kings is a vibrant community, well served by existing retail businesses, and I believe this application will damage this.

**Comments:** 16th June 2014

As others have stated in these comments, this application runs contrary to stated planning strategy & objectives for the area and I strongly object to the proposal.

The area is already well served by shops and convenience stores which are better located to serve the needs of the community.

Taking away trade from the centre of the village will have a negative impact on what has become a thriving community centred on the library and community hall, and the shops at the corner of Lyefield Road.

In my view the proposed development offers no advantages to the residents of Charlton Kings, but many disadvantages in terms of noise, traffic as documented in other comments, and most importantly in the impact to businesses and services already operating within the Charlton Kings community.

From the letter and comments submitted, and through talking to friends and neighbours the community is strongly against this proposed development, and I hope that this is taken into account when considering this application, and I hope that the application despite the minor amendments made will be rejected.

21 Beeches Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8NG

**Comments:** 4th February 2014  
Letter attached.

11 Branch Hill Rise  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 9HN

**Comments:** 4th February 2014  
Letter attached.

**Comments:** 13th June 2014  
Letter attached.

The Brick House  
Charlton Drive  
Cheltenham  
Gloucestershire  
GL53 8ES

**Comments:** 3rd February 2014

I wish to urge the Council to refuse permission for the proposed supermarket on the site of the present hand car wash, Cirencester Road.

Charlton Kings is already well served with regard to supermarkets and the building of a chain supermarket branch would be extremely detrimental to these businesses, especially to the owner of the Nisa franchise almost opposite the proposed development. We should encourage private enterprise, not kill it.

We need more housing, not more food outlets, so why not build more than the proposed two houses on this site? I am in favour of building houses on the site of the Little Owl.

Pippins  
Newcourt Road  
Cheltenham  
Gloucestershire  
GL53 9AZ

**Comments:** 30th January 2014  
Letter attached.

4 Newcourt Park  
Cheltenham  
Gloucestershire  
GL53 9AY

**Comments:** 30th January 2014  
Letter attached.

**Comments:** 9th June 2014  
Letter attached.

17 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 3rd February 2014

I wish to object to this application for several important reasons. Emerging on to the Cirencester Road from Newcourt Road is already difficult & dangerous. Vehicles parked on the right up to & around the bend make it impossible to see oncoming traffic from that direction. The 4 footpaths connecting Bafford Lane with the area around Sandy Lane & the Bafford Estate mean that it is heavily used by cyclists & pedestrians, many of them schoolchildren & parents with small children & pushchairs. Trying to cross the road here at busy times is so very hazardous & impossible with race traffic. Providing parking spaces & yellow lines makes no difference at all to motorists visiting convenience stores, who drop their cars anywhere & regard pavements as handy parking spaces. This would make an already bad situation even worse.

This part of Charlton Kings is sadly lacking in services & amenities but has plenty of established & popular convenience stores & coffee shops. The proposed new units would undoubtedly have an impact on them.

This is not a good site for these entirely unnecessary units, but the excellent & well used car wash would be greatly missed.

**Comments:** 9th June 2014

The revision of the plans make no difference to my previous objection to the proposal to build yet another completely unnecessary 5th convenience store in the area, with all the parking problems it would create in a busy area. Even if it did create new jobs, it would undoubtedly have a strong impact on all existing local shops with the potential for job losses there.

11 Newcourt Road  
Cheltenham  
Gloucestershire  
GL53 9AZ

**Comments:** 23rd January 2014  
Letter attached.

**Comments:** 6th June 2014  
Letter attached.

12 Croft Gardens  
Cheltenham  
Gloucestershire  
GL53 8LQ

**Comments:** 28th January 2014

I am writing to register my objection to the developments proposed for the old Car wash site on Cirencester Road. I do not believe that the area needs a further food/convenience store and am concerned about the impact this would have on local business. I also feel that the road is already extremely busy and the increase in traffic that the development would encourage would be potentially dangerous and of detrimental effect to the area. It is extremely difficult to cross the road at present as visibility is not high along the stretch of road and I would consider a development in that area to present potential difficulties and dangers for pedestrians trying to navigate across the road and also deal with traffic from the development joining the road.

The addition of a food establishment is also of great concern. We have a number of small cafe business which are establishing themselves in the area as well as take away food outlets and this would have an impact on them and in turn the local community. There is also a park bordering the development which I would be concerned about becoming littered should an application for a food establishment with takeaway facilities be allowed.

I do not believe that the proposed development is in the interests of the community and believe it would have a detrimental effect on the nearby and further community, affecting business and homes and in turn the quality of life of many living locally.

11 Moorend Glade  
Cheltenham  
Gloucestershire  
GL53 9AT

**Comments:** 3rd February 2014

I wish to object to the proposed convenience store development on Cirencester Road. I am not against a development per se, but the proposal offers little that we do not already have in Charlton Kings and much that is unwelcome (traffic, irresponsible parking, traffic danger to our children, light pollution, anti-social behaviour due to extended opening hours, rubbish from the A3 food outlets).

Traversing the Cirencester Road at the designated pedestrian crossings is perilous at the best of times. Our children run the gauntlet every day, as they walk to Balcarras and the Junior School. By adding this development, the danger is significantly increased with further blind spots, increased vehicle activity and distractions.



Furthermore, the application and supporting documentation is often contradictory. It has clearly been compiled by several different people, since few of the arguments are consistent. The arguments constructed in favour of the development are quite selective and subjective. In essence, it is my view that the sum of the parts does not offer any conclusive evidence to support the proposal. Indeed, I fail to see the relevance of the "Sequential Test" since there is no actual need for the retail development. Was housing considered?

Doubtless, we can all look forward to endless boozy evenings of disposable BBQ's on the adjoining green space should the Council approve the development?

165 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 3rd February 2014  
Please see my report.

**Comments:** 3rd February 2014  
86 Cirencester Road Planning Application Comments on Transport Statement

### Section 2 Existing Conditions

#### 2.1.2

Planning consent was granted in 1996 from use as a filling station to second hand car sales.

### Section 4 Local Highway Safety

#### 4.4.3

The development generates a minimal impact on the highway network, as demonstrated later in this report, and as such will not exacerbate the existing accident record.

This assessment is based on comparing proposed traffic flows for a convenience store and no provision for traffic flows for the two A3 units, with the flows for a filling station. This is inaccurate and misleading as the site is not currently a filling station and has not been one for 18 years and does not have planning consent to operate as one.

### Section 5 Development Proposals

#### 5.12

The planning consent as a filling station was changed to second hand car sales in 1996 and as such has no bearing on the current use.

#### 5.13

The site layout shown in Appendix A and used in the vehicle swept path analysis show the two A3 units being set back from the back of the footpath. The actual layout being applied for shows the two A3 units as being at the back of the footpath. Such a layout will affect the swept path of HGV's turning into the site, forcing them to pull to the right into the southbound lane before swinging left into the site.

#### 5.3.3

However, the LTP3 supporting document 'draft parking and demand management strategy' (2010) makes reference to LTP and recommends maximum provision of 1 space per 25 m sq for A1 retail up to 1000m sq and 1 space per 5m sq of public area for A3 use. The A3 public area is

as yet unknown so is difficult to calculate on this basis. Instead under the assumption of a total retail area of 464m sq, this equates to a maximum provision of 19 spaces for the entire development.

The recommendation of 1 space per 25m sq of A1 retail for 372m sq of retail space equals 15 spaces.

Given the development proposes 16 spaces, this leaves only 1 space available for the two A3 units.

On the basis of 1 space per 5m sq of public space, this means that each A3 unit will have a maximum of only 2.5m sq public space. This is clearly far less space than will be required for each A3 unit. The assumption of providing parking for the A3 units based on their total area at the rate required for A1 use is irrelevant and misleading.

If the two A3 units had two thirds of their floor area dedicated to public space (which would seem an absolute minimum in a restaurant/café scenario) then the two units would require 7 spaces each. This would create a total parking requirement for 29 spaces as opposed to the 16 proposed. The proposed parking provision is clearly inadequate using the quoted parking provision guidelines.

### 5.3.4

The proposed standards are maxima, the great majority of new developments will provide less than the maximum permitted level of car parking, and in many cases much less.

These standard may be maxima, but given that there is no available on-street parking without causing major disruption to traffic flows and residential parking, following the maximum guidelines would be eminently sensible.

### 5.3.5

Parking at this level is therefore considered suitable for the scale of development and anticipated use, as shown in the TRICS-based car park accumulation study in Chapter 6 of this document.

From comments to 5.3.3 and 5.3.4 parking provision is clearly inadequate. In addition to these inadequacies, if the parking provision proposed in LPT3 and LPT2 do not include employee parking then there is no provision for this either.

## Section 6 Traffic Impact

### 6.2.2

The forecast traffic flows make no allowance for ANY traffic to or from the two A3 units. This is clearly inaccurate and misleading.

### 6.3.2

The comparison of traffic flows to a filling station is inaccurate and misleading as the site is not a filling station and has not been one for 18 years and does not have consent for such use.

### 6.4

Since both the proposed traffic flow data is inaccurate with the ignoring of flows to or from the A3 units, and the use of data for flows to and from a filling station is irrelevant then the net traffic data presented is completely meaningless.

## Section 7 Servicing Arrangement

### 7.2.4

The delivery area will be managed to ensure that just a single delivery vehicle is present on-site at any particular time.

Given there are to be six deliveries per day, from six separate sources, for 3 separate client businesses, plus recycling and waste disposal for all three, the chances of ensuring only one vehicle arrives at a time is extremely unlikely.

The reality is that there will not be any management of deliveries as the retailers will not care if delivery vehicles are parked up around the area as it will have no impact on their operations.

### 7.3.1

There would appear from the plans to be no provision of secure waste storage, particularly for the two A3 units that have no access to the outside other than to the front.

### 7.5

When delivery and waste disposal vehicle approach the site from the south, the entrance to the loading bay will be blocked by bollards. The driver will be forced to park against the kerb on the road outside and enter the store or wait to have the bollards taken down.

Once the bollards have been taken out the driver will then need to reverse back across the junction with Newcourt Road before pulling forward and right, to allow for the vehicle to then swing left into the loading bay. (See vehicle swept paths in Appendix E for line of required vehicle movements.)

The building of the two A3 units to the back of the footpath, as detailed on the planning application layout drawing, rather than the layout that the swept path analysis is based on will further exacerbate the problems. The driver will be required to reverse further back and pull further to the right into the southbound carriageway before turning into the site obstructing the oncoming traffic.

### 7.5.5

Whilst it is noted that the 12m rigid vehicle requires slight body overhang onto the northern side of the northern access junction, the number of movements of this nature which will be required is extremely low. There is excellent inter-visibility between an outbound HGV driver on the affected area which ensures that there is no highway safety issue.

This swing into the southbound lane will be accentuated if the A3 units are built to the back of the footpath as the application drawing shows, as opposed to the layout used in the transport statement that shows the two A3 units set back from the footpath.

## Section 8 Summary and Conclusions

### 8.1.2

Given the infrequency of bus services it is clearly ridiculous to expect much of the trade to arrive by public transport.

### 8.1.4

Given the errors in traffic flow analysis in section 6.2.2 and 6.3 that makes the net traffic flow forecasts a complete nonsense, this statement is made without any supporting evidence.

### 8.1.6

As detailed above under 5.3.3 this is a gross under provision of parking that will therefore result in on-street parking either on the west side of Cirencester Road, disrupting traffic flows, or the east side of Cirencester Road, blocking residents access and parking.

### 8.1.7

As detailed in 6.2.2 the trip generation exercise has made no allowance for traffic generated by the two A3 units and are therefore inaccurate and misleading. The comparison with use as a

petrol filling station is also incorrect given as detailed in 6.3.2 that the site is not a filling station and has not been for 18 years and does not have current consent to operate as such.

### 8.2

Given the problems with delivery vehicle access, inadequate parking provision and incorrect traffic analysis this document fails to show that the proposed development will not have a serious impact on highway use and the surrounding residents.

**Comments:** 28th February 2014

Response to Transport Statement Technical Note of 4th February 2014

The Technical Note was compiled by the Developer's Agents in response to our original objection (from 165 Cirencester Road, Charlton Kings) and is quoted in each section in quotation marks, with our response beneath.

### **RE: TRAFFIC FLOW ANALYSIS**

#### Technical Note:

The site has a "sui generis" use and could re-open as a Petrol Filling Station (PFS), subject to the necessary consent. Comparing the proposed development trips to the previous use as a PFS, which could re-open, is therefore entirely justified and correct. The true impact of the proposed development should be demonstrated within any Transport Statement/Assessment. P6.4.2 of the TS indicates that the proposed use will generate 391 fewer daily trips than the previous use as a PFS; a significant net reduction in vehicular trips will be achieved. The highway network was clearly able to accommodate trips associated with a PFS at the site in the past; the proposed use offers betterment over that seen on site previously.

The Transport Statement allows for trips associated with the two A3 units. To ensure that a robust assessment of the likely trip generation was undertaken, the GFA for the convenience store was increased from the proposed 372m<sup>2</sup> to 474m<sup>2</sup> (372m<sup>2</sup> +2 (46m<sup>2</sup>) plus 10m<sup>2</sup> (GFA correction)), and therefore allows for trips associated with the A3 use. It is acknowledged however that the Transport Statement does not make it absolutely clear within the text of the report that the A3 use has been accounted for within the local store TRICS calculation.

Local stores generate higher trip rates and as such this use was used to generate the total anticipated development generated trips. In addition, given the close proximity of the A3 units to the local store, there will be an element of linked trips between the uses on site. By generating trips based on local stores a robust assessment is ensured.

#### Objector's Response:

The attempt in the Transport statement to compare traffic flows to the proposed development with those of a filling station remains misleading and irrelevant. The site is not in use as a filling station (and has not been for eighteen years) and so does not currently have traffic flows associated with a filling station. Comparison between the flows for the proposed development and a use which the site has not had for eighteen years is simply irrelevant. The Transport Statement should be looking at the difference between proposed flows and those currently taking place which it manifestly fails to do.

Since the site last operated as a filling station the number of such businesses has dramatically declined. As there are far fewer of them, the flows to a filling station site would be much greater than those from when the site was in such use and therefore do not represent an accurate reflection of what the flows to the site would have been when it was a petrol filling station.

The claim that the site has "sui generis" use is a matter of debate as some planning authorities deem car valeting and washing to be use class B1 not "sui generis". This view was taken by

Brighton and Hove City Council in December 2011 and upheld by appeal by the planning inspector (David Pinner) 30th August 2012. In section 5 of his decision he stated: Article 2 of the Use Classes Order includes in the definition of "industrial process" repairing maintaining, washing and cleaning of any article. On that basis it is clear that vehicle valeting, which involves washing and cleaning, is an industrial process. Use Class B1(c) encompasses use for any industrial process that can be carried out in any residential area without detriment.

Even if the Planning Authority took the view contrary to the Use Classes Order and the above decision that the current car washing and valeting is "sui genus", there is no automatic entitlement to change the use between "sui genus" uses. For example both petrol filling stations and theatres are "sui genus" uses, but no-one would suggest the two were interchangeable. The case would need to be examined on its particular merits, including amongst other items, the impact on traffic flows.

To state that the site should be taken as currently having the flows of a filling station as, subject to gaining consent, it could re-open as one is clearly ridiculous. Subject to gaining consent, the site could operate in any function.

The Transport Statement does not allow for traffic flows relating to the two A3 units. Rather than allow for traffic flows to a convenience store of 372m<sup>2</sup> and two 46m<sup>2</sup> A3 units, it allows for flows to a store of 474m<sup>2</sup>. There is no justification for this attempt to mask the impact of the two A3 units and there is no basis on which such assumptions can be made.

This Traffic Flow Analysis is based on comparisons with traffic flows that the site does not currently have and is therefore inaccurate to the point of complete irrelevance.

### **RE: SWEEP PATH ANALYSIS**

#### Technical Note:

The swept path drawing (SPA01) contained in Appendix A, clearly demonstrates the HGV swept paths; no such conflict with the southbound lane will occur.

#### Objector's Response:

The authors of the Technical Note and the original Transport Statement have still failed to realise that the layout that the Transport Statement and therefore the Swept Path Analysis are based on is not the layout that is in the proposed development drawings. The Transport Statement layout is based on the A3 units being set 1.2m back from the footpath, while the planning application layout has the two A3 units built right to the back of the footpath i.e. 1.2m nearer the swept path of delivery vehicles than is shown in the swept path analysis in the Transport Statement. This results in negligible clearance to the corner of the northernmost A3 unit. In order to gain clearance lorry drivers will need to swing right into the southbound carriageway prior to pulling left into the site to gain clearance from the corner of the A3 unit.

### **RE: PARKING ANALYSIS**

#### Technical Note:

Reference should be made to the parking accumulation study in section 6.6, in particular Chart 6.2 on p14 of the Transport Statement. The accumulation study, which takes into account arrival and departure patterns within the TRICS database for the intended uses, clearly demonstrates that the maximum occupancy of the proposed 16 space car park is eight spaces. The remaining eight spaces will accommodate unusual peaks in demand and will help to prevent overspill onto the public highway, ensuring that free traffic flow and highway safety are maintained.

Should the development provide 29 spaces as quoted by the objector, the maximum parking standards (19 spaces) would be exceeded by some 10 spaces. This would only encourage

further vehicular trips to and from the proposed uses on site, and would be contrary to National and Local Transport Planning Policy. The maximum parking standards are in place to prevent over provision and to encourage travel via sustainable means. The site is located within a highly sustainable area being accessible by foot, cycle and public transport. The proposed parking provision of 16 spaces is therefore entirely suitable for the intended use and strikes a balance between provision for motor vehicles and encouraging sustainable means of travel.

### Objector's Response:

The Technical Note and Transport Statement does not allow for parking for the two A3 units. It does allow for an increase in parking provision based on an additional 100m<sup>2</sup> of convenience store floor space. There is however no reason for this assumption (other than to arrive at an answer that the developer would wish to see).

The Transport Statement states the maximum parking provision should be based on 1 space per 25m<sup>2</sup> of convenience store floor space (which would be 15 spaces) and 1 space per 5m<sup>2</sup> of public floor space in the two A3 units. It then ignores this formula for the two A3 units on the pretext that the public floor area is unknown. Instead they use the convenience store formula (presumably because there are not nearly enough spaces to satisfy the number of spaces required under any reasonable estimate of the public floor area of the two A3 units). Instead, if a conservative assumption is made that the public area of two A3 (restaurant) units is two thirds of their floor space then the parking spaces required based on the formula above would be 7 for each A3 unit; giving a total requirement of 29 parking spaces instead of the proposed 16. If the proportion of public to "back-of-house" floor space was higher, then the number of required parking spaces would increase still further.

Whilst the ratios of parking provision to floor area are maxima, given the absence of on-street parking in the area it would seem advisable to allow for the maxima.

Additionally there is no provision for staff parking, increasing even more the pressure on the surrounding residential parking.

## **RE: DELIVERIES**

### Technical Note:

This statement is totally rejected. Deliveries will be managed to ensure that conflict does not occur. It is not in the occupier's interests to introduce conflict as custom will be adversely affected. Deliveries between the occupiers will be co-ordinated to ensure potential conflict is minimised. Larger vehicles will also aim to deliver outside peak operating hours to reduce potential conflict still further. As used successfully at other similar sites, a pre-occupation Delivery Management Plan could also be conditioned and implemented. All occupiers would be bound by the terms of the plan, which will ensure deliveries are managed effectively.

Bollards will be dropped in advance of the delivery vehicle arrival, which will allow delivery vehicles to exit the public highway in one movement. There will be no impact on Newcourt Road.

### Objector's Response:

Neither the Technical Note or the Transport Plan present any evidence as to how deliveries would be managed between 3 different store / restaurant operators and 6 different suppliers and potentially 3 different waste collectors. Given the manifest failure at other similar sites within the borough (eg. Queens Road and Hewlett Road) there is no reason to suppose this site would run any differently.

As stated above, the Technical Note and Transport Statement give no evidence as to the necessary level of organisation and co-ordination will be achieved. Is a member of staff always going to take down bollards at set times up to nine times a day (6 deliveries and up to 3 waste collections); and will they then stay there to prevent access by cars until the relevant lorry

arrives? Perhaps all delivery drivers will phone 5 minutes before they arrive! How would this be communicated every day to every driver from nine different hauliers, especially considering shift changes and agency drivers?

Inevitably lorries will arrive and the drivers will have to park either against the kerb or partly on the footpath outside the two A3 units to wait until the bollards are lowered. From this parked position the only way the lorries can then get back to the swept path to pull into the site would be to reverse across the junction with Newcourt Road and then pull forward into the flow of traffic (Please refer to the Swept Path Analysis within the Transport Statement for evidence of this path.)

### **RE: WASTE STORAGE**

#### Technical Note:

Refuse storage for the local store is clearly marked on the site layout plan in Appendix A of the Transport Statement. Waste generated by the A3 units will be stored in the plant area at the rear of the units. The layout plan has been modified to illustrate access to this storage area. A Waste Management Plan could also be conditioned; they have been used successfully at other similar development sites in the UK. The storage areas shown will be shared by the local store and the A3 units, which will allow waste collection from the designated delivery area.

#### Objector's Response:

I stand corrected. A waste area is marked on the drawings, but had not been noticed as it is inside the convenience store. Whilst I am not a convenience store operator, having consulted senior personnel within that industry, as well as my own lay view, it would seem a highly unusual location for the storage of waste food in the same area as stock for the store, inside the building. It would also seem extremely unlikely that the convenience store would accept food waste for the two restaurant units into this area as proposed.

In practice it would seem likely that food waste would be stored in bags in the open area behind the A3 units thereby being vulnerable to vermin and then carried through the store and / or restaurant units. Alternatively an external storage area would need to be constructed. The only space available would be either in the landscape area to the south of A3 units, thus giving a bin storage area as the main gateway view of the site from the and with commercial wheelie-bins having to be wheeled up and down the public footpath to the loading area, or, in the car park, thereby reducing the available parking.

#### Objector's Summary:

The Transport Statement is deeply flawed, being based on incorrect assumptions, "fudged" calculations to produce the "correct" answers, and a layout plan that is not that being applied for with serious consequences for the swept path of delivery vehicles.

Lastly, while not essentially part of the Transport plan, the Waste Management Proposals are simply laughable.

The so-called "Technical Note" (it contains no Technical Information, which would be the norm expected of such a document) is merely repetition of the same flawed analysis and statements as the original Transport Statement.

#### **Comments:** 16th June 2014

I will respond in the next few days in greater detail but would wish to place the following on record now.

The GCC Highways Planning Liaison Officer (GCC HPLO) has failed to understand even the most basic elements of this scheme, being unaware that this revised application has reversed the

flow of deliveries from that of the original application to now approach from the north and exit to the south, as detailed in the Delivery Management Plan (DMP) by Corun Associates Ltd.

The GCC HPLO comment states Given the likely occurrence of right turning HGV's into the site will be low. The direction of delivery traffic stated in the DMP, ie approach from the north and exit to the south means that all deliveries will be a right turn across the Cirencester Road.

Given the failure to understand this fundamental part of the scheme is, I assume, why the GCC HPLO has also failed to realise that the departure angle of HGV's from the site, to the south, with the driver sat on the far side of the cab from the road, means that the driver will have no view of the southbound carriageway and will have to pull onto the highway entirely reliant on mirrors to view the southbound lane. It is patently foolish to design into a scheme such a hazard and should it proceed one can only await the almost inevitable collision with a motorcyclist or cyclist that the unfortunate HGV driver has not seen in his mirrors. At that point I hope all those involved in bringing this scheme to fruition will hang their heads in shame.

As stated above, I will issue a more detailed response in the next few days but would request your most urgent attention to this matter, as this dangerous design element is on its own clearly reason enough to reject this application, not withstanding all the other clear reasons to similarly do so.

**Comments:** 17th June 2014

I am afraid that the County's Highway Officer is quite simply wrong. I have had many years' experience in managing a fleet of commercial vehicles and assessing their requirements for manoeuvring on congested sites.

The swept path analysis submitted by the applicant clearly demonstrates with the driver sat on the right hand side of the vehicle he has very little visibility of the southbound carriageway and will have to rely on mirrors to see traffic approaching from the north.

I reiterate that I am happy to take a lorry to the site today and have it available for members to sit in the cab and assess the visibility issue for themselves.

**Comments:** 19th June 2014

Letter attached.

1 Regis Close  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8EQ

**Comments:** 29th January 2014

Letter attached.

**Comments:** 10th June 2014

Following our letter of 15th November 2013 objecting to the original proposed development of this site, we have now viewed the revised application and our opposition is undiminished.

- 1) As already stated, there is no need for another convenience store in this area. We already have a well-stocked NISA within 100 yards and Budgens and the Coop within half a mile walking distance of the proposed new store.
- 2) Removal of the two takeaways is an improvement, since it removes the certainty of resulting widespread ground litter in surrounding roads and Newcourt Park Green.



- 3) One extra car parking space is derisory, the available 17 spaces will be totally inadequate and will lead to more parking on Cirencester and Newcourt Roads.
- 4) The illustrations for the revised building make it look like a unit on an industrial estate, totally out of keeping with the adjacent green parkland and residential properties.
- 5) The revised delivery plans will still cause traffic problems in Cirencester Road. The lorries will have to stop and wait for the considerable flow of vehicles towards Cheltenham to allow them to cross over into the delivery bay. This is in addition to customers' vehicles attempting to enter and leave the site, which will be using the same piece of tarmac. A difficult and crowded road will become even more so, for vehicles and the many pedestrians, (especially children), using it.
- 6) The suggested noise reductions are laughable, needing as they do the cooperation of all drivers to 'close doors quietly, lower tail lifts quietly, switch off engines and air-conditioning units while waiting and avoid revving engines while moving'. Human nature dictates that this will not take place for very long.
- 7) There is only a finite amount of purchasing power in any given area. A new store will dilute the takings of the existing businesses, and may well cause them to cease trading, meaning a number of job losses, thus negating the benefit of any new jobs created.
- 8) If the site is to be developed, then surely a better use of the plot would be the building of affordable housing, such as was erected just up Cirencester Rd. in Croft Court, on the site of the old Croft Garage.

We hope that you will vote to refuse the application.

**Comments:** 12th June 2014

Letter attached.

5 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 31st January 2014

Letter attached.

7 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 31st January 2014

Letter attached.

34 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DA

**Comments:** 31st January 2014

Letter attached.

**Comments:** 9th June 2014

Letter attached.

Fairway  
Newcourt Road  
Cheltenham  
Gloucestershire  
GL53 9AZ

**Comments:** 31st January 2014  
Letter attached.

209 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DF

**Comments:** 16th January 2014

Charlton Kings currently has an appropriate balance of retail units & convenience stores within walking distance of this site - in Church piece, Lyefield Road, and on the corner of Croft Road - and there is no evidence to suggest that this development will enhance the neighbourhood for the residents of Charlton Kings. There are sufficient retail outlets for local residents so will take business from other existing amenities and also increase numbers of people travelling to Charlton Kings by car to use the new stores.

As a very busy main A route into Cheltenham there is a large volume of traffic utilising the road already and traffic flow will undoubtedly be interrupted by cars pulling into & out of the new store, which will be in much greater numbers than for the current car wash. I assume the opening hours will also be much longer than those of the current car wash which is not open during rush hour or evenings. The associated noise and traffic at these times will impact adversely on local residents, and commuters who use the Cirencester Road as their route to work (particularly when other access routes are busier - e.g. accidents at Crickley Hill/Birdlip).

The open space next to the proposed development is currently well used by local dog walkers/children at all times of the day and the risk of injuries/accidents for pedestrians passing the store entrance/exit to access the open area is inevitably increased.

**Comments:** 4th June 2014

My previous objections to this proposal still apply. There is no need for another small convenience store in Charlton Kings - the local community is well served by the stores it already has. The Cirencester Road is an extremely busy road and traffic is increased whenever there is an incident in the vicinity of the Air Balloon. Parking is inadequate if the aim is to attract 'passing trade' and will result in overspill on to surrounding roads. Local people already have plenty of shops within walking/cycling distance. There is no guarantee that employees will be local so staff cars will also be parked on surrounding streets. There will be an increase in noise for local residents - for a much longer period than the current car wash - including doors slamming, people congregating late at night etc. Low cost housing/retirement flats would be a more appropriate option for this site!

**Comments:** 6th June 2014

Objection as before.

There is no need for another convenience store in Charlton Kings which already has ample local shops & stores open 7 days per week.

## Page 113

The increased traffic and cars pulling on & off the site can only cause further congestion & pollution on an already busy road - a main A road into the town.

There will be an increase in noise & for a longer period of time for local residents, and cars - particularly staff cars - will inevitably park on local streets when the car park is busy.

There is no guarantee it will provide jobs for the local community & could force other local businesses to close.

Why force a 'convenience' store on a community that does not think it will be convenient!

**Comments:** 17th June 2014

See previous comments.

There is no need for another convenience store in Charlton Kings. There are already three within walking distance and this store could only be sustained if it put others out of business. This is a busy, main A road into Cheltenham and there is insufficient parking for staff and customers which would lead to cars parking on the main Cirencester Road and side roads. The extended opening hours (much longer than current business) would increase noise for local residents and may lead to anti-social behaviour late at night as well as increased litter on the area of grass to the side. Traffic pulling on & off site will be hazardous to other road users and to pedestrians - and in greater volumes/for longer periods of time than current business.

16 Okus Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DU

**Comments:** 27th January 2014

I wish to make my views known regarding the above application.

I object to this proposed development for the following reasons.

My first concern is the amount of traffic that uses the A435, this development will make the congestion on this road even worse, for example, the regular accidents that occur on Birdlip hill, mean traffic is diverted down this road. This development will make the situation even worse.

The plans show parking for 16 cars for customers, has any thought gone into where the staff will park their cars while working at this store, the obvious place will be Newcourt Rd which is a narrow road and will cause further congestion.

There are no facilities for crossing the road at this juncture and with the large number of children using this road to go to Balcarras school, this is a potential accident black spot.

Finally, there are sufficient food stores in this area and a multiple store will affect the livelihood of the existing stores.

**Comments:** 2nd June 2014

I wish to object to the above revised planning application for the following reasons.

The revised plan will make no difference to the increased volume of traffic created by this proposed development. My original objection concerned the volume of traffic using the A435 and the problems with congestion caused by the regular hold-ups/accidents at Birdlip.

The removal of the A3 units from the plan will have little effect on traffic density.

Despite the statement by the developers regarding noise limitations, this proposed development will have an adverse effect on the houses nearby.

The proposed increase in parking places will make no difference and the surrounding roads will be used for parking by the employed staff, i.e, Newcourt Road, Charlton Close, Pumphreys Road.

This Convenience store is not needed as Charlton Kings is already well provided by Budgens, The Coop and Nisa.

Farriers End  
114A Cirencester Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL53 8DG

**Comments:** 3rd February 2014

I object to this proposal on the following grounds:

1) Impact on local businesses:

Charlton Kings is already very well-served with local supermarkets, food service businesses and coffee shops.

I have only occasional access to a car and so by foot manage all of my top-up shopping, a lot of the rest of my shopping and takeaways from all the facilities we already have in the village: Nisa, Budgens, Jeffreys Butchers, Smart Fish Bar, Co-ops x 2, Blend Coffee Shop, The Coffee Bean, ReStyle coffee shop, Kings Coffee Shop, Yangtze takeaway, Charlton Kings Coffee Shop, Shahins, Kings Balti plus, I believe, a new deli coming soon at Sixways.

Specifically on Cirencester Road, in addition to a convenience store and butchers right on their doorstep already, residents have two Co-op stores close by in Church Piece and Sixways with nearby car parking.

Alternatively, by foot, food stores are easy to reach via the alleyway into Gladstone Road and at the end of Pumphreys Road.

These small local businesses contribute to the village community helping to attract footfall in areas such as Church Piece for example. Here, investment has just been made to create the new Parish council offices and refurbish the Stanton Rooms. The 3 food businesses opposite ensure a regular flow of people to one of the centres of the village a safe area to gather for families, library users, children after school or increasingly local community events.

2) Increased Traffic/Noise:

Cars entering/leaving the premises PLUS those inevitably not bothering to use the car park and spilling onto side roads and yellow lines will cause severe problems:

Traffic jams are bound to increase on a very busy thoroughfare into Cheltenham. Just one person parking on the car wash side of the road at the moment takes the road down to effectively one lane only. This is bound to get much worse with all the additional cars stopping.

Increased risk to schoolchildren walking to school as well as those being picked up/dropped off for the Pates school bus.

Increased parking and turning round on side roads (Newcourt Rd and Croft Rd) increases the risk and inconvenience to pedestrians.

Increased noise from customers and deliveries with premises open late at night.

Increased traffic risk to children and families walking/cycling to the park next door.

### 3) Current Site

As a resident approx. 100 yards from the site I have no objection to the current use by the car wash business. It seems to be a business that fits well into the location without causing traffic and noise problems and providing a service not offered locally.

If that cannot be supported for whatever reason, I believe housing would be a much better solution as housing is a much greater need than additional shops in this area.

27 Branch Hill Rise  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 9HN

#### **Comments:** 3rd February 2014

Area does not need another convenience store with detrimental effect to other businesses &, of greater importance, obvious threats from increased traffic/parking put upon residents & those using adjacent field. Danger to children/dogs alike. Hopefully this is not already a 'done deal' & common sense will prevail.

15 Lyefield Road West  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8EZ

#### **Comments:** 21st February 2014

A note to strongly object to the proposed erection of a supermarket on the Cirencester Road.

The proposed plan is riddled with inaccurate statements as demonstrated by previous objectors and is full of the usual fatuous marketing rhetoric that you come to expect from a corporate application. It is another example of an unwelcome attempt to dominate the market and profiteer at the expense of well supported community businesses.

There is no requirement for an additional retail outlet in the area, it is perfectly well served by three existing local businesses that are well run and offer excellent service to the local community.

The elevations are an eyesore and the opening times will cause disruption and distress to the immediate neighbours. The land would be far better utilised providing additional housing. Housing is in short supply, retail outlets are not.

It will be interesting to see if the council has the nerve to reject this undesirable proposal.

#### **Comments:** 30th May 2014

Once again to strongly object to this proposal.

The amendments do not address the issues raised.

Employment and regeneration:

The site will not create 20 new jobs it will merely result in the loss in the equivalent number of jobs in the other three outlets in the area.

It may have been a commercial site for many years it does not need to remain one.

Retail outlets are not required in the area, residential houses are.

Design:

The revised design looks like it has come from the 1970 architects school of carbuncular community centres. It is not in keeping with the area.

There are no benefits to this development and the community does not want it.

The council has been elected to protect and uphold the needs and wishes of the community.

The community does not want this development.

The council should reject this proposal.

82B Ryeworth Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6LT

**Comments:** 1st February 2014

The proposed plans should be rejected for the following reasons:

The plans are not in keeping with the surrounding area which is predominantly Victorian housing. The development would therefore be an eyesore, especially given it's proximity to the adjacent green space and to an area of outstanding natural beauty.

The development would be problematic for users of Newcourt Road. I regularly go for a run down this road towards the parks, and the increased traffic and decreased visibility will make this more dangerous for me and for others users, especially children that play in our green spaces.

The noise pollution from the main shop and additional outlets will be problematic to nearby residents (my mother lives a few doors down and I regularly stay with her), especially the potential for later opening hours, which I note have been refused in the past. There is particular concern about the extra use of later-opening services by inebriated locals returning from a night out, and the subsequent noise pollution that results from this.

The noise pollution from additional traffic and deliveries will also make the Newcourt Road junction less safe for pedestrians in terms of hearing the approach of cars from a junction that already has poor visibility.

The light pollution from the site will also have a negative impact on local residents at night, and is a waste of finite resources and thus further problematic to the environment. It is also out-of-keeping with the local area.

I have concerns about the smell from the site, especially if rumours that fast food restaurants will utilise the site are true. There are already a number of fast food restaurants in the local church piece and no more are required. The use of the local green space will be adversely affected by

this, which is problematic in a time that we wish to encourage more use of open spaces for health reasons.

Plus there's the fact that we don't need a Tesco, we do need a car wash, and there's no reason to put a successful and needed service out of business, and to hit the other local shops hard.

17 Croft Parade  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LE

**Comments:** 1st February 2014

I object to this application on the following grounds :-

### 1. Impact on traffic:

This development will, by common consensus, result in significantly increased traffic on the A435 that goes past the site as well as on surrounding approach roads (e.g. Newcourt Road). The A435 is already an extremely busy road, The stores that result from these type of developments tend to open for long hours (e.g. the Tesco Express on Queens Road [opposite the railway station] opens from 06:00 - 23:00 7 DAYS A WEEK). It is obvious that the amount of traffic (delivery lorries, daily refuse collections, customers) would cause noise and environmental pollution and a greater risk of accidents.

### 2. There is no need for more retail outlets in the area.

There is no need for another supermarket in this area. The area is well served by the Co-op, Budgens, Nisa and other local shops (newsagent, butchers, pharmacists etc). Within a 4.5 mile radius of the proposal, there are ELEVEN major supermarkets. There is no demand for more stores of this type.

### 3. Impact on the community

Charlton Kings has a village feel and community. This proposal will damage that. Studies have shown (e.g. <http://www.manchesterfoe.org.uk/local-traders-strangled-as-tesco-makes-a-killing/>) that local traders will be hugely impacted by such a development - typically leading to closures. A large multi-national retailer has no interest in supporting local communities.

### 4. Local Feeling

The reaction to this proposal has been very negative (e.g. <http://www.change.org/en-GB/petitions/say-no-to-tesco-in-charlton-kings>). The Council need to listen to the people that voted for them and to whom they are accountable.

**Comments:** 10th June 2014

I do not see how the revised application changes in any way the fundamental objections that I made initially. Namely:-

1. The traffic considerations are undiminished. This development will see significant additional car and delivery lorry traffic in the Cirencester Road/Newcourt Road/Croft Road locality with the associated danger to pedestrians, cyclists and residents.
2. The village does not need more retail outlets, and the introduction of another will be at the detriment of the existing shops. This development will damage the feel of the village.

I am not against the development of land per se. If the developer wants to provide something of real value for the village, why not build residential housing? It's true that, because of the previous usage of the land, there would be considerable cleanup costs incurred that would diminish the overall profit margin of the project.

This will not happen though, as the only motivation for a developer is short term profit maximisation with little or no real concern for the longer term impact on a community.

Rede House  
23 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 28th January 2014

Quite simply:

1. We do not need yet another shop or retail outlet as we are already amply provided for in Charlton Kings
2. Traffic problems already exist at the junction between Newcourt Road and Cirencester Road where visibility is poor and parking restricted.
3. The adjacent green space would be adversely affected
4. It would inevitably generate more traffic on Newcourt Road which is currently employed as a 'rat run' to avoid the Cirencester Road traffic lights and possesses its own blind junction at the entrance to Charlton Close and the Care home.

**Comments:** 8th June 2014

How many ways can I say

"We don't want it, we don't need it"

The proposed alterations fail to address many of my original objections, notably road congestion and safety principally on Newcourt Road. One could argue that the revision to the proposal re-routing delivery traffic from Cirencester Road to Newcourt Road does in fact make this even more dangerous.

I come back to, we don't need it, we don't want it. We do however need housing preferably on brownfield sites.

Please, think again.

17 Okus Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DU

**Comments:** 30th January 2014

I live near the area in question and have been a resident in Charlton Kings for 15 years. I strongly object to this plan since, as many others have already stated, the last thing we need in the area is another supermarket. My biggest concern is for the existing retail outlets in the vicinity, where we are extremely well served by the Nisa store, the Church Piece Co-Op and Budgens at Smith and Mann. I regularly do top-up shopping at all three stores, and sometimes walk or cycle up to Sixways where there is an even bigger Co-Op and a wide range of shops. We also have the



butchers, newsagents, post office, florist and pharmacy here in this part of the village. Why should one of the supermarkets come along and put all of these other businesses at risk?

It is clear that the transport argument put forward by the applicants does not hold water. For a start, a great many people in this area do their main shop online and don't even venture out for very many bulky items. At times, I have done my entire week's shop at Nisa, including when it used to the Little Corner Shop. In addition, I am very happy to do my entire shop at Co-Op at Church Pieces. Very adequate provision is made there, also at Budgens and also at Nisa. You would be hard pressed to think of items that they don't stock and all have a good, regular supply of fresh vegetables and fruit. One of the nicest aspects of shopping locally is the sense of community, particularly often created by the shop assistants themselves.

Taking away a car wash (which is very useful and good value, and not open all hours) is inconvenient to the community. I admit it is hardly attractive to look at, but your alternative building design is not exactly cutting edge and I totally agree with others who have argued about delivery access and parking facilities. I cycle to work down New Court Road and it is bad enough with pedestrians constantly walking in the road, forcing cyclists out into the middle of the road round a bend. I should not like that road to become even busier. There are certainly a great many youngsters making their way to and from school in that particular location, so adding to their difficulty in crossing the road can only lead to more trouble.

Why does the Council not make provision for housing for those in need? The site could easily accommodate a series of Studio Flats plus warden either for homeless youngsters (similar to facilities provided by the YMCA) or flats for the Elderly? Both of these more vulnerable members of our community could benefit from living in Charlton Kings, and the proximity to parkland area would be beneficial to them.

I haven't met anyone living locally who feels positive about this plan, so please do consider having a proper public consultation on this and allowing the whole community here to come and say what they think.

Thank you for considering my objection. Please don't ignore this, or the others, as they are all heartfelt, strong and sincere objections. We have no need whatsoever of a 'top up' supermarket in this location.

17 Lyefield Road East  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8BA

**Comments:** 22nd January 2014

The application is flawed in that it fails to acknowledge the existing provision of convenience stores in the very close area. The Nisa shop, opposite the proposed development, is dismissed as 'appearing to provide only small-basket shopping' without there being any evidence of their experience from users of the store to support this assertion.

The application ignores the fact that within short distances, the following shops, all of which provide a better than adequate range of goods and services, exist:

- Budgens, corner of Copt Elm/Lyefield Road;
- Co-ops at Charlton Kings, Sixways and Old Bath Road,

In the light of this existing provision, it would be perverse, unnecessary and a threat to the livelihood of existing traders to approve this application

**Comments:** 2nd June 2014

The only difference that has been made to this application is to remove that part which referred to the erection of two A3 units. My objection was to the construction of the amenity store in a location no more than 50-75m from an existing amenity store and other shops. That remains the case. Simply removing the two units does not alter the fact that another amenity store, where there are already at least four others in easy reach, is unnecessary and will create additional traffic and add to problems associated with vehicles parking at the existing stores.

20 Croft Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LA

**Comments:** 20th January 2014

Extract from fuller letter submitted by email 17th January 2014

We support the principle and need to develop and enhance the existing site, to bring about some longer-term use of the space that responds to local community need and local context, that brings about positive change to the area and minimises environmental impact. We firmly believe in the planning principle of ensuring that 'the right development is in the right place'. We support the need to strive for excellence in design, genuine sustainable development and creating places that respond to and enhance local character and identity.

However, we believe that the proposal on this site for a new convenience store & retail units is not the right development in the right place, does not meet local community need, will not bring about long-term positive change to the area, it brings adverse environmental impacts and will not enhance local character and identity. We also believe a convenience store in this location will bring a range of adverse cumulative impacts to local vitality, to traffic/parking and to amenity/environment. We consider that it fails planning policy in a number of areas.

We therefore wish to object to the application.

We have read the planning application documents and supporting information, including the Planning Statement, Retail Statement and the Transport Statement which we believe contain statements that appear to be clutching at straws (and sometimes are misleading) in an attempt to justify the proposals in relation to planning policy and local need.

Is it the right development in the right place?

The Planning Statement makes reference to the wider pro-growth context of the National Planning Policy Framework (actually its aim is to secure sustainable development not just economic growth per se). Whilst we understand the NPPF's role in guiding the principles of local planning policy, the emphasis of the applicants supporting statements and justification is primarily around local need and local impact. We believe that emphasis of scrutiny should be placed on existing local plan policies in place, local need and impacts on the local community.

In terms of local planning policy, we believe that the appropriateness of this proposal, and in this particular location, needs to be fully scrutinised by the council and officers against Policy CP4 and Policy RT7 and the cumulative effects of the proposal to local shops and businesses.

Policy CP3 is also relevant as the applicants supporting documents claim that the proposal is sustainable development and will not bring about any adverse environmental impacts (including traffic, noise and light pollution). There is no doubt that there will be adverse traffic, noise and light pollution impacts - not only in the immediate vicinity and affecting surrounding residential

properties/open spaces but also some cumulative effects, particularly to potential additional congestion and ad-hoc parking in Cirencester Road and streets off this road.

A far-fetched claim in the Retail Statement is clearly nonsense. This sustainable proposal would therefore support the role and function of the local centre and contribute to the reduction in carbon emissions and the fight against climate change (Page 5). It does not say anything about sustainable drainage and managing all that rainwater flow off the very large flat roof, the pavements and parking areas!

We believe the proposal in this location fails planning policy tests. This is further illustrated through the statements in the applicants supporting documents exaggerating how beneficial the proposal will be to Charlton Kings, its local vitality and viability as well as meeting local need and offering sustainable development.

Previous Appeal Decisions have been included within the supporting documents, although we believe the relevance of aspects these should be challenged as they refer to national policy pre-NPPF and the context (locational, environmental and economic) is quite different to the applicants proposal and this location.

We would ask the local planning authority to carefully consider the impacts (immediate and longer-term) of these current proposals, in terms of both local need and its suitability for this location. We are not against the development and enhancement of this site and would welcome and encourage the borough council and the land owners/agents, through active engagement with the local community, to consider alternative options for the re-development of this site that is truly relevant to local need.

**Comments:** 23rd January 2014

Letter attached.

**Comments:** 29th May 2014

I acknowledge the revised proposals, including the removal of the two A3 units. I note some improvements to the overall form and design of the development.

However, I still consider that this proposal is fundamentally not the 'right development in the right place' and of little benefit to the local community and the local environment, for the reasons set out in my detailed letter dated 17th January 2014. Please refer to the points in this letter in relation to the revised proposal and in the officer's report of consultation responses.

15 Newcourt Road  
Charlton Kings  
Cheltenham  
GL53 9AZ

**Comments:** 23rd January 2014

Planning Application 13/02174/FUL - 86 Cirencester Road, Charlton Kings

Objections are registered to the above planning application on the following grounds:

### Viability - CP4(e)

The area immediately bounding the site is currently well provided for in terms of all the proposed amenities. There are three local supermarkets (NISA, Co-op & Budgens), at least three existing take-away providers, three cafes, and two existing ATM's at (NISA, Budgens). As there has been no significant population increase through new building, the demand for additional facilities of this type must be at best doubtful and at worst unsupportable. The statements regarding employment

opportunities are therefore not only speculative and unsupported by any evidence but, should the Application be approved, there must be a real potential for job losses through closure of existing businesses, thereby offsetting any potential job gains. Accordingly, it is submitted that the proposal contravenes Local Plan Policy (CP4e) in that it will undermine the viability of local shopping facilities.

### Amenity - CP4(a)

the green space adjacent to the site is an area of significant amenity value to the local community and is used extensively throughout the day. Visitors arriving by car usually park in the lay-by in Newcourt Road, adjacent to the area once occupied by the Paragon Laundry. The site covered by the Planning Application was previously a filling station and is currently a car-wash, both of which uses provide ample parking space and therefore in no way impact upon the parking space in the surrounding area. Importantly, the Transport Statement Car Parking Accumulation Study fails to take any account of spaces needed for employees on site. With the projected 30 staff, and assuming a 3-shift system, this could mean that up to 10 of the 16 available spaces might not be available to customers throughout the opening hours. In addition 2 of the spaces are reserved for the disabled making at worst a net 4 spaces available for other motorists. This, and the difficulty of access from a busy major road, will inevitably lead to major parking overspill into the surrounding areas. As parking in Cirencester Road is at saturation point, it is most probable that Bafford Lane and Newcourt Road will become the overspill parking areas and any ban on staff parking on site will potentially increase this problem. As well as having a detrimental impact on traffic flow (these roads are in the main very narrow) and the privacy of residents in Bafford Lane & Newcourt Road (including the adjacent care home at Bafford House), this overspill will inevitably have a major adverse impact on parking for users of this important green space in a highly populated residential area.

Additionally, there is likely to be new and excessive noise disturbance to local residents because of this effective change of use. With operating hours scheduled to be 06.00 to 23.00 (exceeding current use on the site by at least 5 hours) and with the addition of an ATM machine, this will effectively become a 24-hour-use site. The adjacent green space is already used as a gathering place for young people within the local area. The proposed takeaway facilities are bound to attract additional numbers to the green space, increasing the noise and general disturbance to residents within the immediate area (including the adjacent care home). In addition, there is already a litter problem from users of the green space and lay-by in Newcourt Road ; this will potentially be made worse by the provision of nearby takeaway facilities. It is submitted that these issues represent an unacceptable harm to the amenity of adjoining land users and the locality and are in contravention of Local Plan Policy CP4(a).

Summary; the application contravenes Local Planning Policy CP4(e) in that it proposes amenities for which there is already adequate provision at the current time and which therefore undermine the viability of existing businesses. Further, the overspill parking, noise and litter problems will have a detrimental effect on residents within the immediate area including the adjacent care home and, most importantly, will potentially curtail the availability and use of an important green space to local people. The latter constitutes an unacceptable harm to the amenity of adjoining land users and the locality, in direct contravention of Local Planning Policy CP4(a).

### **Comments: 9th June 2014**

Objections are registered to the above planning application (including revisions) on the following grounds:

### Amenity - CP4(a)

The green space adjacent to the site is one of the few remaining green sites within Charlton Kings and as such is an area of important amenity value to the local community. It is used extensively throughout the year for a variety of sports and leisure activities. As two sides of the area are bordered by the Cirencester Road and Newcourt Park estate, the opportunity to park cars when visiting is limited to Newcourt Road, normally a small lay-by adjacent to the area once occupied by the Paragon Laundry. The site covered by the Planning Application was previously a

filling station and is currently a car-wash. The current use affords ample parking space for customers & staff and therefore has no impact on parking space in the surrounding area. By its nature, it has minimal noise and environmental impact on the adjacent green space.

Importantly, the Transport Statement Car Parking Accumulation Study omits to take any account of spaces needed for employees on site and the Delivery Management Plan does not state what the policy will be regarding staff parking. With a projected 20 staff, and assuming a 3-shift system, this could mean that up to 7 of the 17 parking spaces might not be available to customers throughout the opening hours. This could result (at worst) in a net 10 spaces being available for other customers, of which 2 are designated for the disabled. The potential lack of parking together with the difficulty of access from a busy major road, could lead to a significant parking overspill into the surrounding areas. As legitimate parking in Cirencester Road is at saturation point, it is most probable that Bafford Lane and Newcourt Road will become overspill parking areas for customers, with easy access across the green space to the retail unit. As well as having a detrimental impact on traffic flow (these roads are in the main very narrow) and the privacy of residents in Bafford Lane & Newcourt Road (including the adjacent care home at Bafford House), this overspill could have an adverse impact on parking for users of this important green space in a highly populated residential area. Any ban on staff parking on site would only exacerbate the problem.

Additionally, there is likely to be new and excessive noise disturbance to local residents because of this change of use. With operating hours scheduled to be 06.00 to 23.00 (exceeding current use on the site by at least 5 hours) and with the addition of an ATM machine, this will effectively become a 24-hour-use site. The Revised Environmental Noise Survey deals primarily with ambient (background) noise and fails to take any account of specific (short-term) noise such as emptying of waste bins, delivery lorry reversing warning alarms, slamming of car doors etc., This noise travels further and is far more disturbing for people living nearby than a rise in ambient noise, especially homes on the Cirencester Road and Bafford House Residential Home which are only 50 to 300 metres from the site. Whilst the revised Delivery Management Plan specifies ways in which noise from deliveries might be minimised, there can be little confidence that delivery drivers and staff will adhere to these working practises.

It is submitted that these issues represent an unacceptable harm to the amenity of adjoining land users and the locality and are in direct contravention of the Council's Local Plan Policy CP4(a).

### Viability - CP4(e)

The DPDS Retail Impact Assessment identifies the likely major impact to the existing convenience stores in Croft Road, Church Road and Lyefield Road and confirms that the proposal contravenes the Council's Policy RT7. It is noted that whilst Mango refute the DPDS assertion, unless they can bring in new custom from passing trade, and with no planned increase in housing (and therefore demand) within the area, existing custom will simply be divided over a larger number of shops. As a minimum, viability of the adjacent NISA Store and Butcher's Shop will be under threat, both of which are highly valued facilities within the local community. Any job gains from the new retail store will be offset by closure of these businesses, with the added risk of empty/redundant premises reflecting badly in a highly visible area on a major artery into the town. The report also throws considerable uncertainty as to the impact upon the existing Co-op store in Church Road and Budgens in Lyefield Road. Any risk of closure of the latter would also result in a major impact to the community with the potential closure of the recently relocated Post Office.

It is submitted that the proposal contravenes Local Plan Policy (CP4e & RT7) in that it is a major risk to the viability of local shopping facilities and adds no benefits in terms of facilities or jobs.

### Summary

The application fails to take account of impact on an important community green space, specifically, insufficient staff parking facilities leading to overspill parking in Newcourt Road that could curtail the availability and use of an important leisure facility for local people. The Environmental Noise Survey, whilst addressing ambient noise, takes no account of the specific

(short-term) noise problem which is more likely to have a detrimental effect on residents within the immediate area including the adjacent care home. Additionally, the proposed store provides no new facilities for the local community and the very real prospect of shop closures at Croft Road, resulting in no net gain in employment. The likely impact upon other local shops could result in the loss of amenities including the recently relocated Post Office.

The application contravenes the Council's Local Planning Policies CP4 & RT7 in that it proposes amenities for which there is already adequate provision at the current time and represents an unacceptable harm to the amenity of adjoining land users and the locality.

NB: Should planning approval be considered, the issues of staff parking policy, potential parking overflow into Newcourt Road and substantial boundary wall (to screen the premises from the adjacent green-space and reduce noise) should be satisfactorily addressed before any go-ahead is given.

31 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 28th January 2014

The proposed development is entirely inappropriate for this site for the following reasons:

The site is immediately adjacent to an area of high quality amenity green space which is highly valued by residents and helps to create a positive 'gateway' to the town for those entering along the Cirencester Road. This space would inevitably be degraded by the presence of a retail development which would completely alter its character, attractiveness and amenity value. Sensitive residential development of the site would however be appropriate.

The development would add hugely to traffic management and parking congestion in and around the Cirencester Road area. Overspill parking for customers and staff would certainly affect residents on the narrow roads behind the site, including Bafford Lane where parking for residents without off road spaces for their cars is already a problem.

Charlton Kings is a residential area which already has sufficient shops to serve the needs of local people whilst still retaining that strong residential character. The proposed development therefore neither fits the character of the area nor meets a local need.

35 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 2nd February 2014

The planning proposal would seem to contravene Cheltenham Borough Council Local Plan Policy CP4, Safe and Sustainable Living, notably CP4(a) and CP4(b) and you have received numerous objections providing the reasoned thought behind this.

We live in times where it is important that a moral compass is set for future and current generations, together with maintaining and enhancing community values and health for residents of Charlton Kings. The proposed development of a convenience store and fast food units would not be conducive with this. The increased traffic brought about by the completed developments would encourage more of a local car culture as children are driven to school in future for fear of crossing a busier road on foot with reduced visibility due to customers to the new development not being able to park in the minimal on site parking provided in the plans. Narrow roads in

proximity to the site would be used for staff parking and customer parking, again leading to increased danger to pedestrians and cycle / car users. Already dangerous exits from Newcourt Road and Bafford Lane will increase in danger with the increased traffic levels and reduced visibility from on street and on pavement parking. Provision of an additional convenience store and potential takeaway outlets would have a detrimental impact on the local green space, increasing levels of litter, some of which could be harmful to younger residents that use the green space as a play area.

The addition of convenience food and potentially fast food takeaways will not enhance the diet of our residents, an important consideration in current times.

Charlton Kings is amply serviced by the current number of shops and takeaway outlets, each of which has its own individual character and none of which provide the bland environment of a nationwide supermarket.

There are ample examples of ex-petrol station plots becoming useful new housing and surely this approach can also be taken with the 86 Cirencester Road site. Let's work towards providing much needed additional housing within the community

I would urge strong foresight in planning rather than regretted hindsight after the inevitable outcomes that acceptance of the current plan would lead to.

28 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

**Comments:** 2nd February 2014

Having been timed out on my first submission I will bullet point my objections

- Developer has not properly researched the local amenities; the store and other retail units will not enhance the locality as there are 3 stores within 5 minutes. It would not meet any unmet need and is likely to harm existing local businesses. Comments about the recently improved Nisa seem laughable.
- Traffic increase at an already difficult junction will present a danger to locals and in particular children crossing to go to school at the three local schools. Please refer to the difficulties at the Leckhampton Road Co-op.
- Extended hours are unreasonable to all residents in the immediate vicinity
- Unlikely that will be any net increase in local jobs as local shops will suffer and their viability may be threatened.
- Is it in line with the local plan? Does not seem so.

Please reject.

**Comments:** 9th June 2014

We write again to object to the proposed development at 86 Cirencester Road. Whilst we are pleased to see that the A3 elements of the proposed development have been removed, this leaves a much larger 'convenience store' than originally proposed (which was probably the intention all along).

As stated previously, along with many others who have objected to this proposal, there is NO need for a further food retailer within this vicinity. Having read the Development Management Plan produced by Corun, we wonder whether anyone from Corun has physically visited the site on a normal working day and witnessed the traffic flow issues along Cirencester Road at this point. At the time of writing (midday on a Monday afternoon), there were 7 vehicles parked

outside the houses directly opposite the garage site which would make access to this site by delivery vehicles problematic as they would block the highway both ways to turn right across the flow of traffic into the site. There were various suggestions made within their report to mitigate excess noise problems (turning off engines, 'cabin doors will be closed gently') whilst deliveries are taking place which sound good in theory but we all know doesn't happen in practice. I feel very sorry for those people on Cirencester Road who will have to put up with noise from 6.00 - 23.00 every day. This simply is the wrong development for a residential area.

Where will vehicles be parked whilst any development takes place on this site? One of the planning conditions when planning permission was given to erect two houses on a plot behind ours a few years ago was that all construction vehicles would be parked on-site for the duration of the development. Needless to say, this did not happen for the whole year it took to build the houses, blocking Bafford Lane on a regular basis, particularly when deliveries to the site were made first thing in the morning when people were trying to get to work. We envisage the same thing happening during any building works at 86 Cirencester Road.

From a driving point of view, the site lines coming out of Bafford Lane onto the top part of Newcourt Road to turn left or right onto the Cirencester Road are regularly blocked by cars parked to the right directly on Cirencester Road. This is a problem that is bound to be exacerbated during and after construction.

Any increase in traffic flows in this area will make it more dangerous for the many children crossing Cirencester Road to get to the schools in Charlton Kings.

We wholeheartedly object to this application and fervently hope the Council will listen to the majority of local residents' wishes that this application should be refused.

6 Croft Court  
Cirencester Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL53 8DG

**Comments:** 24th January 2014

Re planning application 13/02174/FUL I wish to log my strongest objection to the proposal of X3 retail units plus parking. The Cirencester Road is already an extremely busy and potentially dangerous road with too many vehicles travelling too fast into and out of Cheltenham. The residents of Croft Court have all had 'near misses' either attempting to turn left or right out of the court or crossing the road. I often see school age children having great difficulty crossing the busy road. Parking in the area is already at optimum capacity with 2 way traffic barely able to flow safely along the road with stop/start traffic at rush hours and with the frequent huge lorries that are constantly using the road.

We in Charlton Kings already have ample and adequate shopping facilities with a Nisa, Budgens and Coop stores, plus other specialist stores such as a butcher, hairdresser, florist and chemist to name but a few all within easy WALKING distance. Another X3 retail outlets are certainly NOT needed and would cause unacceptable volumes of traffic, more parking issues, would make the area more dangerous for local drivers and pedestrians alike. This would also threaten the business of our local traders of which many have been here for years.

This proposed application is totally unacceptable and I strongly object.

**Comments:** 22nd May 2014

Just to reinforce my original objection to a store on the car wash site. We do NOT need another general store, we have several already within walking distance. We do NOT need an increase in traffic coming and going off and onto an already VERY busy Cirencester Road. With increased



traffic, deliveries with large vehicles the increased noise and pollution levels would be totally unacceptable to local residents. Long opening hours would only highlight the above.

7 Branch Hill Rise  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 9HN

**Comments:** 26th January 2014

1. Extra vehicular movements on an already busy road.
2. A new convenience store would seriously impinge on the businesses already in the area.
3. Extra noise and inconvenience to local neighbours and residents.
4. Buildings likely to be completely out of kilter in line with properties either side of the proposed site.

**Comments:** 9th June 2014

I object for three reasons:

1. Extra vehicular movement on Cirencester Road and surrounding roads which are already very busy and parking is extremely difficult.
2. Extra convenience store surplus to requirements as sufficient already within the area.
3. It will be a further excrescence on an area which has mostly private housing; it is not in keeping with the surrounding properties and we do not need another convenience store.

I further suggest that the site be used for extra low-cost housing.

2 Regis Close  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8EQ

**Comments:** 28th January 2014

Letter attached.

**Comments:** 6th June 2014

Letter attached.

9 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 28th January 2014

Letter attached.

130 Horsefair Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8JT

**Comments:** 3rd February 2014

Objections are based on the following:

1. There is no need for further stores in this area, it is well-served by current shops and further development will lead to loss of the Church piece community centre.
2. Additional services (takeaway shops/coffee shops) exist within walking distance
3. Traffic congestion and parking in this area is already bad, this will only worsen the situation.

If it needs to change then housing or a petrol station would be a better use of the land.

57 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 3rd February 2014

Having just recently moved to Charlton Kings we very much appreciate the "village" environment that still exists here & are disappointed to hear that the council is even considering a planning application from the retail giant, Tesco. The area is already well served by independent local retailers & the village already supports a supermarket. The increase in traffic, congestion, noise & litter that a convenience store will inevitably bring to what is an established residential area must surely make the proposal untenable.

**Comments:** 28th May 2014

My husband & I strongly object to the proposal to allow Tesco to build a store. I find it amazing that the council should lament the inappropriate material used to build garden walls in Bafford Lane, thus detracting from what is a beautiful conservation area, and at the same time even consider allowing an un-wanted commercial development. We have no need for another supermarket in the area that will bring further parking difficulties & increased litter. Bafford Lane is already subject to illegal parking on footpaths & and congestion that leads to poor access. The development will only serve to exacerbate the problems.

Charlton Kings is valued by all for it's village atmosphere that can only be damaged by inappropriate development. We already have perfectly adequate retail facilities in the area, and I know of nobody who would welcome Tesco.

High Ridge  
33 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 22nd January 2014

I strongly oppose this development on the following grounds:

1. There is no need for another convenience store in Charlton Kings - the existing stores are adequate for the communities needs, in particular there is a perfectly suitable Nisa just across

the road from the proposed development, which does not deserve the negative commentary it is subjected to in this planning proposal.

2. This proposed development will clearly have a detrimental affect on local traffic. In particular, what is going to happen to the HGV delivery lorries that will inevitably roll up daily? My guess is they will do what they at every other store - i.e. not use the car park as that would block access for shoppers, instead they will pull over on the roadside to make their delivery - this will create a massive problem for people using the Newcourt Rd exit onto the main Cirencester Road, where visibility will be reduced to dangerous levels.
3. Another traffic issue is related to pedestrians - this area is already problematic due to the large volume of school children crossing at this point, where there is heavy traffic, with no adequate provision for crossing. This "convenience" store is only going to make that worse & endanger the lives of our children.
4. The so-called "design" of this development is derisory - the usual flat-topped brick slab, lacking in imagination, creating an eyesore, but no doubt being the cheapest solution which maximises profits for the developer.

Please do not pass this planning application - I oppose it most vehemently.

**Comments:** 23rd May 2014

Having seen the revised proposal for this development I remain strongly in opposition to it. Whilst some effort has been made to enhance the building design and general layout of the site, two fundamental issues remain unaddressed:

1. Charlton Kings does not want or need another supermarket - in fact the proposed redesign makes the supermarket even larger, this is completely inappropriate for this location;
2. This development will increase traffic issues at an already hazardous junction - I fail to see how the proposed Delivery Management Plan can ever be enforced, and even if it was, traffic issues are still going to increase if this goes ahead.

Please do not allow this development to proceed.

70 Little Herberts Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LN

**Comments:** 24th January 2014

I would like to object to the proposed development to the car wash site on the Cirencester Road.

I do not object to redevelopment of the site, which could be deemed unattractive at present, but to the proposed development. Charlton Kings has not experienced a sudden rise in population and is currently well served by convenience shops, cafes, take-aways, hairdressers etc. which will likely be adversely affected if the proposed development goes ahead, probably resulting in their closure which will mean people will lose their jobs and livelihood and also another property or properties will become derelict and will reduce rather than increase choice. It is contrary to local plan policy CP4(e) which states that new developments should maintain the vitality and viability of local shopping facilities.

The statement by Mango says that the new store would function as a convenience outlet primarily meeting the top-up/basket shopping needs of... but then goes on to say the Nisa unit appears to cater more for small basket and occasional top-up purchases. I'm not quite sure what the difference is. Mango comments that local people have to resort to travelling to a large supermarket for their needs which is not sustainable. I use NISA, and other local stores, for top-up purchases and have found them more than satisfactory and yes, I do visit a large supermarket about once every 3 months but I doubt the new proposal would mean I didn't need that trip. The new proposal will not encourage people to stay longer in the vicinity (in fact the car park might cause them to spend less time as they will not walk to the local shop!) and will not provide more choice when other outlets are forced to close. Para 14 of the National Planning Policy Framework as quoted by Mango requires sustainable developments. I am in favour of sustainable development but this would be unsustainable development as there is not the number of extra people in the area to warrant it and is therefore contrary to the NPPF.

Local policy CP4(b) states that an application should not result in an unacceptable level of traffic. If the development is successful it will inevitably result in a lot of extra traffic, including large lorries, entering and exiting onto a busy main road that is used by commuters (especially when there are problems associated with traffic round the air balloon and even on the motorway) and by race traffic, as well as the local traffic. Noise and traffic will increase thus contravening local plan policies CP4(a) and CP4(b)

What will the other two outlets be used for? If takeaways, this will generate a significant amount of extra noise with more rubbish on the nearby open space which contravenes Local Plan Policy CP4(a) which states that the application should not cause unacceptable harm to the amenity of adjoining land users and the locality.

The new development may very well provide jobs but the car-wash employees and, if, as seems highly likely, at least one other shop closes, jobs will be lost there negating the argument regarding extra jobs.

The proposed development refers to customers using the bus service but the buses are infrequent and the routes taken are unlikely to result in additional customers therefore contravening local plan policy CP5.

Policy CP7 refers to a high standard of design. The design looks like a typical retail outlet flat roof and cheap to build - not what I call a high standard of design.

A more appropriate use for the site would be housing, especially a low-level block of flats (with lift) for first time buyers or older single people for which there is a need in Charlton Kings. As is set out in the 12 Core Planning Principles paragraph 17 quoted in the Hunter Page planning application: Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities. The proposed development does not take into account the needs of the residential and business communities and should therefore be rejected.

### **Comments: 30th May 2014**

I thought it highly likely that the proposed two small units would not be viable and would thus be absorbed into the larger unit so I cannot see that the proposed revision changes the issue significantly. There is still unlikely to be a requirement for any extra convenience store (when there is already a perfectly good store almost opposite) as no new housing is planned in the area. The road is already busy, especially at times when traffic is diverted, so cars and delivery vehicles entering the site will cause problems as well as extra noise and pollution.

I still maintain that a low level block of flats would be the best use for the site. Housing is needed far more than a duplication of a convenience store.

77 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 30th January 2014  
Letter attached.

**Comments:** 10th June 2014  
I object to the revised plans for 86 Cirencester Road.

I refute the claims made about negligible impact on local shops. Local trade will be adversely affected.

In addition, the combined problems of street parking (as overflow from the provided parking), noise and pollution from deliveries make this proposal unacceptable for the local residents.

133 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 30th January 2014  
Letter attached.

**Comments:** 9th June 2014  
I am writing to object to the proposed development because it is inevitable that there will be an unacceptable increase in traffic which will be harmful to the community and my amenity.

Although the plans have been revised and the proposed two A3 units have been removed, the original reasons for my objections still stand. There will be an increase in the traffic in the vicinity as a result of: deliveries, staff arrival and departures, increased number of vehicles visiting the convenience store which will be larger than others in the area and have longer opening hours both of which will attract customers from a wider area(far above the numbers using the car wash).

This increase in traffic will exacerbate the many problems on a this busy road, in particular increases in: noise, light and air pollution, vibration and road maintenance.

Since the initial proposals were put forward I have been checking on the parking of customers at similar developments, particularly those where an ATM is onsite. My observations show an increase in street congestion, a constant abuse of parking with customers simply pulling up alongside the development to 'pop in' for a newspaper or to withdraw some money. They make no attempt to use the parking spaces which may be available and often park on the kerb causing a danger for pedestrians and frequently illegally parking on yellow lines or on the corner of a junction.

Whilst the removal of the A3 units is an improvement, there still is no need for a new convenience store when we already have a number within easy walking distance, together with cafes, takeaway food outlets. Far better would be the opportunity for new housing, in particular sheltered accommodation for older residents who may wish to remain in Charlton Kings but are unable to find suitable small properties. All of the new builds under way or planned in the village

appear to be larger family homes and the shortage of affordable one/two bedroom properties is never addressed.

In planning terms I believe the proposed development contravenes the Cheltenham Borough Council Local Plan Policy CP4, Safe and Sustainable Living. Specifically it contravenes sub policy CP4(a) in that it would cause unacceptable harm to our amenity as an adjoining land user and would harm our locality. Additionally it contravenes sub policy CP4(b) by affecting the environment in an unacceptable way due to the volume of traffic and street noise thereby having a serious adverse affect on our amenity and living conditions.

This is a perfect opportunity for the Borough Council to invest in developing something which will benefit the community and not simply produce a big profit for the developers and a national supermarket chain.

25 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 1st February 2014

Objections to this scheme to date detail, with comprehensive and well informed local knowledge and opinion, the disastrous effect three generic commercial units would have on traffic, parking, safety as well as local residents' sense of well-being.

However, the potential of the development site to serve as a gateway to Cheltenham is of paramount importance; it's unique selling point is it's high visual impact at this critical entry point to the town. This application ignores the site's virtues.

The development site's adjoining green space, which functions as a recreation area as well as a link to the green pedestrian route and cycle path into town, is scarcely mentioned in the documents. It also offers considerable potential to inform any site development in this location. Health, recreation and well-being are important factors for local residents.

We feel that a brief that thoroughly investigates the development site's potential would lead to a successful resolution: a sympathetic and sustainable development for Charlton Kings.

In the light of the level of opposition, our expectations are that this application will be rejected. We would like to see a Public Meeting to which local councillors, planners and residents are invited to reconsider the site's planning brief and hope that this will result in an appropriate and well considered local development that enhances our neighbourhood.

71 Ravensgate Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8NS

**Comments:** 3rd February 2014

It is important that a decision has been taken to refer this application to full Planning Committee where up to 15 councillors, from across the political spectrum, will make a site visit and examine all submissions before coming to an impartial decision based on the best evidence available.

I share the unease which residents have expressed as to the disturbance to the equilibrium of our village, which seems to be balanced and presently functioning reasonably well.

The most crucial aspect is that claims supporting the proposal, regarding economic and environmental impacts, are fully tested and rigorously peer reviewed to establish as far as possible the true situation.

I have a specific concern that the level of safety on Cirencester Road may be compromised. At present we have direct evidence from road traffic reports that there have been no serious accidents on the stretch of road adjoining the proposed development and we must maintain that position. Plans indicate there would be a relatively few parking spaces. Of the 16 proposed, 2 are rightly designated for disabled customers. The available remainder will be reduced to accommodate employees at both the store and the two other retail units leaving just a handful of parking bays. During peak times this could lead to an overflow onto the Cirencester Road. In more than 20 years I have hardly ever seen a car parked on this side of the road, even when it was previously a garage. The carriageway is clear and traffic has good sight lines. Residents living opposite use only their side of the road. With cars likely to be parked on both sides, the chicane effect would really change the dynamics of the road.

Young people en route to schools may be more likely to stay on the store side of the road to call in to make a purchase, and could be crossing between parked cars. This doesn't just apply to students; there would be a huge increase in footfall over the road in an area where there is at present no safe provision to cross.

The position would be exacerbated further should the site accommodate a fast food outlet, as pupils would cross back and fore during their lunchtime forage for food.

Also, given the known behaviour of some drivers to take the easy option it would be reasonable to consider that some vehicles would be left half on the pavement whilst their owners 'just popped' into one of the two units rather than park at a distance.

Before any decision can be taken, these issues need to be explored further and resolving.

I am confident that those councillors tasked with deliberating on this planning matter will give due attention to those points which constitute material considerations.

The Firs  
1 Newcourt Park  
Cheltenham  
Gloucestershire  
GL53 9AY

**Comments:** 3rd February 2014

I have serious concerns regarding the proposed development of 86 Cirencester Rd. There simply is not a need for another convenience store in the area. The community is well served by Smith & Mann/Budgens, the Co-operative, Jefferies the Butcher, the chemist, the florist, The Forge and Nisa. I foresee a major problem with traffic relating to the proposed store, not only delivery lorries but also shoppers. The Cirencester Rd is a busy enough route already and with the occasional car parked on the side of the road, inevitable hold-ups occur. This will be made worse by cars pulling into the proposed store. On the subject of traffic, this road is a main thoroughfare for school children and I feel that increased traffic could put lives in danger.

177 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DE

**Comments:** 18th January 2014

I have to agree with the previous comments made by my neighbours and state we do not want another retail outlet & Store.

In addition to the comments they have made I believe there will be problems with parking despite the off road parking you have stated in the design. I find people who visit the various areas along the Cirencester Road have a tendency to park outside your house whether you have a dropped kerb or not. So I envisage this causing problems as well as frustration with myself and my fellow neighbours.

Also, I find the current business of a car wash, works fine and fits in with the community. Where there was a problem with times they gladly observed the communities wishes and acted accordingly. They filled a niche that ensured the Garage area was occupied and in use. I shudder to think what the outcome would have been had it been left empty. So I think the workers of this business deserve a hearsay and a chance to voice their opinion, if they haven't already.

165 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 14th January 2014

As I understand it numerous letters of objection have already been written to the council regarding this development and I was wondering when they will they be uploaded on here?

There are also several hundred signatures on different petitions at the local Nisa Store, Budgens and online.

**Comments:** 15th January 2014

I am writing to express my extreme concern with regards to the planning application for the development of the Car Wash site at 86 Cirencester Road, Charlton Kings.

It is obvious that any retail development on this busy road (and the application includes 3 units!) would inevitably lead to problems with parking and traffic flow in what is an increasingly congested area.

I also can not see how anyone could argue that the existing NISA corner shop on Croft Road would not suffer.

In addition there would be a threat to the local convenience stores and coffee shops based around at Church Piece and Lyefield Road West. It would be a tragedy and we need did not support the existing businesses there to keep the area alive and welcoming.

I simply fail to see how pushing an unpopular retail development through would serve the local community.

**Comments:** 29th April 2014

Response to Revised Acoustic Report - 13.03.14

Firstly a small point but the address on the report is wrong as it refers to 87 Cirencester Road, which is a residential house way down on the opposite side of the Road!



The Vehicle Noise Measurements section lists the main noise sources associated with a HGV delivery but makes no mention of the noise of a refrigeration unit. Is this an error or can I therefore assume there will be no use of refrigeration HGV plant?!

Included in the list of daily deliveries the report details one HGV delivering every morning between 6-7 am for up to an hour. Most people would not need a decibel analysis to understand that having such a delivery outside a residential house every morning will be disruptive. If by some strange development this was to include a refrigerated unit the impact would be even worse.

Please would someone get back to me to clarify this.

**Comments:** 9th June 2014

Although there have been some minor improvements to the scheme I still very strongly object to the basic proposal.

- 1) it will obviously take custom from the existing stores
- 2) it will definitely increase noise pollution for the residential neighbours (especially first thing in the morning and into the evening)
- 3) there will be an increase in traffic and parking issues

And if these points weren't enough, the vast majority of the local community does not want or need it so I ask who is this scheme designed to benefit?

**Comments:** 18th June 2014

Aside from all the experts and consultants can anyone please explain to me how changing from:

- 1) a Car Wash that operates from 9.00am-6.00pm Mon-Sat and 9.00am-12noon Sun and Bank Hols, to
- 2) a Retail Outlet with 24hr ATM, Deliveries and Customers 6.00am-11.00pm Mon-Sat and 7.30am-10.30pm Sun and Bank Hols.

will not result in a loss of amenity to local residents?

Sorry but just to make it clear longer hours, more vehicles, more people = more noise and more traffic problems.

I ask, in all honesty, would you be happy to have this operating opposite your house?

147 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 30th January 2014

I sincerely object to this planning consent. I am a single mother living virtually opposite the site and am appalled that such an application has been made and is even being considered. We do NOT need anymore shops in this area. We are a good strong, local community and the thought of more traffic, early morning and evening disruption is beyond belief. The only way this application would work is that a limited amount of residential property and no convenience store is built.

**Comments:** 10th June 2014

I strongly object to all proposals for this site.

181 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DE

**Comments:** 1st February 2014

Proposed development of convenience store and two retail units.

This development plan does not meet local requirements in any way.

There are ample convenience stores, coffee shops and other retail outlets in the area.

The plans mention creating jobs, but what will happen to the car wash business and how many will lose jobs as a result of removing the current business from the site.

There is not sufficient business to support these additional shops, which will result in the closure of some of the existing businesses and further job losses.

The Transport statement uses traffic accident information for the last five years when looking at possible accident black spots in the immediate area, but when looking at Traffic Impact uses data based on the use of the site as a petrol station, which was over five years ago. The current car wash business does not generate a huge amount of traffic, and with the layout is well able to accommodate traffic turning into and leaving the site, their hours of operation are also much shorter than those of the proposed convenience store.

The junction of Pumphreys Road, Cirencester Road and Newcourt Road was the subject of consultation regarding putting an island in the middle of the road to aid crossing, as this being a natural crossing place at the junction of several routes was considered dangerous. This was rejected and as a result the dangerous situation with people, including many schoolchildren crossing there, and additional traffic turning into the site will continue to be dangerous and a major hazard for all concerned.

16 Parking places are mentioned specifically for customers, this does not make any allowance for staff cars, which there inevitably will be. These will have to be parked in side roads in the area, where there are already parking issues for residents

There is a real need for affordable housing for young people, who cannot afford to stay in the area; this would be a much more favourable option to the community as a whole.

Surely better to give the community something it needs rather than shops which it does not?

159 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 30th January 2014

Letter attached.

**Comments:** 9th June 2014

Letter attached.

141 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 31st January 2014

I am a resident at 141 Cirencester Road and I would like to express my strong objection to the proposed development for the following reasons:

- 1) There is not lack of convenience stores in the Charlton Kings area. There is a Nisa, Co-Op and a Budgens all located within a triangle of the proposed site, any new convenience store would not offer the residents anything more/new than what is already provided for. This isn't including the various other local business within the area that this development would effect such as the Butchers directly opposite the site.
- 2) There would be a significant increase in traffic around the proposed site. If you study the site and surrounding area the road road narrows and bends around Croft Court, this combined with local residents parking on the road means this stretch of road can become a bottleneck for traffic which would only get worst if the proposed development went ahead. For example, the Tesco Express which has recently been opened on Hewlett Road has delivery lorries just about every morning unloading less than 15 meters from the roundabout during peak traffic hours. This causes all sorts of traffic problems in the mornings. I know the proposed site isn't by a roundabout; however this stretch of road needs to be considered with the increase of traffic and delivery lorries that will require access to the site.
- 3) This part of the Cirencester road is relatively quiet in the evenings and at night, such a proposed store will have unsociable opening hours, possibly opening for 24 hours (if not to start with, probably ending up being), which will ruin this the peace that we, the residents, currently enjoy. I think its unacceptable to develop such a site into a "mini-mart" in a residential area where historically there hasn't been late night opening stores such as the one proposed, its especially unfair to the residents living directly opposite the site, not only will their privacy be affected but bright lights will be shining into the houses opposite from the stores and traffic leaving the site. Not only would there in an increase of noise from traffic but there will extra noise levels from the customers visiting the store at late hours. I know whatever convenience store takes over the premise will be more than willing to put up a sign asking there customers to be respectful of the neighbours (like I have see at various stores in residential areas in Cheltenham) however, in my experience the individuals who would be most disruptive at these hours wouldn't care if a sign was up or not, they are just loud and disruptive by their nature.
- 4) The proposed development is not in keeping with the Cirencester road, the majority of the road is traditional red brick Victorian style houses, I do not think bright neon lights of a convenience store will be in keeping with the style of the road.

I believe the site requires re-development; however I strongly disagree with this proposed development. It does NOT fit any need that our community requires.

96 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DG

**Comments:** 2nd February 2014

I object:

- on the grounds of the planning design, which is boring and not in keeping with area.
- on the grounds of increased noise and traffic by lorries and shoppers and staff at all times of day and evening
- on grounds of excessive parking on a difficult street thus blocking the flow of traffic and preventing residents parking near their own property.
- on grounds of smells and public nuisance of fast food outlets.

The latter is my strongest objection.

Another supermarket not needed nor fast food outlets - current business is not hurting anyone.

98 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DG

**Comments:** 3rd February 2014

I live at NO. 98 Cirencester Road - opposite the Nisa Shop which is open from 0600 to 2100 daily with the constant flow of traffic from both customers and suppliers to the store. in addition there is a cashpoint service outside the shop which again attracts customers throughout the day even when the shop is closed - with the noise of the cashpoint audible throughout the day in the garden. To have another retail outlet on the same side of the road but less than 100 yards away from Nisa is unnecessary and will only cause more noise from both customers and suppliers to the shop. The road is already busy and the application will only increase the level of traffic - particularly given the extended opening hours to 11pm - why is this necessary in an area where there are already 3 supermarkets - Nisa/Budgens & Co-op.

Aside from the noise and disturbance to the traffic on the very busy road, the look of the development is ugly - particularly in a road which has Victorian properties and is not in keeping with the area.

There is a park alongside this application - this might encourage youths to gather - particularly in the summertime with access to a shop open until 11pm - not suitable for the surrounding houses which mainly have young children. At the moment the area is quiet after 9pm - to agree to an application to extend to 23.00 is not in the interests of the people in this road.

The community around here is one of young families and to agree to yet another retail outlet is simply ignoring the community's needs. We do not need any more supermarkets.

This road is far too busy - this proposal will only increase traffic and the chances of accidents increasing - particularly given the location of the schools around this area.

**Comments:** 9th June 2014

Unfortunately the revised application for a new convenience store at 86 Cirencester Road is not wanted in this area. We have adequate provision for all grocery purchases with Nisa, Co-op and Budgens who will see a decline in business by allowing such a large retail operation. The road is too busy to handle the impact of constant deliveries to a larger store. The area should be allocated to housing - not more retail shopping. The demand for housing in the area is high - the location is ideal for family houses with good provision of schools/parks etc in the area.

171 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 3rd February 2014  
Letter attached.

167 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 3rd February 2014

I have objections to the noise it will create to residents living opposite this proposed site will be overdevelop on a small site children crossing road to get to school and lorry delivering and blocking a very busy road there will be no privacy and the stress it will bring for residents when customers will park and residents cannot get on there drive this will happen as it happened when it used to be a second hand cars sales

163 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 1st February 2014

I have lived directly opposite this proposed development site for the last 30 years and therefore have first hand experience of the traffic congestion, dangers of the road and parking problems in the area, which have increased dramatically over the years. The A435 is a very busy and over burdened trunk road, especially at peak times, the addition of a convenience store plus two retail units crammed on to this unsuitable site will do nothing more than exasperate the current traffic and parking problems in the area.

#### 1. Damage to local Business

There is little or no need for the addition of another convenience store in this area, we already have ample to serve the local community (Nisa, Co op, Budgens etc) another will only damage our established local small businesses who serve us well.

Also the carwash provides a great service for the local community and will be sadly missed by many, not to mention the employees loosing their jobs.

#### 2. Traffic & parking problems

More unwanted traffic will be attracted into the area, delivery lorries obstructing the highway and vehicles pulling out will also increase the risk of accidents to both pedestrians and drivers.

Parking is already a big problem here and the proposed development provides insufficient parking for both staff and customers, this will lead to more on street parking leaving residents with even less or no parking.

3. Better use of the site

There is a shortage of housing in the area, the site would better lend itself to residential housing which would not significantly increase traffic problems or damage local shops or the environment.

4. This development is unwanted

This proposed development is unwanted by a very large percentage of people who live in the area, I only hope the Council take note and reject this planning application.

This village belongs to the people who live here, not the developers or the supermarkets!

**Comments:** 10th June 2014

I strongly object to the erection of the proposed convenience store at 86 Cirencester Road, I have lived directly opposite this proposed development site for the last 30 years and therefore have first hand experience of the traffic congestion, dangers of the road and parking problems in the area, which have increased dramatically over the years. The A435 is a very busy and over burdened trunk road, especially at peak times, the addition of a convenience store on to this unsuitable site will do nothing more than exasperate the current traffic and parking problems in the area.

1. Damage to local Business

There is little or no need for the addition of another convenience store in this area, we already have ample to serve the local community (Nisa, Co op, Budgens etc) another will only damage our established local small businesses who serve us well.

Also the carwash provides a great service for the local community and will be sadly missed by many, not to mention the employees loosing their jobs.

2. Traffic & parking problems

More unwanted traffic will be attracted into the area, delivery lorries obstructing the highway and vehicles pulling out will also increase the risk of accidents to both pedestrians and drivers.

Parking is already a big problem here and the proposed development provides insufficient parking for both staff and customers, this will lead to more street parking leaving residents with even less or no parking.

3. Better use of the site

There is a shortage of housing in the area, the site would better lend itself to residential housing which would not significantly increase traffic problems or damage local shops or the environment.

4. This development is unwanted

This proposed development is unwanted by a very large percentage of people who live in the area, I only hope the Council take note and reject this planning application.

155 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 1st February 2014

The acoustic report submitted by Hann Tucker is flawed. On the first night that the sound sock was positioned a chamois leather cloth was placed over the device. On the second night a Norwegian woolly hat was placed over the chamois leather. Both of these in situ over the acoustic device would severely reduce the amount of ambient sound recorded. We do not know who placed the accoutrements over the device, both events happened overnight.

**Comments:** 16th January 2014

I will formally oppose this application shortly but in answer to the question posed where are all the letters previously sent in? The Borough Council have said that they can not be included because they were submitted before the application was submitted and verified. The argument being how can you comment on what you haven't seen. That would be an issue for "design" but as neighbours we commented on a busy, fast commuter road, the vast reduction in the amenity of adjacent homes, the vast increase of traffic and necessity of an unwanted/needed "convenience shop". We either need to re send those original letters/email or write again, or do both. As it stands, this application is contrary to the Cheltenham Borough Council Local Plan (2006) Policy CP4(a)(b) and (e). Plus design, CP7. And others which will be in my opposition letter, complete with pictures of the road snarled up after an Air Balloon car, which as we all sadly know are frequent.

**Comments:** 30th January 2014

I have been asked to formally submit the Petition signed by 600 local residents who oppose this Planning Application on the grounds of CBC Local Plan Policy CP4(e).

This Policy states that Safe and Sustainable living, development will be permitted only where it would (e) maintain the vitality and viability of the town centre AND DISTRICT AND LOCAL SHOPPING FACILITIES (my emphasis). The Policy wording is attached to the Petition and signatories were able to read this and make a judgement before signing. The document is too large for me to scan so I will take it to the Municipal Offices and deliver it in person.

Note - The petition is attached. .

**Comments:** 30th January 2014

A neighbour just asked me to clarify the opening times of the proposed inconvenience store. The hours requested for that are

0600 to 2300 SEVEN days a week, there are no reductions for Sunday Trading because of the size and designation of the proposed shop. We do not know the proposed hours of opening of the 2 food and drink outlets or whether one of those will be a drive thru or not.

**Comments:** 3rd February 2014

Letter attached.

**Comments:** 4th February 2014

The plans submitted for the store, which were only put to this site on 4 February, are again, inaccurate. There is one lamp post directly in front of the site (number 41 which is directly opposite house number 161 Cirencester Road across the road) and in terms of the site plan it would be the one identified near the staff room. There is no lamp post currently in position in the area of the site plan near the proposed ATM, so I do not know where that information has come from.

Northbound into Cheltenham there is lamp post number 43, directly in front of home number 90 Cirencester Road, 41 in front of the application site, and then lamp post number 39, which is directly in front of the home at 143 Cirencester road across the road. If lamp post number 41 were to be removed, there would be no pedestrian street lighting for close on 250m northbound into Cheltenham. This is critical for two safety reasons, and notwithstanding dark nights and children crossing the road to get to schools etc

Firstly, there is the busy junction of Cirencester Road/Newcourt Road to cross and secondly when I was in correspondence with Glos Highways appealing for more signage to remind drivers

that the speed of the road was 30 mph they refused on the basis that street lighting in an urban environment clearly indicates that a 30 mph limit was in force. On that basis they refused any more signage and quoted the Highway Code at me. If 41 were to be removed this subliminal reminder would disappear and add to the already speed hazard. I would also struggle to think where 41 could be repositioned to in order not to inflict the distance between 43 and 39. I can only surmise that the applicants would feel the on site lighting was sufficient to illuminate the street pavement, that public safety would then be liable to the vagaries of a private development is surely not acceptable. This safety factor must be taken into consideration please when determining the application, and given the amount of people who have already commented on inaccurate plans, this adds to the list.

**Comments:** 12th March 2014

Might I make a couple of observations in response to the DPDS comments from Duncan McCallum.

The end user is a Sainsburys, the manager designate has been over heard saying as much. Mango know this so I am a little concerned at the calculations based on a lesser chain eg Londis or such like.

Also, whilst noting the comment that Planning Law is not there to protect private businesses, see DPDS comments 4 March and earlier, neither surely is it there to put two businesses and 13 employees out of work/business is it, in order to satisfy this application, the justification for which is mired with inaccurate and potentially misleading statements. I note also no Environmental impact assessment report nor Highways and the impact on this busy arterial A road of parked up lorries and the vast increase in traffic to not only the A1 store but also the almost forgotten about two x A3 units. We haven't seen transport statements nor retail statements for these not an assessment of the likely impact of similar businesses already in situ here.

**Comments:** 31st March 2014

1 of 2

Can I ask a few questions please

Why has CBC Environmental Protection team not made any comment about the light pollution that will obviously damage our amenity 7 days a week? A Sainsburys supermarket for security reasons will want to have security lighting on OVERNIGHT. With an ATM there is an obvious security risk and there will be security lighting that that OVERNIGHT. Can I please ask why these issues have not been addressed?

Why has there been no Highways Comment on this Arterial busy fast road? It is inconceivable that an informed decision can be made about this application on this site without detailed analysis of

1. Speed of traffic
2. Volume of traffic
3. Ramifications of the wider impact on roads in the locality when the road is blocked by delivery vehicles idling on the highway waiting to gain access to the site and vehicles choose to take other side roads
4. Safety implications for pedestrians and school children (inc parents) when vehicles park astride the kerb or totally block the kerb on that side of the road, it happens now, it will happen then.

We have great concerns about the alleged disingenuous and ill informed information and stats used to justify this unwanted non sustainable development. Figures for footage and income proposed by the A1 unit are being fudged with comments about possible Londis and other 'minor' supermarkets being the A1 unit end user. We know this is intended to be a Sainsburys local, why have DPDS not made their analysis based on that fact.



Waste disposal and storage by the A1 unit. The claims made about this factor are simply ludicrous, and unbelievable. Any supermarket generates waste throughout the day, from unwanted packaging to waste food. Current legislation fines a shop for out of date food on its shelves, currently the fine is £10000 per item, per day out of date. Sainsburys will not wish to have any food on its shelves that transgresses this law, so will remove it. Where will that be stored overnight?

The suggestion that the daily delivery will collect waste and remove it is simply not true. A food delivery vehicle is simply not equipped to separate foodstuffs from waste, I think this may also contravene Environmental Health and Safety Regulations for Fresh Food and needs to be investigated fully please.

As it stands, I don't think the proposed waste collection suggestions for the A1 unit stack up legally and I challenge that assertion, can Trading Standards and the Statutory body for the use of food please be asked for a view.

**Comments:** 31st March 2014

2 of 2

The identity of the end users for the A3 users has not publicly been avowed but it is clear from the comments made by retail assessor a that one of them will be a take away. Quite apart from the fact that our area is already well served by A1 units covering fish and chips (2), curry (2), Chinese (2) and other fast food (burgers kebabs etc 2), I haven't read anything about traffic flows throughout the evening, impact on our amenity due to car doors slamming, customers calling out, customers hanging around in their cars earrings their food with their engines running ( it will happen won't it). How will these issues be dealt with to mitigate the obvious impact they will have on our amenity, and peace of mind.

Can you please confirm that it is still planned to have this application go before the Planning Committee scheduled for 24 April. Many thanks in advance

**Comments:** 7th June 2014

As a family of four we continue to be strongly opposed to the development of this site for the benefit of a major national supermarket chain. Once the developer had seen the 959 Petition and the 150 letters of representation against the application, that should have been the clue to properly engage with the local Community as is strongly advised in the National Planning Policy Framework document. That has not happened. Proper research by the Developer would have identified the already local provision of two Co-op stores, the Smith and Mann Budgens and the independently owned and operated NISA almost directly opposite the site.

Both the owner of Smith and Mann Budgens and the NISA have indicated that they would be in jeopardy of closure should this application receive approval. Whilst accepting that Planning Law is not there to "protect" private commercial initiatives from other commercial completion neither is it surely there to put 8 car wash workers out of a job, and potentially see the closure of a local shop, the NISA. The revised retail statements by Mango smack of desperation and frankly need to be taken with a pinch of salt. Budgens saw a footfall loss of around 10% when the new Sainsburys opened on the Oakley site, how much will they lose should a major retailer open this close to them. Currently our sole remaining Post Office is managed by Smith and Mann and we have serious concerns about our community should we lose that facility. This application and its revision is simply Not sustainable and does not fit with the NPPF nor Cheltenham Borough Council Local Plan for the reasons I have previously stated.

I am also concerned that despite the fact that the application went in before Christmas we have yet to see what comments the Glos Highways Planning Liaison team say nor what the Glos Road Safety Management Team may have on this application. I have been told that the final report will

be available to the Planning Committee and that consideration has been given all along to road safety issues but without seeing the evidence I remain unconvinced. Numerous press reports have recently highlighted the need for more houses in our gown and this site would be an ideal use of a brownfield site for some more. That the Developer is closed to any suggestion of any other use is more to do with his contract to supply a shop than to satisfy any real local need. This is a fast, busy road and under the Freedom of Information Act 2000 I request all copies of draft or final reports and emails or notes from telephone advice relating to the highway/road in front of this site. 7/6/2014

**Comments:** 7th June 2014

With regard to the large delivery vehicles now approaching the site from the north, from the direction of Cheltenham Town Centre, I note for the revised drawings that there is to be a ramped entrance for the loading and unloading of goods etc. this ramp which has railings intrudes into what is supposed to be part of the parking area for the shop. Shoppers and shop staff with cages will compete for a safe journey across the car park, as will shopper leaving the store. The distance will also mean that the heavy cages will run across the ground from in front of the new shop around the side, through the car park and potentially there will be conflict with shoppers, pedestrians and shoppers cars trying to enter/exit the site. This railed ramp reduces surely the amount of car parking spaces available for shoppers and I still cannot see any mitigation for where staff will park.

Nothing has been said about what time cleaning staff will be on site and with access to the shop, but it will presumably be before shop opening time, or after staff check up at night.

Finally, I simply do not believe that any retailer will take away out of date packaged food or loose vegetables in the same vehicle that brings in new stock. There is clearly a cross contamination issue with this and I am surprised that environmental health cannot see this incongruity. Finally, these delivery vehicles will now be expected to wait outside our homes, heading south but waiting in the northbound lane, to cross the A435 Cirencester Road and across a busy pedestrian pavement where dog walkers, users of the adjacent public open space and school children will be potentially in conflict with large lorries crossing across the pavement. I have not seen how this will be mitigated.

The Design of the building is now worse, it does not complement the adjacent Edwardian homes where we live and the NPPF clearly states that this must be taken into consideration, it clearly hasn't been. All our reasons for refusal remain, Design, lose of Amenity to adjacent homes (noise, disruption, light glare etc), Road safety and the loss of local shops (CP4 and three sub clauses apply)

**Comments:** 16th June 2014

The letter from Hann Tucker to Waldron at County to County is completely untrue. Most residents across the road from the site saw the obstructions on the recording device, a device that was in plain view on the roof of the former garage shop. It was not locked away out of view or with no access to anyone that wanted to access it's the fact that a wooly hat and a leather chamois were placed over is is just that, a fact. That is was removed before Hann Tucker removed the device and they did not see it does not mean it was not there. Ask any of the neighbours or the car wash staff. The noise analysis is flawed.

151 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 4th February 2014  
Letter attached.

2 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

**Comments:** 2nd February 2014

We would like to lodge our OBJECTION to the proposed development site at 86 Cirencester Road for one convenience store (A1) and two retail units (A3).

This development will cause unacceptable harm to the lifestyles of the residents of the homes adjacent to the site and the local community of Charlton Kings.

The village of Charlton Kings is already adequately serviced by a number of good local convenience stores, coffee shops and take-aways. Another convenience store and the addition of two A3 hot/cold food outlets are simply not necessary in this area. This is demonstrated by the huge negative response to the development by the local community the people that actually use the present amenities.

The development will bring increased noise and light pollution to all the local residents. The proposed convenience store is to be open to the public from 6.00am to 11.00pm, 7 days a week. Daily preparation and cooking of the in-store bakery goods, daily cleaning of the store, the cashing up at the end of the day will presumably all happen outside of these opening hours. The pollution of light, noise and smells, coming and going of staff and cleaning contractors will add to the already lengthy daily trading hours, having a detrimental impact on this residential area. By CBC permitting these opening hours of 17 hours per day, every day, for the proposed convenience store, this could have an impact on the other current local stores, such as the Nisa, Smith and Mann and the Co-op to extend their opening hours to stay in competition, impacting on the whole character of Charlton Kings.

The impact of the air-conditioning, refrigeration and extraction units for the two A3 units (which are not discussed at all in the planning application) and the convenience store will produce noise, smells, fumes and vibrations at unacceptable times in front of our children's bedrooms, which are along the Newcourt Road side of our home.

We recently visited the CBC planning department, where on the drawing titled 'Proposed Site/Ground Floor Plan' by Daniel Hurd Associates, we measured (with the CBC planning departments scale ruler) the distance from the corner of our home to the proposed site. We have measured from our actual house to the same point of reference and found that our home, on the fore- mentioned drawing, has been rotated round to appear to be further away from the development than it really is. The fore-mentioned drawing implies that our home is 25% further away from our boundary. This can clearly be seen when compared to the Ordnance Survey map.

With this inaccurate drawing put forward in the planning application by Hunter Page, it implies that the proposed development will have less of an impact on our family home, than it really would. This also puts validity of the other results in to question, such as the Environmental Noise Survey and Noise Impact Assessment Report 19838/N1A1 prepared by Hann Tucker Associates and the distances suggested within that report.

The impact of noise affecting the sleep of our children every night, is a real concern.

The refrigeration units for the convenience store and presumably the two A3 units will also have refrigeration units, as they will be dealing with food. These will be operating 24 hours a day 7 days a week, with no rest bite for the local residents. Is this really a sustainable solution to inflict on the current residents and future residents of the local area to simple be able to enjoy their homes peacefully?

The delivery of goods to the convenience store and the two A3 food outlets will have a huge impact on the local residents that surround the proposed development on three sides of the site, especially those on Cirencester Road who would be severely affected by noise and light pollution from the early hours of every morning.

The section of the A435 Cirencester Road by the proposed development is a particularly fast and dangerous section of the road. With the junction of Newcourt Road being notoriously hazardous, with the cars that already park right on the junction itself impacting on the visibility for pedestrians, as well as for cyclists and drivers when pulling out of the junction. The proposed convenience store and A3 food outlets will undoubtedly increase the volume of traffic, throughout the day and late into the night, especially if they predict an annual turnover of £1.26 million, as stated by Mango Planning and Development. This will result in levels of traffic, from customers alone, to attain an environmentally unacceptable level. Added to this would be the traffic of a daily delivery heavy goods vehicle, other smaller delivery lorries/vans, waste collection lorries, staff and cleaning contractors vehicles.

The increase in traffic in the area, if the proposed development is permitted, will make the crossing of Cirencester Road an even more hazardous task that at present. There are a huge number of children that cross the Cirencester Road to get to and from school, cutting through Bafford Lane from Bafford Approach and the Sandy Lane area, and through the park the runs along Newcourt Road. The secondary school children that walk, obviously unescorted by an adult, are sometimes in an 'excited and maybe not always concentrating' frame of mind when with their friends on their way to and from school. This is one of the categories of our children that I feel would be most vulnerable to the high increase of traffic the convenience store would bring to the area. The illegal parking, half on a pavement and half on the road by passing-through customers, and the continuous stream of vehicles tuning in and out of the proposed development site car park will only add to the environmental hazards of the already busy and dangerous Cirencester Road.

In the planning application there is no comment as to the two A3 units with regards to deliveries (their specified times and how many per day), the trading hours and hours where the units may not be open to the public but are being used for preparation, cashing up and clearing up. No mention seems to have been made either for the parking facilities for customers and staff for these two units.

Charlton Kings has a wonderful sense of community, centralized around the schools, St Mary's Church, the pubs and the current shops, which serve the village very well. I hope the voices of all the residents are given due consideration as we are the people who, after the years pass, will still be living with this development and its consequences.

### **Comments:** 9th June 2014

We would like to lodge our OBJECTION to the proposed development site at 86 Cirencester Road for one convenience store (A1) with associate parking.

This new application for a single, larger (by just over 13% than the previous application) convenience store, still does not address the main issues that hangs over this proposal and which there have been so many objections to.

The residents of the village of Charlton Kings bitterly object to a convenience store being built on this site. The main objection lodged is that we simply do not need it. Currently we have three, very closely located and well-stocked convenience stores, cater perfectly well for the needs of our community. Not forgetting that we also have the amenities of the Six Ways retail area only 10-15 minutes walk from the proposed site.

If the proposed convenience store was to go ahead, the loss of employment to the area could be considerable.

The employees of the hand car wash would automatically go from the area and I cannot believe the Nisa, being only a stones throw away from the proposed store, would be able to continue trading.

Smith and Mann, a well-loved and asset to our community, would also be severely affected, as well as the row of shop adjacent to them on Lyefield Road West (vets, chemist, florist and coffee shop) as they too would miss out on the footfall pass their shop fronts.

The revised Environmental Noise Survey and Noise Impact Assessment Report 19838/NIA1 Revision 2, dated 13 May 2014 carried out by Hann Tucker Associates, again despite being given the opportunity for a revision the report is still flawed with errors.

The above mentioned survey, which was carried out from 12.00 hours on Friday 6 December to 15.00 hours on Tuesday 11 December 2013, states that, 'Due to the nature of the survey, i.e. unmanned, it was not possible to comment on the weather conditions throughout the entire survey period.

Hann Tucker Associates used the BS4142: 1997 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

According to BS4142: 1997 Item 5.5 Weather Conditions: It is stated that, the assessment method should Record the weather conditions prevailing during all measurements. As stated in 5.5 Note 1 of BS4142 Weather conditions can affect noise levels by influencing sound propagation or generating noise which can be pertinent to the assessment.

The assessment method of BS4142 states in Item 10: Information to be reported. The following information shall be reported:

f) Weather Conditions, including:

- 1) wind speed and direction;
- 2) presence of conditions likely to lead to temperature inversion (e.g. calm nights with little cloud cover);
- 3) precipitation;
- 4) fog

None of these were accurately recorded in the report for the duration of the survey.

Hann Tucker Associates have not followed the correct assessment procedure of BS4142, putting the whole report, their results and conclusions into question!

It should to be noted that according to the Met Office website they reported that. This (December 2013) was the windiest December in records from 1969 and one of the windiest calendar months since January 1993. and Most weather impacts during the month were related to strong winds, heavy rain and associated flooding.

## Page 148

The drawing titled 'Proposed Ground Floor Plan, Dwg 08 Rev U' by Daniel Hurd Associates is still inaccurate, even though they have had the opportunity to revise it. Our house is still rotated round, to appear 25% further away from the proposed development than it really is. This can clearly be seen when compared to the Ordnance Survey map.

This inaccurate drawing put forward in the planning application by Hunter Page, implies that the proposed development will have less of an impact on our family home, than it really would.

The location of the plant is now located even closer to our children's bedrooms than the previous application, along Newcourt Road, producing noise, smells, fumes and vibrations at unacceptable times 24 hours a day, 7 days a week. This is a serious concern and I believe it will cause an adverse affect on our amenity and our children's living conditions.

The new proposal does not do anything to address the overriding issues of increased traffic to the area that the proposed convenience store will undoubtedly bring.

According to the Delivery Management Plan 13-00234/DMP/01/RevD May 2014 by Corun Associates, they state that within their Delivery timings, duration and co-ordinations that:

School drop off (08.15 - 9.15) and pick up times (15.00 - 15.45) will be avoided during term-time to avoid potential conflict between vehicles and school children travelling to or from school.

Secondary school children are vulnerable to road traffic accidents, as they are not escorted by adults and often walk to and from school in large groups, with sometimes a lack of attention to their surroundings.

Balcarras Secondary School children come out of school at 3.35pm and do not arrive around the proposed site, in any considerable numbers, until at least 4.00pm. Corun would be allowing the Balcarras children just 10 minutes to finish their lessons, leave the school, walk 900 meters, cross the busy Cirencester Road and pass the proposed site before Corun's Delivery Management Plan would come into effect again and deliveries could commence again from 3.45pm.

This Delivery Management Plan demonstrates that Corun Associates has not carried out a thorough survey of the local area and has not considered or understood the needs of our community.

Most of the houses along Cirencester Road, opposite the proposed store, have dropped curbs and often have their own cars parked in front of their houses. Corun seemed to have taken no account of the residents parked cars, when proposing their swept path for the 12m rigid HGV and the 10.7m artic HGV delivery lorries entering the site on a daily basis between 6.00am and 7.00am. The routes of the HGV's are shown in the two drawings by Corun, to drive over the parked cars. As the HGV's will be exiting to the south, the driver will have limited vision of the southbound traffic that he would be pulling into, with only the use of his mirrors to guide him. Has this route of access been given serious consideration?

I find it hard to believe that the daily deliveries by the two HGV's between 6.00am and 7.00am and the 695 arrivals and departures of customer vehicles between 7.00am and 7.00pm as stated by Hann Tucker Associates and Corun Associates, will have 'insignificant effect' on the local residents and highway safety issues, as well as the other smaller delivery lorries, plant extractor fans, air conditioning units, maintenance and cleaning operatives, movement of the metal cages transporting the goods in and waste out the list goes on.

As I have stated earlier in this objection, Hann Tucker Associate have failed to comply to the correct procedure of BS4142 in monitoring and therefore assessing the impact of Noise that would affect the residents surrounding the proposed site. For instance a car door slammed at 5m is 91dBA, this far exceeds the 63dBA implied in Point 9.2 of their report.

Due to the flaws delivered by Hann Tucker Associates in their Environmental Noise Impact Survey and Noise Impact Assessment Report and the misleading drawing produced by Hunter Page, the whole proposal does not accurately assess the harm that the development will have on the local residents.

We strongly OBJECT to this application due to the long-term affects to our village.

157 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 24th January 2014

I have concerns over the proposed change of use at the current car wash site on Cirencester Road. It baffles me as to how they have come to the idea that this is a service we need in Charlton Kings on top of the three we already have in close proximity to the proposed site. I have no access to a car to do my 'top up' shopping throughout the week and manage adequately to get all I require from the local Budgens, Nisa and Cooperative stores. They are in fact stocked with the most unexpected items from poppy seeds to baby teething gel, both of which I have surprisingly needed and purchased in the last year! We also have access, within walking distance, to two chemists, two gift shops, five takeaways, five pubs, an antique shop, five coffee shops, a charity shop, florists, 2 vets, an interior design store and can get dry cleaning done via the Nisa store. This surely promotes the Council's aim of being environmentally acceptable; adding shops that are not needed is contradictory.

This development would threaten the sustainability of businesses in Church Piece and on the corners of Lyefield and Croft Road. The vibrancy of the village would be reduced if retail units were empty due to forced closure from the potential competition this planning application suggests. We would lose Local small business owners that have organised extremely successful village fetes and Christmas Light events that have benefitted many local residents and raised funds for the community of Charlton Kings. What we would also be losing is a somewhat valuable service, a car wash; a successful, small business being forced out, therefore leaving a number of hard working individuals unemployed.

Of utmost concern to me is the impact it would have on the traffic along Cirencester Road. Currently drivers seem to be unsympathetic to the fact that it is a 30mph limit and a residential area by speeding along the road, parking on the pavement and beeping their horns with little regard to time of day or night. A supermarket would add to the volume of traffic and I cannot see how huge delivery trucks would manoeuvre in such a tight space with residents parked outside their houses. The unfortunate accidents that occurred at Birdlip and the Air Balloon recently revealed how Cirencester Road cannot cope with a greater volume of traffic or articulated lorries, the road was at a stand still for hours.

The residents of Cirencester Road already have problems with inconsiderate parking that blocks access to our driveways, shoppers will add to the problem, as apparent at the Tesco Metro near the station and Hewlett Road where the limited allocated store parking is insufficient for the volume of shoppers at particularly traffic heavy times of the day. I feel that the allocated parking planned is insufficient and also opposite a busy bus stop, which would cause congestion every 30 minutes and block the view of those entering and exiting the proposed new car park. I am aware that the Cheltenham police already receive many calls from angry residents of Cirencester Road who have been blocked in by drivers parking on a dropped kerb. I also have very young children, so their safety would be at risk with additional traffic and parked cars outside the store. Cirencester Road is a very busy road to cross for parents and pupils living in Charlton Park Ward in attendance at both Charlton Kings infant and junior schools and Balcarras Secondary school, I

worry that there would be a potential road traffic incident as additional traffic and parking will add further hazards at school drop off and pick up times.

Due to the nature of the businesses proposed, it also upsets me that they will not be in keeping with the character and landscape along Cirencester Road. The car wash, although unsightly to a degree, is a generally open space. Three retail units will fill the plot and be oppressive for the dwellings opposite and detract from the green space and beautiful Cotswold stone wall alongside.

**Comments:** 3rd June 2014

I oppose the revised planning proposal for the Car Wash site. The new plans have not addressed the following concerns:

- 1) The lack of need for another supermarket, having 3 extremely well stocked stores within walking distance.
- 2) The increased traffic flow along Cirencester Road, which is residential and a busy route for pupils attending schools in the village.
- 3) The parking is already an issue for residents on Cirencester Road. Potentially customers will park along the roadside, causing traffic congestion and blocking access to residential properties. Surely the store will have more staff/customers at any given time than the proposed car park allows.
- 4) Opening hours will potentially be long and 7 days a week. This will have a negative impact on the ambience of the green area alongside and increased noise for local residents; due to customers coming and going, car engines starting and pulling off as well as potential noise of a cash machine beeping on the outside wall.
- 5) Delivery lorries will struggle to access the area as residents park along the roadside and they may deliver very early in the morning, disturbing residents sleeping in the front bedrooms of the houses opposite and behind.

4 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

**Comments:** 2nd February 2014

Summary

The planning proposal fails to identify a need for more capacity in the area, and the proposed development is very likely to have a significant and detrimental impact to existing convenience stores.

Retail statement

Para 1.3 of the retail statement states 'It has been prepared in the context of the Joint Core Strategy Retail Study prepared by DPDS Limited in December 2011 (The DPDS Study).

However, two very relevant parts of that study have been ignored.

- para A16 of the supplement recommends that when considering the effect of a proposed development on local centres, the relevant threshold for assessing impact should be 200sq.m. The retail statement does have a brief impact assessment (section 6), but it is superficial.



- Appendix D to the study concludes that Cheltenham already has an oversupply of convenience shopping. It anticipates no requirement for additional capacity until at least 2031.

Para 6.10 states that the NISA store does not appear as an individual entry in the household survey data of the DPDS study as a top up. It claims this as evidence that further top up provision is needed in the area.

However the household survey conducted by DPDS was not designed to identify top up provision across all of Cheltenham, but was specifically targeted at the city centre and three large local centres (Bath Rd., Coronation Sq. and Caernarvon Rd.). It consulted a total of 100 households in all of Cheltenham. The response figures for top up food shopping include 6 for Charlton Kings Coop (London Rd), and 9 for Charlton Kings which can be taken to comprise the other Charlton Kings convenience food stores.

The fact that NISA or other Charlton Kings convenience stores exist and appear to be trading successfully (see para 6.24 which estimates the NISA turnover at £650,000-£750,000 p.a.) is evidence enough that they are used.

The retail statement makes no attempt to estimate the total top up expenditure locally, so its claim (paras 3.7 and 6.14) that the majority of top up spending is directed to larger stores further afield has no data to support it.

Para 3.5 describes the range of goods that it is proposed will be offered. A store of this size and character would typically offer a basic range of convenience goods such as groceries, sandwiches, snacks and confectionery. Non-food goods would comprise no more than 10% of the proposed floorspace and would typically be limited to toiletries, nappies and other essential goods.

There is no mention here of alcoholic beverages or tobacco and nicotine products. Late-opening convenience stores across the country have extensive provision for the sale of such goods. The retail statement criticises the NISA offering in para 3.7. The Nisa unit appears to cater more for small basket and occasional purchases rather than providing a full top-up shopping outlet. and again in para 6.9 the store continues to have a relatively limited offer, particularly in terms of fresh fruit and vegetables, fresh meat and other perishable goods. However the proposed store makes no claim to be offer anything other than what is already on offer in NISA.

Para 3.10 claims that the proposed store will offer between 20 and 30 full and part time positions for local people'. No evidence is presented for this figure. The only citations (e.g. Tesco in Quedgley) indicate 15 positions. Given the oversupply of convenience capacity in Cheltenham as a whole identified by the DPDS study, it is doubtful if many of the jobs created would be genuinely new jobs, they would likely be at least partially compensated by redundancies elsewhere.

### Impact and Sequential assessment

The retail statement has what it calls a sequential assessment (section 5) which is fundamentally flawed. A sequential assessment is relevant in the context of a defined centre or local centres, and is intended to test whether the demonstrated need could best be served in existing centres.

The planning proposal fails to demonstrate any need for additional convenience capacity either in Cheltenham as a whole or in Charlton Kings. The executive summary states the accompanying Retail Statement suitably demonstrates that there is a need for a retail use in this location and that it will not have a negative impact on the existing neighbourhood centres. Yet the only part of the retail statement that addresses need is in paras 3.7-3.9 which claim an increase of choice by comparison (solely) with NISA at Cirencester/Croft Rd and ignoring two other neighbourhood

stores at Lyefield Rd and Church St. The retail statement indeed makes a point (in para 4.17) of stating that there is no requirement to define a need.

The sequential assessment that they do make is based on the assertion that there is an established need for new capacity in the Cirencester Rd area, and also treats the proposed location as an edge of centre location based on proximity to Cirencester Rd/Croft Rd shops. But as the retail statement itself points out (para 4.18) 'Small parades of shops of purely neighbourhood significance are not regarded as centres for the purposes of this policy statement.' The only nearby candidates for local centres according to this definition are the Lyefield Road and Church St centres, which lie 600m (by road or foot) away.

Para 5.13 restricts consideration to a catchment within 500m walking distance of the application site. This figure appears to be chosen so as to exclude the two existing local centres at Lyefield Rd and Church St, each of which is at 600m (less than 400m as the crow flies).

Para 5.14 seeks to justify this by reference to a previous appeal, however in that case the relevant distances were significantly greater at 1.2 km and 1.6 km

Para 6.21-6.23 present some figures for the source of customers. They assert that 80% of custom will come from shopping which would otherwise have taken place at supermarkets much further afield and only 20% from existing local shops. There is no evidence presented to justify these proportions.

An alternative estimate would start by looking at the total expected expenditure on top up shopping.

Industry estimates have around 25% - 30% of total convenience expenditure as top up.

Cheltenham convenience shopping is estimated (2014 figures taken from Table 2a of the DPDS Study, Appendix D) at £1,953/head. Taking the population of Charlton Kings to be 10,000 (2011 census, including the area north of London Rd) this gives an estimate of annual top up expenditure to be

$$30\% \times £1,953 \times 10,000 = £5.86M$$

Using the sales density figure from para 6.17 of the retail study of £4,500 per sq. m. gives a total need in Charlton Kings of

$$£5.86M / £4,500 = 1300 \text{ sq. m.}$$

Note that if we use higher estimates of sales density then the required need for sales area is correspondingly lower. According to Table 9 of Appendix D to the DPDS Study, the Charlton Kings Coop (London Rd) has a sales density of £7,600/sq.m. Using this higher sales density gives a total sales area need of

$$£5.86M / £7,600 = 771 \text{ sq.m.}$$

The inclusion of the area north of London Rd, much of whose population may well use Tesco Express on Hewlett Rd or Sainsburys on Priors Rd for their top up shopping means that these figures are likely to significantly overestimate the need for top up shopping south of London Rd.

According to the Valuation Office Agency's website, the existing stores have sales areas as follows:

- Coop (London Rd) 314 sq.m.
- Coop (Church St) 369 sq.m.
- Budgens 117 sq.m.

- NISA (revised) 131 sq.m.

The total is 931 sq. m.

In the context of this existing adequate provision, the proposed new convenience store of 280 sq.m will have a significant impact on the viability of existing smaller stores nearby (Budgen and NISA) as well as drawing trade from the Church St Coop.

### Site proposals

The proposal includes a large totem. Such a structure is not necessary in a neighbourhood shop. In the context of the local architecture it is inappropriate and would give excessive light pollution to nearby residents.

The proposal for restaurant/takeaway units would significantly and adversely change the character of the Cirencester Rd neighbourhood. By contrast, the existing local centre for takeaway/restaurant at Church St is in an area cut off visually from residential housing.

### Traffic

The planning proposal (para 2.2) refers to 'very intensive use and a steady stream of traffic entering the site' with the existing use as a car wash. The car wash only operates during daylight hours, it is not a 7am-11pm facility. The proposed use as a convenience store would have delivery lorries arriving in the early morning before store opening.

Closure of the car wash would not reduce traffic levels overall as cars would have to find an alternative, most likely more distant, facility.

**Comments:** 10th June 2014  
Letter attached.

1 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 28th January 2014  
Letter attached.

The Coach House  
6 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

**Comments:** 31st January 2014  
Letter attached.

**Comments:** 10th June 2014

We have reviewed the revised planning application for the car wash site on Cirencester Road and are disappointed to see that it does little to address the main concerns raised in our letter of objection submitted in February.

We note that the two food outlets have been removed, but the fact remains that there is no need for such an outlet (and the applicant's examples of co-op/petrol station and convenience store/Boozebuster as being examples of convenience stores thriving close to each other are ludicrous) in this area. The Nisa store would be at risk leaving an unsightly unoccupied retail outlet on the main approach to the town - this surely cannot be considered to be sustainable development nor can it be in the interests of the community.

All our other objections remain. Indeed the rear of the property would be more exposed to the rear with little or no landscaping presenting very unsightly aspect on the corner of Bafford Lane. The photograph below shows how it looked this morning presenting both an effective screening of the site and an attractive leafy look to the first part of Newcourt Road leading to the Common.

We thank the Council for it's actions thus far regarding this application and trust that our councillors on the Planning Committee will act to reflect the wishes of their constituents.

NOTE: Photo available to view online.

92 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DG

**Comments:** 2nd February 2014

As a neighbour of this development, only three houses away, I feel very able to comment upon the existing traffic in this area and the likely effect of the proposed development.

At peak times the traffic is already very heavy, with many children crossing the road to access local schools.

I have personally observed many near misses on this road, between pedestrians and cars. The layout of the road affords poor visibility in both directions for pedestrians crossing the road and for cars emerging from Pumpheys Road and Newcourt Road.

The addition of a new car park, with cars regularly arriving and emerging, especially at peak times, can only increase the risk of accidents.

The nature of the proposed development suggests late opening hours, beyond the 9pm closing time of the existing NISA store. This brings with it the significant risk of extra noise and disturbance, which is unacceptable in this highly residential area.

The local roads are already lined with parked cars throughout the day and this development can only be expected to make this worse, even with the provision of a small car park on the site.

When this extra parking is considered alongside the large lorries making deliveries to the site, then increased traffic congestion can be the only result.

I trust the Council will consider well the effect upon the local residents of this ill-considered scheme and reject it as inappropriate for a residential area that is, in any case, already well served by very many other convenience stores.

70 Little Herberts Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LN

**Comments:** 30th January 2014

I wish to object to the above planning application for the following reasons.

There are already several convenience stores in the area, the closest (NISA) less than 100metres away. Others nearby Co-Op store 500m and Smith and Mann 900m are sufficient for the local community. The nearest, NISA, already supplies the needs of the local population, as alluded to in the application, and also has an ATM.

There is no detail provided for the additional retail units planned, these would add additional traffic for staff and customers.

There is no evidence that there is a local need for any takeaway or restaurant, there are three cafes within easy walking distance, and recent experience has shown that other retail businesses in the area have failed to thrive.

Car parking does not allow for the number of staff suggested in the proposal. Traffic on the Cirencester road is significant at certain times of the day. It is also a major access during Cheltenham Race meetings and when traffic is diverted from the M5 or the A417.

Delivery vehicles would have trouble accessing and leaving the site at these times.

Although public transport on this road is regular it is infrequent, and inappropriate for local shopping access. One of the buses quoted runs only once a week to a local market!

With reference to pedestrians - this area is already problematic due to the large volume of school children crossing at this point, where there is heavy traffic, with no adequate provision for crossing. This "convenience" store is only going to make that worse & endanger the lives of our children.

An existing crossing is at a distance which will mean that most people crossing the road will ignore it.

Par 14 of the National Planning Policy Framework as quoted by Mango requires sustainable developments. I am in favour of sustainable development. This proposal doesn't appear to be in line with the NPPL despite the developers' spurious attempts to suggest it does.

I see no good reason for appending planning decisions made in Bath, Worcester and Essex as they have no relevance to Charlton Kings. Nor in my opinion is the building design of high quality, looking as it does like a building housing a light industrial company.

What is missing in the local community is affordable housing. This site would be idea for a small block of flats, as it has been shown by the existing application there is sufficient space for parking for such a development.

I believe this application is contrary to the Cheltenham Borough Council Local Plan (2006) Policy CP4(a), (b) and (e). Plus design, CP7. It also does not in my opinion comply with the National Planning Framework. The application does not meet the housing, business and other development needs of an area, nor does it make the most efficient use of the site and complement the existing local range and choice in Charlton Kings. And nor will it not have a significant adverse direct affect on the existing centres.

**Comments:** 30th May 2014

These revised plans do not significantly address my main objection to this proposal. The delivery access shown would require the removal of an existing street lamp to allow the lorries to drive over the pavement reducing the overall lighting. There is still no evidence that an additional convenience store of any kind is required in Charlton Kings

32 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DJ

**Comments:** 3rd February 2014

I am writing to register my objection to the planning application for 86 Cirencester Road for the following reasons.

**Increased Traffic:** The introduction of a store on the site will inevitably lead to an increase in traffic using Cirencester Road and Newcourt Road. In my view the inadequate number of parking spaces and their layout will result in customers parking on these roads. The exit from Newcourt Road onto Cirencester Road is already extremely hazardous as the sight lines are often blocked by parked cars; this situation is likely to get worse. A large number of local children cross Cirencester Road on their way to and from school or to catch school buses, with an even busier road and more parked cars this will make crossing the road even more hazardous. With the increased traffic and parking on Cirencester Road Newcourt Road will become a more popular short cut but given how narrow the road is and that it has two blind corners the risk to drivers, pedestrians and cyclists (it is popular cycle route as it avoids Cirencester Road) will increase.

The local community is well served with convenience stores and does not require another. I also object to the proposed opening hours of 6am to 11pm as the out of hours customer use and deliveries will inevitably cause disruption to the stores neighbours.

**Comments:** 9th June 2014

The modifications made to the plans are minor and do not, in my view alter the overall objective of the planning application which is to locate an unnecessary convenience store on the site.

As a local resident, I am very concerned that this application remains a significant convenience store which will generate considerable additional traffic movements on an already very busy and fast main road - a road which is crossed by many schoolchildren daily, walking to and from the local primary and secondary schools and in a location which is surrounded by residential properties.

I am also concerned about the hours the shop will be open 6am-11pm 7 days a week including bank holidays! This is considerably more than the existing carwash which is 9am -7pm 7 days a week! With deliveries it is more than likely that the operation will run 24 hours a day 7 days a week causing severe disturbance to the local community.

I believe that this development is inappropriate and completely unnecessary; the area is already very well served by three popular convenience stores. It is located in a residential area next to a valued and important open space. Cheltenham needs housing; this site perfectly lends itself to a well designed residential development.

Inevitably the response to the amended planning application has been fewer in number but throughout the opposition has remained resolute. In arriving at their decision the planners must take account of the objections raised by the local residents at all stages of this process

257 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8EB

**Comments:** 27th January 2014

I note that I am an independent supplier to the Nisa store. I supply many independent shops in the adjoining counties. In Farringdon, in November last year, a Tesco opened. This has created a significant drop in sales for the two local independents shops, situated either side of Tesco, one of which is a 10000 sq ft shop. It has also had a very detrimental impact on the town as a whole, sucking trade away from the main town centre.

I feel that Charlton Kings is very well served with the Nisa, 2 Co-ops and a Budgens.

The proposed development by any major supermarket would have a severe impact on the village as a whole. Once the "damage" is done it can not be reversed.

Very careful consideration needs to be given to the requirements of the village and its residents.

14 Garden Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LJ

**Comments:** 2nd February 2014

I really just have to wonder what is the point of this 'development'. Why does this area need another convenience store when there is one, and a perfectly good butcher, literally across the road? Then there is a Co-op not 10 minutes walk away. All this build will do is cause unnecessary problems for the residents in the immediate area in terms of noise and light pollution. It will also no doubt destroy the existing businesses; that butcher has been there probably my whole life – I remember going there when I was not even in double figures. As far as I'm concerned this is pointless, unnecessary and a waste of time and money.

49 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 2nd February 2014

The plans should not be given permission for the following reasons:

- There is NO need for an additional convenience store in this neighbourhood. It is already very well served by a variety of local stores, run by people who know the community and its needs. A new store, of the kind proposed, would not add anything to the present choice of shops.
- The proposed opening times for the new store are totally unacceptable in this area, with the associated light, noise and litter pollution having a negative effect on the immediate vicinity.
- The plans are wholly out of keeping with the neighbourhood and buildings and do not support the broader town plan for this area.
- The proposal would add to the traffic flow and count on this part of Cirencester Road and would put pressure on the various road junctions in the immediate area.

- The present use of the site is very popular, provides a good service and employs a number of people who would stand to lose their jobs if this plan were granted planning permission.
- The strength of local opinion on this particular issue is very clear and the council's planning process is under scrutiny as a result.

Underley  
26 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

**Comments:** 3rd February 2014  
Letter attached.

7 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 3rd February 2014  
Letter attached.

18 Shrublands  
Cheltenham  
Gloucestershire  
GL53 0ND

**Comments:** 3rd February 2014  
Letter attached.

8 Ham Close  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6NP

**Comments:** 30th December 2013  
Letter attached.

30 Keynsham Road  
Cheltenham  
Gloucestershire

**Comments:** 24th January 2014

Whilst I will not be personally affected by the proposed development I am aware that many local residents are seriously concerned about the proposed scheme and have contacted me about it.

I have the following concerns which I hope will be considered as part of the planning process, I also hope that members will have visited the site to experience for themselves the speed of traffic on the Cirencester Road, the very difficult road junction with Newcourt Park Road, and at certain



times the large number of children in the immediate vicinity walking to and from local schools and crossing what at these times are very busy roads

Local Plan policy CP4 (a) states an application should not cause unacceptable harm to the amenity of adjoining land users and the locality. The application is now for what could be described as a mini supermarket of 280sq m, IN ADDITION two further shop units for which a food/drink retail/take away/coffee shop or restaurant permission is being sought.

The proposed opening hours are 6.00am to 11.00pm 7 days a week. This is an intensive and intrusive development which by its very nature is going to generate significant patronage at all hours, with the inevitable noise that results from car engines, doors slamming, people congregating outside the take away late at night, delivery lorries and supply vehicles coming and going at all times. The proposals for deliveries from very large vehicles are optimistic to say the least on this tight site with little room to manoeuvre.

The take away options have to be seriously considered, they could become a very popular venue for noisy and perhaps drunken people late in the evening causing obvious nuisance to local residents, are there any public toilets nearby, I think not, this is not an appropriate location for this type of establishment.

Policy CP4 (b) states that an application should not result in an unacceptable level of traffic. Clearly there will be significant levels of additional traffic; the application manages to cram in 16 parking spaces so it is expecting a large number of cars visiting the site. I reckon with vehicles coming and going all day long, there could be as many as 100 or more exits from and entries on to the busy Cirencester Road every hour, not including the take aways. The difficulties of manoeuvring in and out of a tight car park onto a busy road where traffic speed is fast, where vehicles are legitimately parked thereby restricting visibility and flow and where there are adjacent bus stops are all too obvious.

Policy CP4 (e) states new developments should maintain the vitality and viability of local shopping facilities. The area is already particularly well served by similar and popular convenience stores, the NISA, Budgens (Smith & Mann) and the Co-op. There must be a real concern that the new store will seriously affect the viability of these stores negating the potential job gains and consumer choice. And are we to believe that the convenience store alone will have 20 full-time and 10 part-time staff, or is that a sweetener to show an economic argument, can these employee numbers be qualified? And what about the possible job losses from nearby existing retail outlets?

Policy CP5 refers to sustainable transport and reducing the need to travel, local people can already walk to nearby stores so I don't see how this application will reduce the need to travel as the applicant suggests.

Policy CP7 relates to a high standard of design, design is of course subjective but this is a prominent site on a main road into the town, opposite houses and next to a popular open space, I personally find the design boring and uninspiring.

For residents living in Cirencester Road, Bafford Lane, Newcourt Road and Charlton Close in particular this application will have an impact. It will generate significant additional traffic on an already busy road near a dangerous junction and close to where many people and children walk and cross roads. It will see increased pressure on parking on nearby residential roads for up to 30 employees and customers; it will cause noise and disturbance.

I hope Councillors will carefully consider local residents and businesses and refuse this application,

**Comments:** 16th June 2014

I am absolutely staggered by your decision which fails to address the concerns of the vast majority of local residents who should be able to rely on 'their' Council to look after their best interests and the best interests of the town.

This is an application solely based upon greed and not need, greed to maximise the capital receipt for the land owner for a development for which there is quite obviously no local demand or need. It is a very sad decision based in my view on the fear of losing an appeal rather than the courage to defend residents of our town and at the same time defend and apply a significant number of local plan and other policies.

The ineptitude of the Highways Authority beggars belief and frankly to give credence to consultants appointed and paid for by the applicant is farcical. Their reports have already been challenged on many occasions and shown to be inaccurate and misleading, whether it be about traffic movements, job creation or the positioning of adjacent properties in site drawings.

And why the undue haste to get this to the June committee? This gives 7 days for residents to respond to your decision and to respond to the findings of Glos CC, why is everything weighted in favour of the corporate applicant? Let's face no one has a good word to say about this scheme.

I am very disappointed, I hope Councillors will give residents the opportunity to address the Committee and that they will have every opportunity to read the responses being prepared by residents to your decision.

Lucy, I know this has been a difficult application but I am far from convinced that the decision you have arrived at is the right one.

64 Little Herberts Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LN

**Comments:** 24th January 2014

I would like to object to the plans submitted on the grounds that better use could be made of the land based. The reason for this objection is:

1. The area is well served by shops with 3 convenience stores already present within easy walking distance.
2. Increased traffic on an already busy road with significant use by school children
3. There is a need for more housing, not retail outlets, and several houses on this site would contribute to this problem.

24 Croft Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LA

**Comments:** 22nd January 2014

Letter attached.

Box Cottage  
47 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 1st February 2014

I wish to object to the proposed development on the following grounds:-

1. There is no need for a further convenience store in Charlton Kings. The area is already well served by existing amenities, and the viability of the established stores would be threatened by a new store. The number and strength of objections from local residents demonstrates the lack of need for another supermarket.
2. A large store opening until 11pm is inappropriate in a residential area and would cause disturbance for residents on the Cirencester Road well outside normal working and retail-opening hours through increased noise and traffic levels.
3. The development would cause traffic congestion on the Cirencester Road, and an increased risk of accidents for pedestrians attempting to cross the road (particularly children on their ways to and from local schools), and motorists seeking to exit Newcourt Road and Croft Road.

The store is likely to attract passing trade (more than local residents) and particularly at times when the volume of traffic on the Cirencester Road is at its heaviest. The busiest time will be the evening rush hour as motorists head out of Cheltenham southbound. They will have to turn right (across the northbound traffic) both to access the car park, and then again to exit it and resume their journeys. This will increase the risk both of congestion and of accidents

While the undesirability of having to cross the traffic in this way is tacitly acknowledged in the Transport Statement in the context of delivery vehicles (which will have to enter the site from the south, and exit in the same direction), it is ignored in the context of customers' cars.

4. There is likely to be an adverse impact on residents in the side streets off the Cirencester Road, due to overspill parking. Bafford Land and Croft Road are already difficult to negotiate as a result of road-side parking by residents, and this situation will be exacerbated if the car park proves inadequate to accommodate shoppers at busy times.
5. The design of the proposed building is wholly out of keeping with the neighbourhood and the surrounding buildings.
6. There is a far greater need for affordable housing in Charlton Kings than for a yet another convenience store (whose main users are likely to be motorists passing through the locality rather than local residents). Allowing this application would deny the opportunity in the future to meet that genuine need.

Longmead  
4 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DJ

**Comments:** 2nd February 2014

We strongly object to this application for a convenience store and 2 further retail units.

1. Already within a five minute walking distance of this site there are three convenience stores. There is no need for another.
2. We also have several coffee shops and take aways, again within walking distance of this site.
3. The junction of Cirencester Road and Bafford Lane is already a hazard, which is only going to be made more dangerous with the addition of further shops and parking. As it stands it is almost a blind entrance trying to turn right onto Cirencester Road from this junction.
4. Having previously been involved with Charlton Kings Safer Routes to School, it is hard to believe that this application will fall within that remit. Children walking to school having to use this junction will be taking their life in their hands, not only from parked cars reducing visibility, but also the speed that cars coming from the Cirencester direction approach the bend just before this site.
5. Parking in this area has recently become more hazardous due to businesses bringing employees in from out of the area, meaning that they are parking in residential roads. This is only going to be made worse with people parking quickly to pop into the shops. Already there is virtually no parking on Cirencester Road due to residents parking their cars all the way along the opposite side of the proposed development, which will mean that cars will have to park down Bafford Lane or Newcourt Road, neither of which are at all suitable.
6. The proposed development has no relation in design to the area it is designed to be sat in. Surrounding it will be red brick houses to which is to be added something that looks like the old prefab classrooms of the sixties.

**Comments:** 9th June 2014

Having studied the reapplied application we can see nothing that changes the main points of objection.

We have no need of another supermarket/convenience store. Within a five minute walk of this site there are another three such stores. These all employ regular staff whose livelihoods will be put at risk due to this unneeded extra store, not to mention the other shops such as the butchers, chemist and in fact the car wash.

None of the traffic issues have been addressed in the renewed application. It is already a huge problem to pull out of Bafford Lane onto Cirencester Road, this is going to become worse with haphazard parking that will be the result of another supermarket. I suggest the planners take a look at this area in peak times and when children are trying to cross these roads to and from the schools in the area, where we are supposed to have 'safer routes to schools'.

The extended hours of trading of the proposed store is going to increase and prolong noise pollution considerably in the surrounding area. A supposedly desirable residential area. The renewed application also seems to show some houses further away from the site than they really are.

101 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 5th February 2014

We feel that although the site would benefit from redevelopment the addition of another retail unit of food etc adds very little to Charlton Kings. Our specific contention is with the Traffic Statement

which is very selective with how data is interpreted. The site was a petrol filling station a long time ago. The impression given is that "if the site coped with that it can cope with a little supermarket". However, why did it close as a PFS - because it wasn't very busy! Therefore the data compared against isn't applicable as it wasn't a typical PFS. Also, it's current role as a manual car wash isn't accurately described. It is naturally self limiting as customers will typically not pull in and queue if there are more than say 6 or 8 customers already there.

A supermarket will have much more of a heavy flow at peak periods than the PFS it was, or the current car wash. Cirencester Road is quite a busy road at peak periods. The junction the site is based on is located near a number of other access roads onto Cirencester Road and occurs after a blind bend in the road.

In summary, redevelopment yes, but please find something more appropriate.

46 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DA

**Comments:** 28th January 2014  
Letter attached.

155 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 2nd February 2014

I object strongly to the application and complain that two hours writing in here was lost by your server and not recoverable.

I now have to gist my comments

In his Foreword to the NPPF the Minister for Planning said: "*sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations*".

We have a 14 yr old and 16 yr old both of whom sleep in separate bedrooms at the front of the house. The 14 yr old is in her first year of O Levels and the 16 yr old in his first year of A Levels. Their amenity, and ability to study will be completely destroyed by this proposed development.

When we moved here in 1998 we thought the Planning Inspector had sent a Decision Notice stating that no noise or activity likely to lead to noise and disturbance should take place across the road between 8am-6pm Monday to Friday, 8am to 1 pm on Saturdays and not at all on Sundays or Bank Holidays. That DN was completely ignored by CBC when you gave retrospective planning permission for the then car wash and since that time we have suffered the noise of jet sprays, vacuums, car doors banging and car radios.

When the bypass on the A417 opened this road got quieter. Anyone who lives here, and many have already commented, knows that since the number of crashes at the Air Balloon has gone up many more local and other savvy drivers have reverted to using this road to get to/from Cirencester/Swindon M4 or north to the M5, avoiding the Air Balloon round about completely. Its a busy, fast road and this development will only make that worse.

**Comments:** 2nd February 2014

Furthermore, I am now doing this piecemeal as I don't trust your server.

I do not think this application satisfies the requirements of the NPPF: we were neither consulted by the applicants nor involved in the process, yet the NPPF clearly states that people in communities should be. If you look at the Planning Statement, para 3, pre-application discussions and public consultation, by their very own admission, they did not consult, this portion related to us is blank.

In the Daily Telegraph of 30 November 2013 the President of the Royal Institute of British Architects, Stephen Hodder, said "The broad thrust of the NPPF and in particular the strong policy on design and recognition of the role of design review within the planning system is to be praised". He needs to see this design which neither complements nor enhances our 1904 Edwardian red brick home.

He adds "however, the NPPF is heavily skewed towards the interests of developers over those of the public. The National Planning Policy Framework is heavily skewed towards the interests of developers over those of the public". So strongly does he feel that he repeated himself for emphasis.

He went on to say "The decision to entrench financial viability at the hearty of the decision making is having a particularly pervasive impact, embedding a short-termism at the heart of the system which overrides any recognition of the longer term costs that poor development will bring to communities and the public purse".

this could equally apply to this development, the applicants don't even own the site, they development, gain permission, sub let as per the boasts on their website to Sainsburys and move on, never looking back at us. Our amenity will be destroyed by noise, disturbance, increase in traffic, the adjacent open green space has been ignored and the application does nothing to enhance that and we will be subjected to light pollution to add to the other miseries. Please think very carefully before you recommend approval, tis application is contrary to the NPPF and the CBC Local Plan on so many different levels.

115 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 16th January 2014

Although we do not live in immediate proximity of the proposed development, my family (like others, please see petitions/Gloucestershire Echo etc) are writing as we strongly oppose the redevelopment of this site into a convenience store/retail units.

We believe the proposed development is contrary to the Cheltenham Borough Council Local Plan Policy, Policy CP4, Safe and Sustainable living. Specifically we believe it contravenes sub Policy CP4(a) in that it would cause unacceptable harm to our amenity as an adjoining land user and it would harm our locality. It also contravenes LP Policy CP4(b) because it will result in levels of traffic to and from the site which will attain an environmentally unacceptable level in terms of volume and street noise. In contravening these two sub policies we believe the added noise, smells, fumes, vibration and glare from artificial lights will have a seriously adverse affect on our amenity and living conditions. We are concerned that heavy goods vehicles delivering at all hours of the day, on a fast, busy road will add to that loss of our amenity. We are also concerned that the travel patterns of both staff members and shoppers will have a seriously adverse impact on

our locality, typically the types of shops sub let by County to County are open 6.00am-11.00pm seven days a week.

The traffic on Cirencester Road is already dangerous in terms of speed and volume. The current road infrastructure struggles with the volume and size of traffic. Children have no crossing to get to both Charlton Kings primary and secondary schools. Moreover, there is no evidence to support any assertion that locally we need another top up shop, pub, cafe or takeaway. Charlton Kings has three cafes/coffee shops, numerous public houses and take away amenities. The NISA is 50 metres away and they take in Dry Cleaning and at Sixways Badhams the Chemists does the same. We also have Budgens and the two Co-ops where we can do more so called top up shopping if the NISA does not fully meet our top up shopping. This is a fast, busy road and we are concerned that adding three retail units to this site, at the junctions of Cirencester, Newcourt and Pumphreys Roads with Bafford Lane will add highway problems to the ones that already exist. We believe our amenity will be destroyed due to light pollution, noise, disturbance and noise by loading/unloading, a vast increase in road traffic and potentially anti social behaviour at all times but especially late at night from late sales or use of an ATM. We strongly oppose any number of shop development on this sensitive site, Charlton Kings needs more homes not more shops/coffee shops or take away facilities. Examples of CK petrol stations that are now houses include the following:

1. The 7 houses on the site of the old Croft Garage in what is now called Croft Court, opposite the NISA on the Cirencester Road, 50m from here.
2. The former Murco petrol station and Lyefield Garage next to the Little Owl on the Cirencester Road, which is now an extensive combination of town houses and houses, 400m from here.
3. Again, another Lyefield Garage former site adjacent to the Post Office on Lyefield Road West, pastiche houses at the front to complement the road line and contemporary bungalows at the back, 300m from here.
4. Woodmeade Close adjacent to Nazareth House on the London Road. A lovely green development of about ten homes on the site of a former BP petrol station and garage.
5. The former Mobil petrol station and garage site that is now attractive town houses called Inglecote Close, Charlton Kings, just off the London Road near Glenfall.

We strongly oppose any development to convenience stores/retail units. Housing would be appropriate in this area in line with the housing shortage.

We would be grateful if this correspondence could be shown to the Members of the Planning Committee.

**Comments:** 10th June 2014

My previously submitted concerns have not been resolved. I would refer you to my previously submitted comments. I would like to reiterate the need for housing as opposed to a convenience store development which is not needed.

18 Newcourt Park  
Cheltenham  
Gloucestershire  
GL53 9AY

**Comments:** 31st January 2014

I object to this proposal on the following grounds:

- Charlton Kings already has adequate provision of the facilities proposed within this development which are regularly accessed by pedestrians, without contributing to traffic congestion within the area. The proposed development will have an adverse effect on the local shops and businesses already present.

- There will be an adverse effect on the surrounding area in terms of increased traffic, noise, litter, and reduced road safety.
- The 'green' is a space that is used and valued by local residents, and contributes to the village feel and character of the area, its size should not be reduced.
- The development in its current form, as well as being unnecessary, would be an eyesore, and totally incongruous with the surrounding area. It would significantly disrupt the flow of traffic on a busy main route into Cheltenham.

217 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DF

**Comments:** 1st February 2014

I strongly feel that this convenience store would cause a hazard to traffic because customers would be parking in the road which would be dangerous for pedestrians and motorists and school children walking to local schools. Cars would also add problems to an already very busy road. The deliveries would disrupt the surrounding houses if they arrived early in the morning/late at night. We already have enough shops to sustain and it would put local small businesses in danger of closure.

11 Newcourt Road  
Cheltenham  
Gloucestershire  
GL53 9AZ

**Comments:** 18th January 2014

The current application is unacceptable for the following reasons:

**Noise:** there is likely to be new and excessive noise disturbance because of this effective change of use. The operating hours are scheduled to be 06.00 to 23.00, exceeding current use on the site by at least 5 hours. It is noted that there will be an ATM machine on site, effectively making this a 24-hour-use site. It is noted that the site will be close to a residential care home for the elderly, and this application will increase noise and general disturbance to residents.

**Traffic:** the projections used for the forecast use in Appendix D are based on national projections and have no specific relevance to Cirencester Road, Charlton Kings. The road is frequently congested and the provision of 16 parking spaces is likely to prove inadequate for the projected retail use, thereby causing overspill onto the main Cirencester Road or nearby residential roads, which are already at saturation point. Comparisons with the existing and previous use of the site are irrelevant as the site currently has copious parking space based on short duration and high through-put. If this application is to be successful more off-road parking must be provided to alleviate both congestion and an increased threat of road traffic collisions as a result of increased use.

The observations concerning the availability of public transport are misleading. The bus service is hourly and it is unlikely that potential customers for this site's provision will be drawn to it because of the bus service.

**Visual impact:** while the current site does not enhance the visual impact of the area, this application will still have a negative impact, providing a monosyllabic block effect. The use of low



quality brick will be detrimental, and the design is unimaginative, providing a highly disappointing entrance to Cheltenham on one of its major arterial approaches. The design should be redrawn.

**Privacy:** Parking will almost certainly overspill into nearby residential roads as a result of the inadequate on-site parking provision, thereby reducing privacy in a predominantly residential area.

**Amenity:** the area is currently well-provided for in terms of small local supermarkets and has no need of enhanced provision. Observations in the application concerning potential employment opportunities are speculative and unsupported by evidence, and must be taken in the context of existing retail outlets closing as a result of this application.

In sum, the application should at least be modified to reduce the threat of increased noise, traffic congestion, traffic collisions, and disturbance to privacy. However, as the area is well-served by existing similar amenities the application and change of use is unnecessary.

### **Comments:** 4th June 2014

Planning Application: 86 Cirencester Road, Charlton Kings - Resubmission

The resubmission re 86 Cirencester Road, although it is acknowledged that some improvements have been made, remains unacceptable for the following reasons:

**Noise:** there is still likely to be new and excessive noise disturbance because of this effective change of use. The operating hours are scheduled to be 06.00 to 23.00, exceeding current use on the site by at least 5 hours. It is noted that there will remain an ATM machine on site, effectively making this a 24-hour-use site. It is noted that the site will be close to a residential care home for the elderly, and this application will increase noise and general disturbance to residents. The resubmission asserts that the ambient noise will be within 'acceptable' levels. This judgemental and not attested by evidence from those likely to be affected. Besides, ambient noise is less of an issue than specific noise intrusion at normally quiet times of the day for residents, eg starting heavy duty engines, 'revving up' from stationary, reversing (especially if, as is likely, accompanied by a warning signal), loading, and the transmission of verbal communications between operatives.

**Traffic:** the projections used for the forecast use are based on national projections and have no specific relevance to Cirencester Road, Charlton Kings. The road is frequently congested. The resubmission includes only one additional parking space to the 16 parking spaces originally intended is consequently is still likely to prove inadequate for the projected retail use, thereby causing overspill onto the main Cirencester Road or nearby residential roads, which are already at saturation point. Comparisons with the existing and previous use of the site are irrelevant as the site currently has copious parking space based on short duration and high through-put. If this application is to be successful more off-road parking must be provided to alleviate both congestion and an increased threat of road traffic collisions as a result of increased use.

The observations concerning the availability of public transport are misleading. The bus service is hourly and it is unlikely that potential customers for this site's provision will be drawn to it because of the bus service.

**Visual impact:** while the current site does not enhance the visual impact of the area, and there has been some improvement to the original design, this resubmission will continue to have a negative impact, because of low quality building material. The basic design remains unimaginative, providing a highly disappointing entrance to Cheltenham on one of its major arterial approaches.

**Privacy:** Parking will almost certainly overspill into nearby residential roads as a result of the inadequate on-site parking provision, thereby reducing privacy in a predominantly residential

area. A principal source of overspill parking is likely to be from staff, who will be unable to use even the limited parking space available. This overspill would inhibit parking for visitors, especially dog walkers, to the local green area, contrary to Local Plan Policy CP4(a).

Amenity: the area is currently well-provided for in terms of small local supermarkets and has no need of enhanced provision. The resubmission itself demonstrates evidence of existing saturation, providing as it does examples of supermarkets and convenience stores within a short distance from the proposed site. There is no demonstrable need for an additional supermarket in the area, there being two local supermarkets within walking distance of the proposed site, plus, as noted several convenience stores.

That the area is saturated with similar retail outlets negates the argument that new jobs will be generated. It remains likely that jobs will be lost at existing sites. The application therefore contravenes Local Planning Policy CP4(e).

An alternative use should be found if there is to be a redevelopment on the site.

10 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

**Comments:** 28th January 2014  
Letter attached.

**Comments:** 6th June 2014  
Letter attached.

High Tor  
29 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 28th January 2014  
Letter attached.

**Comments:** 27th May 2014  
Letter attached.

133 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 25th January 2014

I object to the above proposed development because it is inevitable that there will be an unacceptable increase in traffic which will be harmful to the community and my amenity.

The traffic will increase as a result of:

- Delivery of goods

- Arrival and departure of staff
- The necessity to transport 'larger shops' home by car
- Attracting customers from further afield
- Long opening hours

This increase in traffic will cause many problems to what is already a busy road and area. Specifically increases in:

- Noise pollution
- Light pollution
- Air pollution
- Street congestion
- Competition for parking spaces
- CO2 emissions
- Vibration
- Road maintenance

In planning terms I believe the proposed development contravenes the Cheltenham Borough Council Local Plan Policy CP4, Safe and Sustainable Living. Specifically it contravenes sub policy CP4(a) in that it would cause unacceptable harm to our amenity as an adjoining land user and would harm our locality. Additionally it contravenes sub policy CP4(b) by affecting the environment in an unacceptable way due to the volume of traffic and street noise thereby having a serious adverse affect on our amenity and living conditions.

On a much broader argument I really cannot see the need for a development like this, a convenience store and a possible café and food takeaway. The community has three of each all within walking distance, many of which have served the community well over several decades and have improved their services, range of products and promoted healthy competition. The developers' arguments for the benefits that such a development would bring to the community are incredibly lightweight with no real evidence to support any of them.

A much more worthwhile idea might include housing for the young people in Charlton Kings. Most youngsters have to leave the area to start their adult lives leaving behind the community where they were born and raised.

We need some forward thinking, not solely based on profit if the community is to benefit from a development which will provide a legacy well into the next century. I fear however that the financial benefits to the site owner, developers and a national supermarket chain will win the day which will be a great shame a missed opportunity for the community of Charlton Kings.

70 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DA

**Comments:** 30th January 2014  
Letter attached.

Goodwood  
Newcourt Road  
Cheltenham  
Gloucestershire  
GL53 9AZ

**Comments:** 26th January 2014

We have examined Planning Application No 13/02174/FUL and wish to register an objection to it on the following grounds:

Traffic

Cirencester Road is an already busy and dangerous road, particularly at peak times and on the many Festival days that Cheltenham has, where there is significant traffic increase. Speeding on Cirencester Road is often an issue. Schoolchildren cross the road at that corner on a daily basis. The site is just beside two roads that already have dangerous line of sight problems for drivers: Newcourt Road and Croft Road. Traffic coming into Cheltenham from the south already often use (the very narrow) Newcourt Road as a rat run to avoid the lights at Moorend Road; this proposed development can only exacerbate this. To indicate that access to the development can easily be by bicycle is misleading; cycling on Cirencester Road even at present has considerable risks and not a road that cyclists generally use, on account of the parked cars, the lack of a cycle lane, and the speed of the traffic. To compare the amount of traffic that will be generated by a new development such as this with the traffic generated by a garage that closed 20 years ago is also very misleading; the current car wash, although used, does not generate anything like the amount of traffic that a retail development would. Traffic turning in and out of the development will present a significant hazard. The statements about the bus service provision are misleading; it is very unlikely that people would travel by bus to such a development.

Parking

The development has space for 16 cars; where will the staff who work in the premises leave their cars? There is insufficient provision in the area for the increase in traffic that such a development will generate; overspill into surrounding roads is likely to result; this is unsuitable for this residential area.

Noise

It is proposed that the site operate from 6am until 11pm. This will result in a huge increase in noise in relation to that produced at present by the car wash, particularly early morning and in the evening, times at which the car wash does not operate. HGVs will access the site, again producing noise at antisocial times. There is a residential home for the elderly practically opposite the side of the site on Newcourt Road; and this development will greatly increase noise and disturbance to residents there and in the surrounding homes. A late night take-away in particular will generate noise (and litter in the adjacent park).

Amenities already exist

Charlton Kings already has a vibrant and well supported selection of independent and 'top up' shopping facilities and the document is misleading when it implies that this is not the case. We understand that competition may be good; however, given that the need for additional retail outlets of this nature is not there, the development on this site is inappropriate. To state that this development will reduce car emissions and help in the fight against climate change is again misleading; Charlton Kings residents already have sufficient similar shopping facilities within walking distance. This development is far more likely to be used by passing car traffic than any local people walking,

In conclusion, we feel that the application for this development should be rejected, and a more suitable non-retail alternative sought.

**Comments:** 5th June 2014

Further to my previous letter of objection to the original plans for this development and having looked at the revised plans for the development of this site I wish to object to the new plans on the following grounds:

There is no need for another supermarket in Charlton Kings.

This fact remains. To allow this development, with the expected footfall contained therein, would undoubtedly harm other local supermarkets and also the small independents; chemist, flower shop, butcher etc. Charlton Kings is a defined village, served by its own community of shops; this increased size of supermarket development as proposed is more suited to developments found on the periphery of a larger conurbation. If this area is developed in this way, it will contribute to 'urban sprawl' and will dilute and be detrimental to the identity of Charlton Kings.

Noise and Disturbance

This development will increase noise levels to an unacceptable degree for the immediate neighbourhood. There is detailed information about how noise will be kept to a minimum, down to the fact that lorry doors will be shut quietly. This is clearly fanciful. How exactly would this be enforced? What monitoring and control of this and other noise will be set in place? In addition the change in location of the storage of the metal containers is such that noise on Newcourt Road would be much more of an issue. This is a quiet neighbourhood; this development would mean that it would no longer be a peaceful environment.

Traffic danger

The issues that were raised previously about the difficulties brought about by having a supermarket at the point where school children cross remains. The additional traffic congestion caused by on road parking, either in Cirencester Road or in the very narrow Newcourt Road, just for a minute, all remain issues. In addition, there is a statement that all deliveries will take place from the north and depart to the south. How realistic is this? What provision will be made to ensure that delivery vans do not turn into Newcourt Road to return whence they came? Newcourt Road is narrow and is completely unsuitable for any increase in traffic of this kind. I cannot believe that this would not become a serious issue as time goes on.

There are other issues of this nature, for example the timing of deliveries to avoid school times; all very well to lay out strategies on paper but realistically unlikely to be adhered to over time.

While I appreciate that the removal of the two small units was to make the proposal more acceptable to the community, the fact remains that the development of the site in this way is inappropriate for Charlton Kings.

Havana  
Newcourt Road  
Cheltenham  
Gloucestershire  
GL53 9AZ

**Comments:** 3rd February 2014

Whilst we do not have any problems with a redevelopment of this site, we do object to the proposed scheme for the following reasons:

Charlton Kings is already well served by the existing convenience stores and independent businesses, which adequately provide for the needs of the community as well as providing local employment.

The scheme will lead to a significant increase in traffic close to busy and difficult road junctions. This stretch of Cirencester Road is fast and already difficult to cross. The park entrance adjacent to the site entrance is where a number of people, particularly children cross. The road is particularly dangerous in winter, with the morning rush hour traffic leaving Cheltenham driving into direct low sunlight, with drivers visibility severely affected.

The proposed development will lead to an increase in traffic, noise and potentially anti-social behaviour at unsociable times for the adjacent residents.

Newcourt Road is already used as a cut through, for people trying to avoid the traffic lights on Moorend Road, with traffic driving too fast on a very dangerous narrow blind bend. Vehicles regularly mount the pavement to avoid collisions and it is only a matter of time before a serious accident occurs. Increased traffic will only compound this problem.

Parking is already problematic on Cirencester Road. The scheme does not provide for any employee parking and this will have a serious impact on local residents and adjacent roads.

The visibility on exiting Newcourt Road/Bafford Lane will be restricted by a solid structure replacing the existing open forecourt.

Locals currently have no need to drive to the existing local stores, however the proposed scheme will attract people from outside the area and increase traffic, contrary to Policy CP5.

The building design is unimaginative and not in keeping with the local area.

7 Newcourt Road  
Cheltenham  
Gloucestershire  
GL53 9AZ

**Comments:** 28th January 2014  
Letter attached.

126 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DG

**Comments:** 3rd February 2014  
My objections are based on the following:

1. There simply isn't any need for more stores or takeaways in this area, it is already very well served by a variety of existing shops and amenities.
2. Although traffic speeds might not be a planning issue and Cirencester Road is officially designated a 30 mile per hour zone, the reality for those who live on this road is that it is a fast and busy road and the location in question is in a risky spot accident-wise. Traffic driving in and out of the site as well as the definite situation of many drivers choosing to park on the road site (despite any restrictions) will cause traffic congestion and increase the risk of accidents.
3. Not only will the proposed development cause more congestion at the location it will add to the levels of traffic already present on this road with more people using the road to access the proposed amenities. For those who live on Cirencester Road this is hugely unwelcome.
4. The car wash that is currently operating on this site is restricted to its working hours, I do not see why this should be changed because it is being replaced by a supermarket. What is proposed will cause significant noise and light pollution and for the operating hours indicated, this is unacceptable.

If it needs to change then housing would be a better use of the site. Please reject this planning application on behalf of the residents of Cirencester Road.

114 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DG

**Comments:** 23rd January 2014

I strongly object to this proposal. This is totally the wrong place for a supermarket site.

The increase in traffic on an already busy road can only lead to more congestion and a decrease in the safety for road users and pedestrians. The inconvenience to local residents from an increase in noise and light pollution is unacceptable.

The threat to the existing small, local, independent businesses within Charlton Kings cannot be in the interest of the local community.

We are already fully serviced with convenience stores and supermarkets within Charlton Kings area. There can be no argument for further requirement for additional supermarkets.

This area would be better used for residential properties.

62 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DA

**Comments:** 23rd January 2014

I live down the road from this and must STRONGLY object. There is too much traffic on this road already. I have a nine year old boy and I won't let him cross the road as it is too dangerous. We do not need any more noise or traffic on this road. Also we already have plenty of shops and take aways we can walk to and these shops are independent retailers who have built up their patronage. Our local shops stay open till 10pm so we don't need any more retail outlets. I hope you take notice of my comments and take heed of the petition which the village folk have signed in their thousands and don't just think of the revenue to the council.

**Comments:** 9th June 2014

NO NO NO we don't want this in any shape or form. Listen to the people who have signed the petitions and the local businesses, we have too much traffic on this road any way. The junction is dangerous enough already. There is a shop within yards of this development which will suffer!

Willow Lawn  
9 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 2nd February 2014

I object to this application on the grounds that this is unnecessary and inappropriate use of the site.

Local residents are well served by nearby retail units, whose trade will no doubt be affected if this development is allowed. There are also ample coffee/food outlets which are walkable, easily driveable or can be home delivered from further afield.

The parking on-site would seem inadequate for both staff and potential customers yet there is little nearby on street parking available.

The junction of Newcourt Road and Cirencester Road is already difficult to negotiate for both cars and pedestrians, many of whom are children going to and from school or residents walking to the shops or village amenities.

If allowed, this development would be detrimental to both local traders and residents, and is strongly opposed.

130 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DS

**Comments:** 31st January 2014

We OBJECT to this application as it contravenes local planning statements CP 4(a), (b) and (e) and CP5 and CP8 as set out below.

### **Specific Objections**

#### 1. CP 4 Safe & Sustainable Living

##### CP4(a) not cause unacceptable harm to the amenity of adjoining land users and the locality

###### Noise Pollution

Based on the commercial use proposed for the site (A1 convenience store, most likely supermarket chain and A3/A5 food/takeaway) with extended opening hours leading to more cars and delivery vehicles, particularly outside of normal hours (8am to 6pm), will lead to increased noise.

If a takeaway food site is approved this will lead to increased late night noise, all of which will impact the local neighbours.

The local area already has convenience supermarkets (CO-OP) and takeaways in a larger purpose built commercial area, Church Piece, which has adequate Council provided parking.

It is noted that when the current car wash business applied for planning for extended opening hours in 2009, restrictions were placed on its opening times due to the noise pollution its operations would cause and the impact on the local area.

###### Light Pollution

Based on the plans submitted and other similar developments, the site will be well lit with all glass frontages and forecourt parking lighting in the early morning and early evening to late at night. The lighting will be further enhanced possibly with an outside ATM, similar to the type on the front of the NISA store less than 20 metres away. This excessive light will impact the local residents who live opposite and behind the site.

###### Litter

The type of commercial site being proposed will increase the litter in the area. In particular, with the green space immediately behind the site, it could become an area for young people to hang



out following purchases from the retail sites and who have a tendency (not all) to leave litter, causing a nuisance to other park users.

This is and has already been a problem in other green spaces in Charlton Kings.

The litter position could be resolved with daily Council litter clearing controls or measures placed (and enforced) on the retailers to litter clear the surrounding area.

CP4(b) not result in levels of traffic to and from the site attaining an environmentally unacceptable

### Parking & Traffic

The Cirencester Road is already a major route (A435) to the centre of Cheltenham for those approaching from The Cotswolds, Cirencester and Charlton Kings, in particular at commute times. The traffic using the route can increase when the A417 Air Balloon roundabout has problems.

The road is a central point to the access of Charlton Kings and its schools.

A development of the site proposed is only going to lead to further traffic and parking problems. The site plan proposes parking for users, but the spaces being provided are limited, particularly when deliveries are being made which will lead to cars, or alternatively delivery lorries, parking on the main Cirencester Road, adding to congestion.

The site is on a junction of two other minor road (Pumphreys Road and Bafford Lane/Newcourt Road), which already find it difficult to gain safe access on to the main road due to the current parking situation.

It is already a known problem at a similar site at Queens Road near to the Railway Station, where delivery lorries cant gain access forecourt area to unload, thereby parking on the Queens Road causing traffic congestion and access problems to the railway station.

To add to the traffic situation, the number 51 bus Swindon to Cheltenham stops just along from the proposed development site.

### Pedestrian Safety

In addition to the traffic issues the proposed site will cause, it will increase an already dangerous situation for pedestrians. A number of pedestrians cross in the area to access the park and those school children living south of Cirencester Road cross to use the lane in to Gladstone Road to go to school.

No crossing point is provided, the nearest being located by Okus Road, which is not in close proximity to be considered for use. This is already a problem with the level of traffic and the speed at which vehicles travel, despite being a 30 miles per hour speed zone.

Increased traffic and parking problems around the site will increase the risk to pedestrians crossing in the area unless a crossing point is put in place.

Para 4.10 pf the local planning statement states that The Cheltenham Community Plan seeks safe and accessible travel and transport. A transport system, which is accessible, efficient, and safe, can contribute to sustainable living by reducing pollution and achieving better access to development and facilities, and can support the economy by reducing congestion.

CP4(e) maintain the vitality and viability of the town centre and district and local shopping facilities

Requirement for a large Convenience Store

A development of this type will impact other local shopping facilities. It is highly likely that the A1 unit will be taken by a big four supermarket chain who are increasing their profile in this end of the market. This has been seen in Cheltenham with Bath Road now having two Sainsburys, two Morrisons recently opening in Cheltenham along with a number of Tesco's.

Charlton Kings is already serviced by two established CO-OP's with ¼ mile of the site, one of which is in a district retail site with Council parking facilities and the other in the Sixways shopping area which has parking nearby. A Budgens is also within ¼ mile of the site.

There is also a NISA store 30 metres from the site, which is not much smaller than the proposed A1 development and provides a wide range of goods as well as an ATM. The area also has a number of other smaller retail businesses such as florists, chemists, butcher etc. The Bath Road Leckhampton shopping facilities are also only a short distance away, as well as the large Sainsburys at Oakley.

It is therefore difficult to see how a new development will not impact other local sites, for example CO-OP shutting a unit, leading to an empty unit in a local retail area which is likely to be difficult to let. Currently the three commercial areas in Charlton Kings, Sixways, Church Piece and around Lyfield Road are busy and the units fully occupied and have designated parking.

### 2. CP5 - Sustainable Transport

The points raised above regarding CP4(b) regarding traffic, parking and pedestrian's safety are also relevant to CP5.

The local planning statements states that development will be permitted only where it is located and designed so as to:

- (a) minimise the need to travel; and
- (b) provide adequate accessibility to the site for vehicles, including public transport, pedestrians, cyclists and people with disabilities; and
- (c) meet travel demands in safe and energy efficient ways; and
- (d) provide a level of parking space that will encourage walking, cycling and public transport and discourage use of the private car; and
- (e) meet Local Transport Plan targets for the proportion of trips to the site by each mode of transport.

In addition to the points raised for CP4(b), it is difficult to see how the proposed planning is looking to minimise the need to travel, as it appears to be aiming to encourage a drive, park and shop facility.

### 3. CP8 Provision of Necessary Infrastructure & Facilities

3. (a) the infrastructure necessary for the development to proceed;

For the development to be safe for its users, it is our view that some kind of supporting traffic safety infrastructure measures would need to be considered, such as a crossing point.

### Other Uses

It is agreed that the site does require development as it has been allowed to become run down. The current car-wash business that operates from the site appears to do very well, it always appears busy. It is understood that they are only leaving the site as their lease is not being renewed. If they were provided with a more secure lease arrangement, then they may take steps to tidy the area up and make it more attractive and offer other services, suitable for the site.

The alternative to a commercial site is residential with the build being of a design which is complementary to the surrounding area.

### Conclusion

On the grounds set out above we do not believe that the proposed planning application should be granted as it will:

- Increase noise and light pollution for local residents
- Increase litter
- Cause traffic and parking issues on an already busy main road
- Increase danger for pedestrians unless safety measures are put in place
- Introduce a convenience store to the local district providing goods & services, which are already adequately provided for, which will have a detrimental impact on other local stores and retail areas in the area.

On the grounds detailed here and as a consequence certain proposals within the application not complying with the Cheltenham Local Plan Objectives and Policies we trust that the application will be refused.

### **Comments:** 9th June 2014

We OBJECT to the revised application as it contravenes local planning statements CP4(a), (b) and (e) and CP5 and CP8 as set out below.

We understand planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the local planning statement. Although the revised planning application as resulted in some improvements, not in our view sufficient to deal with the adverse impacts of the development.

### Specific Objections

#### 1. CP 4 - Safe & Sustainable Living

*CP 4(a) "not cause unacceptable harm to the amenity of adjoining land users and the locality"*

#### Noise Pollution

Based on the commercial use proposed for the site (A1 convenience store, most likely supermarket chain) with extended opening hours leading to more cars and delivery vehicles, particularly outside of normal hours (8am to 6pm), will lead to increased noise.

It is noted that the amended application proposes that the main delivery will take place between 6am and 7am, with three other small deliveries at any time.

The current car wash business applied for planning in 2009, restrictions were placed on its opening times due to the noise pollution its operations would cause and the impact on the local area. The operating hours of the proposed development, (06.00hrs to 23.00hrs) will exceed the current site limitations. An outside ATM will add to the noise pollution, when the unit is closed.

The local area already has convenience supermarkets (CO-OP) in a larger purpose built commercial area, Church Piece, which is away from residential housing and with adequate Council provided parking.

#### Light Pollution

Based on the revised plan, measures have been taken to limit glass frontages, however there will still be the forecourt parking lighting in the early morning and early evening to late at night. The lighting will be further enhanced with an outside ATM, similar to the type on the front of the NISA store less than 50 metres away.

This excessive light will impact the local residents who live opposite and behind the site.

### Litter

The type of commercial site being proposed will increase the litter in the area. In particular, with the green space immediately behind the site, it could become an area for young people to "hang out" following purchases from the site and who have a tendency (not all) to leave litter, causing a nuisance to other park users.

This is and has already been a problem in other green spaces in Charlton Kings.

The litter position could be resolved with daily Council litter clearing controls or measures placed (and enforced) on the retailers to litter clear the surrounding area.

It is noted that the plan has been revised withdrawing the two A3 units, which is welcomed as this removes the risk of takeaway litter, but we are sceptical that it was the long term intention to revise the plan in any event, with the A3 units being removed or reduced.

*CP 4 (b) "not result in levels of traffic to and from the site attaining an environmentally unacceptable"*

### Parking & Traffic

The Cirencester Road is already a major route (A435) to the centre of Cheltenham for those approaching from The Cotswolds, Cirencester and Charlton Kings, in particular at commute times. The traffic using the route can increase when the A417 Air Balloon roundabout has problems.

The road is a central point to the access of Charlton Kings and its schools.

A development of the site proposed is only going to lead to further traffic and parking problems. The revised site plan proposes parking for users, but the spaces being provided are limited and have only increased by what appears to be one space and the loading bay.

The delivery plan states that one major delivery will take place between 06.00am and 07.00am, with three minor deliveries at any time. (Deliveries during school arrival and pick up times to be avoided.) The main delivery arriving from the North i.e. from the town centre direction.

Although it is a positive step in attempting to resolve the traffic problems caused by deliveries, the following issues still arise:

- The delivery bay can only hold one vehicle at a time
- The delivery lorry will need to cross on-coming traffic to enter the site
- If the lorry is late, it will impact school and commute traffic.

If the store is able to manage the late arrival, by a delayed delivery, then the lorry will be negotiating its entry to the site when Cirencester Road traffic levels are high, albeit not as high as at school time, in addition to consumers using the site and possibly the minor deliveries.

In addition to the deliveries, the users of the site will also create increased traffic congestion, with anyone approaching from the town centre direction having to cross oncoming traffic. According to Betterretail.com an independent retail website, Tesco Express are achieving weekly sales of £53,000, which is the minimum amount to make the site economically viable. (It must be assumed that this is similar for all major supermarket chains). This means a significant amount of footfall required at the site, some would be pedestrians, but the majority vehicle users.

The revised application refers to public transport and there is stop outside the site; however, it is misleading to state that customers will use the bus to travel to the site. The bus route outside the site is the 51 that is the Swindon/Cirencester/Cheltenham, providing a commuter service between these towns, not a local service. The stop is in the main used by people going in to and returning from central Cheltenham.

The site will therefore lead to increase traffic congestion on an already busy road, particularly when deliveries are being made which will lead to cars, or alternatively delivery lorries, parking on the main Cirencester Road, adding to congestion.

The site is on a junction of two other minor roads (Pumphreys Road and Bafford Lane/Newcourt Road), which already find it difficult to gain safe access on to the main road due to the current residential parking situation.

It is already a known problem at similar sites, for example Queens Road near to the Railway Station, where delivery lorries can't gain access forecourt area to unload, thereby parking on the Queens Road causing traffic congestion and access problems to the railway station.

### Pedestrian Safety

In addition to the traffic issues the proposed site will cause, it will increase an already dangerous situation for pedestrians. A number of pedestrians cross in the area to access the park and those schoolchildren living south of Cirencester Road cross to use the lane in to Gladstone Road to go to school.

No crossing point is provided, the nearest being located by Okus Road, which is not in close proximity to be considered for use. This is already a problem with the level of traffic and the speed at which vehicles travel, despite being a 30 miles per hour speed zone.

Increased traffic and parking problems around the site will increase the risk to pedestrians crossing in the area unless a crossing point is put in place.

Para 4.10 of the local planning statement states: *"The Cheltenham Community Plan seeks safe and accessible travel and transport. A transport system, which is accessible, efficient, and safe, can contribute to sustainable living by reducing pollution and achieving better access to development and facilities, and can support the economy by reducing congestion."*

*CP4(e) maintain the vitality and viability of the town centre and district and local shopping facilities*

### Requirement for a large Convenience Store

The revised application is supported with a report from Mango which shows a number of areas in Cheltenham which are supported by two or three retail units, to provide evidence that the development will maintain vitality and viability of the district shopping facilities

It is difficult to see how a development of this type will not impact other local shopping facilities. It is highly likely that the unit will be taken by a "big four" supermarket chain who are increasing their profile in this end of the market.

Charlton Kings is already serviced by two established CO-OPs with ¼ mile of the site, one of which is in a district retail area with Council parking facilities and the other in the Sixways shopping area, which has parking nearby. A Budgens is also within ¼ mile of the site.

There is also a NISA store 50 metres from the site, which is not much smaller than the proposed A1 development and provides a wide range of goods, as well as an ATM. The area also has a number of other smaller retail businesses such as florists, chemists, butcher etc in the surrounding area. The Bath Road Leckhampton shopping facilities are also only a short distance away, as well as the large Sainsburys at Oakley.

It is therefore difficult to see how a new development will not impact other local sites, for example CO-OP shutting a unit, leading to an empty unit in a local retail area which is likely to be difficult to let in the future, with the presence of a 'big player'. Currently the three commercial areas in Charlton Kings, Sixways, Church Piece and around Lyefield Road are busy and the units fully occupied, based around a major shop such as the CO-OP and have designated parking.

Recent examples of the impact of this type of retail unit impacting local traders, is the closure of Daly's Deli, which did adjoin the Tesco's Queen's Road site and the former NISA at Hewlett Road, changing to a Bargain Booze, (which I understand is a different business model) when the Tesco Express opened.

The Mango report examples have to be questioned, as three examples are comparing a retail unit to a garage site that has a minor convenience store element, where fuel would be the main item.

It is accepted that Bath Road, has three sites in close proximity but these serve all of Leckhampton in a much larger district shopping area that Charlton Kings has. In addition, the Natural Grocery Store has a total different offering that the other two supermarkets in Bath Road. Currently, Charlton Kings has four units, which adequately serve its residents split between the north, the centre and south of the area.

Unless the developer has a tenant already lined up for the site who have advised on the number of employees, we would have to question the employment number of 21. Most new retail units of this type are fitted with self-scan units, as per both Sainsbury's sites on Bath Road and the CO-OP site that has recently been refitted. The self-scan unit reduce the numbers of employees required thereby lowering the overhead of the unit, which the retailer is keen to achieve to increase the profit margin.

### 2. CP5 - Sustainable Transport

The points raised above regarding CP 4(b) regarding traffic, parking and pedestrian's safety are also relevant to CP5.

The local planning statements states that development will be permitted only where it is located and designed so as to:

- (a) minimise the need to travel; and
- (b) provide adequate accessibility to the site for vehicles, including public transport, pedestrians, cyclists and people with disabilities (note 1); and
- (c) meet travel demands in safe and energy efficient ways (note 2); and
- (d) provide a level of parking space that will encourage walking, cycling and public transport and discourage use of the private car (note 3); and
- (e) meet Local Transport Plan targets for the proportion of trips to the site by each mode of transport (note 4).

In addition to the points raised for CP4(b), it is difficult to see how the proposed planning is looking to minimise the need to travel, as it appears to be aiming to encourage a drive, park and shop facility.

As explained above, the public transport point is a 2red herring<sup>2</sup>, although it is noted that cycle parking facilities are being installed and due to the location, it will have a level of pedestrian trade.

### CP 8 Provision of Necessary Infrastructure & Facilities

#### 3. *(a) the infrastructure necessary for the development to proceed;*

For the development to be safe for its users, it is our view that some kind of supporting traffic safety infrastructure measures would need to be considered, such as a crossing point.

#### Other Uses

It is agreed that the site does require development as it has been allowed to become run down. The current car-wash business that operates from the site appears to do very well, it is always

busy and employees a number of people. It is understood that they are only leaving the site as their lease is not being renewed. If they were provided with a more secure lease arrangement, then they may take steps to tidy the area up and make it more attractive and possibly offer other services, such as car sales.

The alternative to a commercial site is residential with the build being of a design that is complementary to the surrounding area.

### Conclusion

The application states that its benefit is improvement to the environment as a whole through the use of a brown site, with a positive economic impact for the area with job creation.

On the grounds set out above, we do not believe that the proposed planning application should be granted as although it will improve the current environment at that location, it is likely to impact the surrounding area and in particular the other local district shopping areas, with other store closures and the positive economic impact is being over played. We therefore wish the amended application to be refused for the following reasons:

- Cause traffic and parking issues on an already busy main road
- Increase danger for pedestrians unless safety measures are put in place
- Introduce a convenience store to the local district providing goods & services, which are already adequately provided for, which will have a detrimental impact on other local stores and retail in the area, which is likely to result in closures and job losses.
- Increase noise and light pollution for local residents
- Increase litter

On the grounds detailed here and therefore certain proposals within the application not complying with the Cheltenham Local Plan Objectives and Policies we trust that the application will be refused.

12 Branch Hill Rise  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 9HW

### **Comments:** 31st January 2014

As a local family we would welcome a more useful employment of this land so that we could walk around the corner and access some quality food. Increased traffic could bring extra trade to the local existing stores because there is so much restricted parking in this area at the moment -so a new car park would ease the present parking problems-so the new proposed development would be more visually attractive than it is at the moment - so we feel it would be beneficial to locals and passing trade- who would park and shop at all the stores in this area- not therefore at just the new proposed one.

The Hendre  
33 Brookway Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HF

### **Comments:** 20th January 2014

Letter attached.

**Comments:** 27th May 2014

Letter attached.

17 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 31st January 2014

As a local family we strongly object to the proposals for a number of reasons:

- 1) Another convenience store is simply not required, Nisa, Budgens, plus Jeffreys and other local independent retailers would be adversely impacted and we wish to support them.
- 2) The store will be situated at a point where our children cross an already busy Cirencester Road for school. The increased traffic flow and hazards can only make this more dangerous for them and others.
- 3) Parking in this area is already congested and this will increase the problem. When parking spills into narrow Newcourt Road this can block access for any emergency services trying to gain quick access endangering lives.
- 4) By car, exiting Newcourt Road to the right onto Cirencester Road is already dangerous in view of the severely restricted visibility caused by continual pavement parking to the right of the exit. This store can only increase the danger with further vehicle parking and traffic. This will cause a serious accident shortly.
- 5) The scheme will also inevitably increase traffic flow along Newcourt Road, a narrow winding lane with blind spots and already speeding cars causing danger for our walking children.

**Comments:** 9th June 2014

We still strongly object to the proposed development of the car wash into a convenience store with car parking.

We do not need a further retail outlet as we already have a NISA, butcher and Budgens in the close vicinity which supply everything we need.

The development would increase the traffic in the area in particularly lorries bringing in stock.

There would no doubt be inconsiderate parking and together this would make this busy road even more dangerous for school children crossing.

Please do not pass this planning Application

27 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 2nd February 2014

I object to the planning application 13/02174 based on Cheltenham Local Plan policies as follows:

CP4(a): The proposed development is by its very nature will result in increased traffic manoeuvring around an already very tricky junction/section of Cirencester Road. There will also be a significant and impactful increase in noise and light early in the morning and very late at night.



It is unarguable that a development of this nature, with the weight of a multinational behind it, will seek to limit any local competition. It will in no way increase consumer choice as the inevitable consequence will be the closure of local shops who will be unable to compete on a number of different levels ie. pricing, advertising, size, range.

I can already walk to local shops, cafes and take aways which will provide me with everything I need for a family of five and all the coffee, fish and chips, Chinese and Indian food I could possibly ever want to eat or drink.

CP4(b): There will be a significant increase in traffic activity at all hours of the day and night - this will create every kind of environmental impact.

CP4: the proposed development will have a significant, probably fatal, impact on local shopping facilities and job opportunities. The objective of the proposed developer will be to close down any competition, not maintain their viability and vitality. It will in no way increase consumer choice as the inevitable consequence will be the closure of local shops, cafes and takeaways who will be unable to compete on a number of different levels ie. pricing, advertising, size, range.

CP5: All existing shops, cafes and takeaways are within walking distance of local residents therefore the proposed development will not contribute to sustainable transport aspirations, nor reducing the need to travel.

CP7: the proposed development looks plain, cheap, uninspiring and totally lacking in any 'design'.

The role of urban design is recognised in the government's main planning policy document which states that "...good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people" (National Planning Policy Framework 2012). It is unarguable that the proposed design meets none of these aspirations.

Cheltenham does not need any more supermarkets, coffee outlets or take aways - please reject this application on all and every level of good planning and design. Put housing here - it is an excellent location and the only sensible and right thinking solution for a site which is adjacent to green space and in a residential area, close to excellent schools and with a thriving local community of shops, cafes and take aways.

9 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DN

**Comments:** 22nd May 2014

The revisions do not appear to have satisfactorily addressed three of the principal concerns.

1. There is no need (or indeed a majority desire) for yet another convenience store in the vicinity.
2. Despite the comments made in the Noise Assessment report, I fear that the noise levels - in particular during a delivery phase - will almost certainly increase. This would probably not affect me personally as I live in Bafford Lane, but I would have sympathy for those living on Cirencester Road who would bear the brunt of any increase in noise levels. Surely that estimate in the report that suggests the unloading phase will take but 25 seconds is nothing more than a typo?
3. I note that delivery vehicles will only be allowed to access the site from a northerly direction, and exit to the south. I can foresee the possibility that delivery drivers would follow this ruling,

but then - in order to backtrack north - would turn right into Newcourt Road in order to return from whence they came.

My objections therefore still stand.

Kippington  
22 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DJ

**Comments:** 9th June 2014

I object on three grounds.

Firstly, there is no need for an additional convenience store. Such a development would spoil the ambience of our village, which already has four such stores

Secondly, it is a dangerous application from the point of view of traffic, which would be severely impacted by the additional parking. Cirencester Road is already very busy, and Newcourt Road is so overgrown, it is not safe for a car to pass a cyclist, let alone the inevitable lorries restocking the store. Children would be at risk from crossing the busy road. The revised traffic management plan is, in my view, infantile as it does not address the issues of large lorries entrancing and exiting the premises, with blind spots on a busy road

Thirdly, the noise levels from car doors slamming, lorries unloading, goods being taken into store is a theoretical nightmare. A lorry driver facing limitations on his hours is not likely to be worried about the noise aspect, as he will be anxious to complete his delivery ASAP. And any promises by an agent, in search of a profitable foray, will not be worth the paper they are written on. Our council does not have the resources to manage any traffic orders on this site

24 Okus Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DU

**Comments:** 31st May 2014

In the vicinity of the area marked for development, there are already several convenience stores which are more than adequate to supply the local population. Furthermore, the delivery lorries required to stock the proposed new shop will pose a risk to pedestrians and cars alike, as well as causing congestion.

More importantly, however, the competition created by a large shop has the potential to close down smaller local shops. This rids the village of its character and individuality, and as such we need to take a stand against large chain stores like these spreading into villages, which is what Charlton Kings was before development took over.

11 Branch Hill Rise  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 9HN

**Comments:** 9th June 2014

I object to this development on these grounds:

1. The area is already served by excellent variety of shops (Budgens, Co-op, Nisa, Charlton Pharmacy, Flower Shop) all of which would be threatened by this. Closure of Budgens would mean the devastating loss of the Post Office therein.
2. Cars coming in and out of this small area would add greatly to the road hazard on this narrow section of the Cirencester Road. It will become an accident black spot if this development is allowed.
3. The current car-wash is an eyesore in a very attractive area of Charlton Kings - the proposed development isn't much better. The adjoining green space is an oasis and would be spoilt by the constant to-ing and fro-ing of cars from the store and.....
4. Late-night loitering, noise and drunkenness in the area would certainly increase steeply if this outlet sells alcohol up to 11.00pm.
5. This road is the gateway to the town from the South Cotswolds and this development will not enhance visitors' first impressions of Cheltenham.
6. It would be so much better to build low-rise affordable flats etc to accommodate young families in this relatively expensive part of Cheltenham.

31 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 12th March 2014

Letter attached.

**Comments:** 27th May 2014

Letter attached.

1 Shrublands  
Cheltenham  
Gloucestershire  
GL53 0ND

**Comments:** 20th March 2014

Letter attached.

41 Lyefield Road West  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8EZ

**Comments:** 11th June 2014

I am writing to put forward my concerns in regards to the revised proposal for the development of 86 Cirencester Road. This is a matter that I feel very strongly about. I am the Sub-postmaster of Charlton Kings Post Office and the proprietor of Smith and Mann convenience store.

- 1) Firstly, I would like to address some of the comments made in the reports by Mango entitled 'Retail Statement'. Mango was employed by County to County Construction to put together this report as part of their planning applications. In this report a few key assertions are made that I would like to highlight as I do not feel that they are accurate nor do they reflect a clear representation of the impact of this proposed development.

The first of these assertions is that the proposed convenience store would have an annual turnover of £1.51 million pounds (Paragraph 6, sub-section 19) as a worst case scenario. I believe this to be a gross underestimate based upon the research I have done. Looking at the average revenue generated by the national food retailers per square foot, a store of the proposed size would be much more likely to have a turnover of £2.5 - £3 millions. This is supported by the report submitted by the DPDS which suggests the turnover is more likely to be around £2.35 million. The report also states there must be considerable uncertainty about the turnover that the proposal would achieve.

As a result of the turnover figure provided by Mango, it is the report's conclusion that my store on the Lyefield Road West will only be marginally affected by the proposed development which I completely disagree with. There simply isn't enough business in the Charlton Kings area to keep the four existing convenience stores, plus a new store with a turnover of this size, in business. If I am to see between a 15-20% drop in my business as a result of this development I will not be able to keep my doors open. I will be forced to close my convenience store which, in my opinion, offers key facilities in the Charlton Kings community. My business' are family run and provide a personal and friendly service. These are the qualities that help to shape our community and if we were forced to close the very identity that our community prides itself on will be slowly chipped away at.

- 2) I'd also like to add that my business' currently employ approximately 20 members of staff, many of whom are residents of the Charlton Kings community. If we suffer a loss in business, or are forced to close, the people I employ would be directly affected. If both the Co-op stores and the Nisa store were affected in a similar way, the number of job losses and employees affected would rise beyond this.
- 3) Moving on, I would like to address Mango's letter dated the 12th May of stores co-existing together in similar scenarios across Cheltenham. The main example that I would like to draw on is in regards to the Tesco store on 214 Hewlett Road and the Bargain Booze at 216 and 218 Hewlett Road. Not too long ago 214 Hewlett Road was a furniture store and Bargain Booze was a family run Premier Convenience Store. Also located in this neighbourhood centre were a thriving butchery and a busy greengrocer's. However, this centre now only comprises of the Tesco express, Bargain Booze and 3 takeaways. This is a classic demonstration of how difficult it is for independent retailers to survive when faced with the competition of national retailers. The landscape of this community centre is completely different, and it no longer has the same feel or identity that it did previously. Therefore, I do not see how this can be used as an example of stores co-existing. The area has been changed irreparable and I feel that it is a well justified fear of mine that this will happen in Charlton Kings.

Another example given by Mango is in regards to the recently opened Morrison's Local Store which has opened on 116 Prestbury Road. The BP garage and convenience store at 80-86 Prestbury Road was actually a Londis Convenience Store before Morrisons opened. As a Londis store, it experienced a huge reduction in turnover and sold out to BP. The new plan for this site, as far as we are aware, is for an M&S Simply food to open. This is what I have been informed by the staff working in the store as BP who have now partnered up with Marks and Spencers. This is not an example of store co-existing.

- 4) The next point I would like to discuss is about the idyllic pictures that have been submitted by the architectural firm Daniel Hurd Associates. Looking at the pictures and plans, all deliveries will be made through the front of the store as there is no back entrance. My understanding of why this is the case is because this is the only way the store can also accommodate a car park. The loading and unloading bay has been squeezed on to the front of the store. I would like to draw your attention to the photographs that I have attached of the Tesco Express located by Cheltenham train station. This store also has its deliveries brought through the front of the store. As you can see, a number of empty cages and cages full of waste are lined up outside the store and along the pedestrianised area within the car park. You'll also note that there are a number of cars parked on double yellow lines on the road outside, a car parked on the pedestrian walkway, and another car waiting in the entrance for a car parking space to become available. This is a terrible eyesore and potentially very dangerous situation as people try to make their way into the store and along the walk ways. It's an accident waiting to happen and there is no reason to believe it would be any different at the proposed site on the Cirencester Road.

I would like to conclude by saying that to me these are the most prominent issues regarding this proposal, however there are a number of other valid concerns and potential problems which other members of the public have already raised. Charlton Kings is a strong community area and I can only hope that due consideration is given to how this development would drastically affect and change community life.

NOTE: Supporting Photos available on line.

### **Comments: 6th May 2014**

I am writing to strongly object to the proposed development of 86 Cirencester Road where it is suggested that a new convenience store will open. I'm very surprised that this proposal is being considered and that anyone thinks that it would be a good idea to back this scheme. There are already four convenience stores within the immediate vicinity of Charlton Kings and a large chain supermarket within a 5 minute drive.

As the owner of Smith and Mann Budgens, the food convenience store based in the centre of Charlton Kings Village, I feel very uncomfortable with the idea that another corporate chains proposal is being considered. My family and I have worked hard and dedicated our careers to serving the local community for the past 24 years and the opening of another store would seriously put our business at risk.

The business community within Charlton Kings is very well supported by local residents. We feel that should this proposal be granted it will not just seriously effect the Nisa store on the Cirencester Road, but will have a negative effect on many of the businesses within Charlton Kings village. As an independent retailer, should I experience a drop in business then the future of my store will be put in jeopardy.

Charlton Kings post office has recently opened from within my store and we have a row of shops and local amenities neighbouring us, including a coffee shop, flower shop, pharmacy and Vet's surgery. A decrease in the footfall of customers, which the opening of a store on the Cirencester

Road would inevitable cause, would have a knock on effect on the whole business community on the Lyefield Road West.

In my opinion, this development offers nothing new to the Charlton Kings community but does have a large number of disadvantages. It will be an eyesore to the people living locally, will increase traffic and lead to higher levels of disruption, increase pollution and cause irresponsible parking. The extended opening hours will also lead to disruption for the nearby residents and no doubt lead to further nuisance. There are no benefits to this development.

12 Croft Avenue  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LF

**Comments:** 6th June 2014

I have just got off the phone to my local Liberal Democrat representative reference the planning of converting the current car wash to a mini supermarket, I wanted to express that I for one cannot see a problem with this, in fact I see it a positive move.

I've heard people saying traffic would be an issue! but its a car wash now and that means there is constant traffic also by building a car park it would stop the dangerous parking around Nisa and the small group of shops already there!

Maybe it's the worry of a Tesco which I have to admit would not be as nice as a Sainsbury that it's more likely to be!

I've even heard people saying it would be an eyesore but lets be honest here that site has been an eyesore since the garage closed so anything will be an improvement surely! I hope my views can be taken on board and passed on to the relevant people so we can get a fair view on this whole situation.

10 Pumphreys Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DD

**Comments:** 9th June 2014

Letter attached.

Garden Lodge  
Garden Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LH

**Comments:** 5th June 2014

I am writing to add my support to the many objectors to the above planning application for a Convenience Store on Cirencester Road in Charlton Kings.

I find it incomprehensible that a major supermarket chain would be allowed to basically destroy a local community in the area.

You may consider this to be a rather severe comment but consider my reasoning behind it:

- 1) What happens to all the increased traffic that will try to use the store....? It will certainly not be accommodated in the few parking spaces to the side of the store. It will, therefore, spill out onto an already congested Cirencester Road, which has no yellow lines on either side to the North side of the development, causing cars to park either side of the road, resulting in single file traffic.....on a major trunk road into Cheltenham.....!!.....and then piling into the other congested roads nearby, like Newcourt, Croft etc...
- 2) What about the other THREE convenient stores in a 400 metre radius..?? One of whom is a mere 30 metres from this proposed development and has only recently been acquired by a new owner. Another, long established store, has again only recently acquired the Post Office service and is now, unlike previously, open all hours for the local community. Jeopardising their turnover would put this service, the only one for miles, at risk.....and a third is very Co-operative.
- 3) And last, but not least, what effect would another large retail outlet, that sells just about everything, have on the other small retailers like the Butchers, Newsagents, Chemists and even Florists, in the same area.

52 Copt Elm Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8AL

**Comments:** 5th June 2014

Charlton Kings has four supermarkets - Budgens, Co-Op London Rd, Co-Op Church Piece, and Nisa, which is almost opposite the 86 Cirencester Rd site.. There is not a need for yet another supermarket, called a "Convenience Store" in this application, to be set up. All four have adequate weekday opening hours (up to 8 or 9pm) and Sunday opening.

64 Little Herberts Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LN

**Comments:** 9th June 2014

We strongly object to the proposed erection of a new convenience store at 86 Cirencester Road and see nothing in the revised plans to make us change our minds. As already noted by several commentators there is already a plethora of c-stores in the immediate vicinity with no need for yet another such store in Charlton Kings. Equally the issues with parking and congestion on an already very busy road remain of great concern. If the site is to be redeveloped then it would make more sense to turn it into residential rather than retail units.

7 Branch Hill Rise  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 9HN

**Comments:** 10th June 2014

I find it hard to believe that I need to write about such a ridiculous plan.

- 1) I am a cyclist and it is already dangerous passing the end of Newcourt Rd. and the Car Wash. With cars often parked on the opposite side of the road, huge delivery lorries would be a nightmare for a cyclist, as well as lots of 'in and out' cars.
- 2) There is a 'Nisa' shop almost opposite which not only will suffer but the combination will make the road even more dangerous for cyclists.
- 3) Need - we don't need another shop. We need cottages like those opposite the end of Croft Rd. They fit into the area and are affordable.
- 4) The car wash is a great success and with some investment could improve in appearance and could continue to serve Charlton Kings and surrounding area.
- 5) Last but very important - the shops we have serve us very well and will suffer greatly and may go under if the business is spread wider.

We do not need any more shops or food outlets.

The Coach House  
6 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

**Comments:** 1st July 2014

While we appreciate the efforts of the planning office to improve this scheme, the fact remains that the planned development does not meet a community need, does not in any way enhance the neighbourhood and, indeed, has the potential to cause a noise, parking and traffic nuisance.

We are already more than adequately served by excellent shops and cafés which give Charlton Kings an attractive village feel. This scheme presents a threat to those existing businesses and has the potential to blight the neighbourhood with empty shop sites.

We ask that the planning officers reconsider their support of the scheme - it must be possible under existing planning law to re designate this site for residential development for which it is ideally suited. We ask our councillors on the planning committee to reflect the views of the community in Charlton Kings and their constituents by voting against the scheme or any retail development of the site.

159 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 6th July 2014

We are writing to object again to the proposed development at 86 Cirencester Road.

This development will still result in light pollution and decreased privacy as the majority of the glazing is to the front of the proposed A1 unit. The glazed area is directly opposite our living room



windows. As the opening hours have now been confirmed as 7am to 11pm Monday to Saturday which is 16 hours per day for 6 days a week, and 7.30am to 10.30pm on Sundays which is 15 hours a day there will be little respite from light pollution.

This development will condemn the residents to noise pollution for 16 hours a day, 6 days a week, and for 15 hours on Sunday. It has now been confirmed that the residents will be subject to early morning deliveries at 7am and deliveries could then also be at 7pm at night, which due to the time of day will be particularly disturbing for the residents. The proposed hours of operation compare unfavourable with the operational hours of the car wash, which are limited to normal office hours. In fact the proposed hours of operation of this site will massively exceed the operation times when this site was operated as a filling station.

Despite the changes in the proposed development, it seems that there has been little change to the delivery bay. The delivery bay for the A1 unit will not be used as this appears still to involve a difficult driving manoeuvre. We therefore expect that this will not be used and deliveries will therefore take place on the highway. This will clearly produce a dangerous obstruction to traffic on the highway and in particular to traffic exiting the car park. We are also concerned that the exit from the delivery bay will cause conflict with the ingress and egress of customers.

Although the entrance to the A1 unit has been moved, the location of the entrance to the A1 unit at the side of the site adjacent to the Cirencester Road will still actively encourage parking on Cirencester Road rather than use of the parking area. Vehicles parked on Cirencester Road by drivers shopping will make this section of the road even more dangerous than it is at present. This will be especially true as there will be traffic entering and exiting this site for 18 hours a day 6 days a week and for 8 hours on Sunday.

There is no requirement for this development in this part of Charlton Kings as we are well served by the NISA, Budgens, and by a Co-op supermarket. Most residents from this area of Charlton Kings walk to these local shops rather than use cars. The proposed re-development of 86 Cirencester Road will adversely affect the existing NISA, Budgens and the Co-op supermarket thus destroying the viability of existing businesses. If the proposed re-development of this site goes ahead it will lead to the destruction of the smaller local shops which will in turn lead to more unsustainable transport rather than less.

In summary the proposed re-development of 86 Cirencester Road will adversely affect the viability of local businesses; will increase traffic on the road and make it a more dangerous place to live; and will massively increase noise and light pollution and will lead to a reduction in privacy for the residents.

Underley  
26 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

**Comments:** 16th June 2014  
Letter attached.

High Ridge  
33 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 16th June 2014

I am completely shocked by the recommendation to permit the above application. This development is not only not needed and not wanted, but also directly contravenes planning strategy & objectives for the area.

I quote several sections from the Joint Core Strategy document, with which I am sure you are familiar:

Cheltenham Sustainable Community Strategy Vision 2008 -2028: (page 8)

*We want Cheltenham to deliver a sustainable quality of life, where people, families, their communities and businesses thrive; and in a way which cherishes our cultural and natural heritage, reduces our impact on climate change and does not compromise the quality of life of present and future generations.*

Vision: (page 8)

*The character and identity of individual communities will have been retained while improved access to housing will have addressed the needs of young families, single people and the elderly.*

*As a result of a strong commitment to the housing and employment needs of the existing and growing population, all residents and businesses will benefit from the improved infrastructure, which will include roads, public transport and services, and community facilities.*

Strategic Objective 5: Delivering excellent design in new developments: (page 15)

*Ensuring that all new developments are valued by residents as they:*

*Are well integrated with existing communities and provide well-located infrastructure which meets the needs of residents;*

Am I missing something here? Or maybe the CBC planning department simply hasn't read the many letters of objection, counted the number of people who signed petitions, or simply listened to the people who actually make up the community of Charlton Kings.

This proposed development quite clearly:

- Would not allow people, their families, their communities & business to thrive
- Would not cherish the culture & heritage of the village of Charlton Kings
- Would compromise the quality of life of members of the village
- Would not provide improved access to housing or address the needs of the people
- Would not benefit all residents and businesses
- Would not be valued by residents, be integrated with the existing community, nor meet the needs of residents

All in direct contravention of the above stated Strategic Vision & Objectives. Or is it quite simply that the so-called "expert opinion" of a handful of paid professionals carries more weight than the actual people who form the community of Charlton Kings, and live & work here 365 days a year?

The recommendation to permit this development application is outrageous & should be reversed immediately. The CBC planning committee has a professional & moral duty, the power & authority, and perfectly sound planning reasons to reject this development now.

52 Copt Elm Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8AL

**Comments:** 10th June 2014

I strongly object to this application on the following grounds:

1. There is no need for another convenience store. We are well served by the four we already have nearby, whose viability would be threatened by this, as would the future of several other smaller shops in the area. These give the centre of our 'village' character, vitality and a feeling of community.
2. It would be dangerous to have so much additional traffic including delivery lorries entering and exiting this site. This is a residential area, much used and crossed by pedestrians, often mothers with babies, toddlers and schoolchildren and also schoolchildren crossing on their own.
3. There is already congestion on this road at busy periods - it does not take much to cause a hold-up especially where there are parked cars and large lorries trying to come through. The potential increase in both of these could cause real traffic chaos and frustration.
4. There would be an unacceptable increase in noise and pollution levels to many of the people living nearby.
5. There is a greater need in Charlton Kings for affordable housing, which would seem a far more appropriate use of this site, especially given the shortage of available land for housing development. It seems crazy even to consider wasting the potential of this site on another store which nobody wants.

I urge the Council to listen to the heartfelt and realistic views of the people who live here and to turn down this application.

1 Inglecote Close  
Cheltenham  
Gloucestershire  
GL52 6UR

**Comments:** 13th June 2014

I have been living in Charlton Kings for more than 23 years and during this time I have seen the demise of many businesses particularly financial related ones, all of which keep tugging at the heart of the community.

With regards to this development I am abhorred by the decision to allow this site to become another convenience store. We have 4 convenience stores in the area and another one will only take business away from all of them. Not to mention the Flower Shop, Lyefield Road Pharmacy, the butchers and other small businesses in the village area who will seriously lose out.

The great service currently being provided on this site will obviously disappear. The NISA store beside the site will probably be wiped out completely. The family run Smith & Mann store which provides a great service to the community and incorporates the Post Office will seriously lose out and will put this business in jeopardy. The Co-Ops again will lose out and all will no doubt mean a serious loss of jobs, the majority of these jobs are currently filled by local people from the community.

The traffic situation in this area is already contentious and the increased volume of cars and delivery trucks will greatly add to the congestion and pollution. Not to mention, as has happened in recent months, when there is a traffic problem at the Air Balloon the whole of Charlton Kings comes to a standstill. Customers using the proposed ATM will certainly not use the car park, NO they will just stop by the roadside. I feel very sorry for the households in the immediate area who will suffer from the extra noise, pollution and access.

This will be a very costly process if this proposal goes through, with the loss of the heart of the community. We do not need a major player in this area please let the small businesses survive in these very difficult trading times, as proven in many other areas. There is a serious lack of affordable housing in this area which would be more appropriate at this time.

2 February 2014

Planning Department  
Cheltenham Borough Council

Dear Sir/Madam

Cirencester Rd, Charlton Kings

I am writing concerning the proposal to replace the current car-wash site with one or more trade outlets.

I have reservations about this because of

[a] traffic congestion/ problems on the site and on to/off Cirencester Rd which would almost certainly be caused;

[b] possible dangers to pedestrians: most of the housing in the area is on the other side of the road, so customers would most likely need to cross this busy main road, so with increased risks of accidents

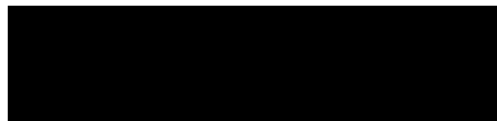
[c] the site is very close to another general store {Nisa} and not far from the centre of the village with its shops –more shopping outlets would surely damage existing traders;

[d] IF it is true, as I have been informed, that the proposers of the scheme claimed that there was no alternative store within quite a distance [a mile?], and specifically that the Nisa store only sold sweets and tobacco, they should not be rewarded for statements which are inaccurate,[which would suggest that the proposers are either seeking to mislead the planning authorities or have not done their basic homework]

Of course, if they have not claimed this, [d]does not apply

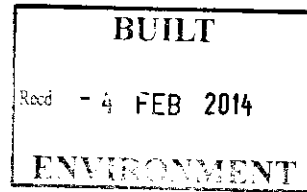
I should be grateful if these points would be made to the appropriate Committee considering the proposal

Yours faithfully



Page 196  
Ms. F. J. Wild  
Branch Hill Rise,  
Charlton Kings,  
Cheltenham,  
GL 53 9HN.  
02.02.14

re: 13/02/14/FUL  
The Planning Dept.,  
Cheltenham Borough Council,  
Municipal Offices,  
The Promenade,  
Cheltenham.



Dear Sirs/Madams,

I object to this planning application on 4 main grounds:

Firstly, the danger caused by cars speeding in & out of 3 different concerns on to a busy main road would be far worse than into the car-wash that is there now. There would be insufficient parking too, which would mean more cars would park along this road and also down the side-roads & some of them are already overcrowded & narrow.

Secondly, a supermarket and/or fast food outlet would take custom & employment from the local shops both across the Cirencester Road & in Charlton Kings Village. At present, there is a welcome diversity of shops and indeed, cafe's, which act as a social "hub". Supermarkets are known to cut prices, drive

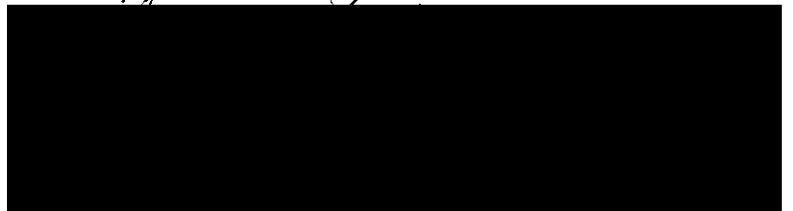
out any competition by underpricing it and  
then raise them again. Page 497

Thirdly, I object to the increase in  
litter which would inevitably ensue  
following the building of a fast-food outlet.  
This would help to ruin the area, especially  
the green space next to the site.

Fourthly, there would be noise nuisance  
from people coming & going & loitering in  
the area probably all day and late into the  
night. I would think even an increase  
in petty crime would occur.

It should be borne in mind that  
the residents of Charlton Kings regularly  
use the excellent service provided by the  
car-wash, and most wish to keep it.  
All in all, the Southern approach to  
Cheltenham would be turned into a messy,  
noisy and dangerous shambles. It would be better  
to build houses on this site.

Yours faithfully,

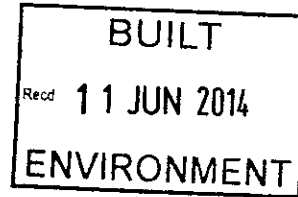


re - 13/02174 FUL.  
86 Cirencester Road.

11 Branch Hill Rise,  
Charlton Kings.  
GL53 9HN.

09.06.14

The Planning Dept,  
Cheltenham Borough Council,  
Municipal Offices,  
The Promenade,  
Cheltenham.



Dear Sirs/Madams,

I object to the proposal for a supermarket on the current car-wash site for four main reasons. Firstly, I am concerned about the increase in traffic, both mobile and stationary. Customers would probably park along the main Cirencester Road and down side roads such as Newcourt Road, Bafford Lane and Pumphreys Close. There would also be delivery lorries and shoppers' cars turning across the moving traffic on the main road.

Secondly, supermarkets often undercut the prices of similar goods in the local shops, which at present are individual and well-used. These would then lose custom and

---



as they are needed Page 198 Charlton Kings,  
than a totally unnecessary supermarket.

This plan would spoil one of the  
main approaches to the Town, and turn  
a green and pleasant recreational  
area and residential neighbourhood into  
an unsightly mess.

Yours faithfully,



29 JAN 2014

"Pippins"  
Newcourt Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 9AZ

24th Jan. 2014.

The Chief Planning officer  
Municipal offices  
The Promenade  
Cheltenham

Planning ref. 13/02174

Dear Sir,

Having viewed the planning reference 13/02174  
for the development of the car wash site in Cirencester Road  
I make the following comments:-

- 1) The proposed buildings are hardly a welcome site to Regency Cheltenham nor do they improve the appearance of the local housing.
- 2) There are 16 proposed parking spaces. It is likely that some staff will arrive in cars so will need to park there reducing the number available for customers. This will result in roadside parking.

Results of such an application.

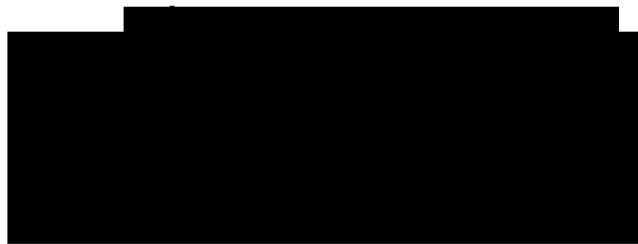
- 1) It is CRASSLY OBJECTIONABLE to allow a food outlet so close to an established small shop - Nisain this case. There has been a small food shop here within a group of shops for over half a century.
- 2) Sainsbury's are to be allowed to open until 11PM, seven days per week. The disturbance and distress to neighbours of vehicles coming and going, delivery lorries visiting in late and early hours should never be allowed.

What ever type of business may be permitted, its hours of work should be the daytime of custom i.e. approximately 8Am to 5Pm. Six days per week and a half day only on Sundays.

3. Lack of adequate parking on site will cause road side parking which currently could occur in Cirencester Road, Bafford Lane, Newcourt Road and Charlton Close. Residents in the last four named roads met in March 1997 to request measures to force drivers to reduce speed etc in these roads. Despite notices this problem has become markedly worse in recent years. The possibility of increased traffic usage, including heavy vehicles passing by the area of Newcourt Road where there is a 16th century wall (listed) cannot be contemplated.

Judging by the many signatures on lists in Smith and Mann, the Co-op and Visa this planning application is unnecessary and unwanted.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the sender.

Recd **30 JAN 2014**

**ENVIRONMENT**

4 Newcourt Park  
Charlton Kings  
Cheltenham  
Glos

28 January 2014

Subject: Proposed Development on Cirencester Road    Ref. No. 13/02174/FUL

Dear Sir/Madam.

We are writing to oppose the above referenced development for the following reasons.

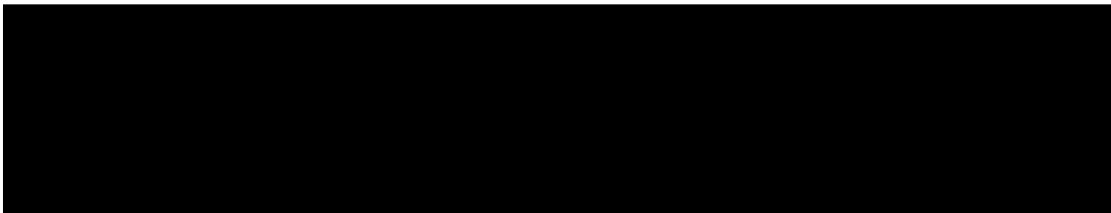
We are already well served by 3 local stores, all within easy walking distance and open for long hours, which offer a very large range of grocery products. There is no need for another one, especially one which is likely to threaten the business of these existing shops.

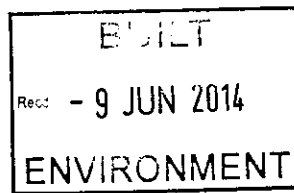
Although no specific retail operator is disclosed, it seems likely to be one of the large supermarket groups. It was the supermarkets, with their cut price petrol, who helped put out of business the very convenient petrol filling station that occupied the site prior to the car-wash. A supermarket store is likely to have the same impact on our existing convenience shops, putting one or more of them out of business and leaving us with less choice and at the mercy of the over-dominant supermarkets.

On-site parking provision is inadequate and will result in overspill onto nearby roads which are already congested with cars already frequently parking on the pavements. We find it difficult enough now to cross the Cirencester Road in that area because of the volume and speed of the traffic and because of the bend in the road which makes for poor visibility. Shops on this site will make these traffic problems much worse.

The proposed opening hours up to 2300 will lead to considerable inconvenience and noise for the many nearby residents.

In summary, this is not a suitable site for a supermarket development. It would increase traffic to unacceptable levels, inconvenience residents and threaten the business of our existing independent traders.





4 Newcourt Park  
Charlton Kings  
Cheltenham  
Glos  
GL53 9AY

8 June 2014

Dear Sir/Madam,

Ref: 13/02174/FUL - 86 Cirencester Road, Charlton Kings.


The revised plans for the proposed development do not meet the basic objections we raised in our earlier letter.

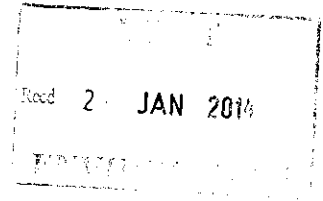
The extra noise generated by the parking of vehicles and the delivery lorries during the very long opening hours 7 days a week will be a gross intrusion on the lives of those residents living nearby.

Cirencester Road is already difficult to cross in this area because of the volume and speed of the traffic and because of the bend in the road which limits visibility. Cars already routinely park on the pavement further limiting visibility and making it difficult and sometimes impossible to pass with a pushchair. Inevitably, shoppers at the proposed development will choose to park on the road or pavement rather than negotiate the limited on-site parking, thereby making the current situation much worse.

In summary, this is not a suitable site for a new convenience shop. It will increase traffic to unacceptable levels, seriously inconvenience nearby residents and threaten the business of the existing stores who have served us well for many years.



  
**'The Poplars'**  
**11 Newcourt Road**  
**Charlton Kings**  
**Cheltenham**  
**Gloucestershire**  
**GL53 9AZ**



Cheltenham Borough Council  
Planning Department  
Municipal Offices  
The Promenade  
Cheltenham  
Gloucestershire  
GL50 9SA

21 January 2014

**Ref: 13/02174**

To whom it may concern

**Planning application: Car wash site, Cirencester Road, Charlton Kings**

I refer to the above planning application and wish to register an objection to its current form on the following grounds:

Noise: there is likely to be new and excessive noise disturbance because of this effective change of use. The operating hours are scheduled to be 06.00 to 23.00, exceeding current use on the site by at least 5 hours. It is noted that there will be an ATM machine on site, effectively making this a 24-hour-use site. It is noted that the site will be close to a residential care home for the elderly, and this application will increase noise and general disturbance to residents. The application in this respect therefore contravenes Local Plan policy CP4(a).

Traffic: the projections used for the forecast use in Appendix D are based on national projections and have no specific relevance to Cirencester Road, Charlton Kings. The road is frequently congested and the provision of 16 parking spaces is likely to prove inadequate for the projected retail use, thereby causing overspill onto the main Cirencester Road or nearby residential roads, which are already at saturation point. Comparisons with the existing and previous use of the site are irrelevant as the site currently has copious parking space based on short duration and high through-put. If this application is to be successful more off-road parking must be provided to alleviate both congestion and an increased threat of road traffic collisions as a result of increased use. The application in this respect therefore contravenes Local Plan policy CP4(b).

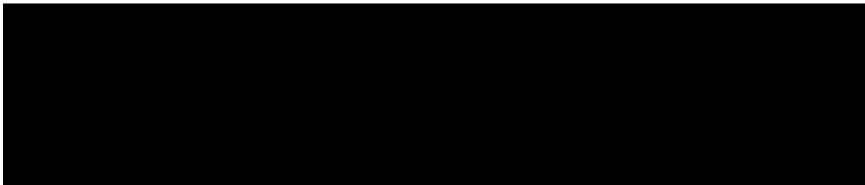
The observations concerning the availability of public transport are misleading. The bus service is hourly and it is unlikely that potential customers for this site's provision will be drawn to it because of the bus service. The application in this respect therefore contravenes Local Plan policy CP5.

Visual impact: while the current site does not enhance the visual impact of the area, this application will still have a negative impact, providing a monosyllabic block effect. The use of low quality brick will be detrimental, and the design is unimaginative, providing a highly disappointing entrance to Cheltenham on one of its major arterial approaches. The design should be redrawn. The application in this respect therefore contravenes Local Plan policy CP7. The current design is far from 'high quality'.

Privacy: Parking will almost certainly overspill into nearby residential roads as a result of the inadequate on-site parking provision, thereby reducing privacy in a predominantly residential area.

Amenity: the area is currently well-provided for in terms of small local supermarkets and has no need of enhanced provision. Observations in the application concerning potential employment opportunities are speculative and unsupported by evidence, and must be taken in the context of existing retail outlets closing as a result of this application. The application in this respect therefore contravenes Local Plan policy CP4(e).

Yours faithfully

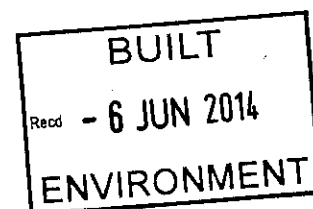


Cc

Paul Baker  
Cllr Klara Sudbury  
Cllr Penny Hall  
Cllr Duncan Smith  
Martin Horwood MP



*'The Poplars'*  
*11 Newcourt Road*  
*Charlton Kings*  
*Cheltenham*  
*Gloucestershire*  
*GL53 9AZ*



The Planning Department  
Municipal Offices  
Promenade  
Cheltenham  
Gloucestershire  
GL50 9SA

**R.E: THE ERECTION OF A NEW CONVENIENCE STORE (A1) WITH ASSOCIATED PARKING (FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON THE SITE) AT 86 CIRENCESTER ROAD CHARLTON KINGS CHELTENHAM**

**REF: 13/02174/FUL**

4 June 2014

To whom it may concern

**Planning Application: 86 Cirencester Road, Charlton Kings - Resubmission**

The resubmission re 86 Cirencester Road, although it is acknowledged that some improvements have been made, remains unacceptable for the following reasons:

Noise: there is still likely to be new and excessive noise disturbance because of this effective change of use. The operating hours are scheduled to be 06.00 to 23.00, exceeding current use on the site by at least 5 hours. It is noted that there will remain an ATM machine on site, effectively making this a 24-hour-use site. It is noted that the site will be close to a residential care home for the elderly, and this application will increase noise and general disturbance to residents. The resubmission asserts that the ambient noise will be within 'acceptable' levels. This is judgemental and not attested by evidence from those likely to be affected. Besides, ambient noise is less of an issue than specific noise intrusion at normally quiet times of the day for residents, eg starting heavy duty engines, 'revving up' from stationary, reversing (especially if, as is likely, to be accompanied by a warning signal), loading, and the transmission of verbal communications between operatives.

Traffic: the projections used for the forecast use in Appendix D are based on national projections and have no specific relevance to Cirencester Road, Charlton Kings. The road is frequently congested. The resubmission includes only one additional parking space to the 16 parking spaces originally intended is consequently and still likely to prove inadequate for the projected retail use, thereby causing overspill onto the main Cirencester Road or nearby



residential roads, which are already at saturation point. Comparisons with the existing and previous use of the site are irrelevant as the site currently has copious parking space based on short duration and high through-put. If this application is to be successful more off-road parking must be provided to alleviate both congestion and an increased threat of road traffic collisions as a result of increased use.

The observations concerning the availability of public transport are misleading. The bus service is hourly and it is unlikely that potential customers for this site's provision will be drawn to it because of the bus service.

Visual impact: while the current site does not enhance the visual impact of the area, and there has been some improvement to the original design, this resubmission will continue to have a negative impact because of low quality building material. The basic design remains unimaginative, providing a highly disappointing entrance to Cheltenham on one of its major arterial approaches.

Privacy: Parking will almost certainly overspill into nearby residential roads as a result of the inadequate on-site parking provision, thereby reducing privacy in a predominantly residential area. A principal source of overspill parking is likely to be from staff, who will be unable to use even the limited parking space available. This overspill would inhibit parking for visitors, especially dog walkers, to the local green area, contrary to Local Plan Policy CP4(a).

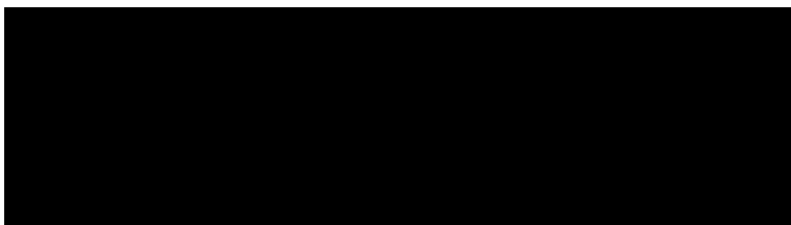
Amenity: the area is currently well-provided for in terms of small local convenience stores and supermarkets and has no need of enhanced provision. There is already a convenience store on the opposite side of the road. Besides the proposal is in reality for a local supermarket incorporating convenience store elements, which is unnecessary in the area because of existing provision.

The resubmission itself demonstrates evidence of existing saturation, providing as it does examples of supermarkets and convenience stores within a short distance from the proposed site. There is no demonstrable need for an additional supermarket in the area, there being two local supermarkets within walking distance of the proposed site, plus, as noted several convenience stores.

That the area is saturated with similar retail outlets negates the argument that new jobs will be generated. It remains likely that jobs will be lost at existing sites. The application therefore contravenes Local Planning Policy CP4(e).

An alternative use should be found if there is to be a redevelopment on the site.

Yours faithfully



I am writing to express my objections in the strongest terms to the proposed convenience store and two unspecified A3 retail units at 86 Cirencester Road (currently a hand car wash).

I will list the inaccuracies / mis-information in the Transport Statement and Retail Statement supporting documents but firstly will raise my objections (which I know are also shared by my neighbours).

The current car wash has consent to trade until 7pm, and addressing residents' concerns, only trades to 6pm. After this time the site generates no noise or traffic at all. The planning application proposes that the convenience store will trade from 06:00 to 23:00, 7 days a week. The application proposes no times of operation for the two A3 units, but presumably they will be given the same hours of trading as the A1 unit. The change of operating hours would result in a great increase of noise with continuous opening and shutting of car doors, deliveries from refrigerated waggons and general people noise. This will cause a major loss of amenity for the residents both in front and behind the units (ie on the Cirencester Road and Newcourt Road).

At a personal level, I need to be at work before 7am and so am normally trying to sleep on weekdays by 10pm. Our six-year-old daughter and other primary school age children of neighbours also risk having sleep patterns disturbed by this change in operating hours. The houses on the eastern side of the Cirencester Road are turn-of-the-century solid wall constructions that face west-south-west. In hot weather these frontages absorb a large amount of heat during the day and the only way to cool the properties is to open the windows wide open once the sun has gone down. When this is necessary, the noise intrusion from the revised hours of operation will become quite intolerable.

If the two A3 units are to trade similar hours and a cash point included then there will be yet further noise disturbance for the surrounding residents. Late night takeaways will attract a large amount of traffic from people leaving town after an evening out and (without malice or intent) the possibility of loud, raucous alcohol-fuelled behaviour.

The impact on traffic safety and parking issues will inevitably have a damaging effect.

The NPPF does not support this development. The NPPF emphasises the need for '**sustainable economic development**' and based on its own definitions and policies this development fails to satisfy this requirement.

#### **Analysis and Comment on the Retail Statement produced by Mango Planning and Development Limited**

##### **Item 2.4**

Church Piece Neighbourhood Centre is 330 metres away for pedestrians **not** 600 metres as stated. Lyefield Road West Neighbour Centre is 500 metres away on foot **not** 600 metres as stated.

##### **Item 2.5**

Omits the fact that in 1996 there was a change of use granted from a filling station to second hand car retail. Therefore all references in the Transport Statement comparing traffic flows from the proposed development to those of a filling station are incorrect and misleading.

##### **Item 3.7**

*"The NISA unit appears to cater more for small basket an occasional purchases rather than providing a full top up shopping outlet".*

This statement is inaccurate and misleading as any visit to the store would prove.

##### **Item 3.8**

*“The proposed anchor convenience store will bring day to day convenience shopping closer to consumers, reducing the need to travel, reliance on the car and encouraging walking and alternative modes of travel for day to day activities.”*

Such day to day convenience shopping is already very well catered for the NISA store, Church Piece Co-op and the Smith & Mann (Budgens) in Lyefield Road West.

*“The proposed A3 uses will encourage people to stay longer in the vicinity, encouraging linked trips to other local store and facilities.”*

I fail to see how either coffee shops or takeaways will encourage trips to our other local stores (other convenience stores, takeaways and coffee shops). These A3 units will be catering primarily to through traffic with a corresponding increase in traffic manoeuvres and associated noise.

### **Item 3.9**

*“The provision of a quality convenience store operated by a main brand retailer will also increase range and choice and better meet the needs of local residents”*

The opening of such a store and the subsequent forcing from business of one or more of the current local independent retailers will in reality lead to a reduction of range and choice. The existing stores stock ranges of locally sourced and independently made produce that are not available from a national retailer.

For example:

NISA – Williams of Cheltenham Bakery, and Indian Kitchen from Gazebo Cuisine, a range of independently made quality Indian ready meals.

Smith and Mann (Budgens) – St Georges Bakery, Hartpury and dairy items from Woodlands Farm, Chedworth, and Charles Martel Cheese Makers and locally grown fresh seasonal produce.

### **Item 3.10**

*“we anticipate that a store such as proposed will offer between 20 and 30 full and part-time positions for local people.”*

The positions will not be advertised only locally and will draw applicants from well outside the local area. There will be an immediate loss of existing full time local positions with the closure of the Car Wash. Furthermore the threat of closure of one or more of the existing convenience stores, takeaways and coffee shops will result in further loss of employment. The loss of these outlets for local food producers will further damage the local economy and employment.

### **Item 4.2**

*“The National Planning Policy Framework (“NPPF” was published in March 2012. It forms a key element of the government’s plans to reform the planning system by making it less complex; more accessible; designed to protect the environment and promote sustainable growth”*

From the Minister’s Foreword to the NPPF:

*“The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations...Sustainable development is about change for the better, and not only in our built environment...Our historic environment – buildings, landscapes, towns and villages – can better be cherished if their spirit of place thrives, rather than withers...So sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.”*

The proposed development does not in any fashion meet these objectives because in reality it will:

Promote the destruction of local businesses and outlets for locally produced food in favour of the reduced choice of a national chain.

Increase noise pollution, traffic and parking problems for the local residents and cannot possibly be regarded as “change for the better”.

Similarly, the replacement of existing local shops with a national chain cannot be described as “*helping the `spirit of place` [in Charlton Kings Village] to thrive*”.

#### Item 4.3 – 4.6

*“...support economic growth through the planning system”*

The much repeated emphasis of the NPPF is to support **sustainable** economic development and growth, not economic growth regardless of impact. This proposed development does not meet the definitions of sustainable development as laid out above. The proposed development will not support economic growth but will merely supplant a range of varied existing local businesses with the monoculture of national chains.

*“Where the Development Plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

***Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this framework as a whole”***

#### Item 4.8

While a threshold of 2,500 sq m may well be a sensible threshold to assess the impact of the proposed development on Cheltenham Town Centre, it is obvious that a development of much smaller scale has the potential to seriously impact a much smaller centre (ie, Charlton Kings). Therefore, while a formal Impact assessment may not be legally required, in order to check that the proposal satisfies the requirement to be sustainable economic development, it is necessary to consider the impact that the proposed development would have on the Village.

*“When assessing applications for retail, leisure and office development outside of town centres, this [impact assessment] should include assessment of:*

*The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.” (Paragraph 26)*

The impact of the proposed development on the existing private investment in the area will be damaging, with the likely loss of one or more stores. In terms of centre vitality and viability if either the Smith and Mann (Budgens) or Church Piece Co-op fail then the impact will be devastating on those areas and the survival of neighbouring businesses.

#### Item 4.9

***“Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors [as detailed above in Item 4.8, relating to paragraph 26], it should be refused.”***  
(Paragraph 27)

#### Item 4.10

*“Paragraphs 186 and 187 state that LPAs should approach decision taking in a positive way to foster the delivery of sustainable development.”*

As previously detailed, this proposed development does not satisfy the definitions of sustainable development.

*“Decision-takers at every level should seek to approve applications for sustainable development wherever possible and LPAs should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area”*

Rather than improving, this proposed development will have negative economic (the loss of existing employment, businesses and outlets for locally sourced goods), social and environmental conditions of the area (the impact on the quality of life for all those affected by the increase in noise and parking problems caused by trading hours changing from 9am-6pm, to 6am-11pm and the increase in traffic problems and increased to pedestrians (especially children) crossing the Cirencester Road during rush hour on their way to Charlton Kings Infants and Junior Schools and Balacarras).

#### **Item 4.11**

*“Local authorities should support development unless an application would undermine key policies in national guidance”*

This proposed development does indeed undermine key policies in national guidance, namely in the failure to provide sustainable economic development with the economic, social and environmental impacts it would have.

#### **Item 4.12**

*“In particular, Planning for Growth confirms that local authorities should take the following actions in order to support the economy:*

*Wherever possible, answer ‘yes’ to development and growth except where this would compromise the key ‘sustainable development principles set out in national policy’.”*

This development does compromise the key sustainable development principles.

*“Should support enterprise and facilitate economic and other forms of sustainable development.”*

This proposal does not represent sustainable development.

*“Consider the likely economic, environmental and social benefits and proposals, which include increasing consumer choice and promoting robust local economies.”*

This proposal has negative economic, environmental and social impact including resultant reduced consumer choice and damage to the local economy.

*“Ensure that they do not impose unnecessary burdens on development. Local authorities should give appropriate weight to the need to support economic recovery. If applications are consistent with policy set out in PPS4, and secure sustainable economic growth, they should be treated favourably.”*

This proposal does not represent sustainable economic growth and therefore should not be treated favourably.

#### **Item 4.15**

##### *The Development Plan*

*“Policy RT7 indicates that retail development outside of defined shopping centres will only be permitted where a need for additional floor-space has been demonstrated and it will not impact upon the vitality and viability of*

*defined centres. The need test was removed from national policy in 2009 and is not a test of the NPPF. As such, this policy can no longer be afforded any legitimate weight in the consideration of the application proposal."*

While the need test was removed from national policy it is necessary to assess the level of need in order to check the impact of the proposed development and therefore whether it represents sustainable development.

#### **Item 4.16**

*"In pre-application discussions the LPA has also raised Policy RT6 as of possible relevance to the application proposal. This policy states that: Proposals for new local shopping centres will only be permitted in an area of identified deficiency."*

#### **Item 4.17**

*"This policy is founded on the test of need, which as explained above, is no longer a test of national policy. Moreover, its tenor is inconsistent with presumption in favour of sustainable economic development set out in Para 14 of the NPPF and the sequential approach set out in that guidance. This policy cannot therefore be afforded any legitimate weight in the consideration of this proposal."*

This policy's tenor is entirely consistent with the need to assess whether the proposal represents sustainable economic development. As such it is a legitimate consideration in the assessment of this proposal.

#### **Item 4.18**

*"Small parades of shops of purely neighbourhood significance are not regarded as centres for the purposes of this policy statement"*

The local centre is not just the NISA / Croft Road shops, but includes Church Piece and Lyefield Road areas. The combination of all three represents the local shopping area, as defined in the 500m walking catchment area in this report.

#### **Item 4.18**

*"It is readily apparent from the above definition therefore that local centres offer a wide range of shops, goods and services and that small parades such as proposed demonstrably do not meet the definition of a local centre."*

Within approximately 500m of the development Charlton Kings village offers 3 Convenience Stores/Supermarkets, 3 Coffee Shops, 3 Takeaways, 2 Pubs, Newsagents, Hair Salon, Butchers, Florist, Chemist, Post Office and 2 Vets. It demonstrably does meet the accepted definition of a local centre.

#### **Item 4.23**

*"In terms of impact, the proposal falls well below the threshold for an impact assessment ordinarily required by the NPPF."*

While the proposal does fall below the threshold for a formal impact assessment, it is nevertheless necessary to assess the impact of the proposed development on the area in order to check whether it does represent sustainable economic development in line with the policies of the NPPF.

#### **Item 5.13**

*"The proposal is intended to serve a localised catchment in this area of Charlton Kings, extending to no more than a 500m walk from the application site. Church Street and Lyefield Road West Neighbourhood Centres are in excess of 600m walking distance and, as such, serve an entirely different catchment. In practical terms therefore, the only centre that ought reasonably to be assessed against the sequential test is Cirencester/Croft Road."*

This analysis is actually based on a driving distance and not a walking distance. Church Piece (named Church Street in the report) is 330m walking distance from the site; Smith & Mann (Budgens) at Lyefield Road is 500m from the site. Using the reports own measure of a 500m walk from the application site, both areas are therefore within the catchment of the proposed site.

## Item 6.0 Trading Impact

### Item 6.1

*“As a proposal well below the NPPF threshold of 2500 sq m gross, planning policy does not require that impact be addressed by way of a detailed assessment”*

While a formal impact assessment is not required it is nevertheless necessary to assess the impact on the local area to check whether the development represents sustainable economic development as detailed in the NPPF.

### Item 6.5

*“Insofar as the only defined centre in the vicinity of the application site are Cirencester/Croft Road, Church Street and Lyefield Road West Neighbourhood Centres, these are the focus of our impact assessment. Only Cirencester/Croft Road falls within the 500 metre walking catchment.”*

This analysis is actually based on a driving distance and not a walking distance. Church Piece (named Church Street in the report) is 330m walking distance from the site; Smith & Mann Budgens at Lyefield Road is 500m from the site. Using the reports own measure of a 500m walk from the application site, both areas are therefore within the catchment of the proposed site.

### Item 6.7

*“Cirencester/Croft Road comprises a total of four units, of which, only two are in convenience use. These are a NISA mini-market and a speciality butcher.”*

In addition to the above, within approximately 500m of the development Charlton Kings village offers a further 2 Convenience Stores/Supermarkets, 3 Coffee Shops, 3 Takeaways, 2 Pubs, Newsagents, Hair Salon, Florist, Chemist, Post Office and 2 Vets.

### Item 6.8

*“The butcher has a speciality offering that is very different to the mainstream pre-packaged offer that is proposed.”*

The butcher offers an excellent retail service to the area and as such cannot be dismissed as a niche service of no relevance to this proposal.

### Item 6.7

*“The NISA...a relatively limited offer, particularly in terms of...fresh meat”*

The NISA does not offer a wide range of fresh meat as this is provided by the butcher 24 metres away.

### Item 6.10

*“While this outlet fulfils an important role and function, it does not provide the range and choice of goods required to provide a genuine alternative for top-up shopping to the larger supermarkets further afield. This is evidenced within the household survey data contained within the DPDS study, which does not record any responses identifying this store as a principal top up location.”*

Top-up shopping is precisely the roll that the NISA, Smith & Mann (Budgens) and Co-op within the 500m walking catchment area proposed by this report. Neither I nor any of my neighbours have heard of or were questioned as part of the DPDS study and so cannot comment to its conclusions but would query its validity.

#### Item 6.11

*“approximately 600m to the east of the application site is Church Street Neighbourhood Centre, which serves a different catchment. The centre comprises nine units in total of which, the convenience provision comprises a Co-Op (270 sq m net) and Forge News (30 sq m net).”*

The Church Piece (named Church Street) Neighbourhood Centre is 330m walking distance from the application site and therefore using this report’s definition serves the same catchment area.

#### Item 6.12

*“To the north-east is Lyefield Road West Neighbourhood Centre approximately 600m from the application site”*

The Lyefield Road West Neighbourhood Centre is 500m walking distance from the application site and therefore again using this report’s definition serves the same catchment area.

#### Item 6.14

*“As outlined above, existing local top up provision in the area is limited and the majority of locally generated top up spending is directed to larger store further afield. Accordingly, we consider the the proposed convenience store’s trade draw will be orientated towards those mainstream food stores and larger top up stores operating beyond the local area.”*

Contrary to this statement as outlined above existing local top-up provision in this area is excellent. The majority of locally generated top-up spending is demonstrably spent locally as reflected by the 3 thriving Convenience Stores/Supermarkets within the catchment area. The proposed store’s trade draw will be in direct competition to the existing excellent local provision with the addition of serving commuters and through traffic to the area.

#### Item 6.21

*“In the absence of the provision of larger supermarkets within Charlton Kings and at Priors Road, Waitrose at Honeybourne Way and other supermarkets further afield will account for about 80% of the proposed store’s turnover.”*

This percentage of trade draw is based on the previously stated inaccurate assumption that *“existing local top up provision in this area is limited”*. Given that there is actually very good existing local top-up provision in the catchment area, the percentage of the draw from outside the area will be much lower than stated and consequently the impact on the existing retailers much greater.

#### Item 6.22

Refer to the earlier queries as to the validity of the NPDS report.

#### Item 6.23 – 4

These figures are based on the erroneous assumptions as detailed in 6.21 and are therefore inaccurate. While this report does not consider there to be *“significantly adverse”* impact the owners of both the NISA and Smith & Mann (Budgens) fear for their future.

#### Item 6.25



*"Other store, including Co-op, Budgens and other local stores will experience lower impacts with consequently lower levels of diversion."*

This statement is based on an incorrect assessment of distance to these stores from the application site and is therefore inaccurate.

#### Item 6.27

*"Firstly, these represent only a sectoral impact on convenience goods outlets. Planning policy is concerned with impacts on centres as a whole. In reality, shoppers who switch to the proposed store will still visit the identified centres for services and goods, which would not be available at the store. Anyone needing to use the Post Office (Lyefield Road West), visit a pharmacy, hair salon, coffee shop and takeaway would continue to do so regardless of the proposed store."*

The above statement ignores the fact that the Post Office is moving into the Smith & Mann (Budgens) and so it's closure would result in the loss of the Post Office. It also ignores that the proposal includes 2 A3 units that will divert trade from the existing Coffee Shops and Takeaways.

#### Item 6.28

*"Some 80% of trade to the new store will be clawed back from outlets beyond Charlton Kings itself"*

As covered in 6.14 and 6.21 this assumption is clearly erroneous being based on the absence of existing local provision of top-up services. There is no evidence to support the assertion that a new store will generate additional trade for the current stores.

#### Item 6.29

The report's impact assessment is based on fundamentally inaccurate information and faulty assumptions. In the absence of a large increase of local demand the proposed development must have a significant impact on the existing retail offerings within the application sites catchment area. The proposal will therefore have a significant adverse impact on the vitality and viability of the heart of Charlton Kings Village.

#### Item 7.1 – 7.3 Conclusions

Contrary to the report's conclusions which are based on inaccurate information and erroneous assumptions **the proposal does not satisfy the conditions laid out in the NPPF**, principally:

- It fails to deliver sustainable economic development, creating alternative top-up shopping provision to the existing (which this report inaccurately records as being outside the catchment area of this proposal).
- By squeezing existing retailers out of business it reduces rather than increases local range and choice and removes outlets for the supply of locally produced goods.
- The new employment created will not be for local people only, and will be balanced by the loss of jobs in other retailers and local suppliers.
- Paragraph 123 of the NPPF states that: *"Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development."* The creation of 3 retail units operating from 6am to 11pm, seven days a week will have a huge noise impact on all the surrounding residents.

The statement that the proposed development will not have a significant impact on the existing retailers is based on the inaccurate comments as to the offerings of these retailers and that they are not within the catchment

area of the proposed store. By this report's own definition the Lyefield Road West and Church Piece areas are within the catchment area of the proposed store and so will be affected.

In summary, the proposal does not comply with national planning policy and will not bring economic benefits to the area. Accordingly, with reference to the NPPF, planning permission should be denied.

Dear Mark,

Thank you very much indeed for meeting me yesterday, and rearranging your afternoon schedule to do so.

I will address the points you raise in the same order:

**Fall Back position:**

Not being a planning consultant, I have researched the area of the fall back position and having done so, would comment as follows: The fall back position is the extant (or current) consent. So in the case of the disused public house that you quote from a planning appeal in 2011 the vacant public house's current consent was that of a public house and could therefore be re-opened as such. Therefore any subsequent planning application had to be viewed in the context of the traffic, noise, disruption etc. that a public house would be likely to generate.

However, 86 Cirencester Road's current consent is for new and second-hand car sales, having changed from fuel and car sales in 1996. Therefore the fall back position of the site is not a petrol filling station with its associated delivery and customer traffic, but the much lower volumes of movements associated with a car sales site.

Furthermore, court rulings (eg. Simpson-v-Secretary of State for Communities & Local Government) have stated that for a fall back position to be considered pertinent, there must be a likely and realistic possibility of it being implemented. Therefore, even if the fall back position was that of a petrol filling station, given that they are a declining market, having been largely replaced by supermarket on-site filling stations (which is why so many have been converted to other uses and I can think of at least five in Charlton Kings alone), there is no realistic prospect of the site viably opening as a filling station and hence should not be considered in relation to this application.

**GCC Formal response to CBC:**

I accept that I misunderstood what you meant and I think we agree that as this application stands, all the deliveries will be a right turn into the site, and there will be four per day.

**Planning Policy:**

Current Planning Policy seeks to approve **sustainable** development proposals that accord with the development plan without delay, not all development proposals. "Sustainable development is about change for the better" – Ministerial Foreword to the NPPF. I agree with your quotation from the NPPF "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*" I, my friends, neighbours (who will be the people living with the problems caused by this proposed development), all those I have spoken to in Charlton Kings and the Parish Council all believe that this is precisely the case and therefore the application should be refused.

**Vehicle manoeuvring:**

We set out the position of the lorry exiting the site to the layout supplied by Corun Associates. It is not a question of "would have to use his mirrors and possibly encroach into the carriageway, which is clearly not ideal". The driver has almost no visibility of traffic approaching on the southbound carriageway, either via the left hand cab window or in his mirrors (please see attached photos which will confirm the view in the mirrors is entirely of the car wash sight, with no view of the carriageway). I am confident that the photographs that you took will show the same absence of visibility. I do not accept that the arrangement "is clearly not ideal". The concept of lorries having to pull onto the highway with no meaningful visibility of what is approaching from the north is extremely dangerous. As I live opposite the proposed exit, should the near inevitable collision

happen while I am at home, I will have the joy of assisting the casualties of design created incidents.

With regard to your statement: "However this needs to be balanced against the previous uses, current planning policy, the evidence base from TRL on relationship between visibility and collisions, the frequency of occurrence, and the existing (and somewhat poor) servicing that occurs nearby at NISA and the local butcher shop."

- a) I agree that the traffic & delivery flows need to be balanced against previous uses: that of a new and second-hand car sales site.
- b) I am quite sure that Current Planning Policy is not a presumption for development with extremely dangerous egress for commercial vehicles.
- c) I am not sure I understand the statement regarding the evidence base from TRL on the relationship between visibility and collisions. I am confident that most people can easily assess the hazard of lorries leaving the site while unable to see the southbound lane.
- d) I fail to understand why relatively poor servicing arrangements for an existing area that was built with the traffic flow and safety standards of the 1920's or 1930's should make poor design and dangerous egress from a proposed new development more acceptable.

#### **Delivery Management Plan:**

I will cover this in further detail under a separate report, but you are correct, I am completely dismissive of the contents of the Delivery Management Plan. The bulk of it is meaningless, un-measurable and unenforceable drivel. A child could see that it is meaningless and if the Borough Council are confident they could enforce it I would be delighted to receive details as to how.

For example, how would the Borough Council propose to check if drivers are closing lorry doors quietly? Or, if they accept residents' complaints that they are not being closed quietly, is an officer from CBC going to be on hand when deliveries occur and then assess whether each door closing is quiet enough to be defined as quiet? Clearly this is un-measurable and hence unenforceable.

#### **Preferred option:**

The preferred option of myself and all the residents that I have spoken to, is for the whole concept of a convenience store on this site to be abandoned, and either leaving the site in it's current use, with a company providing a good, well-used service, or if the site does need to be developed (and I do understand the wish of the owners of the site to maximise it's value), then the overwhelming view of the local population (whose views are meant to be considered under the NPPF) would be for housing. If such a scheme was to proceed, with this site layout, then in my view delivery lorries approaching from the south and exiting to the north would be safer (although not without significant hazards) than this current scheme.

Regards,





View from Cab of Southbound Lorry 2.jpg



View from Cab of Southbound Lorry 3.jpg



1, Regis Close,  
Charlton Kings,  
Cheltenham,  
Glos. GL53 8EQ  
28/1/2014.

20 JAN 2014

The Planning Department,  
Cheltenham Borough Council,  
PO Box 10 Municipal Offices,  
The Promenade,  
Cheltenham GL50 1PP.

Dear Sir/Madam,

**Ref: Planning Application No. 13/02174/FUL, Cirencester Road.**

My wife and I have lived at our present address for 15 years, and would like to give you our thoughts on the above application.

We should regret the loss of the car-wash, which is a very useful and much-used amenity. It is operated by about six young men who work extremely hard and efficiently, has more than adequate parking, and makes no impact whatever on the traffic in Cirencester Road.

There is absolutely no need for another top-up store in the area, in addition to the three that we already have nearby, (NISA, Budgens and the Coop). There are also numerous other shops in Charlton Kings Village, and at 6-Ways on the London Road.

The filling station attendance figures quoted are irrelevant, being at best a guess about a time at least 20 years ago. Similarly, the mention of the railway station is of doubtful value. Not many people would arrive in Cheltenham by train, then board a bus and make a journey of over two miles to the other side of the town to do their 'top-up' shopping, particularly when they would see a top-up shop right opposite the station entrance.

Cirencester Road may have two pavements, but there are no pedestrian crossings or even pedestrian refuges near the proposed site to assist in crossing the road. Both adults and children frequently have to cross the road, there are cars parked often on both sides, and it will become much more hazardous when the traffic volume increases as a result of the suggested shop.

It is understandable that there is no mention of Newcourt Road traffic volume in the otherwise very extensive application. Residents in Charlton Close and Regis Close have to use this road to travel anywhere, but it is also used as a rat-run by many cars wishing to avoid the traffic lights at the junction of Moorend Road and Cirencester Road. This car volume will increase dramatically should the proposed shop materialise. Drivers will attempt to avoid approaching the shop from Cheltenham up the Cirencester Road, and having to turn right across oncoming traffic moving towards the town. Newcourt Road is very narrow in places, (2 car width with care), and has two sharp blind corners, one of them right by the proposed site. It has one pavement, bordered by a hedge where it passes the rear of the site. The hedge frequently overgrows and obstructs the pavement during the Spring and Summer, and pedestrians are obliged to walk in the road.

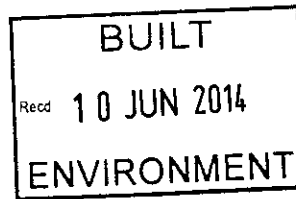
We doubt if the proposed number of parking spaces is adequate. Some at least will be taken by shop staff, leaving the overflow to park in Cirencester Road.

We feel that the application is for something that is not required, and has the disadvantage of presenting several new hazards to the local population, and we hope that it will be refused.

Yours faithfully,

A large black rectangular redaction box covers the signature area. To the right of the main redacted area, there is a smaller, separate black rectangular redaction box.

1, Regis Close,  
Charlton Kings,  
Cheltenham,  
Glos. GL53 8EQ  
10<sup>th</sup>.June,2014.



Head of Planning,  
Cheltenham Borough Council.

Dear Madam,

**Re: Planning application ref. no. 13/02174/FUL.**

Following our letter of 15<sup>th</sup>. November 2013 objecting to the original proposed development of this Cirencester Road site, we have now viewed the revised application and our opposition is undiminished.

1.As already stated, there is no need for another convenience store in this area. We already have a well-stocked NISA within 100 yards, and Budgens and the Coop within half a mile walking distance from the proposed store.

2. Removal of the two takeaways is an improvement, since it removes the certainty of resulting widespread ground litter in the surrounding roads and Newcourt Park Green.

3. One extra car parking space is derisory, - the available 17 spaces will be totally inadequate for staff and customers, and will result in more parking on Cirencester and Newcourt Roads.

4. The illustrations for the revised building look like a unit on an industrial estate , totally out of keeping with the adjacent green parkland and residential properties.

5. The revised delivery plans will still cause traffic problems in Cirencester Road. The lorries will have to stop and wait for the considerable flow of vehicles towards Cheltenham to allow them to cross over into the delivery bay. This is in addition to customers' vehicles attempting to enter and leave the site using the same piece of tarmac. A difficult and crowded road will become even more so for the many vehicles and pedestrians, (especially children), using it.

6. The suggested noise reductions are laughable, needing as they do the cooperation of all delivery drivers to 'close doors quietly, lower tail lifts quietly, switch off engines and air-conditioning units while waiting and avoid revving



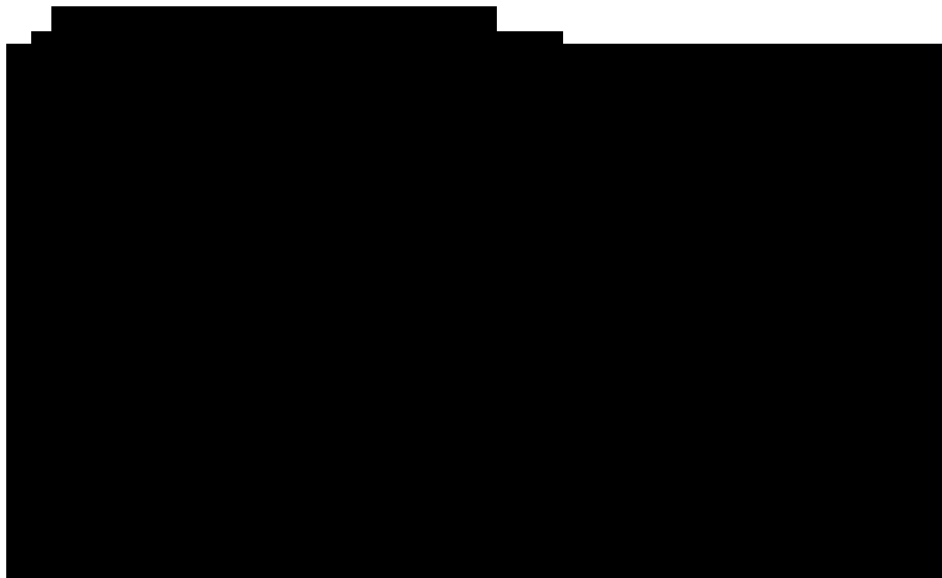
engines when moving'. Human nature dictates that this will not take place for very long.

7. There is only a finite amount of purchasing power in any given area. A new store will dilute the takings of the existing businesses, and may well cause them to cease trading, thus negating the benefit of any new jobs created.

8. If the site is to be developed, then surely a better use of the plot would be the building of affordable housing, such as was erected just up Cirencester Road in Croft Court, on the site of the old Croft Garage. We realise that this comment falls outside the remit of this application, but it would be a way of making much better use of the site to provide something for which there is apparently great demand and short supply at the moment.

We hope that our opposition and comments are noted by the Planning Committee.

Yours faithfully,

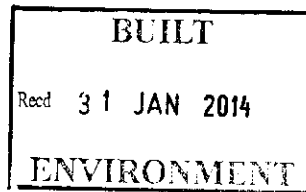


5. Charlton Close

Charlton Kings

GL53 8DH.

30/1/14.

Planning Dept.  
C. BC.

Dear Sir,

re Development of car wash site  
Cirencester Road. Ref 13/02/74.

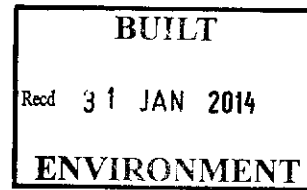
I wish to express my concern about this proposed development.

The traffic generated would be detrimental to the locality. Resulting on street parking which will be inevitable will cause traffic & pedestrian hazards both in Cirencester Road & Newcourt Rd. (The occasions when cars park in Newcourt Road, or close to the corner of Charlton Close already cause dangerous situations, & would be worse with the development - and also a problem for fire service, ambulances etc.).

In addition the value to our local shops, which would be sorely hit - grossly unfair. The local community is not in favour of this development.

Yours faithfully  
(Signature)

The Planning Dept  
Cheltenham Borough Council  
P.O. Box 10 - Municipal Offices.  
Promenade, Cheltenham



Dear Sir,

re. Application for redevelopment of existing car wash site on Cirencester Rd.

I strongly object to the development of this site for a supermarket + shops. The already heavy traffic on Cirencester Road and close proximity of residential housing with cars parked on Cirencester Road, would be exacerbated by even more traffic generated from this proposal.

Further to this, this area of Chaulton Kings already has three popular supermarkets, all within walking distance of the village, coupled with a variety of "take aways" and coffee shops, and I do not see the need for further shops of these categories.

There are three junctions in close proximity to the site, namely Newcourt Road and

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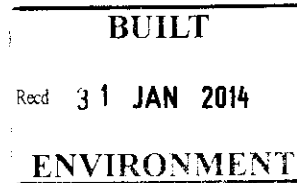
Page 226P  
Bafford lane and Pymphreys Road, and  
exiting any of these can be difficult and  
dangerous.

Bafford lane is used by many school  
children and an increase in parked cars  
from staff and customers of the site severely  
compromise visibility for crossing roads. Also  
residents regularly use these roads and access  
would be greatly restricted.

Yours faithfully  


The Planning Dept.  
Cheltenham Borough Council  
P.O.Box 10  
Municipal Offices  
The Promenade,  
Cheltenham  
GL501PP

34, Cirencester Road,  
Charlton Kings,  
Cheltenham.  
GL538DA  
29<sup>th</sup> January 2014



Dear Sir/Madam

Re: Planning Application ref. 13/02174/FUL  
Erection of new convenience store and two retail  
Units with associated parking.

The forthcoming closure of the car-wash business in Cirencester Road is an opportunity for appropriate redevelopment in this predominately residential area of Charlton Kings near the cluster of established and well supported local shops (including a convenience store) at the junction with Croft Road.

However, the proposed redevelopment set out in the above planning application is inappropriate for this location, and we would wish to register our objections on the following grounds.

- A further convenience store is superfluous to local needs. Apart from the nearby Nisa shop at the Croft Road junction, the area is well served by the Budgens in Lyefield Road West and the Co-op in the village centre precinct.
- All these are well supported by the local community and are within easy walking distance of most parts of Charlton Kings. The various statements by Hunter Page & Mango suggesting the local community needs to travel further afield to shop are quite erroneous.
- On a prominent site on the approach to Cheltenham the proposed design is of poor quality and detracts from the surrounding area, especially as it is adjacent to a public open space. The site could arguably be used more appropriately for low-cost housing as being more in keeping with the immediate residential surroundings.
- The traffic implications of this proposal are serious: at a fairly constricted part of Cirencester Road the extra vehicular movements from cars entering and leaving the site would lead to frequent congestion. The site itself offers limited parking on the plan supplied.

There is inadequate provision for delivery lorries as access is only available at the front of the site. If these need to turn around there are no suitable places on nearby roads.

These traffic problems are already evident with frequent congestion on Leckhampton Road by Charlton Lane junction caused by the limited access to the co-op site used by both customers and deliveries.
- Use of the two smaller retail units by take-away or fast food outlets or cafes

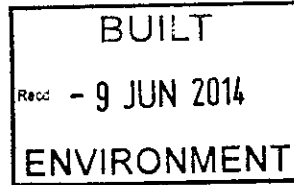
would have a damaging effect on the area, leading to increased noise, smells, litter and car movements. The suggested lengthy opening hours in the proposal indicate this is what the developers have in mind.

This type of use is designed to appeal to passing drivers not the local community. The village centre around Church Piece already has cafes and take-away food outlets which are well patronised by the local community. For travellers approaching Cheltenham there are numerous similar outlets on the eastern side and closer to the town centre.

For all the above reasons we would urge you to reject this planning application. The area deserves a much better use of this key site that enhances the environmental and social structure of Charlton Kings. We hope that the planning committee and borough council will therefore consult the local community in seeking a better long term solution.

Yours faithfully,

A large black rectangular redaction box covering the signature and name of the sender.



Mrs. L White,  
Planning Officer  
Cheltenham Borough Council,  
P.O. Box 10.  
Municipal Offices,  
The Promenade,  
Cheltenham  
GL501PP

34, Cirencester Road,  
Charlton Kings,  
Cheltenham.  
GL53 8DA  
6<sup>th</sup>. June 2014

Dear Mrs. White,

Revised planning application No. 13/02174/FUL  
86, Cirencester Rd. Charlton Kings.

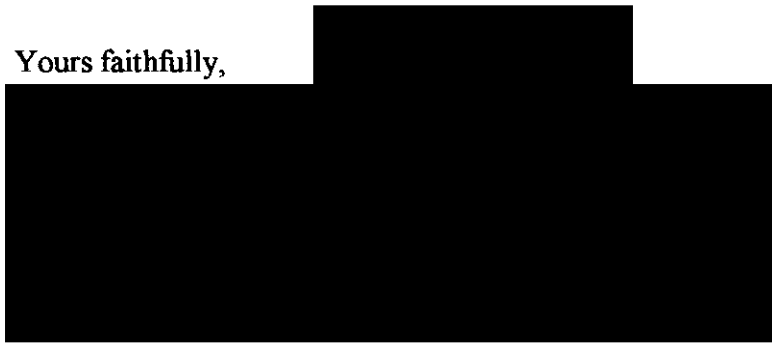
Soon after receipt of your letter of 20/5/14 about the revised development plans I phoned your office and received confirmation from one of your staff that previous letters of comment (ours dated 29<sup>th</sup> January 2014) would still be considered by the planning committee. Having now studied details of the revised application we would like to add a few additional comments:-

- The increased size of the mini-supermarket store will mean a greater range of stock, leading to more deliveries.
- As it is proposed that delivery vehicles will have to enter the site from the North, i.e. Cheltenham direction, frequent traffic delays are inevitable given the need to cross the inbound traffic. This will occur within a short distance of the existing shops by the Croft Road junction which already have their own delivery vehicle movements. The Cirencester Road is very busy at rush hour and also when accidents occur at Crickley Hill where the traffic is diverted along the Cirencester Road.
- Since the deadline for comments on the original proposal the Charlton Kings post office (formally Charlton Church) has relocated to the Budgens supermarket. Were there to be a further supermarket in competition with this, the Co-op and the Nisa convenience store, a predictable decrease in trade at Budgens might jeopardize the continuing viability of this valued community asset.
- The supposed employment growth offered by this development is highly questionable. Retail jobs are frequently part-time and does the net gain of 20 allow for the loss of the existing jobs on the site?

However the over riding grounds for objection remain unaltered:-

- With 3 thriving supermarkets within easy walking distance of this site a further retail outlet of this type is unnecessary where there is already choice, variety and competition.
- While the developers have made efforts to improve the appearance of the structure it is in our opinion still the wrong type of building on a site where low-cost housing development would fit more harmoniously with the surrounding residential area.

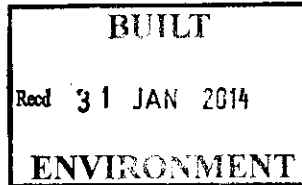
Yours faithfully,

A large black rectangular redaction box covers the signature and any accompanying text or stamp that might have been present.



Planning Department  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

Fairway  
Newcourt Road  
Charlton Kings  
Cheltenham  
GL53 9AZ



26 January 2014

Dear Sir/Madam,

**PLANNING APPLICATION 13/02174 - CAR WASH SITE IN CIRENCESTER ROAD**

I am writing to object to the above planning application which, I believe, contravenes several policies in the Cheltenham Local Plan.

Policy CP4 (a) – this application would cause unacceptable harm to the amenity of adjoining land users and the locality. The developer proposes to erect a mini supermarket covering 280 square metres plus to further shop units for food/drink/takeaway/restaurant/coffee shop use. The proposed opening hours (6 am to 11 pm on every day of the week) would generate considerable footfall and nuisance - in the form of car engines, doors slamming, people congregating outside, and regular visits by delivery lorries and supply vehicles – at all times.

Policy CP4 (b) – the traffic generated by this development would be unacceptable. The developers propose the creation of 16 parking spaces so they are clearly expecting a large number of vehicles to visit the site. My local councillor estimates that in the space of one hour this could amount to over 100 exits from and entries to the busy adjoining Cirencester Road (not including the takeaway customers.) I have no reason to disagree with this estimate. The prospect of so many vehicles manoeuvring in and out of a tight car park onto a busy main road is a matter of great concern. Living in Newcourt Road, I fear that the proposed development will generate significant additional traffic in what is a relatively quiet residential street which was never intended to accommodate high volume vehicle movements. There are many elderly residents in the street (and those surrounding) and approval of this application will make it harder for them to cross the road and negotiate junctions easily. I also fear that employees working at the new development will park their cars in our street, causing unnecessary obstacles, noise and other disturbances.

Policy CP4 (e) – the new retail development will have a seriously negative impact on the vitality and viability of existing similar convenience stores in the

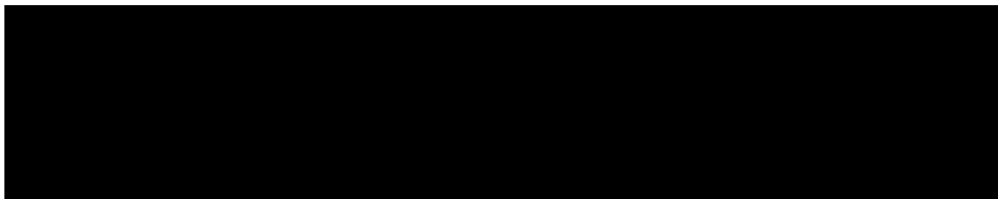
locality such as NISA, Budgens (Smith and Mann) and the Co-op. Potential job gains arising from the new development could be offset by job losses in those existing establishments, and introduce restrictions on consumer choice.

Policy CP5 – I can already walk to all of the stores listed above. The developers at the car wash site seem to think that only their new store will offer this kind of sustainable access option. They are mistaken.

Policy CP7 – while the design of the proposed development is subject to individual taste, I personally think that it will be an eyesore and detract from the overall appearance and feel of the street.

Please take these views into account when considering this application.

Yours faithfully,

A large black rectangular redaction box covering the signature and name of the sender.

Mrs L White  
Cheltenham Borough Council  
Planning Department

20 Croft Road  
Charlton Kings  
Cheltenham  
GL53 8LA

17<sup>th</sup> January 2014

**Planning Application Consultation Ref: 13/02174/FUL**

Erection of a new convenience store (A1) and 2 no. retail units (A3) with associated parking

Dear Mrs White

We support the principle and need to develop and enhance the existing site, to bring about some longer-term use of the space that responds to local community need and local context, that brings about positive change to the area and minimises environmental impact. We firmly believe in the planning principle of ensuring that 'the right development is in the right place'. We support the need to strive for excellence in design, genuine sustainable development and creating places that respond to and enhance local character and identity.

However, we believe that the proposal on this site for a new convenience store & retail units is not the right development in the right place, does not meet local community need, will not bring about long-term positive change to the area, it brings adverse environmental impacts and will not enhance local character and identity. We also believe a convenience store in this location will bring a range of adverse cumulative impacts to local vitality, to traffic/parking and to amenity/environment. We consider that it fails planning policy in a number of areas.

We therefore wish to **object** to the application.

We have read the planning application documents and supporting information, including the Planning Statement, Retail Statement and the Transport Statement which we believe contain statements that appear to be clutching at straws (and sometimes are misleading) in an attempt to justify the proposals in relation to planning policy and local need. We have cited a number of examples of such statements below, along with our comments:

**Planning Statement** (Hunter Page)

*"It will, in fact, support Charlton Kings by increasing the local range and choice of goods and will encourage sustainable transport choices, as well as creating new local employment "* Page 4  
Executive Summary

There is already a local range and choice of goods easily accessible by walking or bus (sustainable transport choice). It is fair to agree that some employment will be created, but they people employed may not be local.

*" The scheme will significantly enhance the character and appearance of this prominent location through high quality design which will complement the existing local facilities....."* Page 5

This is a prominent location and potentially a key focal point in urban design terms. Whatever is developed on this site will need to play a significant role in reinforcing the local character and

identity of this area - as you travel along the Cirencester Road towards Cheltenham. The type of use in this proposal and the uninspiring design (not high quality, but focused on floor space) will not significantly enhance the character of this location.

*"....and currently provides a car washing facility. This is a very intensive use operating 7 days a week with a steady stream of traffic entering the site" Page 6*

This is an over exaggeration of the truth. Hand car washing is a relatively calm and quiet business; not particularly 'intensive' and really doesn't generate a 'steady stream of traffic'.

*" The accompanying plans and perspectives illustrate the vibrant, active frontage that will aid in revitalising the neglected street frontages of Cirencester Road and Newcourt Road" Page 8*

No it doesn't. What's vibrant about a few windows and doors and a delivery parking area ? What neglected street frontages (apart from site itself)?

*" The surrounding area will benefit from the addition of an accessible shop which will increase the range of services within easy walking distance and on public transport routes" Page 8*

.....but you can already walk and bus to a range of decent services in the surrounding area.

*"Rather than utilising the existing poor quality structure currently occupying the site as many short-term uses have done to date, the proposed scheme will create a high quality well-designed development that will significantly improve the appearance of the site in the long term" Page 12*

So could other types of development that are more appropriate to location and need. It is not a high quality well-designed development.

*"Be acceptable in all other respects" Page 14 Conclusion*

What does this actually mean ?

### **Retail Statement (Mango)**

*"The Cirencester/Croft Road Neighbourhood Centre has very limited mainstream convenience goods shopping provision.....and local people are making trips to stores further afield (particularly larger supermarkets) to meet their needs. This is an unsustainable pattern of shopping activity...." Page 5*

There is already a sufficient number of (quality) food stores nearby with more than enough choice and variety and within walking distance of this area to meet local need and for 'top up/basket shopping'. Of course people may visit larger supermarkets for their main shopping.

*"The proposed anchor convenience store will bring day-to-day convenience shopping closer to consumers, reducing need to travel.....contribute to the reduction in carbon emissions and the fight against climate change " Page 5*

Convenience shopping is already close to consumers in Charlton Kings – 'aiding our fight against climate change'

*"Search area of sequential test is Cirencester/Croft Road" Page 13*



Disagree with search area. The proposal would clearly have relevance to existing businesses beyond the identified 500m walk catchment of the new store. Cirencester/Croft Road, Lyefield Road and Church Piece are inherently linked in terms of local people's shopping patterns in Charlton Kings and of easy walking distance between each other.

*"While this outlet fulfils an important role and function, it does not provide the range and choice of goods required to provide a genuine alternative for top-up shopping to the larger supermarkets further afield"* Page 16

This is nonsense. Much is made of the notion of top-up shopping in the statement and the specific Cirencester/Croft Road area. What exactly is top-up shopping and how many items is that on foot? In Charlton Kings we believe, and from our own experience, that people shop across the local stores in Croft Road, Lyefield Road and Church Piece (all of which have good range and choice and are within walking distance of each other) for what they may require on a day-to-day basis or as and when needed.

*"Trade draw"* Page 18

We believe that the estimates given significantly underestimate the likely trade impacts on other local stores in Charlton Kings, particularly resulting from those who will visit the proposed convenience store by car and other passing motorists as they commute into and out of Cheltenham. This does not support the current vitality and viability of the local area.

#### **Traffic Statement (Corun)**

We believe that the traffic assessment generally fails to represent the reality of the often heavy flow and congestion along this part of the Cirencester Road, especially after the knock on effects of road accidents further afield when traffic is diverted. It does not satisfactorily consider the potential traffic impacts of the two A3 units, whose actual use whilst unknown at present could attract additional traffic generation and parking requirements (if it were a restaurant, cafe or snack bar for example).

We also believe that the parking accumulation chart underestimates the amount of parking spaces used at peak hours, which brings a knock on effect. Neither does it recognise the current parking difficulty for residents in streets off the Cirencester Road, which could become under increasing pressure at busy times.

Page 12/13

A comparison of traffic movement (using a generic model) of the proposals is made against the site's former use as a petrol station. It ceased as a petrol station almost 20 years ago and really not relevant. Surely if a comparison is to be made it should be against the current use of the site as a hand car wash. This seems a basic error and is a misleading justification.

In a rather sweeping statement the assessment concludes that there are no highway or transportation reasons why the proposed development should not be granted planning consent. We do not believe this to be true.

**Is it 'the right development in the right place' ?**

The Planning Statement makes reference to the wider 'pro-growth' context of the National Planning Policy Framework (actually its aim is to secure sustainable development not just economic growth per se). Whilst we understand the NPPF's role in guiding the principles of local planning policy, the emphasis of the applicants supporting statements and justification is primarily around local need and local impact. We believe that emphasis of scrutiny should be placed on existing local plan policies in place, local need and impacts on the local community.

In terms of local planning policy, we believe that the appropriateness of this proposal, and in this particular location, needs to be fully scrutinised by the council and officers against Policy CP4 and Policy RT7 and the cumulative effects of the proposal to local shops and businesses.

Policy CP3 is also relevant as the applicants supporting documents claim that the proposal is sustainable development and will not bring about any adverse environmental impacts (including traffic, noise and light pollution). There is no doubt that there will be adverse traffic, noise and light pollution impacts - not only in the immediate vicinity and affecting surrounding residential properties/open spaces but also some cumulative effects, particularly to potential additional congestion and ad-hoc parking in Cirencester Road and streets off this road.


A far-fetched claim in the Retail Statement is clearly nonsense. *"This sustainable proposal would therefore support the role and function of the local centre and contribute to the reduction in carbon emissions and the fight against climate change"* (Page 5). It does not say anything about sustainable drainage and managing all that rainwater flow off the very large flat roof, the pavements and parking areas !

We believe the proposal in this location fails planning policy tests. This is further illustrated through the statements in the applicant's supporting documents exaggerating how beneficial the proposal will be to Charlton Kings, its local vitality and viability as well as meeting local need and offering sustainable development.

Previous Appeal Decisions have been included within the supporting documents, although we believe the relevance of aspects these should be challenged as they refer to national policy pre-NPPF and the context (locational, environmental and economic) is quite different to the applicant's proposal and this location.

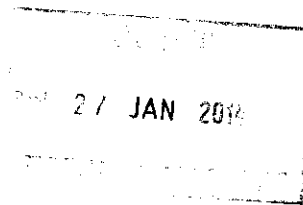
We would ask the local planning authority to carefully consider the impacts (immediate and longer-term) of these current proposals, in terms of both local need and its suitability for this location. We are not against the development and enhancement of this site and would welcome and encourage the borough council and the land owners/agents, through active engagement with the local community, to consider alternative options for the re-development of this site that is truly relevant to local need.

Yours sincerely

A large black rectangular box redacting the signature of the sender.

c.c. Cllr Rob Reid / Cllr Helena McCloskey / Clerk to CK Parish Council / Wilf Tomaney, CBC

Planning Department  
Cheltenham Borough Council  
Promenade  
Cheltenham  
GL50 9SA



2 Regis Close  
Charlton Kings  
Cheltenham  
GL53 8EQ

24<sup>th</sup> January 2014

Dear Sir/Madam

Planning Application No. 13/02174/FUL – Cirencester Road Development

I oppose to the application of the Cirencester Road Development for the following reasons:

1. Transport

- Newcourt Road has five blind corners: two as you come into Newcourt Road from Cirencester Road from the North and South; coming from Moorend Road into Newcourt Road there a further two blind corners; as you come out of Charton Close, on the right you again have another blind corner. With only 16 parking bays shown, there will be cars using Newcourt Road and Cirencester Road as overflow parking areas.
- Delivery trucks: these will somehow need to get in and out onto Cirencester Road to turn around.
- Congestion: The overflow of cars parked on the road will narrow the available space on the road for passing traffic.

2. Bus Services

The Applicants are being economical with the truth, stating that the 813 bus to Moreton will serve the new business. This bus only goes to Moreton one day a week and then for Moreton Market, people are unlikely to go to the convenience store. Other two busses no 51 and P/Q are unlikely to bring shoppers to Cirencester Road as they will be heading for the town centre in Cirencester. No bus services are planned for the two large estates Beaches and Bafford.

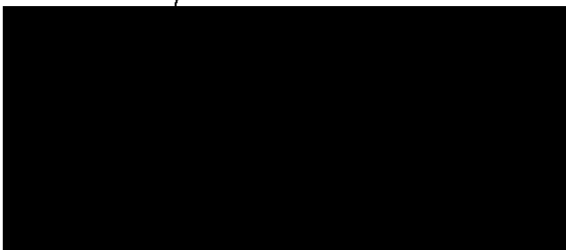
3. Safety

There will be increased foot traffic with people visiting the store, then needing to cross what is already a busy road.

4. Necessity

We do not need another convenience store in this locality. We already have three in the area: The Co Operative, Smith & Mann and Nisa. This will just push customers away from local businesses unnecessarily.

Yours Faithfully



Planning Department  
Cheltenham Borough Council  
Promenade  
Cheltenham  
GL50 9SA

2 Regis Close  
Charlton Kings  
Cheltenham  
GL53 8EQ

24<sup>th</sup> January 2014

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3. Safety

There will be increased foot traffic with people visiting the store, and then needing to cross what is already a busy road.

4. Necessity

We do not need another convenience store in this locality. We already have three in the area: The Co Operative, Smith & Mann and Nisa. This will just push customers away from local businesses unnecessarily.

5. If the Cheltenham Council need more houses the proposed site would be the correct place bending in with this location, not a Supermarket.

Yours Faithfull

[Redacted Signature]

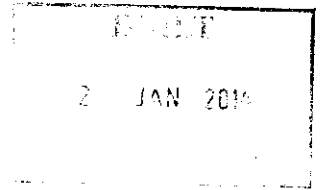


[REDACTED]  
9 Bafford Lane

Charlton Kings

Cheltenham

GL53 8DN  
[REDACTED]



**Planning reference 13/02174**

Dear Sirs,

I wish to object to the existing proposals on the following grounds;

Contravention of CP4(a) and (e) - the area is already well catered for by three existing convenience stores, each of which would almost certainly have their business levels adversely affected.

Regarding the two smaller retail units. Whether or not I would object to these would depend entirely on the nature of business carried out. As with the convenience store, there is no need for a further coffee shop, restaurant or take-away. The area has a sufficiency of this type of enterprise already.

Past experience shows that the presence of a take-away or fast food outlet frequently results in an increase of litter around the site.

Conversely, should we be assured that the units would be let (or sold) to a traditional greengrocer, bakery or a small hardware store such as existed in Lyefield Road West prior to the previous owners retirement, then any objections would, I feel, be muted.

I note that the 'Retail Statement' produced by Mango Planning and Development insists on referring to the butchery as 'specialist'. To me – and I suspect many others – this implies that the bulk of their trade is in exotic continental style Hams, Sausages, etc. This is not the case. It would be much more accurate to describe it as a "traditional" butchery.

The proposed business hours seem excessive. I would doubt that any local resident would feel the need to patronise ANY shop earlier than 8am or later than 9pm. Only if one of the two additional units be let to a restaurant or take-away could the 11pm time be justified and as previously stated, facilities such as these would be neither wanted nor needed by the local populace.

Contravention of CP4(b) – whilst I accept that traffic levels from 10am to 5pm would be similar to that currently experienced (the car wash is a popular local amenity), the number of vehicles visiting the site

prior to and later than these times would probably be greatly increased, particularly during the morning peak period with commuters pulling in to purchase daily newspapers and perhaps lunchtime sandwiches.

CPS

NPPF37 requires:

*"... that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities".*

I fail to see how yet another convenience store can help to achieve this. In this particular case leisure and education can be ignored as irrelevant, and as yet I have not been able to identify what 'other activities' could apply. With regard to employees travelling to and from work; the earliest service 151 from Cheltenham does not arrive at the stop opposite the site until 8am, whilst the same service from the Cirencester direction arrives at approximately 07.40am. The earliest scheduled P and/or Q buses are 9.10am and 9.40am respectively. All far too late for use by those working an early shift. At the other end of the day, the last 151 into Cheltenham departs at about 18.45 and that travelling south toward Cirencester at about 19.20 – the latest services P and Q are both mid-afternoon, again useless for any employees wishing to take a bus home from a late shift.

Yours faithfully,

Ps. May I mention that I have on several occasions attempted to register an online account and thereby post these within the planning comments page on your website. Each time I try to do this I get an error message saying that my email address is invalid. I KNOW that it is perfectly valid.

77 Cirencester Road  
Cheltenham GL53 8DB

Planning Department  
Cheltenham Borough Council  
PO Box 10  
Municipal Offices  
The Promenade  
Cheltenham GL50 1PP

29 January 2014

Dear Sir

*13/02174/FUL | Erection of a new convenience store (A1) and 2 no. retail units (A3) with associated parking (following demolition of existing buildings on the site)  
86 Cirencester Road Charlton Kings Cheltenham, Gloucestershire GL53 8DA*

I write to register my objection to the above planning application for the reasons outlined below.

### **Potential transport and highways problems**

From personal observations at peak times, it is clear that the junction of Bafford Lane, Newcourt Road and Cirencester Rd becomes heavily congested with converging traffic and already present as a risk. An additional store and units, as proposed above, would contribute further to this risk by their associated traffic flow at a vulnerable place on the highway.

If the proposals are to be commercially successful, then the sixteen planned parking spaces are unlikely to accommodate all customers at any one time. Overflow customers would then be forced to park on Cirencester Road and the surrounding roads contributing to risk and potential road traffic accidents.

If the planned parking facility were not utilised to its maximum, then the proposed store and units would be uneconomic and so defeat the theory of additional retail needs.

### **Short stop motorists - customers**

It is suggested that observations are made of the customer and traffic flow of similar sized retail facilities sited on main roads.

In Gloucester (vis Tesco Express, Painswick Road, Gloucester), the majority of motorists are short stop customers buying newspapers or single items. Parking is provided but these short stop customers save their time by parking on the road or pavement or double parking outside the store. This causes traffic congestion and is a huge visibility risk for passing pedestrians, especially the elderly, and children walking to and from school.

A Cheltenham example of similar chaos generated by short stop customers can be seen in the vicinity of the Tesco Metro, opposite the railway station, on Queens Road.

Cirencester Road is busier than Queens Road, Cheltenham or Painswick Road, Gloucester; hence its additional volume of traffic would exacerbate the problems outlined above.

These examples illustrate the vast risks associated with short stop motorists / customers on busy main roads and should not be replicated on the Cirencester Road. If an ATM machine were also provided, then the total risk would be intensified.

### **Bus stop**

The perimeter of the proposed planning area would be very close to the location of the Cirencester Road bus stop for routes 51 and P. This proximity would cause additional visibility risks for bus passengers and other road users plus further traffic congestion associated with customers going to and from the retail areas. The current property is sited back from the road and does not cause a visibility risk.

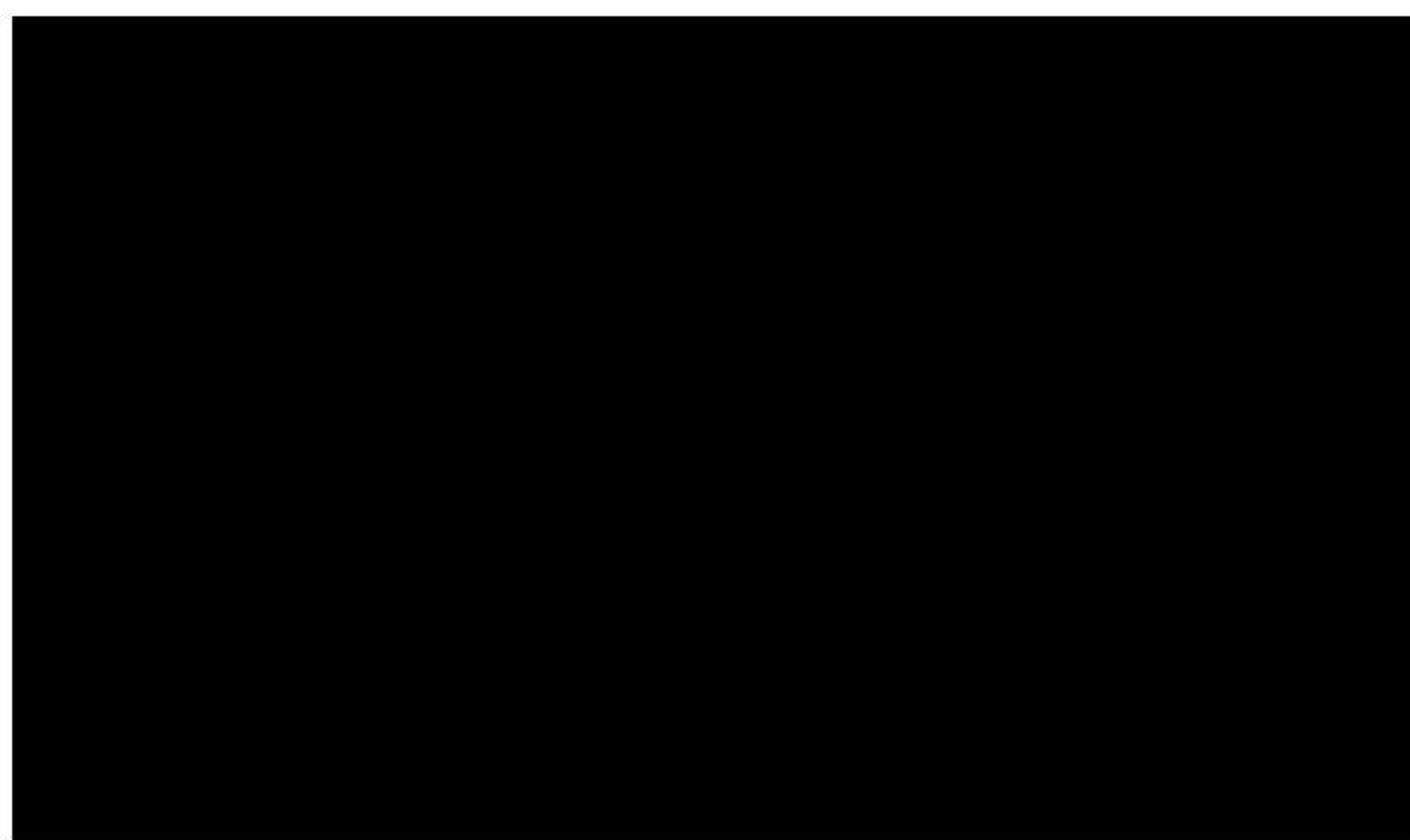
### **Local trade**

It is suggested here that there are currently sufficient and varied retail opportunities in Charlton Kings. Further retail outlets would detract from the current provision and could cause instability amongst them.

It is to be noted that the current car wash is a unique opportunity in the area, serving a wide population and providing employment for several persons.

For reasons stated above, I object to the proposed planning (Ref 13/02174/FUL)

Yours faithfully





133 Cirencester Road  
Charlton Kings  
Cheltenham  
GL53 8DB

30 January 2014

Planning Department  
Cheltenham Borough Council  
Promenade  
Cheltenham  
GL50 9SA

Dear Mrs White

**Planning Application 13/02174/FUL – Proposal for a new convenience (A1) store and two retail units (A3) with associated parking at 86 Cirencester Road, Charlton Kings, Cheltenham**

I am writing to object to the above planning application on the following grounds which contravene local planning policy statements CP4 (a),(b) and (e), CP5 and CP7:

**Light Pollution**

The proposal for a new convenience store and two retail units, which could be fast-food or takeaway outlets, will cause light pollution in the area directly resulting from the lighting of the development from early in the morning until late at night. Possibly all night if an ATM is to be available on-site.

**Noise Pollution**

The proposal will undoubtedly result in additional noise in the area. This will result from the extended opening hours, (which far exceed those of the current occupiers) leading to more cars arriving and departing, delivery vehicles arriving and departing (currently there are none), and, if a fast-food outlet is approved, late night noise from people arriving to purchase food.

**Unacceptable harm to the amenity adjacent to the site**

The "Green" has been a key feature of this part of Charlton Kings for many years and provides an open space for a wide range of people to enjoy. Allowing a fast-food or takeaway outlet would simply spoil the green as it would suffer from litter and late night congregations of people consuming food. Additionally, pedestrians arriving and leaving the green would struggle to cross the road as a result of the additional traffic along both the Cirencester Road and Newcourt Road.

**Parking**

I have lived at no 133 since 1994 and during that time parking has often proved to be an issue. There is just about sufficient parking for the residents but nearer the corner of Croft Road people struggle to find places due to the yellow lines and also the shops already in existence. Anyone visiting this area in the morning rush hour would immediately see how difficult it is to drive through and how dangerously some people park, ignoring yellow lines, dropped kerbs and junctions. No doubt the staff at the development would not be allowed to use the associated parking so they would be looking for places. In my experience many drivers stopping at this sort of development do not use the official parking as it takes a few minutes longer to do so. Busy commuters simply pull up wherever they wish and pop in to shop, ignoring the difficulty they may cause to other drivers or pedestrians.

**Traffic**

The Cirencester Road has long been a busy one with traffic frequently exceeding the speed limit. When there are problems on Crickley Hill or during race days this is exacerbated. To add to the traffic by siting a convenient store on the main road is nonsensical. It is already difficult for pedestrians to cross safely, particularly school children in the morning, without the additional traffic of shoppers visiting the

development. Many children walking or cycling to Balcarras School use the junction of Newcourt Road/Bafford Lane/ Pumphreys Road and Cirencester Road on their journey and this development would only cause more danger for them when they cross the road. Indeed, vehicles arriving and leaving the site itself would cause difficulties for pedestrians and other road users. This is without taking into account the delivery vehicles arriving to unload, often blocking the pavement, and the congestion this causes. The arrival of one of the big supermarket chains would also attract consumers from outside the area or commuters as they pass through on route to and from Cheltenham. This does not promote the policy of minimising the need to drive.

### **New Convenience Store**

It is difficult to envisage how a new convenience store can possibly enable existing businesses to maintain their viability. Charlton Kings is very well served with convenience stores, all of which stock at least 7 categories including groceries, fresh food, chilled food, newspapers, drinks (soft and alcoholic), confectionery, bakery, national lottery, non-food items, tobacco, savoury snacks, fruit and veg (this is the definition used by IGD). All of these are within walking distance negating the requirement to use a vehicle and offering a good choice and competition. This includes the butchers, hairdressers and the Nisa Shop (previously the Little Corner Shop) all at the junction of Croft Road and Cirencester Road; Budgens (previously Smith and Mann), a pharmacy, florist and a Post Office in Lyefield Road; a Co-op in Church Piece. I see no need for a further convenience store when the area is very well served already. A little further afield is the shopping area of Sixways on the London Road with another Co-op, gift shops, pharmacy, hairdressers, beauty therapists, clothes shops etc. In particular I would not wish to see a large retail chain arrive in the village to detract from the businesses, many individually owned, which are currently thriving. This could cause the closure of some of these smaller shops, unable to compete with a national company, and the resulting unemployment of their staff. The "express or metro" versions of the big supermarket chains are also more expensive than their "big brothers" but have the financial stability to be able to attract customers away from the smaller competition. However, once the smaller and often privately owned businesses have been seen off, the big chains are free to do as they wish.

### **New A3 Units**

As with the convenience store, it is difficult to see why anyone would need additional fast-food/takeaway/café/restaurant/bar options in this area. Within short walking distance there is a Chinese takeaway, an Indian, a Fish and Chip Shop, two pubs, two eating places (Cheltenham Park Hotel and the Clock Tower) and three coffee shops. Travel a little further and you have a range of eating places at Sixways on the London Road including an Indian restaurant, a Fish and Chip Shop, two further cafes, a public house and a restaurant.

### **Design**

The Cirencester Road is a main route into Cheltenham and any development along this thoroughfare should complement and respect neighbouring development and the character of the locality and landscape. A modern, flat roofed building such as is proposed, with large windows and bright lighting and signage cannot be deemed attractive or complementary to other buildings bordering the green.

I feel that any development other than housing would be detrimental to my well-being and cause a loss of amenity due to the increase in the volume of traffic, additional noise, light and air pollution, the lighting which would be on through the night, the coming and going of customers, deliveries and staff early in the morning through to late at night, the difficulty of crossing the road safely, the adverse effect on local businesses.

I support the need to redevelop the site but my preference would be simply for affordable housing whether it is apartments or houses, with off-street parking an absolute necessity.

The approval of such an application would result in:

- A convenience store which is not needed
- A takeaway/food outlet which is not needed
- An increase in congestion and traffic which is not needed
- An increase in competition for limited parking which is not needed

- An increase in the danger for pedestrians crossing the road which is not needed
- An increase in noise and light pollution which is not needed

I would be grateful if this letter could be uploaded to the website for comments. As you will see I have copied this to my local Councillors and MP and prospective MP.

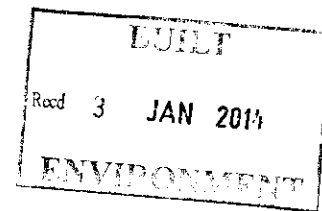
Yours sincerely

A large black rectangular box redacting the signature of the sender.

CC  
Helena McCloskey  
Rob Reid  
Alex Chalk  
Martin Horwood MP

Built Environment  
Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
Glos  
GL501PP  
28<sup>th</sup> January 2014

159 Cirencester Road  
Charlton Kings  
Cheltenham  
Glos  
GL53 8DB



Dear Mrs White

**We are writing to object to the proposed development at 86 Cirencester Road, Charlton Kings ref: 13/02174/FUL**

This development will result in light pollution and decreased privacy as the majority of the glazing is to the front of the proposed A1 and the two A3 units. The glazed area is directly opposite our living room windows. As the likely hours of operation will be 7am to 11pm which equates to 16 hours per day 6 days a week, and 6 hours on Sunday there will be little respite from light pollution.

This development will condemn the residents to noise pollution for 16 hours a day, 6 days a week, and for 6 hours on Sunday. Of particular concern is the likely hood of early morning deliveries, before the store has opened, which due to the time of day will be particularly disturbing for the residents. The proposed hours of operation compare unfavourable with the operational hours of the car wash, which are limited to normal office hours. In fact the proposed hours of operation of this site will massively exceed the operation times when this site was operated as a filling station.

The delivery bay for the A1 unit will not be used as this appears to involve a difficult driving manoeuvre. We therefore expect that this will not be used and deliveries will therefore take place on the highway. This will clearly produce a dangerous obstruction to traffic on the highway and in particular to traffic exiting the car park. We also notice that there is no delivery bay provision for the two A3 units. Therefore deliveries for these units will take place on the highway which will be a dangerous obstruction to traffic as these two units are at the end of the site adjacent to a corner. It should also be noted that on the opposite side of the road from the A3 units it is normal for residents to park their vehicles on the road. Therefore the failure to provide a loading bay for these A3 units will result in the road becoming obstructed.

The location of the A1 and the two A3 unit entrances to the side of the site adjacent to the Cirencester Road will actively encourage parking on Cirencester Road rather than use of the parking area; this will be especially true for the two A3 units which are at the opposite end of the site from the parking area. Vehicles parked on Cirencester Road by drivers shopping in any of the units will make this section of the road even more dangerous than it is at present. This will be especially true as there will be traffic entering and exiting this site for 18 hours a day 6 days a week and for 8 hours on Sunday.

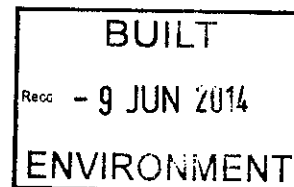
There is no requirement for this development in this part of Charlton Kings as we are well served by the NISA, Budgens, and by a Co-op supermarket. Most residents from this area of Charlton Kings walk to these local shops rather than use cars. The proposed re-development of 86 Cirencester Road will adversely affect the existing NISA, Budgens and the Co-op supermarket thus destroying the viability of existing businesses. If the proposed re-development of this site goes ahead it will lead to the destruction of the smaller local shops which will in turn lead to more unsustainable transport rather than less.

In summary the proposed re-development of 86 Cirencester Road will adversely affect the viability of local businesses; will increase traffic on the road and make it a more dangerous place to live; and will massively increase noise and light pollution and will lead to a reduction in privacy for the residents.



Built Environment  
Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
Glos  
GL501PP  
8<sup>th</sup> June 2014

Page 247  
86 Cirencester Road  
Charlton Kings  
Cheltenham  
Glos  
GL53 8DB



Dear Mrs White

**We are writing to object again to the proposed development at 86 Cirencester Road, Charlton Kings ref: 13/02174/FUL**

This development will still result in light pollution and decreased privacy as the majority of the glazing is to the front of the proposed A1 unit. The glazed area is directly opposite our living room windows. As the likely hours of operation will be 7am to 11pm which equates to 16 hours per day 6 days a week, and 6 hours on Sunday there will be little respite from light pollution.

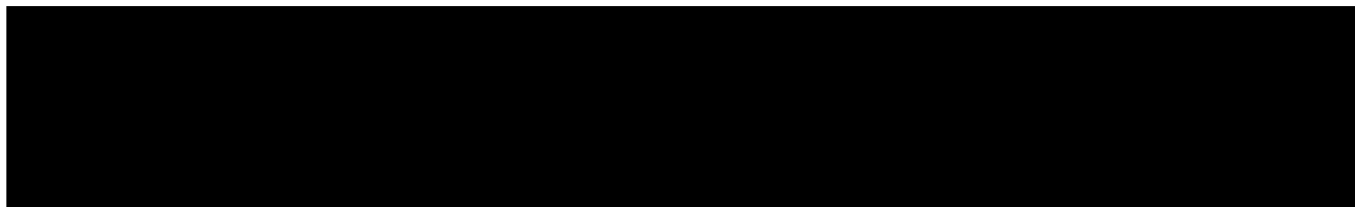
This development will condemn the residents to noise pollution for 16 hours a day, 6 days a week, and for 6 hours on Sunday. Of particular concern is the likely hood of early morning deliveries, before the store has opened, which due to the time of day will be particularly disturbing for the residents. The proposed hours of operation compare unfavourable with the operational hours of the car wash, which are limited to normal office hours. In fact the proposed hours of operation of this site will massively exceed the operation times when this site was operated as a filling station.

Despite the changes in the proposed development, it seems that there has been little change to the delivery bay. The delivery bay for the A1 unit will not be used as this appears still to involve a difficult driving manoeuvre. We therefore expect that this will not be used and deliveries will therefore take place on the highway. This will clearly produce a dangerous obstruction to traffic on the highway and in particular to traffic exiting the car park.

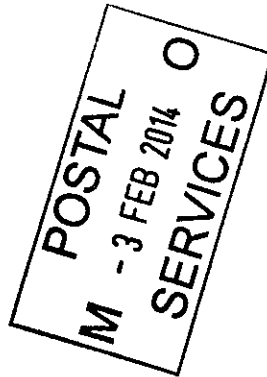
Although the entrance to the A1 unit has been moved, the location of the entrance to the A1 unit at the side of the site adjacent to the Cirencester Road will still actively encourage parking on Cirencester Road rather than use of the parking area. Vehicles parked on Cirencester Road by drivers shopping will make this section of the road even more dangerous than it is at present. This will be especially true as there will be traffic entering and exiting this site for 18 hours a day 6 days a week and for 8 hours on Sunday.

~~There is no requirement for this development in this part of Charlton Kings as we are well served by the NISA, Budgens, and by a Co-op supermarket. Most residents from this area of Charlton Kings walk to these local shops rather than use cars. The proposed re-development of 86 Cirencester Road will adversely affect the existing NISA, Budgens and the Co-op supermarket thus destroying the viability of existing businesses. If the proposed re-development of this site goes ahead it will lead to the destruction of the smaller local shops which will in turn lead to more unsustainable transport rather than less.~~

In summary the proposed re-development of 86 Cirencester Road will adversely affect the viability of local businesses; will increase traffic on the road and make it a more dangerous place to live; and will massively increase noise and light pollution and will lead to a reduction in privacy for the residents.



Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP



Pumphreys House  
171 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB



30<sup>th</sup> January 2014

For the attention of Mrs White  
Ref:- 13/02174/FUL  
Dear Madam,

**Re Proposal For The Erection of a New Convenience Store and Two Retail Units at 86 Cirencester Rd, Charlton Kings**

I have the following comments.

1) Noise or disturbance from use

This proposal is for a very marked change of use of this site, from a small petrol station to a retail outlet. This will adversely affect this residential area with regard to noise and disturbance.

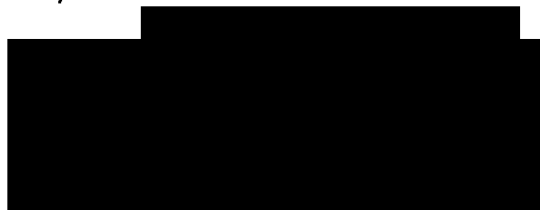
2) Traffic

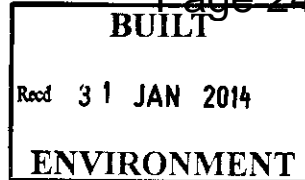
I do not agree with the conclusion in paragraph 8 that there is no obvious safety concern.

This site is on a junction of 5-way complexity, and visibility when turning on to the main Cirencester Rd (A435) is already extremely poor due to road curvature and parked vehicles.

In 2013, I was involved in a collision when turning out of Pumphreys Rd. There were no injuries-my car was made unroadworthy.

Yours sincerely





155 Cirencester Road  
Charlton Kings  
Cheltenham  
Glos GL 53 8DB  
30 January 2014

Tracey Crews (attn Mrs Lucy White)  
Head of Planning  
Cheltenham Borough Council

**Proposal: Erection of a new convenience store (A1) and 2 no. retail units (A3) with associated parking at 86 Cirencester Road, Charlton Kings, Cheltenham, CBC ref 13/02174/FUL**

*"Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations" Rt Hon Greg Clark MP, Minister for Planning  
NPPF March 2012*

Thank you for your letter of 13<sup>th</sup> January 2014. We have lived directly opposite the site since 1998, know the site very well and its history and some myths used in the application need to be debunked at the outset. The impression given by the Applicant is one of doing the area a favour, tidying up a former petrol station, a tired brownfield site, that has been occupied by several short term lease holders and it really needs a steady base. The petrol station had closed down well before we moved here, it was a used car sales company from before we moved here until 2009 and has been the existing Hand Car Wash team since that time. Two tenants, hardly the picture painted.

Much has been written, and quoted, about the Governments new "National Planning Policy Framework" (NPPF) document published in March 2012, and the Executive Summary of the applicants Planning Statement actually demands that CBC "has a duty to grant permission without delay". One of the key principles in the new NPPF, and indeed highlighted in the Minister for Planning Foreword (from where the quote above comes from), is that planning should be "a collective enterprise" and that in recent years planning has "tended to exclude, rather than include, people and communities". So my neighbours and myself, the people in this community, are very grateful that CBC has given us this opportunity to comment on the Application. The new NPPF is an evolving Policy and I suspect that in time, the Minister will demand more community input into the planning process before any application is submitted..

The maxim that there is a "presumption of favour of sustainable developments" is peppered throughout the applicants submission, indeed the applicants use of the term "without delay" does also come from the Ministers Foreword in that context.

What I hear, and read, is that there is a presumption of favour of sustainable development FULL STOP, whereas the Policy clearly indicates that there should be a presumption of favour UNLESS. That "unless" is clearly defined in the NPPF (Introduction, para 2) where it states that "Planning Law requires that applications for planning permission *must* (my emphasis) be determined with the development plan [sub note 'this includes the Local Plan'] ". Locally we are very lucky, a lot of Councils do not have a local development plan and the NPPF is aimed at steering them towards that goal, in that CBC already has a fully worked up Local Development Plan (2006) (Local Plan) and my intention in this personal statement is to demonstrate that not only does this Planning Application run contrary to the CBC Local Plan, but that is also does not comply with the principles of the NPPF.

The NPPF states that to "achieve sustainable development" a planning application must "take local circumstances into account" (para 10) and that "the presumption in favour of sustainable development" is based on the fact that "Planning law requires that applications for planning permission must be determined in accordance with the development plan, *unless material considerations indicate otherwise* (my emphasis)" (para 11). The policy goes on to say in para 12 that "The NPPF does not change the statutory status of the development plan as the starting point for decision making". It goes on to say that any proposed development that accords with a Local Plan should be approved, and if it conflicts it should be refused.

In summary, the much mis-quoted paragraph 14 of the NPPF suggests a presumption in favour of sustainable planning development applications unless the application does not comply with the Local Plan.

CBC Local Plan Policy CP4, Safe and Sustainable Living covers this point. This application is contrary to CP4 (a) where it states that "Development will be permitted only where it would

(a) Not cause unacceptable harm to the amenity of adjoining land users and the locality.

There are family homes on three sides of this application site and we live directly opposite and have children sleeping in the two bedrooms at the front of the house. They will be subjected to light pollution above and beyond that currently experienced by the ambient street light, as the proposed shop will be open to the public from 0600, but accessible to staff before this time and will also be lit overnight for security. We will also experience lighting until 2300 (11pm) whilst the shop is open to the public and beyond that time for the staff to cash up and restock. Cleaning of retail outlets is never done during opening times because the floors get wet so I hazard a guess that cleaning by contractors will either take place BEFORE 0600 or after 2300 (11pm). This aspect was not covered in the application. Cleaning staff will need transport, this will add to the demand of onsite parking, albeit for the limited time they are in the shop, but staff will need to attend early to open up for them or stay on late at night to lock up after them. Either way, lights will stay on, cars will run to keep occupant hot or cool, as cleaners/staff will invariably not attend at the same time. .

The noise from any delivery vehicles, diesel so will be loud, will be echoed across the road off the walls of the glass, high fronted warehouse type shop and channelled to our homes and bedrooms across the road. The CBC environmental noise protection officer said in 2009 that the car wash jet sprays and vacuums will cause us harm and he restricted use to the hours 0900-1800 Mon-Sat and 1000-1400 on Sundays with not at all on Public Holidays. The car wash team to their credit have stuck rigidly to that imposition. That noise, and background noise, is evident today and actually highlighted in the Noise survey report provided by Hann Tucker Associates. That's what it's like during working hours operation, imagine what it will be like with delivery vehicles, staff talking/shouting instructions, unloading of delivery vehicles, with engines running to maintain the cooled systems for the food, of heavy metal cages, all before the working day and probably before 0600, before the shop opens, no stock, no sale. If the Applicant is going to quote planning Inspector decisions from other areas, despite the NPPF stating that local circumstances must be taken into account, it is worth stating that in 1994, in upholding an Appeal related to this site, the Planning Inspector stipulated in his adjudication dated 25 October 1994 that in order to protect the amenity of adjoining residential homes in terms of noise that no machinery or other noisy activity should take place on the site outside of the hours 0800-1800 Mondays to Fridays, 0800-1300 on Saturdays and Not at all on Sundays or Public Holidays. It is worthy of note that I do not think that the CBC noise protection officer was aware of this Planning Inspectorate Decision when the car wash hours were set in 2009. However, the Planning Inspector has set a local precedent which surely must be taken into account. If not, why not?

Further harm will be caused by the proposed parking arrangements. We know the proposed end user for the shop as the manager designate was over heard talking about his new position. Staff from that major retailer will rotate from the "Local" and small store on the Bath Road, it is not a given, although inferred in the application, that all staff will be recruited from within Charlton Kings and therefore not need cars to travel to work. If you lived at East End or Glenfall it is highly likely that you would drive to this site, particularly as the vaunted local public transport does not run at 0600 or 2300 (and doesn't offer a door to door collection or drop off anyway).

Customers will struggle to find somewhere on site to park as staff take up the places, please bear in mind all of the arguments put forward by the developer, or their agents acting on their behalf, refer to the A1 shop use. No mention, or consideration, is given at all in the application for the delivery vehicles of the 2 x hot/cold food outlets/takeaway of the A3 units, nor their staff, staff numbers etc, opening hours or car parking places allocated to them. This Application is very specific about 16 parking places for the A1 shop unit but what about the staff and customers of the A3 units. Furthermore, there is no mitigation offered in relation to the harm potentially caused by food cooking smells, the noises of the delivery vehicles of the A3 units, who may or may not be of the same company (I doubt very much they will be the same), therefore will deliver at different times of the day (and night!!), with different vehicles, possibly all at the same time as the A1 shop, which will inevitably cause noise, disruption to the arterial A435 road between Cheltenham and Cirencester, and will

inevitably mean that staff and or delivery vehicles will park on the main road, or worse still and harmful to pedestrians, astride the carriageway/pavement and block the route for pedestrians. And all of this will; cause harm to our amenity, to our lifestyle, on a scale that once implemented can never be recovered.

A neighbour has his house up for sale, a potential buyer referred to the proposed A1 shop and A3 food/drink units across the road and hinted at reservations about buying. The Applicants Agent states very clearly that "Financial considerations are now, by law, a material consideration in planning applications". Presumably that law works both ways, for the developer and for us the adjoining residents who will undoubtedly see a reduction in the value of our homes, to add to that of our amenity being shattered. If this is not a planning matter or issue then why did a Planning Consultant acting on behalf of the Developer introduce it into the argument.

Staff, parents and children from CK Infants' School, CK Junior School, Glenfall Primary School, Balcarras Comprehensive School, St Edwards Co-Ed Public School (there are sites campuses, one on Ciren Road one on Greenway Lane), CK Infants Kindergarten, St Marys Playgroup and the Nursery School, all cross the road along this stretch of the A435 Cirencester Road. Children from Pates, The Crypt and Denmark road in Gloucester all cross the road to catch their school bus along this stretch of the Cirencester Road.

Which brings me on to CBC Local Plan Policy CP4 (b) which states that development will be permitted only where it would

- (b) Not result in levels of traffic to and from the site attaining an environmentally unacceptable level

The car wash undoubtedly generates more traffic than the previous tenant of used car sales. It is not unusual on a busy weekend to see cars backed up and queuing on the A435 Cirencester Road out of the car wash site, causing harm to pedestrians as the cars wait across the pavement and harm to other road users as they travel north into Cheltenham, or try to join Cirencester Road from Bafford Lane, Regis Close and others, onto Newcourt Road and out onto the Cirencester road. Visibility is impaired and many, many close calls have been witnessed, none of which of course would not be reported and recorded. I note with dismay that the Transport Statement submitted does not make any reference to the death of a local builders son on the road and parochially makes no mention at all of the incident that wrote off one of my cars parked outside of my home and seriously damaged its replacement. Both accidents were both probably caused by a. Speed and b. Vehicles turning left out of the site to travel north into Cheltenham, therefore the drivers were looking south to their right, pulled out only to find a vehicle in their lane as it overtook my legally parked, stationary vehicle, the southbound vehicles swerved to avoid a collision and hit my cars. Both incidents were reported to the Police.

The road is used by the National Express routes 222 and 444 to London and Smiths Waste Management vehicles make one, two, three sometimes more trips each way each **hour**, these are big vehicles.. Delivery vehicles, staff vehicles and a vast increase in a customer base who will drive to the site will greatly increase the already loud noise levels that we experience.

The NPPF states that planning applications should promote the retention and development of local services and community facilities yet this proposal runs contrary to that National, and Local Plan Policy. CBC Local Plan Policy CP4 on Sustainable Development, CP (e) states that Development will be permitted only where it would

- (e) maintain the vitality and viability of the town centre and ***district and local shopping facilities (again, my emphasis).***

I have been told that Planning Law is not there to stifle legitimate competition between suppliers, so I am left wondering why in that case does both the NPPF and Local Plan accord our local shops protection from new development. We have a privately owned, franchise NISA store, 50 paces away from the proposed new shop site, which the owner has already declared would not be viable nor able to compete with a national retailer and their buying power. Letters of representation have already been made by local suppliers who provide goods to the NISA, whereas the proposed new shop will deliver goods to the site from a central depot. This runs totally contrary to the NPPF guidelines on protecting local services and decreasing environmentally harming carbons by increasing

transportation. And a local supplier, one of probably some others, will lose a client and suffer harm because of it. The NISA fits within the CBC Local Plan designation at Appendix 6 District and Neighbourhood Centres as a local shop whereas in the Planning Statement for the Applicants when asked in pre-planning consultation (sic, their spelling) whether their 3 shops would create a new neighbourhood centre they "refuted" that idea. On that basis I would judge therefore that the proposed new three units did not satisfy the Policy in the NPPF and did not warrant the protection of the CBC Local Plan, thereby running contrary to CP4(e).

It is interesting to note that the NPPF goes to great pains to state that local community participation is essential in pre-planning work up and the applicants Planning Statement Contents lists "3.0 Pre-application **and public consultation**". (my emphasis) and yet when you go to 3.0 on page 7 the left hand columns discuss exclusively the dialogue with the CBC Planning Officers, yet the right hand columns are blank, thereby failing to make any note of what exactly the public consultation was and what we, the public and local community, had to say about the application.

This is contrary to the NPPF. We were told we would have an opportunity to comment, perhaps at an exhibition in Kings Hall CK, didn't happen, the Echo was told there would be a "special website", again, didn't happen. We were hand delivered a two sided piece of A4 with intro and whom to send comments to on the front and the obverse had a colour mock up of what the site may look like, with no details of end user, parking, numbers of staff, noise reduction measures, end users for the hot/cold food outlets and all the details associated with them. Many of us made points, road speed, why do we need another shop when we are already served by NISA, 2 x Co Operative, Smith and Mann/Budgens and others which have been stated elsewhere from neighbours of mine, and yet received no answers back. This is hardly public consultation and strikes me as merely an exercise, demonstrated by the fact they were so embarrassed they neglected to include our collective views. Again, contrary to the NPPF.

The Applicant has submitted a Transport Statement but the NPPF clearly directs that a development of this nature and size should in promoting sustainable transport provide a Travel Plan, theirs is a transport statement, it is not a travel plan.

"a key tool (in promoting sustainable transport) to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be **required** (me again) to provide a Travel Plan."

A Major retailer 'Local' shop and two hot/cold food eat on and off the premises A3 units will generate much MUCH more traffic than the existing car wash operation, and a Travel Plan should accompany a comprehensive Road Traffic Assessment by the proper authorities who are independent of application agents eg Gloucestershire Highways, with input from the Gloucestershire Road Safety Management Team because of the schools aspect (this road was part of the now defunct Safer Routes to School initiative), potentially the National Highways Agency as this is a busy A Road and GlosPol.

Comments about high speed on this road are neither apocryphal nor anecdotal, we live here, we witness it every day and in 2012, frustrated at the increase in speed and lack of proper policing and enforcement (the police used to operate a speed trap in the dip near Spirax Sarco but ceased it several years ago when Spirax put a Private Driveway notice on it) I volunteered to conduct a speed survey to provide evidence of the road vehicular speeds. I approached the Gloucestershire Road Safety Management Team who signed me up for a training course run by Gloucestershire Police. I passed the Police training in April 2012 and borrowed a SPEEDAR device to undertake my speed evaluation.

I ran my speed test from outside my house between May-July 2012, seven days a week, at varying hours between 0700, start of the rush hour work traffic in both directions between Cheltenham and Cirencester on the A435, and 1900, pretty much the end of the rush traffic. In particular I ensured I had a good sample of school run traffic.

What I saw appalled me, and whilst I am sure the Planners will say road speed is not a Planning issue I feel very strongly that no decision about this particular site and proposed development can be safely considered without ALL factors being taken into consideration by Officers and Councillors in determining this application.

Summary of that analysis.

- a. Very few, less than 5%, of motorised vehicles drove at the speed limit of 30 mph or under that speed. The SPEEDAR device is less accurate than the police RADAR device, there is a plus/minus of 3mph.
- b. The average speed of those vehicles I zapped was 56mph
- c. The fastest "recorded" speed was 76/77 mph, a Ferrari who regularly travelled the road did this and more, one day he was much faster but I couldn't scan him in time, my reading fluctuated around 80-83 but was inconclusive. Others were close to 70mph and many drive at 50-60mph. Appalling speed for this 30 mph road. .
- d. National Express were written to by GlosPol after I highlighted the speeds which their coaches drove in excess of along this road.
- e. Similarly they wrote to Stagecoach about principally the 51 to/from Swindon but also the Q and P, all of which at times, not all the time, exceed the legal speed limit by as much as 10mph, once 15 mph.

It may be that planning officers advise Councillors that speeding traffic on a highway is not a planning issue but I am uncomfortable with that. I believe it would be a dereliction of duty to this community if officers and elected Councillors did not take into full consideration any and all material factors that had a direct bearing on this planning application, or resulted from approval of this planning application. You don't need to heed my words, heed those of the Minister in his Foreword.

Design is another issue. Our homes are circa 1904 Edwardian red brick and whilst the car wash site is not pleasant to look at, anything else going there surely must complement existing land uses and residential homes. Here is an opportunity, at the Southern Gateway to our wonderful Regency town and what do they propose. A glass box with no inspiration and no culture. The Minister says in his Foreword "our standards of design can be so much higher, confidence in development itself has been eroded by the too frequent experience of mediocrity." Quite.

CBC Local Plan Policy CP7 clearly states that Development will only be permitted where it

- (a) Is of a high standard of architectural design

And

**CP7(c) complements and respects neighbouring development and the character of the locality and/or landscape** just for once this is not my emphasis, but the emphasis in the Local Plan 2006

The proposed box is therefore contrary to Local Plan Policies CP7(a)(c)

I note that neither the Cheltenham Civic Society nor the Architects Panel have expressed a view, I would appreciate a comment from them on this Design.

In summary, the National Planning Policy Framework does not support this planning application and neither does the developed CBC Local Plan and I feel confident that under scrutiny from a Planning Inspector, should it come to that, this application would fail any test.

I have already told both Officers at CBC AND the Developer of viable, sustainable, alternatives to an unwanted convenience shop, 600 have signed an opposition petition, scores are writing to the Council and only one individual has publicly endorsed the application. Neither the Joint Core Strategy nor the CBC 2006 Retail Report support any assertion that this area, which is already well served with good top up shops for shopping, cafes and takeaways, needs any more, but perhaps the demand is in the contract the developer has with an end user. Several former garages and/or petrol stations in Charlton Kings alone have been brought over to housing eg

The 7 houses on the site of the old Croft Garage in what is now called Croft Court, opposite the NISA on the Cirencester Road, 50m from here

The former Murco petrol station and Lyefield Garage next to the Little Owl on the Cirencester Road, which is now an extensive combination of town houses and houses, 400m from here

Again, another Lyefield Garage former site adjacent to the Post Office on Lyefield Road West, pastiche houses at the front to complement the road line and contemporary bungalows at the back, 300m from here.

Woodmeade Close adjacent to Nazareth House on the London Road. A lovely green development of about ten homes on the site of a former BP petrol station and garage.

And remiss of me, I forget the former Mobil petrol station and garage site that is now attractive town houses called Inglecote Close, Charlton Kings, just off the London Road near Glenfall..

Going into town on Montpellier Terrace in the shadow of the Eagle Tower, a former petrol station with flats/town houses.

The NPPF again, clearly states that housing is wanted nationally, indeed locally too, and states

We should be "widening the choice of high quality homes" and also supports CP7 in that it states we should be "always seeking to secure high quality design and a good standard of amenity for all existing and future needs of the residential...communities"

And that local authorities should "significantly boost their supply of housing"

The NPPF also clearly states that the planning process should be about solutions, not problems. The applicants are not the owners of this site, the applicants have a contract to deliver a convenience store with planning permission. Once delivered, their part of the contract is done, they move on to another project without a backward look at our community, a community that has been drawn together, closer together, by this planning application, and in that respect we comply with the penultimate sentence of the Minister for Planning Foreword

"In part, people have been put off from getting involved because planning policy itself has become so elaborate and forbidding, the preserve of specialist, rather than people in communities"

Our Community has clearly banded together, and in support of the NPPF, I have suggested a SOLUTION above to the PROBLEM of what the owners might like to do in developing the site

The Minister talks of specialists and I am reminded of the tale of three Accountants.

Each was asked what 2 and 2 made

The first replied 4

The second replied 22

And the third replied "what would you like it to be"

I am confident that locally here in Cheltenham that we have a Developed Local Plan that will stand up to scrutiny by a Planning Inspector, that it is fully supported by and supports the National Planning Policy Framework and that we have Officers and Elected Councillors who will agree with my interpretation of a Policy, and not that of specialists

Respectfully I would invite Officers, and Councillors if it comes to that, to please REFUSE this planning application by virtue at least of CP4(a)(b)(e) and CP7(a)(c). There are probably many others.

Sincerely



<sup>i</sup> Note because of the public open space between Cirencester Road and Newcourt Road house numbering is askew, odd numbered properties on the northern side of the Cirencester Road directly opposite the application site are numbered 149-167.

THE PHOTOS ARE THE ROAD AFTER  
A CRASH AT THE AIR BALLOON  
AND NIA DELIVERIES 0700





















# SAVE YOUR LOCAL CONVENIENCE SHOP

This Corner shop has been serving your community for many years and as the new owners we hope to maintain the good service given by Steve and Elaine in the past. Developers want to turn the Car Wash site into a 'convenience store' which may then possibly be sold to a major national retailer like Tesco or Sainsbury. Please keep your shop local by supporting us and signing this petition

359

TO CHELTENHAM BOROUGH COUNCIL WE OPPOSE ANY PROPOSED NEW CONVENIENCE SHOP AT 86 CIRENCESTER ROAD, THE HAND CAR WASH CENTRE, AS IT IS CONTRARY TO THE LOCAL PLAN POLICY CP4(e), IT DOES NOT "MAINTAIN THE VITALITY AND VIABILITY OF THE TOWN CENTRE AND DISTRICT AND LOCAL SHOPPING FACILITIES"

STREET I LIVE IN

CORT ELM RD  
 Lye field Road East.  
 Moored Glade.  
 Cort Elm Rd.  
 Hartley Close  
 Hartley Close.  
 St Michaels Close.  
 Lynton Rd West.  
 Lye field Rd. East  
 Foreman Rd  
 Old Birmingham Rd  
 GOMORE ROAD  
 Church St.  
 LYFFIELD ROAD WEST  
 EAST END LANE  
 Greenhill Rd  
 Mr Mrs S. Gannon,  
 Sawney Lane Road.  
 Ryeburn Road  
 Cirencester Road  
 Vineyards Way  
 The Priory Court

Cirencester Ave  
 Lydfeld Rd West  
 15 BROOKWAY DRIVE  
 1A Safford Lane  
 21 BUCKLES CLOSE  
 Fernhill Av  
 29 Hagerlands Road  
 12 Painswick road  
 62 Copt Elm Rd  
 17 Church road Chalf  
 80 EAST END RD  
 School Road.  
 COPT ELM RD  
 Newcourt Road  
 70A. Copt Elm Rd.  
 25 Home Farm Court  
 67 Copt Elm Rd  
 Balcarres Rd.  
 44, Cirencester Rd -  
 Chalkington  
 COPT ELM ROAD  
 14. Lydfeld Rd West  
 63 Kempton Grove.  
 35 Copt Elm Road  
 GL52 9DP  
 The Avenue  
 The Avenue  
 Cirencester Rd.  
 HORSEFAIR ST  
 Church Wallis  
 School M  
 Chouota road  
 1 Balcarres Rd West  
 GL52 6YQ  
 GL53 8DG  
 HORSE FAIR ST  
 GL52 6NP.  
 GL53 8LE  
 GL53 8LA  
 3, Broadford Rise GL52 6XL

Woodgate Close

SHRUBLANDS

Lyfield Rd West

Lyfield Rd

Lyfield Rd

BROOKWAY DRIVE

Lyfield Road East

Lyfield Rd West

Lyfield Road West

Cinncaster Rd.

1A ASH CLOSE

Reuben Cl.

Longton Place

Chantry Way

Girdley Lane

Lyfield Rd

Orange Walk, C.K.

39 Beecher Road CK

Croft Garden

Blockway RD

W. Lyfield Rd - 46526 TA

W. Lyfield Rd - 46526 TA

Beecher 1st C.K.

CK

East Court Mews Lynton Lys

School Rd CK

Church St CK

23 THE AVE CK

35 Court Elm Rd

6 CHESTNUT TERRACE

Reverend St. Rd.

HOMERIDGE COURT

Sandy Lane Rd

20A LYFIELD RD EAST

38 Cinncaster Rd

16 Home Close, C.K.

2 Lynton Lys CK

2 Wilby Rd CK



3

Porturey Way  
Capt Elm Rd  
Capt Elm Rd  
STAMBRIDGE  
" "  
4 Newcourt Park  
Zachary Ave  
19 Thompson Dr  
11111 Park St  
Lye field Rd.  
Newcourt Park Ck.  
60 King William Dr.  
15 Newcourt Park  
Highland Road  
Wickham Close  
EAST END RD  
GRANLEY RD, CHELT.  
3 Pine Close  
Coching Village  
Reaburn Close  
Capt Elm Close.  
Ryemorth Road.  
HORSEFAIR ST.  
Lye field Rd East  
5 Evelyn Close.  
1 Riverside Road.  
34 Cirencester Road.  
Newcourt Road.  
10 Maple Drive  
23c WEFIELD RD EAST  
30 KING WILLIAM DR.  
WOODBINE COTTAGE  
AGGS HILL  
1 St. Michael Close OK  
1 Cedar Way. Chelmsford  
31 Beaumont Rd Chelmsford  
14 Gladstone Rd.  
70 BECCLES RD  
36 Capt Elm Rd  
Coxhorne Lane Rd

6711 Gloucester rd.

S atwood 87

47 S. C. Road

H7 S. C. Rd.

60 Horseshoe St.

33 B. C. Way Rd C/K

1 Dylestone Close

88 Rye Water Rd.

COPT Elm Rd

Greenway Lane.

29 Lygfield East

CL 20 1126

137 Jd Rth Rd

35 Copt Elm Rd.

18, LEOMORE RD

6 PILFORD AVE.

KIMBLEY RYEWORTH DRIVE

2 Maple Dr.

Watwick Cres.

22 Willow Rd.

1 Cudmore St.

2 Jd Rd

Greenstone Road C/K

Purposes Hall Lane

Willingham Court

Lygfield Rd. East. C/K

Moorend Glad C/K

Lygfield Rd. West.

60A Church Street

LEOMORE ROAD

GOODWOOD NEWCOURT RD

BCHMAN RD

33 Copt Elm Rd GL53 8AG

26 Rafter Lane GL53 8DL

5 Newcourt Park GL53 9AY

5. Sissy Lane.

CARISBOROUGH PK

Ravensgate Road,  
CHURCHILL DRIVE  
— u —  
10 WINDMILL ST  
4, Charlton Close.  
25A Village Rd  
B. ANLEY  
NEWCASTLE RD GL53 9AZ  
Charlton Kings, care, home  
Charlton, Kings, care, home.  
croft Avenue, Charlton Kings  
Croft Avenue, Charlton Kings  
Lye field Road west  
Charlton Kings Hotel  
17 Park Rd Charlton Kings  
32 Capt Elm Rd C/K  
30, Capt Elm Close C/K  
15 Wincote Park.  
46 Green Centre Road, CH. K.  
154, Cleeveford Road.  
Coxhorne, Loddon Rd.  
12 - GL52 6UN  
12 - GL52 6UN  
GL53 7DJ  
GL53 8DB  
GL53 8EZ  
GL53 9AT - LYEFIELD RD BR  
GL53 0NB  
GL52 6UW  
GL53 8PE  
62 Horseshair St  
6 Andwell St Charlton Kings  
86 Beeches Rd, C. Kings.  
86 Beeches Road, C. Kings  
Foxwile. GL54.4LP.  
239b GL52 6HZ  
Newhurst, GL53 8ES.  
Newhurst - n  
150 HOLSFORD ST.  
BAFFORD LANE C/KINGS.

NAMESIGNATURESTREET

Page 266

CEDNALL CT

RYEWORTH RD.

2 water lane

Witchyhall Court

Squadhurst Rd

The Avenue

Cudnall St.

Wingate Ct.

Coat Elm Rd

Bafford Rd.

Charlton Lane.

CIRENCESTER ROAD

10, Bofford Approach

HEARNE ROAD

Levenshampton.

HORSEFAIR STREET.

Penbridge Close.

Sandy Lane Road

Oak Avenue

Newcourt Park

17 Witchyhall Park

HARTLEY CLOSE

HARTLEY CLOSE

BRANDON 17/111 RISE

Cirencester Road

NEW COURT ROAD

31A LEHMORE RD CK

10 HORSEFAIR ST. CK

GLEBE BARN GLEBE

46 Levenshampton GLEBE

Portway way CK

Lansbury Ave

- c. -

Forden House C/K.

14 Coat Elm Rd. CK

1, Shrublands

CROFT AVE.

18, School Rd, Cirencester

8 ST MICHAEL'S CLOSE

Woodmeade Close  
 Woodmeade Close  
 26 Copt Elm Rd  
 31 Beech Rd.  
~~7 The Mills Close~~  
 87 Cirencestre Rd.  
 87 Cirencestre Rd.  
 277 Copt Elm Rd  
 1 Shrublands, C.K.  
 11, Ham Close C.K.  
 1 PARKWAY SEVEN & ANTON  
 Cirencestre Road  
 23, Cuthbert Rd, Church-st  
 2 Highland Rd  
 9 PINE TREES, C.K.  
 11 PINE TREES CHARLTON KINGS  
 59 COPT ELM ROAD  
 1 Lawlongeade  
 " " "  
 25 LYCHFIELD ROAD  
 34 CHARLTON CLOSE  
 1 Langton Grove Rd  
 1 Langton Grove Road  
 9 Ciren. Rd CK  
 29 Copt Elm Close CK  
 4 Gabbhill Rd.  
 11, Woodmeade Close.  
 15, Garden Road, CKings.  
 59 Copt Elm Rd.  
 Lyepole Rd west.  
 48 Withyholt Court.  
 24 Clywera Road.  
 6 Brarbank Rise.  
 Little Ash Rd.

124 BASHAM, 5 HILL, 500

Pine trees

3 The Avenue

28 POPT Elm Close

52 Kynock Hill Drive GL53 7AP

11 Chatwombelose

Addbury Stambury Rd GL52 6LJ

Capt Elm Rd, GL53 8NG

72 SCHOOLD RD GL53 8BW

51 Cirencester Rd.

BROOKWAY HOUSE

22, Horsefair St, 1 King S.

19 CARISBROOKE DRIVE GL52 6YA

16 Littledown Rd GL53 9LJ

71 Capt Elm Rd

61 Ford Lane GL53 8DN

1 CHELSEA CL. GL53 7QN

33 COLUMBEND RISE GL53 0PA

Fretwell Capt Elm Rd.

10 Chestnut Tce, Ch/K.

4 Sandringham Court OK GL53 10Y

White Cottage, 17m Lane GL52 6NJ

9. Woodgate Cl. GL52 6JW

35. The Avenue, GL53 9BL.

35 The Ave c/k GL53 9BL

8 Church Walk GL53 8BJ

26 Broomfield Ch, Withington GL54 4LH

2 Lyefield Rd East.

35 Lyefield Rd West

19 Brookway Drive GL53 8AJ

290 LINDEN RD GL52 6YL

331 Old Bath Road

22 CIRENCESTER RD

8 Ryecroft Rd

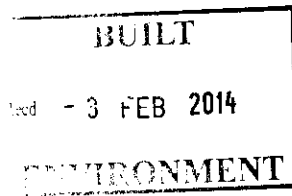
7. Lyefield Rd East

7. Lyefield Rd East

7. Lyefield Rd East

7. Lyefield Rd East

convenience shop, Chata kros



155 Cirencester Road  
Charlton Kings  
Cheltenham#  
GL53 8DB



31/1/14

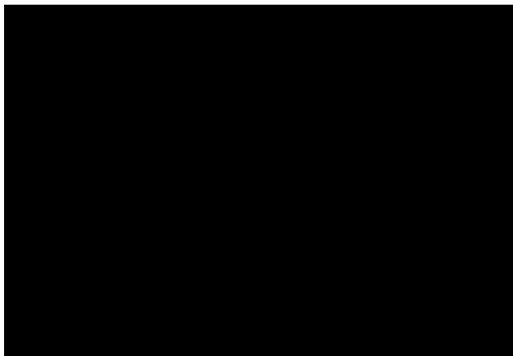
The Worshipful Mayor of Cheltenham

Councillor Wendy Flynn

PETITION FROM 600 RESIDENTS AND PEOPLE WHO USE THE NISA SHOP IN CHARLTON KINGS AND WHO OPPOSE PLANNING APPLICATION 13/02174/FUL, ONE A1 SHOP AND TWO A3 HOT/COLD FOOD OUTLETS TO EAT ON OR OFF THE PREMISES

Madam Mayor, please find enclosed a petition AGAINST this proposed planning application. Could you please report this Petition at Full Council and then pass it to Tracy Crews Head of Planning CBC for the attention of Mrs Lucy White, Planning Officer.

Might I respectfully add, well done on the stance you have taken re attendance at the Sochi Winter Olympics. I support our Twinning but the Russian position on LGBT issues is against Human Rights. Thank you





# SAVE YOUR LOCAL CONVENIENCE SHOP

This Corner shop has been serving your community for many years and as the new owners we hope to maintain the good service given by Steve and Elaine in the past. Developers want to turn the Car Wash into a 'convenience store' which may then possibly be sold to a major national retailer like Tesco or Sainsbury. Please keep your shop local by supporting us and signing this petition

TO CHELTENHAM BOROUGH COUNCIL WE OPPOSE ANY PROPOSED NEW CONVENIENCE SHOP AT 86 CIRENCESTER ROAD, THE HAND CAR WASH CENTRE, AS IT IS CONTRARY TO THE LOCAL PLAN POLICY CP4, IT DOES NOT "MAINTAIN THE VITALITY AND VIABILITY OF THE TOWN CENTRE AND DISTRICT AND LOCAL SHOPPING FACILITIES"

NAME PLEASE PRINT	SIGNATURE	STREET I LIVE IN
		83 CHARLTON CLOSE Gordon Road
		Haywards Road
		Bafford Lane
		Little Herbert Road
		Little Herbert Rd
		Little H Rd
		Charlton Close
		Cobden
		Croft GARDENS
		Croft Gardens
		Cirencester Road
		197 CIRENCESTER Rd
		102 CIRENCESTER ROAD
		116 Little Herbert Rd
		11 Pumphrey Road.
		Croft
		12 Little Herberts Rd
		Bafford Lane
		BAFFORD LANE
		Cirencester Road
		Croft Road
		Cirencester Road

7 LITTLE PRESENTS  
 Ballard home  
 East end road  
 Little lane  
 Shipton Olive  
 To Cirencester Rd  
 & USHEROVE C Kings  
 201 Cane Lane  
 3 SANDER To Tipton  
 5 CROFT ROAD  
 4 BAFFORD LANE  
 2 1011 - 1012  
 24 CROFT RD C/K  
 Cirencester Rd  
 Evelyn close  
 Dulles house  
 10 Evelyn close  
 Huntley  
 School road  
 12 Littledown Road  
 " "  
 247 CIRENCESTER RD  
 36 CHARLTON CLOSE  
 Cirencester Rd - 257  
 2, maple Dr  
 " "  
 2 Ci  
 35 Copt elm road  
 21 OKUS Road  
 13 Parkwood drive  
 21 CROFT COURT  
 2 PUMPHRIES ROAD  
 2 CROFT ROAD  
 BEECHES RD.  
 CIRENCESTER RD.  
 3 afford Approach  
 Lythel Court  
 " "  
 King George Close

AGAINST  
 WEST MILLS

41 | 64  
 Pg | TOTAL



Mortimer Ct,  
 62 CIRENCESTER RD CK  
 Bufford Grove Ckings.  
 Hambrook St  
 CROFT PARADE  
 3 Kell E. & H. bldg  
 79 cirencester rd.  
 62 cirencester Road  
 Charlton Close.  
 GRANGE WALK  
 Beeches S.  
 CROFT PARADE  
 Andy Lane Rd. CK  
 McLANDS DR  
 Lockfield CRT  
 Wyfield CRT  
 4A CIRENCESTER RD.  
 14A CIRENCESTER RD  
 175 CIRENCESTER RD  
 100 Puffin NO. Chells  
 28 Highdown Rd.  
 CROFT ROAD,  
 100 CIRENCESTER Rd  
 34 Willow rd  
 45 Craft Gardens.  
 8 Oaks Rd.  
 3 Greatfield DR C/K.  
 1 Stockton Close.  
 65 CIRENCESTER ROAD  
 Perryngton Dale  
 Branch Hill Rise  
 Branch Hill Rise.  
 EAST END ROAD.  
 Cirencester Road  
 E Pine C/WIND  
 5 CIRENCESTER ROAD, CHILTERNHAM.  
 102 Cirencester Rd.  
 201 Ham Road  
 10 Gilders Rd

Ledmore Road.  
 Charlton Close  
 Colcraft Rd  
 1 Little Herbers Close  
 133 CIRENCESTER RD.  
 5 MTC COULES.  
 HORSEHAIK ST.  
 Branch Hill Rise  
 112 Cirencester P.  
 21 SAFFORD LANE  
 30 Crane Road.  
~~1400~~  
 East End Road  
 1 CROFT DRIVE  
 92 Cirencester Rd.  
 2 LARCH CLOSE  
  
 Cirencester Road  
 Cirencester Road  
 Cobham Village  
 GL53 9  
 19 Pumpheys Rd  
 CIRENCESTER RD. 251.  
 LITTLE HERBERS RD  
 A ROCKWORTH  
 SANDY LANE.  
 Pumpheys.  
 Newcourt Road (PTD)  
 Anna Bradley Rd  
 " " "  
 165 Cirencester Rd.  
 165 Cirencester road  
 1 CROFT ROAD  
 14 Longway AVE  
  
 1167. Cirencester Rd.  
  
 BETHVOS ROAD.  
 Bradwell Rd. Ck.  
 3 CROFT PARADE

C. M. WILSON RD.  
 CROFT ROAD  
 Garden Road  
 CROFT RD  
 CROFT PARADE  
 CIRENCESTER RD  
 SKEECHES ROAD  
 CIRENCESTER RD.  
 BAFFORD LANE  
 CIRENCESTER RD  
 LONGWAY AND  
 LONDON RD  
 CHARLTON HILL  
 CHARLTON KINGS  
 CHARLTON PARK  
 PEE CLOSE, CK  
 COPTON RD. CK  
 BECHES ROAD  
 CROFT GARDENS  
 21 Bucklebury  
 Haywards Road  
 Haywards Road.  
 OKUS ROAD, CK  
 Sandy Lane  
 GWC  
 GLS3  
 CIRENCESTER RD  
 GLE 45X  
 20 TOLSPAWN  
 4 Westley Rd  
 29 Little Down Rd.  
 76 Little (B605) RD.  
 68 Cirencester Road.  
 TAJOEGR.  
 1 Maple Drive  
 11 Haywards Rd.  
 55 Ravensgate  
 OLD BATH RD.  
 Bafford Approach

9 cherry avenue

60 Cirencester Rd

20 Fairwood Lane

17 Southfield

Cirencester Rd.

BRANCH HILL RISE

168, Cirencester Rd

Sunny Lane

27 Bafford Lane

NISA

GLS2 3PY

85. GLS3 8NS.

GLS2 6XR

8 Sunking

42 OAKLAND AVENUE

2 WILSON DRIVE

185 CIRENCESTER RD

14A DULE STREET.

117 Cirencester Rd

16, Little Pleasant

2A YARNOLD.

134 CIRENCESTER RD

3 OROFT COURT

257 Cirencester Rd

18 Bafford Lane

12 Ineard Road.

Garden Road

RAVENSGATE ROAD

RECOILWAY RD. C. KING

30 Kynsham Rd Chelt.

5 Bafford Lane Chelt.

Hulbert Lane in Brighthelm.

Branch Hill Rise

Pumphreys Road

49 BAFFORD LANE, CHELT.

7, Branch Hill Rise

8 Buckles Close  
CIRENCESTER RD.  
5 South Keston Approach  
80 Bafford approach  
Gatrick Head, Ambrose  
76 Beeches Road  
6 craft grade  
22 Garden Rdj.  
32 Priors Road  
Hambrook ST  
17 Bafford Lane

M. Symonski  
157 CIRENCESTER RD  
Newport

Dr. S. S. S.

East Court Road  
8. Kimberley Walk  
2 Croft Parade

19 - Browning Mews  
5 Cherry Ave C/K  
7 Cherry Ave C/K  
Cowley

22, frem. case.  
Corvado Road  
HIGHLAND RD

ASHGROVE BEECHES  
4 Barton Close

21 Hesters way Rd adran  
14 branch Hill Rue

5 (Cherley) Road, Cheltenham  
Changrove Lane, Chelt.

PLUS 2 OVERLEAF



40 | 306



Ledmore Road.  
 Charlton Close  
 CROFT RD  
 1 LITTLE HERBERTS CLOSE  
 133 GIRENCESTER RD.  
 5 MTC COULES.  
 HORSEHAIR ST.  
 Branch Hill Road  
 112 Cirencester Rd.  
 21 BAFFORD LANE  
 30 CROFT ROAD.  
 [REDACTED]  
 East End Road  
 1 CROFT DRIVE  
 92 Cirencester Rd.  
 2 LARCH CLOSE  
  
 Cirencester Road  
 Cirencester Road  
 Cobham's Village  
 GHS 9  
 19 Pumphreys Rd.  
 CIRENCESTER RD. 251.  
 LITTLE HERBERTS RD  
 B R O C K W O R T H  
 SANDY LANE.  
 Pumphreys.  
 Newcourt Road (PTD)  
 V. ANNA BRADY RD  
 " " "  
 165 Cirencester Rd.  
 165 CIRENCESTER ROAD  
 1 CROFT ROAD  
 14 Longway AVE  
 167. Cirencester Rd.  
  
 BATHS ROAD.  
 Bradwell Rd. Ck.  
 3 CROFT PARADE

Note

I'm familiar with planning matters, and  
would be happy to help if you wish.



(Newcourt Road.)

CIRENCESTER RD.  
 CROFT ROAD  
 Garden Road  
 Ciren (C) Rd  
 Croft Parade  
 CIRENCESTER RD  
 SKEECHES ROAD  
 CIRENCESTER RD  
 BAFFORD LANE  
 CIRENCESTER RD  
 Longway and  
 WONDON RD  
 CHARLTON HILL  
 CHARLTON KINGS  
 CHARLTON PARK  
 PEE CLOSE, CK  
 COPTON RD. CK  
 BECHOS ROAD  
 CROFT GDN  
 Bucklehave  
 Haywards Road  
 Haywards Road.  
 OKUS ROAD, CK  
 Sandy Lane  
 GWE  
 GLS3  
 CIRENCESTER RD  
 GLE 4EX  
 28 COLSPAWN  
 4 Westing Rd  
 29 Lutterdown Rd.  
 76 Little (B) RD.  
 68 Cirencestre Road.  
 TAJUDEEN  
 1 Maple Drive  
 11 Haywards Rd.  
 55 Ravensgate  
 Old Bath Rd.  
 Bafford Approach

9 cherry avenue

60 Cirencester Rd

20 Fairwood Ave

17 Southfield

Cirencester Rd.

Branch Hill Rise

168, Cirencester Rd

Sunny Lane

27 Bafford Lane

NISA

GLS2 3P4

85. GLS3 8NS.

GLS2 6XR

8 Churchbury

42 OAKLAND AVENUE

2 WILSON DRIVE

185 CIRENCESTER RD

14A DULE STREET.

117 Cirencester Rd

16, Little Pleasant

2<sup>nd</sup> YARNOLD.

134 CIRENCESTER RD

3 CROFT COURT

257 Cirencester Rd

18 Bafford Avenue.

12 Head Road.

Garden Road

RAVENSCLAY RD.

REDCLOTH RD. C. KINGS

30 Kyrsham Rd Chelt.

5, Bafford Lane, Chelt.

Hulbert for the Brighthelm.

Branch Hill Rise

Pumphreys Road

49 BAFFORD LANE, CHELT.

7, Branch Hill Rise

8 Bodelos Close  
 CIRENCESTER RD.  
 5 South (141517) 11/12/18 CI  
 80 Bafford approach  
 " " " "  
 Garrick Head Ambrose  
 " " " "  
 76 Beeches Road  
 16 craft parade  
 22. Garden Rd.  
 32. Priors Road  
 " "  
 Hambleton ST  
 17. Bafford Lane.  
~~17. Bafford Lane.~~  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 14. Symonds St  
 157 CIRENCESTER RD  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 East Court Road  
 8. Kimberley Walk  
 2 Craft Parade  
 19. Browning Mews -  
 5, Cherry Ave CK  
 7, Cherry Ave CK  
 Cowley  
 22. Friar Close.  
 Corvodon Road  
 HATLAND RD  
 ASHLEY 20 OF BEECHES  
 4 Baiter Close  
 21 Hesters way Rd area  
 14 Branch Hill Rise  
 5 (Cherley Road, Cheltenham  
 Changoval Lane, Chelt.

PLUS 2 OVERCRAF

133 Cirencester Rd  
133 Cirencester Rd.

25 Priory Street, GLS2  
6DR

17 MORLANDS DRIVE  
17 OKUS Rd.  
17 Larkwood Grove.  
1 CROFT PARADE.

39 Box Cottage WPAADF.  
~~Chack~~ Chack King  
17 PARKWOOD GROVE

Chalton Kings  
2, MAPLE DRIVE Kings

Bark Cl. ch. K  
Beeches R<sup>d</sup> C.K.  
Beeches R<sup>d</sup> C.K.  
C. Kings

C KINGS BAFFORD GROVE

C KINGS BAFFORD  
Greencroft Rd

C KINGS GLS3 8BS

C King GLS3 9AW

C King GLS3 9AW

Buckles Cl. ch. Kings

Horseshoe St

ESCAPE HEALTH & BEAUTY.

BEECHES ROAD

H. LANSON GLEAD

4, in the Park.

7. Buckle Lane

BAFFORD

LITTLE HERBERT Rd GLS3 8L2

235 Greencroft Rd

" " "

Bafford App.

PURPLEY'S ROAD

5 LARCH CLOSE

20 Gladstone Rd.

CROFT AVE

BUCKLES ROW.

2 ROOSEVELT AVENUE

29, GLS3 7DG

GLS2 SNX

GLS3 8NL

GLS3 TRU

43/349

Page 286

5 Southfield Appraisal  
16 Branch Hill Rd



14 Sandy Lane  
 15 Croft Gdns Charlton Kings  
 14 LITTLE HERBERTS CLOSE  
 249 Cirencester Road  
 28 Charlton Court Road  
 11 Belford Lane  
 35 Winstonian Rd  
 4 Guardian Ct. Charl K.  
 155 Cirencester Rd.  
 18 Beeches  
 Wentworth, Cirencester Rd  
 5, Vineyard Rd. - C  
 155 Cirencester Road  
 60 GLENDALOW  
 1 Wealdy Rd  
 2 Wistley Rd.  
 151 Cirencester Road.  
 65 Cirencester Rd.  
 67A Cirencester Rd  
 " " " " " "  
 11, Ewens Rd.  
 " " " " " "  
 Cromwell Road  
 Cirencester Rd.  
 Presbury/  
 182 Cirencester Rd  
 2 Barton Cl.  
 5 Newcourt Park  
 up the road.  
 in CR.  
 Croft Rd.  
 Croft Rd.  
 Cirencester Rd.  
 CIRENCESTER RD.  
 4, BEECHES RD.  
 64 Beeches Road  
 91 Beeches Road  
 Cirencester Rd.  
 Smithwood.  
 32 Bafford Lane.

1 The Orchards, Glenall Way  
 1 HETTON GONS  
 35 POST ROAD  
 Bifford Lane.  
 Bafford App.  
 K Bank Balfour Rd  
 Cirencester Road  
 CHALTON CLOSE  
 Charlton Close  
 King Henry Close  
 154, Brunner Rd.  
 16 BUCKLEHAVEN  
 16 BUCKLEHAVEN  
 14 BUCKLEHAVEN  
 145. Cirencester Rd  
 23 Charlton Close  
 22 B. LUTON  
 37 Chase Ave  
 S. Station Close  
 15 CROFT AVE  
 North Somerset  
 PUMPERY ROAD  
 Luck Road  
 Newcourt Park  
 The Brick House  
 96 Beech Rd  
 Charlton Kings  
 Chase Avenue.  
 Charlton Kings  
 C/Kings  
 C/Kings, 1/2  
 41 MARGARET RD, CHELT  
 C/Kings  
 96 Cirencester Rd  
 GILLS HALL FARM  
 16 ORVIS RD C/Kings  
 5 BRILLANT DRIVE  
 H. COPTLEM GLOSE  
 CROFT AVE, C/Kings

Waltham G/K  
 Popt Elm close.  
 Smithwood Grove  
 Bafford Approach  
 Bafford Park

Pumphrey's Court.  
 Bradley Rd CK  
 BRADLEY RD CK  
 Charlton Kings  
 Cobesley  
 C/KINGS

Winchester Road  
 Bafford Approach  
 Osborn...  
 C Kings

C KINGS  
 C KINGS  
 C KINGS  
 C KINGS

John John  
 Gade

Im Rd, Charlton Kings  
 CHARLTON KINGS

Print Name

Signature

Page 290

Street I live in

W

C/K

C/K

C.K.

C/K

C/K.

C/K

C/K

Cirencester Road

Thampton Kings.

Lockhampton

C/Kings

1 Withyhall Park

C/Kings

C. Kings

BRADLEY ROAD

St Michaels Close

Cube. L.

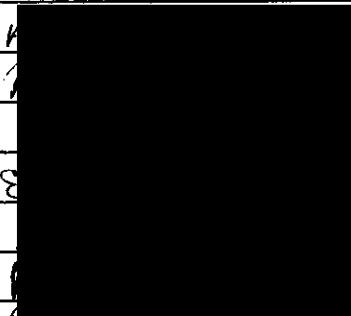
Church Kings

Cirencester Road

Cirencester Road

Willow Road

LEAFERS EN RKS



Beeches Yd

C.K

Churchward Rd

n Close Small

Cheltenham

People in the

COCKLEFORD

Cheltenham Kings

Cheltenham Kings

42/514

291 15 NEWCASTLE LOTS

14, LEEFIELD RD WEST.

33, Garden Road

28 Husefaw Street.

17 croft gardens.

Hambrook St. Charlton

28 Home Farm COURT

42 SANDY LANE

" " " "

> 322 Larkland GY 13

50 Morlands Drive

GOODWOOD, Newcastle Rd.

Beeches Rd. Charlton.

C/Kings

Bradley Road.

BAFFORD APP.

BAFFORD EST.

BRADLEY RD

1 HUGHESMAN HILL

4 croft Elm Road

22 Ravensgate

26 (Amesbury Rd)

Gloucester Road

Moore Rd.

SANDY LANE

Croft Road, C.K.

71 BEECHES RD C/K

Forde House Timbucktoo CK.

"Laburnum" Garden Rd

25, Garden Rd C/K

"

13 Newcastle Park

15 Bellfield Dr.

41 BAFFORD APPROACH

4 Bafford Approach

10 Bafford Approach

Birch Close

WELL HOUSE

2 Ua Beaufort RD

Croft Gardens

43/557

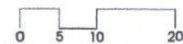
U

69 BEECHES	RD
69 BEECHES	RD
286, London Rd	Chelt.
CHALTON KINGS	CHCCT
14 Chalfont Drive	Chalton Kings
14 CHALFONTS DR	Chalton Kings
16 CHALFONTS RD	CHCCT.
48 LITTLE HAWK RD	
109 HAWES ROAD CHELTENHAM	GL52 6ST
6 CASTLEMEADS AVE	GL52 64R
1. Little Herbert Rd.	
131 CIRENCESTER.	GL53 80B
Hillview House	
Peggleworth	
CK Cheltenham	
14-12 Pumpheys Rd	CK Chel.
Bafford Lane	
Wille	
Cirencester Rd.	B32019A
7 RAVENSCOTE RD.	GL53 8NS
88 Beeches Road	GL53 84X
88 Beeches Rd	GL53 84X
Pomfret Lane Goshill A	GL53 8LP
Croft Rd	GL53 8CA
Beeches Estate	GL53 8PQ
4 BEECHES RD	" "
7 SAFFOLD LANE	GL53 8DN
Widnall Farm Bampton	GL54 38Y
Whithorne Crag, Exeter	GL52 6XX
BECKLEY CHURCH LANE	GL54 5SW
Cheltenham	GL51 9PW
CK KINGS	GL53 8PS
BAYFORD LANE	GL53 8DN
GLYNKOST RD	GL53 8QR
" "	GL53 8QR
12 Gladstone Rd	GL53 8JG
12 Gladstone Rd	GL53 8JG
122 Horsefair St	GL53 8JT
16 CIRENCESTER RD	GL53 8DG
245 Cirencester Rd	GL53 8EP
31 Bafford Lane	GL53 8DN

41/600  
548  
PLUS 2  
ON LEUNG



- Existing building to be removed
- Indicative vegetation
- Application boundary



Rev	Rev	By	Rev
Scale:	1:500	Size:	A3
Date:	14.11.13	Status:	PL
Drawn:	IMA	Checked:	-
Job No:	655	Dwg/Rev:	11
Title: PROPOSED BLOCK PLAN			

Project: Charlton Kings

Client: County to County



[REDACTED]  
151 Cirencester Road  
Charlton Kings  
Cheltenham  
Glos GL53 8DB  
30 October 2013

31/1/14 R/R SUBMITTED

Mike Redman  
Director of the Built Environment  
Cheltenham Borough Council  
Municipal Offices  
The Promenade  
Cheltenham

**CAR WASH SITE - 86 CIRENCESTER ROAD - NEW SHOP PROPOSAL**

13 | 02174 | FUL

I live directly opposite the former Crescent Autos site which has been used as a Hand Car Wash since 2009. We are all aware that County to County Developments propose to develop the site as a "convenience store" with some flats above and I wish to add my complaint to all of those of my neighbours and local businesses.

We moved to this house about 12/13 years ago and at first the traffic on the road was manageable. This was primarily because traffic for Cirencester, Swindon and the M4 stopped using our road, the A435, and went up Leckhampton Hill to use the new bypass. Crescent Autos did not generate a lot of traffic, it was for used car sales and you might see 4-6 customer cars on the forecourt, or on my side of the road blocking my dropped kerb, but car numbers were ok. When Crescent went bust we suffered through the noise and disturbance of the car auto tuning company that sub let from the new car sales people, and despite amenity protection from the Planning Inspectorate, they caused noise and disturbance 7 days a week with impunity ( we made repeated calls to CBC to complain about the noise but nothing effective came of it (your staff spoke with them, they ignored you and carried on),

When the site became a car wash in 2009 we saw the amount of traffic numbers go through the roof. Professional drivers from across Cheltenham, cabbies drawn here by the discount they receive, and white van drivers all started coming here to wash their cars rather than travel to Kingsditch. Why no traffic impact survey was done at the time is something which still baffles us as it was obvious that traffic numbers would increase significantly and impact us.

I have double glazing and can tune out the routine traffic noise that we get here. However, Irregular noise like the swooshing and whining of the car wash can clearly but heard in the house but they are pretty good neighbours and do not work beyond their permitted hours (although its a bit much on a Sunday)

My sons are 8 and 12 and sleep in the two bedrooms at the front of the house when they stay with me. If a shop was to open opposite the likely opening hours will be 6.00am to 11.00pm seven days a week. County to County say there are ways to mitigate the contentious shop application and I am guessing that they mean opening later and closing earlier. A 7.00am opening seven days a week will still mean deliveries before that time and we will be disturbed by running engines, noisy pallets being loaded/unloaded and people calling to one another and we know this for a fact because my sons stay with me and their mum, who lives directly opposite the NISA along the road. The boys have told me how noisy that can get at 7 in the morning and how it wakes them up.

The huge extra increase in traffic, the noise, disturbance, light pollution and total destruction of any amenity we have left will be gone if a shop opens across the road and I would urge the Planning Committee to refuse any application for these reasons. Its a residential area with enough shops thank you, we don't need any more. Please ensure that all members of the Planning Committee see my letter before they make any decision.

Yours sincerely

[REDACTED]



Bafford Croft  
4 Bafford Lane  
Charlton Kings  
Cheltenham  
GL53 8DL

10 June 2014

Dear Mrs White

**Planning application 13/02174/FUL**

Thank you for notifying us of the revisions to the above planning application.

Our objections to the proposed development are set out below.

**Summary**

The planning proposal fails to identify a need for more capacity in the area, and the proposed development is very likely to have a significant and detrimental impact on existing convenience stores.

**Retail statement**

Para 1.3 of the retail statement states "*It has been prepared in the context of the Joint Core Strategy Retail Study prepared by DPDS Limited in December 2011 ("The DPDS Study").*"

However, two very relevant parts of that study have been ignored.

- para A16 of the supplement recommends that when considering the effect of a proposed development on local centres, the relevant threshold for assessing impact should be 200sq.m. The retail statement does have a brief impact assessment (section 6), but it is superficial.
- Appendix D to the study concludes that Cheltenham already has an oversupply of convenience shopping. It anticipates no requirement for additional capacity until at least 2031.

Para 6.10 states that the NISA store does not appear as an individual entry in the household survey data of the DPDS study as a top up. It claims this as evidence that further top up provision is needed in the area.

However the household survey conducted by DPDS was not designed to identify top up provision across all of Cheltenham, but was specifically targeted at the city centre and three large local centres (Bath Rd., Coronation Sq. and Caernarvon Rd.). It consulted a total of 100 households in all of Cheltenham. The response figures for top up food shopping include 6 for Charlton Kings Coop (London Rd), and 9 for "Charlton Kings" which can be taken to comprise the other Charlton Kings convenience food stores.

The fact that NISA or other Charlton Kings convenience stores exist and appear to be trading successfully (see para 6.24 which estimates the NISA turnover at £650,000-£750,000 p.a.) is evidence enough that they are used.

The retail statement makes no attempt to estimate the total top up expenditure locally, so its claim (paras 3.7 and 6.14) that the majority of top up spending is directed to larger stores further afield has no data to support it.

Para 3.5 describes the range of goods that it is proposed will be offered *“A store of this size and character would typically offer a basic range of convenience goods such as groceries, sandwiches, snacks and confectionery. Non-food goods would comprise no more than 10% of the proposed floorspace and would typically be limited to toiletries, nappies and other ‘essential’ goods.”*

There is no mention here of alcoholic beverages or tobacco and nicotine products. Late-opening convenience stores across the country have extensive provision for the sale of such goods. The retail statement criticises the NISA offering in para 3.7 *“The Nisa unit appears to cater more for small basket and occasional purchases rather than providing a full top-up shopping outlet.”* and again in para 6.9 *“...the store continues to have a relatively limited offer, particularly in terms of fresh fruit and vegetables, fresh meat and other perishable goods.”* However the proposed store makes no claim to be offer anything other than what is already on offer in NISA.

Para 3.10 claims that the proposed store will offer *“between 20 and 30 full and part time positions for local people”*. No evidence is presented for this figure. The only citations (e.g. Tesco in Quedgley) indicate 15 positions. Given the oversupply of convenience capacity in Cheltenham as a whole identified by the DPDS study, it is doubtful if many of the jobs created would be genuinely new jobs, they would likely be at least partially compensated by redundancies elsewhere.

### **Impact and Sequential assessment**

The retail statement has what it calls a sequential assessment (section 5) which is fundamentally flawed. A sequential assessment is relevant in the context of a defined centre or local centres, and is intended to test whether the demonstrated need could best be served in existing centres.

The planning proposal fails to demonstrate any need for additional convenience capacity either in Cheltenham as a whole or in Charlton Kings. The executive summary states *“... the accompanying Retail Statement suitably demonstrates that there is a need for a retail use in this location and that it will not have a negative impact on the existing neighbourhood centres.”* Yet the only part of the retail statement that addresses need is in paras 3.7-3.9 which claim an increase of choice by comparison (solely) with NISA at Cirencester/Croft Rd and ignoring two other neighbourhood stores at Lyefield Rd and Church St. The retail statement indeed makes a point (in para 4.17) of stating that there is no requirement to define a need.

The sequential assessment that they do make is based on the assertion that there is an established need for new capacity in the Cirencester Rd area, and also treats the proposed location as an edge of centre location based on proximity to Cirencester Rd/Croft Rd shops. But as the retail statement itself points out (para 4.18) *“Small*

*parades of shops of purely neighbourhood significance are not regarded as centres for the purposes of this policy statement.*" The only nearby candidates for local centres according to this definition are the Lyefield Road and Church St centres, which lie 600m (by road or foot) away.

Para 5.13 restricts consideration to a catchment within 500m walking distance of the application site. This figure appears to be chosen so as to exclude the two existing local centres at Lyefield Rd and Church St, each of which is at 600m (less than 400m as the crow flies).

Para 5.14 seeks to justify this by reference to a previous appeal, however in that case the relevant distances were significantly greater at 1.2 km and 1.6 km.

Para 6.21-6.23 present some figures for the source of customers. They assert that 80% of custom will come from shopping which would otherwise have taken place at supermarkets much further afield, and only 20% from existing local shops. There is no evidence presented to justify these proportions.

An alternative estimate would start by looking at the total expected expenditure on top up shopping.

Industry estimates have around 25% - 30% of total convenience expenditure as top up.

Cheltenham convenience shopping is estimated (2014 figures taken from Table 2a of the DPDS Study, Appendix D) at £1,953/head. Taking the population of Charlton Kings to be 10,000 (2011 census, including the area north of London Rd) this gives an estimate of annual top up expenditure to be

$$30\% \times £1,953 \times 10,000 = £5.86M$$

Using the sales density figure from para 6.17 of the retail study of £4,500 per sq. m. gives a total need in Charlton Kings of

$$£5.86M / £4,500 = 1300 \text{ sq. m.}$$

Note that if we use higher estimates of sales density then the required need for sales area is correspondingly lower. According to Table 9 of Appendix D to the DPDS Study, the Charlton Kings Coop (London Rd) has a sales density of £7,600/sq.m. Using this higher sales density gives a total sales area need of

$$£5.86M / £7,600 = 771 \text{ sq.m.}$$

The inclusion of the area north of London Rd, much of whose population may well use Tesco Express on Hewlett Rd or Sainsburys on Priors Rd for their top up shopping means that these figures are likely to significantly overestimate the need for top up shopping south of London Rd.

According to the Valuation Office Agency's website, the existing stores have sales areas as follows:

Coop (London Rd)	314 sq.m.
Coop (Church St)	369 sq.m.



Budgens	117 sq.m.
NISA (revised)	131 sq.m.

The total is 931 sq.m.

In the context of this existing adequate provision, the proposed new convenience store of 280 sq.m will have a significant impact on the viability of existing smaller stores nearby (Budgen and NISA) as well as drawing trade from the Church St Coop.

### Site proposals

The original proposal included a large “totem”. We note that this part of the design has been altered, as have some of the architectural features of the proposed buildings. The design has clearly been altered to take into account the concerns of residents and be a little more sympathetic to the surrounding buildings; however it is completely generic with no form of supermarket branding and it seems unlikely that it could survive like this.

### Traffic

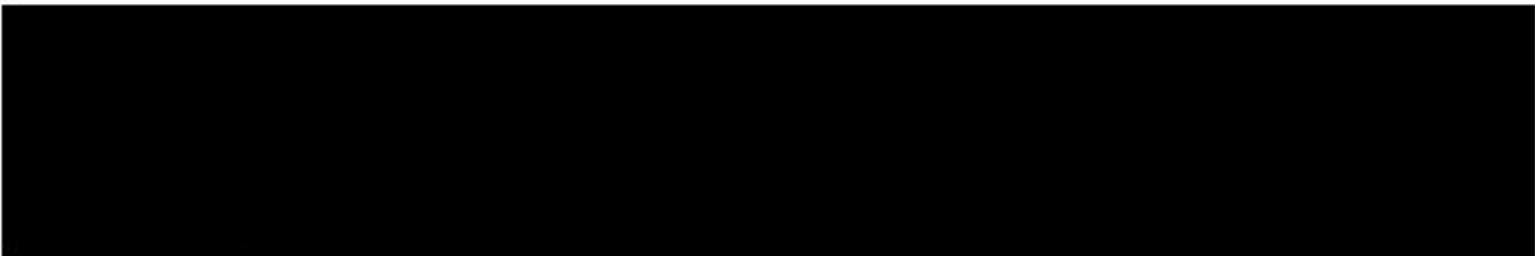
The planning proposal (para 2.2) refers to “*very intensive use*” and “*a steady stream of traffic entering the site*” with the existing use as a car wash. The car wash only operates during daylight hours, it is not a 7am-11pm facility. The proposed use as a convenience store would have delivery lorries arriving in the early morning before store opening.

Closure of the car wash would not reduce traffic levels overall as cars would have to find an alternative, most likely more distant, facility.

Additionally there would be a significantly increased risk of traffic accidents due to more people crossing the main road on what is already a difficult and dangerous bend for pedestrians. The population densities of the immediately surrounding areas are such that the majority of customers arriving on foot will be from the north-east side of Cirencester Road and so will have to cross the road twice.


The portion of Cirencester Road between Croft Road and Moorend Park Road/Lyefield Road already suffers from cars parked part-way on the pavement which both obstructs the footway and makes it more difficult to get a clear sight while crossing. This development would inevitably lead to additional illegal short-term parking in the area close to the shop, including the hazardous corner where Newcourt Road meets Bafford Lane.

Yours sincerely



William Deans

Geraldine Deans



7 JAN 2014

13 / 02174 / FOL

1 Charlton Close  
Charlton Kings  
Cheltenham  
GL53 8DH  
23rd January 2014

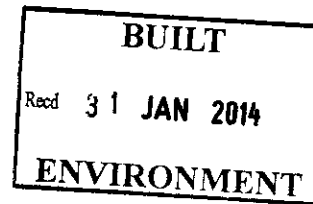
Dear Sirs,  
As a resident of Charlton Kings, these  
are my main concerns for the change of use for  
the car wash. The volume of traffic will be considerable.  
The Cirencester road is very fast, there are no  
yellow lines each side of the entrance of Newcourt Road  
with parked cars blocking the view, so it will be even  
more difficult to negotiate the Cirencester Road with  
large delivery vans and a constant stream of traffic.  
It is a very fast road with no crossing near the site!  
C/Kings is already catered for with a variety of shops!  
The noise for the residents opposite will be considerable!  
The volume of cars will block many roads and cause  
accidents.  
It is next to a park which may attract litter from  
a take away, and will detract from the area.

Yours Sincerely,



[REDACTED]  
The Coach House, 6 Bafford Lane, Charlton Kings, Cheltenham GL53 8DL  
[REDACTED]

Mrs Lucy White, Planning Officer  
Built Environment  
Cheltenham Borough Council  
PO Box 12 Municipal Offices, Promenade  
Cheltenham GL50 1PP



30 January 2014

Dear Mrs White

**CONVENIENCE STORE PLANNING APPLICATION: 13/02174/FUL re erection of new convenience store and retail units.**

We oppose this application in the strongest possible terms for the following reasons:

**1 It is not needed**

Of all the suburbs of Cheltenham where such a development might be proposed, Charlton Kings is certainly the one that least needs it. We have a good and well-supported convenience store less than 100m away as well as a rich mix of retail, service, restaurant and take away units within easy reach. These are sited both on the main B service bus route and in the areas used by residents collecting children from schools and accessing important local amenities such as the Post Office and Library.

The proposed scheme far from providing a much needed additional local amenity, as the proposal suggests, is likely to detract as existing independent retailers come under threat and potentially close with a resultant loss of jobs and important gaps left in our thriving and attractive community. It cannot therefore be considered a proposal for sustainable development.

We can only assume, given the wealth and strength of nearby thriving competition, that the developers, far from providing a local amenity, are seeking to attract passing trade from the numerous cars which pass up and down the Cirencester Road at peak times (see Traffic).

**2 The proposed scheme is ugly and inappropriate**

The scheme does not "enhance the character and appearance of the surrounding" area. We note that the developers claim to have taken care to choose materials which are appropriate to the surrounding architecture – which means that they are merely cladding what looks like an industrial unit in red bricks. The landscaping scheme is both misleading and deceitful as it simply shows existing vegetation on the boundaries and in the immediate vicinity with minimal low level planting on site. Anyway, it is sparse and will do nothing to disguise the service areas or to enhance the look of the site from the road. The scheme for commercial reasons needs to be visible to passing traffic and that is the priority in the planting scheme.

The proposed outlet is next to the Common which is both attractive and well-used. The application does nothing to enhance the overall look of the area but will patently detract from it. We accept that this site would benefit from development but it is much more suited to a small residential scheme given the shortage of such brown field sites in Cheltenham and the strength of existing local

amenities. Such a residential scheme, say of apartments, which suitably designed would fit very well into the surrounding residential area.

### 3 Traffic, parking and the high numbers of children at this point in Cirencester Road

Turning right or left out of Newcourt Road and Bafford Lane onto the Cirencester Road is already a nightmare because of parked cars, poor visibility and density of traffic. Hundreds of school children and other pedestrians also cross the road at this point to walk up to Balcarras, the Primary School and other local amenities. This site is also within 10m of Pumphreys Road on the opposite side of Cirencester Road. If drivers have to allow for cars slowing to enter the proposed scheme for shopping and takeaways and turning out of the development as well, it will become practically impossible without taking unacceptable risks. The outcome is also likely to see cars parking alongside the common on the unrestricted main Cirencester Road, which in turn is likely to obstruct the free flow of traffic on this narrow main road. Contrary to the estimated low number of Potential Injury Accidents based on statistics in the application, it is inevitable there will be accidents if this scheme is allowed to go ahead because of the unique geography of this junction point.

Inevitably, Newcourt Road with its narrow blind bend will become a chosen route for those unwilling to take the risk and this is a road totally unsuited to high levels of traffic.

There is insufficient parking for current properties on Cirencester Road during busy hours and none whatsoever in Bafford Lane. Newcourt Road has a small parking provision which is intended for those using the common. Given that there is only provision for sixteen places in the car park of the proposal, where are the staff for the convenience store and the other units going to park, never mind the customers of three commercial units?

### 4 Noise, smell and litter

At the moment this is a quiet and densely populated residential area which becomes busy during rush hour but quietens again during the day and in the evening. Early morning and late evening opening and deliveries cannot be allowed in a scheme which is only a few metres away from properties on Cirencester Road, Newcourt Road and Bafford Lane. Late night opening of takeaway/restaurant units will also potentially create groups of noisy people coming and going or hanging about outside or on the common. This will result in considerable disturbance in this otherwise quiet area and result in a loss of amenity for local residents.

In addition, the proposal for food outlets will create cooking smells just a few yards away from the nearby houses in Bafford Lane, Newcourt Road and Cirencester Road and an accumulation of litter blown from the site into nearby properties or dropped by customers in surrounding streets and on the Common. Waste collection stated as being weekly would be totally inadequate and likely to attract vermin particularly with outlets selling foods.

### 5 Tactics of the developer

We have read in detail the supporting paperwork of the developer who clearly believes that this is a borderline submission to the Council, given that the only gap that they could find in amenity locally was a limited supply of fresh fruit and vegetables at the local Nisa store (more than adequately provided for by other local shops only a short walk away).

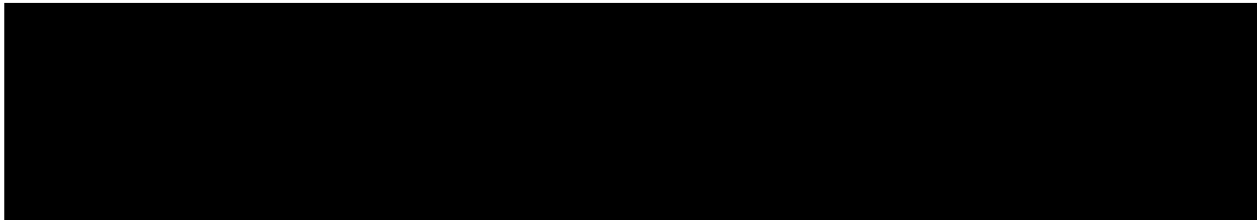
We are particularly concerned at the veiled threat that the applicant would take the case to appeal and that they are likely to win, and would ask that the Council does not fall for this. They claim to be adding local amenity. We can only assume that they have never visited the site, looked at the existing amenities in real detail, or considered the negative impact which such a scheme would have

on a vibrant and pleasant community well served already by its local retailers and restaurant and café owners – or simply don't care.

Finally, the applicant's descriptions of the scheme's attributes as: "providing employment opportunities"; "fulfilling a local retail need"; "offering a design to compliment (sic?) and enhance its urban setting" are outrageous and completely out of line with the wishes of local people.

**For all the above reasons we ask that the Planning Committee rejects this scheme and urgently considers this site for residential development which would enhance the look of the area, be appropriate, sustainable and respond to local need, as well as being in line with a number of existing precedents of replacing commercial enterprises with dwellings along the Cirencester Road from the site southwards.**

Yours sincerely

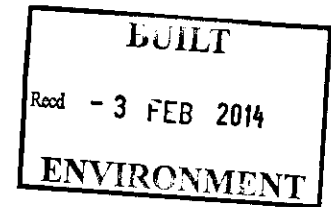


.cc                      Right Honourable Martin Horwood  
                             Councillor Klara Sudbury  
                             Paul Baker  
                             Alex Chalk

Via email              Bob Reid  
                             Helena McCloskey



26 Bafford Lane  
Charlton Kings  
Cheltenham  
GL53 8DL



Feb 1<sup>st</sup> 2014

The Planning Department  
Cheltenham Borough Council  
PO Box 10  
Municipal Offices  
The Promenade  
Cheltenham GL53 1PP

Dear Sirs,

**Planning Application Ref: 13/02174/FUL**

**Proposals for a convenience store and two retail units on Cirencester Road**

We would like to register our strong opposition to this proposed development, for three principal reasons:

- 1) In our view, this would have a detrimental, possibly even fatal, effect on other local retailers. The existing shops on Lyefield Road, (Smith and Mann, a coffee shop, a chemist and a florist), the Co-op and newsagent in the village centre, as well as the butcher and the Nisa store on the Cirencester Road, and several other outlets on Sixways), all provide employment, a service and a focal point to the community here. Cheltenham is already quite densely populated with large supermarkets, so let us be clear that any new "metro style" store by one of the giants would be a "zero-sum game". In particular we believe that:
  - a. There would be almost **zero change or gain in net retail sales** (as all surrounding communities have their own Co-ops or other stores, and Cirencester Rd is simply a "Way In" or "Way out" of Cheltenham).
  - b. There is very **little prospect of any net gain in employment**.
  - c. But the staying and purchasing power of a Morrisons, Tesco or other supermarket behemoth will almost **certainly put other stores out of business**.
- 2) There would, we are certain, be a detrimental effect on the character of the village of Charlton Kings. We've seen the boarding up of the High Street in towns and cities throughout the country; we, however, have made our homes and our lives in Charlton Kings, and we certainly don't want to see this desolation happening here, in our community.
- 3) We feel there to be an issue with parking and safety. We live in Bafford Lane and even now it can be difficult to pull out onto the Cirencester Road as there are often parked cars obscuring the view of on-coming traffic. (And please be assured that yellow lines, out of the town centre, deter no one).

Bafford Lane is already almost impassable at times because of thoughtless parking. Newcourt Road, too, is dark and narrow at the top end, and it only takes one thoughtlessly parked car there to make the junction with Bafford Lane and Cirencester Road fraught with difficulty. Many school children cross at this point too, so any loss of visibility due to parked cars or increased traffic could be very dangerous.

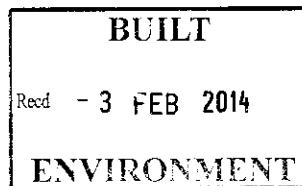
Yours faithfully



7, Bafford Lane,  
Charlton Kings,  
Cheltenham.

GL53 8DN

31-1-14



Planning Dep,  
Cheltenham Borough Council,  
The Promenade,  
Cheltenham.

Dear Sirs,

Re: Redevelopment of car wash site, Cirencester Rd.

As residents of Bafford Lane we are totalling against the proposed redevelopment for several reasons,

Firstly: The junction of Cirencester Rd/Newcourt Rd/Bafford Lane is already a dangerous junction and added traffic and parking will only increase the problems. It is a known fact that despite parking spaces provided customers just calling in for a paper, or a bag of chips etc will just pull up on the road and not bother to park in the car park ....you only have to look around Cheltenham to see the problems it causes.

Cirencester Rd is a very busy road at the best of times and we have seen how difficult it is when attempting to cross the road and as numerous school children use Bafford Lane as a shortcut it will increase to dangers for them crossing the road with the added traffic/ parking.

Secondly: There will be added problems with lorries delivering day and night again causing traffic problems but also noise problems. Having lived in Church Piece when the supermarket was opened there we know what we are talking about.

Thirdly: We have enough supermarkets , convenience stores and take aways already in Charlton Kings all giving a good service and opening long hours.....this development will only causes hardship to them and possibly cause some to close.

Fourthly: A take away /café will again cause noise problems and litter problems beside the traffic problems.

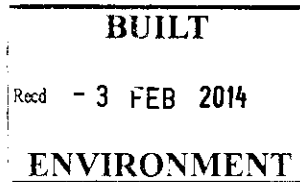
Fifthly: When the car wash applied for planning they were restricted to the hours they opened..... nine till six Monday to Saturday and ten till two Sundays and Bank Holidays because of noise levels. Will a supermarket not cause noise problems? Why can the rules and regulations be changed so drastically because someone wants to open a supermarket?

Please refuse this application to develop the site on behalf of the residents of Cirencester Rd,  
Newcourt Rd and Bafford Lane.

Yours Faithfully



The Planning Dept  
Cheltenham Borough Council  
Municipal Offices  
The Promenade  
CHELTENHAM  
GL50 1PP



18 Shrublands  
Charlton Kings  
Cheltenham  
GL53 0ND

30<sup>th</sup> January 2014

Dear Sirs

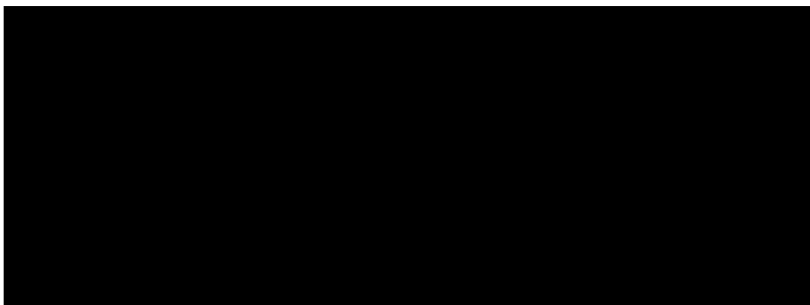
Ref: 13/02174/FUL

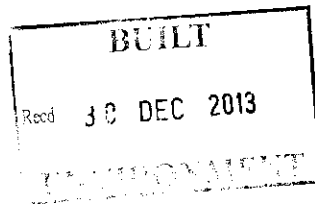
With reference to the above planning application, we wish to object on the following grounds:

1. The increased level of traffic cannot be managed with the existing road size and layout.
2. The provision of just 16 parking place is insufficient for staff and users causing danger to other road users and pedestrians alike.
3. The increased noise and disturbance for 17 long hours a day is unwarranted.
4. We don't believe there is a need for yet another small convenience store in Charlton Kings.

We trust that you will take into account the views of the local community and reject this planning application.

Yours faithfully





8 Ham Close  
Cheltenham  
Glos. GL52 6NP

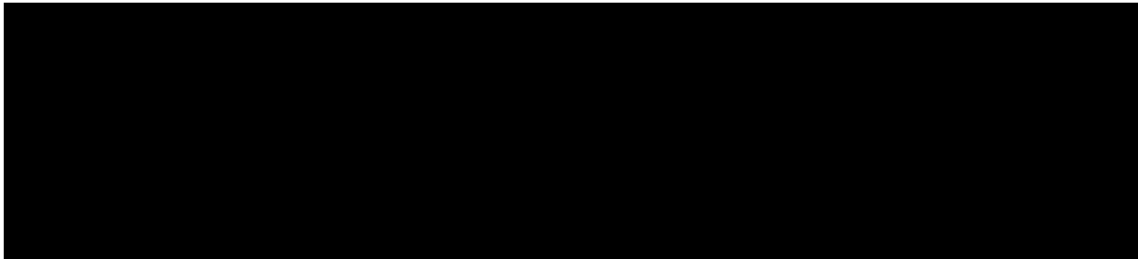
23 December 2013

Planning Department  
Cheltenham Borough Council  
PO. Box 10, Municipal Offices  
The Promenade  
Cheltenham GL50 1PP

Dear Sirs,

We do not agree with the proposal to redevelop the car wash in the Cirencester Road to build another Tesco. In any case, there are more than enough supermarkets in Cheltenham already.

Yours faithfully,

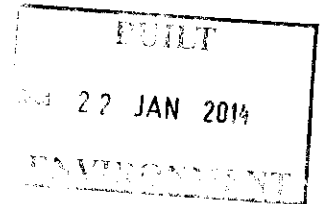


*Hazeldene, 24 Croft Road, Charlton Kings, Cheltenham, GL53 8LA*



20th January, 2014.

Planning Department,  
Cheltenham Borough Council,  
Municipal Offices,  
Promenade,  
Cheltenham.  
GL50 9SA.



Dear Sirs,

**Planning Application No. 13/02174/FUL - Cirencester Road Development**

I wish to register my complete opposition to this application, the reasons for which are set out below.

**1. Transport disruption**

The application states that there will be little disruption due to:

- (1) the provision of sixteen parking spaces. How many of these will be used by staff? Human nature being what it is, it is highly likely that people will ignore these and park in Cirencester Road for speedy minor purchases leading to more congestion. Oh what fun there will be when the races are on or traffic is rerouted from the M5 or the Air Balloon when there are accidents!!.
- (2) delivery vehicles will only use the south entrance, which obviously means that they will have to exit via the north. Where oh where are they going to turn so as to return from whence they came? This will no doubt lead to congestion on the side roads. Newcourt Road is probably too narrow for these vehicles so that leaves Croft Road and Bafford Road as the only alternative. Can these roads really take more traffic?
- (3) bus services - the applicants are being somewhat economical with the truth when they state that the 813 bus to Moreton will serve the development. This only goes to Moreton one day per week and then for Moreton Market so people are unlikely to use this to go to the convenience store. The other two busses, Nos. 51 and P/Q, are hardly likely to bring people to shop here as people are more likely headed to the town centre or Cirencester. There is no immediate bus service serving the two large estates, Beaches and Bafford.
- (4) pedestrian access - granted there are adequate pavements on either side of the Cirencester Road, and there have not been many accidents but currently access to the car wash is by those in a car. What will happen during the morning rush hour when children wish to use the new store and then have to cross the road to get to the schools and plenty of them use both Pumphreys Road and Croft Road. . Are they really going to use the

pedestrian crossing up the road? Realistically NO. Watch this space for future increases in accidents!

2. Referring to the Mango report:

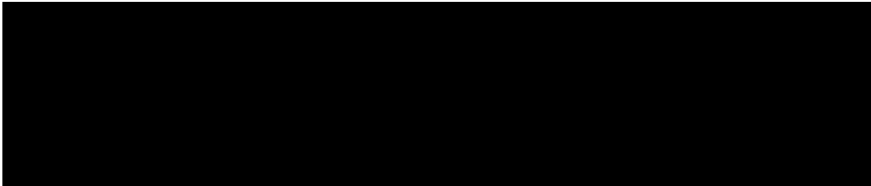
(1) Do we need another convenience store? I say NO as we are adequately served with three stores in the immediate vicinity, two of which provide a comprehensive range of items, namely the Co-op and Smith and Mann (Budgens). Another store still only reduce foot fall for the current ones which then may become uneconomic and close.

(2) There are far better car parking spaces near the Co-op which has the added advantage of the Library, two take-aways, a newsagents, hairdresser and cafe.

(3) paragraph 5.13 does not mention the Church Street site and paragraph 6.11 states that it is further away than the Lyefield West Road site. This is wrong as access from the proposed store is nearer when one walks either through Pumphreys Road or Croft Road, to Horsefair and via the car park entrance to the site.

I strong urge you not to pass this plan.

Yours faithfully,

A large black rectangular box redacting the signature of the councillor.

c.c. Charlton Kings Parish Council  
Councillor Helena McCloskey



From [REDACTED]

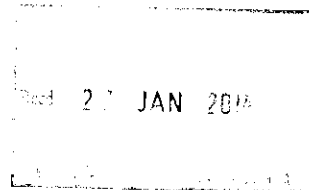
Page 511

46 Cirencester Road,  
Cheltenham,  
GL53 8DA.

24 Jan 2014

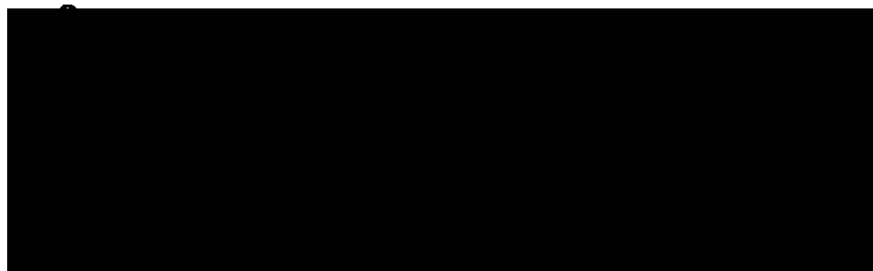
The Planning Department,  
Cheltenham Borough Council.

Re: 13/02174/FUL



We oppose the proposals for a new convenience store and two retail units with associated parking on Cirencester Road for the following reasons:

1. The development will result in noise from car engines, door slamming, people congregating outside the take away late at night, delivery lorries and supply vehicles coming and going at all times. (Policy CP4(a)).
2. There will be extra traffic on an already busy road and extra parking in an area already facing difficulties with parking. (CP4(b))
3. The area is already well served by similar convenience stores, the NISA, Budge's (Smith and Mann) and the Co-op. The viability of these stores could well be seriously affected. (CP4(c)).



21 JAN 2014

Page 312 10, SAFFORD LANE,  
CHALTON KINGS,  
CHELTENHAM.

GL 53 8 DL.

21 / 1 / 2014

Dear Sir,

PLANNING REFERENCE 13/02174

We object to the above on the following grounds:

- ① The type of development & its opening hours will inevitably create a lot of activity & noise which will badly affect local residents.
- ② Surrounding roads already suffer from increasing road parking & Safford Lane in particular is at times almost impossible for emergency vehicles (recently an ambulance had great difficulty getting to our home). Already an exit onto Linnets Road can be dangerous because of parked vehicles & several <sup>than</sup> have nearly been hit by vehicles queuing on Linnets Road. This is an accident waiting to happen & we have previously complained to our Local Councillor & the County Council, housing Linnets Road by foot is sometimes impossible. The increase in traffic plus the need for staff

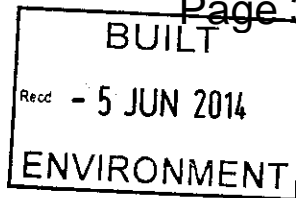
cons to put same Page 313ll make the  
situation intolerable & will destroy the  
residential nature of the area.

③ The area is currently well served by  
convenience stores, cafes, & takeaways within  
walking distance. In terms of choice &  
competition we do not need the development.

④ This site on a popular entrance into  
Cheltenham demands an attractive development in  
keeping with the residential nature of the  
locality. The proposal does not fulfil this.

Yours faithfully,





10, RAFFORD LANE,  
CHALTON KINGS  
CHELTENHAM.

2nd JUNE 2014.

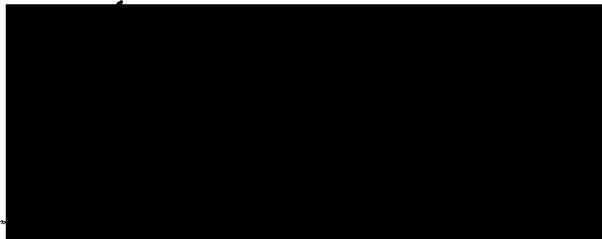
Dear Sir,

REF: 13/02174/FUL

I write to you expressing strong objection to the original proposal. This has not been covered by the revised application.

The area is already well served by commercial stores & is completely unnecessary. The development would be out of character with the surrounding residential property & on a site much more suitable for much needed housing. Furthermore it would generate more traffic at an already dangerous road junction (mainly 4 car road for several miles).

Yours faithfully,



29 Charlton Close  
Charlton Kings  
Cheltenham  
Glos GL53 8DH

27 JAN 2014

The Planning Dept  
Cheltenham Borough Council  
PO Box 10  
Municipal offices  
The Promenade  
Cheltenham GL50 1PP

24<sup>th</sup> January 2014

Dear Sir/Madam

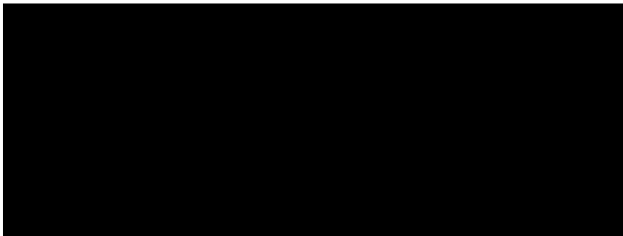
Re Planning Application no: 13/02174/FUL  
Convenience Store and two retail outlets with associated parking Cirencester Road

We object on the following grounds:-

- 1) Another convenience store/supermarket in the area would be superfluous and unnecessary.
- 2) The viability of the privately owned businesses in Charlton Kings would be threatened.
- 3) Traffic congestion would be horrendous and dangerous, not only on the Cirencester Road but in the surrounding narrow roads. Access and visibility is already poor at that junction and on that stretch of the Cirencester Road.
- 4) This development would have a detrimental effect on the amenity and environment of the surrounding properties.

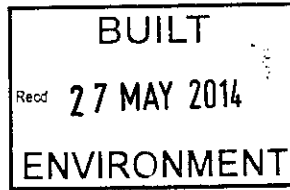
I trust you will give these points serious consideration.

Yours faithfully



29 Charlton Close  
Charlton Kings  
Cheltenham  
Glos GL53 8DH

The Planning Dept  
Cheltenham Borough Council  
PO Box 10  
Municipal Offices  
The Promenade  
Cheltenham GL50 1PP



23<sup>rd</sup> May 2014

Dear Sir/Madam

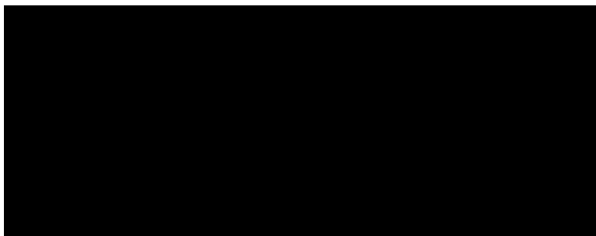
Re Planning Application no: 13/02174/FUL  
Convenience Store with associated parking Cirencester Road

We object on the following grounds:-

- 1) A convenience store on this site would be superfluous and unnecessary.
- 2) The viability of the privately owned businesses in Charlton Kings would be threatened.
- 3) Traffic congestion would be horrendous and dangerous, not only on the Cirencester Road but in the surrounding narrow roads. Whatever parking may be provided it will not prevent people leaving their cars on the Cirencester Road (just for a moment?!) or in Newcourt Road or Bafford Lane. Access and visibility is already poor at that junction and on that stretch of the Cirencester Road and further hazards would render exiting from Bafford Lane/Newcourt Road very very dangerous.
- 4) This development would have a detrimental effect on the amenity and environment of the surrounding properties.

I trust you will give these points serious consideration.

Yours faithfully



JAN 2011

70 Cirencester Rd.  
Charlton Kings  
Cheltenham, Glos.  
GL53 8DA

29.11.11

Your ref No 13/C2174/FUL

Comment on the Proposal

I strongly oppose the proposed use to which

the application for development refers:

A convenience store - we already have three in the immediate area, one with an inhouse bakery, one with a butchery & delicatessen department.

Retail units for use as food/drink retail take away/ coffee shop - restaurant. - we have coffee shops in Lyfild Rd, in Church Piece and in Church Rd West - we have an English and an Indian Take away in Church Piece and a Chinese in Church Rd.

- we have restaurant facilities in The Royal, The Merryfellow, Cheltenham Park Hotel and The Clock Tower. Also it is likely that the Little Owl is to be reopened.

- drink retail is available in all three extant convenience stores, as are Newsagents and tobacco.

We need a post office - The nearest is in Bath Rd

Traffic The enclosed photos show the type of vehicle commonly passing parked cars. Two way traffic is often disrupted - and this is an A road.

With a very shaky hand





7 Newcourt Road  
Charlton Kings  
Cheltenham  
GL53 9AZ

26<sup>th</sup> January 2014

Dear Sir

**Planning Application 13/02174/FUL – Proposal for a new convenience (A1) store and two retail units(A3) with associated parking at 86 Cirencester Road, Charlton Kings, Cheltenham.**

We wish to strongly object to the above application on the following grounds:

1. This proposal does not raise the standards of good design and the applicants have made no attempt to evolve their designs with the local community. The NPPF empowers local people to shape their surroundings and expects applicants to work directly with those affected by their proposals. A letter inviting comments a few days before the submission was inadequate and cynical. It has not gone unnoticed that the application is also accompanied by appeal case law, a somewhat aggressive tactic before the application is determined.
2. The uses proposed and the hours of opening are likely to increase nuisance such as litter, anti social behavior and unacceptable harm to the peace and tranquility of local residents.
3. The resultant levels of traffic and deliveries to and from the site will have an adverse effect on local residents and the surrounding neighbourhood.
4. The proposal will have an adverse impact on the viability of existing local shopping facilities. This is not a response to the needs of the local community.
5. The refuse strategy, lighting strategy are not adequately explained neither is the control of noise from refrigeration, and cooking smells from extractors.
6. The proposals main motivation is the maximization of retail floor space, with disregard for the impact on its surroundings, the footprint of the building is too large and does not sit comfortably within the confines of the boundary.
7. The building does not demonstrate good architecture nor does it secure high quality design. This is a poor design response with an unresolved eclectic mix of materials and enclosures. There is an opportunity to develop this important site, on one of the main routes in to Cheltenham,

with principles of good urban design, creative architecture and appropriate landscape

8. The landscape proposals do not mitigate the impact of the building on local surroundings. The leafy character of this part of Newcourt Road will be completely destroyed. There is insufficient space to create a meaningful landscape buffer with suitable plant species to replicate the existing height and leafy character of this 'green' lane.

We believe this application contravenes the intent of the National and the following Local Plan Policies :

CP3  
CP4  
CP7

*"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."*

**National Planning Policy Framework**

Yours faithfully

A solid black rectangular box used to redact the signature and name of the person making the statement.

20 JAN 2014

Page 321 The Herald

33 Brookway Road

Charlton Kings

Cheltenham

GL53 8HF

Re the "car wash" site  
in Cirencester Road C/K's.

15/1/14.

I am writing to object to plans for  
the "car wash" site that include another supermarket.  
The site is unsuitable - the traffic is already  
very heavy on the Cirencester Road - the site  
was originally a car sales site - is it 'clean'  
enough for a food store? further we certainly  
do ~~not~~ need another store - we have the  
Nicer 50 metres away - a LOPD by the library  
a LOPD at Six Ways & the excellent Smith &  
Mann now Budgens in Left Elm Road. All  
good stores that have served the community  
for years - why force them to close? Being  
82 I have a vested interest if Budgens had  
to close what would I do? I couldn't walk as  
far as the LOPDs or Nicer with shopping. Please  
think long & hard before allowing another  
convenience store - the only people it would  
please would be the developers - we will end  
up like some of the nearby towns with only  
'local' Tescos Morrisons etc.

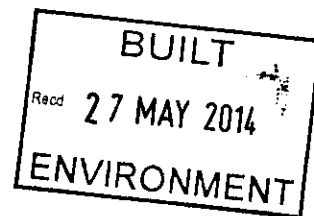
Yours

[Redacted signature]



# CHEL TENHAM

## BOROUGH COUNCIL



The Owner/Occupier  
The Hendre  
33 Brookway Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HF

Planning Officer: Mrs Lucy White  
ddi Number: 01242 264315  
e-mail: [dccomments@cheltenham.gov.uk](mailto:dccomments@cheltenham.gov.uk)  
our ref: 13/02174/FUL

Date: 20th May 2014

Dear Resident

**R.E: Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site) at 86 Cirencester Road Charlton Kings Cheltenham**

Revised plans for the development above have been registered with the Council. Before a decision is made, I invite you to view the revised proposal and submit any comments no later than **10th June 2014**. Comments can be made through our website [www.cheltenham.gov.uk/publicaccess](http://www.cheltenham.gov.uk/publicaccess) quoting the reference number **13/02174/FUL** or to the address below. All representations will appear on our website and will be publicly available. The application is also available for inspection at the Municipal Offices during normal office hours.

**The two A3 units have been deleted from the scheme and there are subsequent revisions to layout, design and parking provision.**

Please note that the heading to this letter may be abbreviated and should not be regarded as a complete description of the application(s).

Yours sincerely

Tracey Crews: Head of Planning

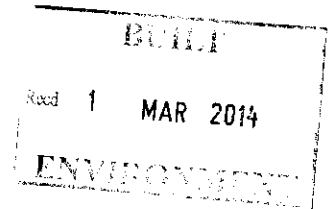
*The Hendre  
33 Brookway Rd  
Charlton Kings  
GL53 8HF.*

*I have no access to a website & I am unable to get to the Municipal offices to read the above plans but I must object most strongly to the erection of a Convenience store on the Cirencester Rd site. Why? There is already a Nice store almost opposite along with a COOP by the Albany & Budgens in Popfield Rd. The traffic is already heavy in Cirencester Rd & in the evening/night when the residents cars are all parked along it - not easy to drive - Please refuse this application - the village does not need it - use the right to build affordable houses for our young people*

MIKE REDMAN : DIRECTOR • BUILT ENVIRONMENT

CHEL TENHAM BOROUGH COUNCIL • P.O. BOX 12 • MUNICIPAL OFFICES • PROMENADE • CHEL TENHAM • GLOS • GL50 1PP  
TELEPHONE 01242 262626 • FACSIMILE 01242 227323 • DX 7406 CHEL TENHAM 1 • EMAIL [builtenvironment@cheltenham.gov.uk](mailto:builtenvironment@cheltenham.gov.uk)

31 CHARLTON CLOSE  
CHARLTON KINGS  
CHELTENHAM  
GL53 8DH



10/03/2014

RE: PLANNING APPLICATION 13/02/14

Dear Sir/Madam,

I am [REDACTED] a resident of 31 Charlton Close,  
Charlton Kings.

As a local resident, I am writing to strongly oppose the proposal  
of building a Supermarket and two take aways on  
Cirencester Road.

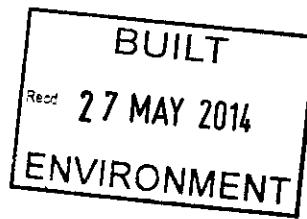
We already have NISA and the Co-OP nearby which are already  
providing good services, and as this is a clear road to Cirencester,  
building a Supermarket on the proposed site will just cause some  
unnecessary traffic congestion and a lot of noise to the  
neighbourhood.

Your Consideration to this matter will be greatly appreciated.

Yours Sincerely,

[REDACTED]

31 Charlton Close  
Charlton Kings  
Cheltenham  
Glos GL53 8DH



The Planning Dept  
Cheltenham Borough Council  
PO Box 10  
Municipal offices  
The Promenade  
Cheltenham GL50 1PP

23<sup>rd</sup> May 2014

Dear Sir/Madam

Re Planning Application no: 13/02174/FUL  
Convenience Store with associated parking Cirencester Road

I oppose this application for the following reasons:-

- 1) There is already a convenience store on the Cirencester Road which would make another one superfluous and unnecessary.
- 2) The livelihood of the other, many privately owned businesses in Charlton Kings would be threatened.
- 3) . Although some parking may be provided it will not prevent people leaving their cars on the Cirencester Road or in Newcourt Road or Bafford Lane. Access and visibility is already poor at that junction and on that stretch of the Cirencester Road and further hazards would render exiting from Bafford Lane/Newcourt Road extremely dangerous.
- 4) This development would have a detrimental effect on the amenity and environment of the surrounding properties.

I trust you will give these points serious consideration.

Yours faithfully

[Redacted signature block]

Charlton Kings

Cheltenham

GL53 0ND

16<sup>th</sup> March 2014

Dear Sir/Madam,

Re: 86 Cirencester Road - Shop Application

I want to object strongly against the planning application for a convenience store on Cirencester Road.

Firstly, Charlton Kings is well served by both convenience stores and cafes. I regularly use the stores in the area for a wide range of 'supermarket-type' products. In the last 2 weeks I have used Nisa (cash), Coop in Church Piece (credit), Smith & Mann (fresh vegetables.) And I am quite clear who is likely to have what. I certainly do not need another convenience store.

Secondly, if it increases ~~the~~ the sales in the area this will necessarily lead to more congestion at a place that is already a bottleneck. It

is furthermore already Page 32 difficult junction with traffic coming from 4 directions. A convenience in its nature involves a lot of cars doing short stops, which will further complicate the number of cars stopping + pulling away. Furthermore you can foresee people popping between the Nisa and new convenience store just to pick up something else. The mix of car congestion and people dashing across the road is a significant safety hazard, not least for children walking through to Balcarras.

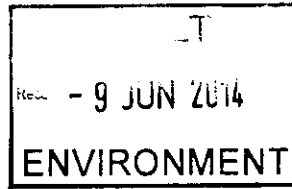
Thirdly the commercial impact on other shops and cafes in the area will I suspect be no share considerably more than some of suggested of the existing trade. This inevitably reduces profitability of the smaller retailers and in due course reduce service, choice and range.

Charlton Kings currently is a thriving community well supported by its local retailers + services. This application is a death knell.

Yours faithfully







10 Pumphreys Road  
Charlton Kings  
Cheltenham  
GL53 8DD

Planning Department  
Cheltenham Borough Council  
Municipal Offices  
Cheltenham GL50 9SA

*6 June 2014*

Dear Sirs

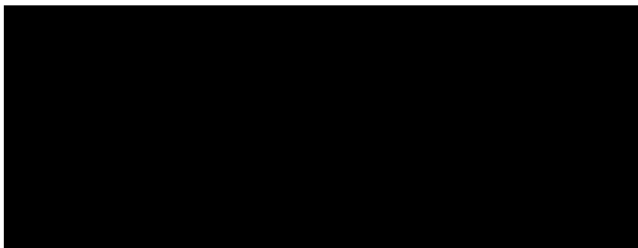
Planning Application No.13/02174/FUL – Cirencester Road Development

Further to my previous letter regarding the above, I note that the plans for the Car Wash site have been revised, as per your letter dated 20<sup>th</sup> May.

However, I am still opposed to the building of a Convenience Store on this site. Even with the provision of more parking spaces, there is bound to be a considerable increase in traffic at the site. As a resident of Pumphreys Road, I already have great difficulty in exiting my road, on account of the cars parked on both sides of Cirencester Road (the yellow lines have, if anything, made the problem worse). The increase in traffic caused by the presence of a convenience store can only add to this. Furthermore, we do not need a store of this type in the area, as we already have NISA on the corner, and the Co-op and Smith and Mann very nearby: we also have a Newsagents, Butchery and a Takeaway near the Library.

I am also concerned at the prospect of noise and litter generated by yet another retail outlet. This really is a most unsuitable site for a development of this nature. The Car Wash does good business, is not open all hours, and does not create any nuisance for the people living opposite. If your Council needs to redevelop the site, could it not be used for housing? Every day we are told that there is a huge shortage of affordable housing, so this would be a worthwhile use of the site, whereas the provision of a retail outlet is neither needed nor welcome.

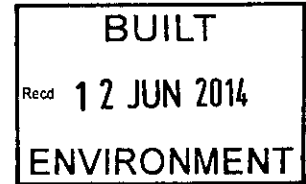
Yours faithfully





# CHEL TENHAM

## BOROUGH COUNCIL



The Owner/Occupier  
Underley  
26 Bafford Lane  
Cheltenham  
Gloucestershire  
GL53 8DL

Planning Officer: Mrs Lucy White  
ddi Number: 01242 264315  
e-mail: [dccomments@cheltenham.gov.uk](mailto:dccomments@cheltenham.gov.uk)  
our ref: 13/02174/FUL

Date: 20th May 2014

Dear Resident

**R.E: Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site) at 86 Cirencester Road Charlton Kings Cheltenham**

Revised plans for the development above have been registered with the Council. Before a decision is made, I invite you to view the revised proposal and submit any comments no later than **10th June 2014**. Comments can be made through our website [www.cheltenham.gov.uk/publicaccess](http://www.cheltenham.gov.uk/publicaccess) quoting the reference number **13/02174/FUL** or to the address below. All representations will appear on our website and will be publicly available. The application is also available for inspection at the Municipal Offices during normal office hours.

**The two A3 units have been deleted from the scheme and there are subsequent revisions to layout, design and parking provision.**

Please note that the heading to this letter may be abbreviated and should not be regarded as a complete description of the application(s).

Yours sincerely

Tracey Crews: Head of Planning

*Underley, 26 Bafford  
Lane,*

Dear Sirs

*whilst we think that even the revised plan is a bit bland and lacking in style, anything has to be better than the current eyesore. The existing site is a disgrace and a blot on the area. Even if the convenience store plan is rejected please, please do something about the current site.*



<b>APPLICATION NO:</b> 13/02174/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th January 2014		<b>DATE OF EXPIRY:</b> 5th March 2014
<b>WARD:</b> Charlton Park		<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	CTC (Gloucester) Ltd	
<b>AGENT:</b>	Hunter Page Planning	
<b>LOCATION:</b>	86 Cirencester Road, Charlton Kings, Cheltenham	
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. Attached to this update report is the full consultation response from the County Council Highways Officer.
- 1.2. The comments supersede previous comments made on June 10<sup>th</sup> 2014 and respond to the revised layout and Delivery Management Plan submitted on 26 the June 2014. The comments should also be read in conjunction with the Highways Plan submitted on 2<sup>nd</sup> July 2014 which details parking manoeuvrability, HGV tracking, road markings, pedestrian crossing and junction width alterations at the Newcourt Road and Cirencester junction.
- 1.3. Given the concerns raised by some local residents in relation to HGV driver visibility, the Highways Officer has sought an independent review of the proposed layout and delivery arrangements from transport consultants (AECOM) and the Road Safety Auditors, who both agree with the conclusions of the Highways Officer.
- 1.4. Attention is drawn to a number of key considerations which have led to a positive recommendation in terms of highway safety; the previous uses of the site, the insignificant number of deliveries anticipated by rigid vehicles, the layout of the service delivery bay and customer car park, Delivery Management Plan and the various highway improvements and mitigation measures which would be secured by financial contribution.
- 1.5. In summary, the Highways Officer considers that, provided the site operates in accordance with the revised layout and Delivery Management Plan then the cumulative impact of the proposed development should not be severe and a safe and suitable access would be provided for all users of the site. Appropriate use of the proposed off road parking provision should be adequate to prevent a high occurrence of on-street parking but should indiscriminate parking be found to cause severe highway safety issues, then the mitigation measures put forward would allow the highway authority to address any future problems
- 1.6. In light of the revised comments from the Highways Officer, and following the conclusions set out in the original officer report, the recommendation is to permit subject to the applicant entering into a s106 Agreement to secure the proposed highway improvements.



# Gloucestershire

## COUNTY COUNCIL

**Planning Application 13/02174/FUL**

**86 Cirencester Road**

**Highway Response July 2014**

### Proposal

Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)

### Introduction

This response supersedes the response dated June 2014, and is reflects an amended submission primarily in transport terms;

Delivery Management Plan Southern Approach – Left in/out arrangement 13-00234/DMP/01/Rev G  
Swept Path Analysis of Access and egress junctions 13-00234/SPA/01/C

### Planning History

It is the view of the highway authority, and interalia the local planning authority, that the sites planning history is a material consideration. The current authorised use of the site is second hand car sales/car workshop repairs and valeting, (which includes the use of the site as a car wash). The opening hours for the car wash are 09:00 - 18:00 Monday to Saturday and 10:00 - 14:00 on Sundays and Bank Holidays.

However, the possible re-use of the site as a petrol filling station should be afforded considerable weight. The canopy and tanks are still in-situ along with the associated ancillary buildings. Delivery vehicles for the PFS would likely have been able to park and deliver off road. The fuel tank manholes are clearly visible on the photo below, as is the exit. It would be safe to assume that a tanker would have delivered parallel to these tankers, delivered fuel, and the driven out onto Cirencester Road, replicating similar manoeuvres to those proposed.

It should be also noted that many petrol filling stations were located along A and B roads, and still exist on many of the rural routes, such as the Stow BP garage on the Fosseway, which has tanker deliveries in a similar parallel location.



Similarly, since the closure of the PFS there have been planning consents for car sales and a workshop all of which attracted vehicular movements and activity on the site, albeit more contained within the site. One could argue that all of above are 'fall back' considerations given the precedent and relatively short time span.

A fall back has been confirmed by the High Court (in a recent Zurich case in 2012), The High

*“in truth, an applicant does not have to go too far in order to raise the spectre of a fall back position. In his judgement, Mr Justice Hickinbottom commented that the prospect of a fall back does not have to be probable, or even have a high chance of occurring. Rather, it has to be only more than a merely theoretical prospect. In reaching this conclusion, he referred to an earlier case involving the Samuel Smith brewery<sup>2</sup>, which noted that where the possibility of a fall back position happening is "very slight indeed", or merely "an outside chance", that would be sufficient to make the position a material consideration. How much weight this consideration should have would be a matter for the planning committee”*

## Assessment

Gloucestershire County Council as the local highway authority has assessed this application in light of the National Planning Policy, and the CBC Local Plan.

In determining the type of recommendation the highway authority primarily needs to assess if;

- the cumulative impact from the application is severe
- safe and suitable access for all can be achieved
- the opportunities for sustainable transport modes have been taken up
- the development will generate high turnover on-street parking.
- any adverse impacts do not significantly and demonstrably outweigh the benefits of allowing the proposal

## Trip generation

A key factor in determining this application is the previous uses of the site, as described above, are material considerations, and the current use and previous uses are described above. The petrol station would have generated significant vehicle trips accessing the site from 2 access points, and had fuel servicing for the underground tanks. The ancillary shop would have generated some non-car trips also. The applicant has undertaken a vehicle trip analysis (**Table 6.3** of the Transport Statement), and determined that the proposed development will result in less vehicular traffic (-391 daily trips), when compared with the previous Petrol Filling Station. This is a key factor in determining the degree of impact in use, which will have a positive impact on highway safety and capacity.

## Layout

The internal layout has undergone many versions, during long negotiations with the applicant. There is good reason to take time to review many options, mainly to achieve a good design, but also and probably not divisible, to ensure that the correct balance between, noise, safety, amenity, and visual impact.

This final layout now proposed is a single retail unit, with a customer access via the north east corner, with car parking, with wider short stay spaces, to the north and a service/refuse area to the side. Main servicing will be at the front of the store via a dedicated service delivery bay, controlled by bollards located on the end of the service delivery bay, and will be lowered to allow each delivery vehicle to exit the site.

An ATM is located to the front of the store near to the entrance, cycle stands are located near to shop entrance. An existing street light will need to be relocated.

## Service Delivery Bay

It is considered that balancing all aspects of planning and design, the safest Service Delivery Bay layout is the one now proposed. All deliveries (with the exception of the earlier newspaper delivery) will take place between 07:00 and 19:00 Monday to Friday, 08:00 and 18:00 Saturday and 10:00 and 14:00 Sunday and Bank Holidays. Approximately 3-4 deliveries are anticipated each day of which 1/2 will be by rigid or articulated and the remainder by smaller vehicles. Therefore the incidents of conflict can be described as extremely low, and not severe.



All HGV deliveries will arrive from the south, turn left into the site via the southern access from Cirencester Road, and depart the site via the customer only access to the north. Loading and unloading will take place within the dedicated delivery bay located off-street along the site frontage.

Bollards located on the end of the HGV delivery bay will be lowered after the delivery is complete, to allow each delivery vehicle to exit the site safely. A trained member of staff will then raise the bollards after the delivery vehicle has departed the site to prevent customers entering the delivery bay. Appropriate signage and linage indicating the Service Delivery Bay will ensure that the public, do not park in this area. As the store will be contacted in advance, providing ample warning of their impending arrival, staff can ensure the Service Delivery Bay is ready and clear to receive goods.

The Service Delivery Bay will be have **DELIVERY ONLY** markings on the entrance and raised setts to deter any use by non service vehicles. I would further suggest high level **DELIVERY ONLY** signage at this location to compliment.

Concern has been raised that the exiting HGV vehicles drivers will be disadvantaged by the acute angle of the cab position. It should be recognised that food delivery drivers are professional drivers who carry out such manoeuvres on daily if not hourly basis. Furthermore as the Freight Transport Association states, the size and quality, of rear view mirrors for lorries, is controlled by legalisation, which lays down minimum angles of look, which coupled with good forward visibility, means that despite the driver of a rigid truck, having to turn their head through approximately 210 degrees of visibility, a safe a suitable access can be achieved.

The Transport Research Laboratory (TRL) evidence and research, that underpinned Manual for Streets, found that there was little correlation between the number of accidents and visibility, but forward visibility was important. What this means is the ability for drivers to see emerging traffic and be able to respond to it. This forward visibility in this location will be excellent, and all users will see service vehicles exiting the service delivery bay.

As this has raised concerns from some residents over highway safety, I undertook two peer reviews on this aspect of the application. I consulted GCC Road Safety Partnership who agreed with my assessment. I also consulted one of our independent transport consultants (AECOM), who agreed with my conclusion.

Furthermore independent Road Safety Auditors would consider that the swept path manoeuvres for larger vehicles, given their infrequent nature and low speeds, attract limited, if no safety concerns.

### **Delivery Management Plan**

As part of the application a Delivery Management Plan (DMP) has been submitted. This DMP will detail exactly how servicing will operate safely and efficiently, to ensure that all deliveries will be undertaken within the confines of the Service Delivery Bay and immediate area, no kerb side deliveries will be undertaken, therefore ensuring a safe operation, and free traffic flow on Cirencester Road. The DMP should be conditioned, so that if it is not complied with, CBC can act on any breach.

### **Accessibility**

The new retail unit will attract increased pedestrian footfall and NPPF policy requires that safe and suitable access is made for all users. Consideration has be given to new pedestrian facilities taking

into account the existing signal controlled crossing to the south of the site, the signal controlled junction at the Cirencester Road/Moorend Road/ junction, and the build out north of the site. GCC considers that pedestrian permeability can be improved by narrowing the junction width of Newcourt Road with Cirencester Road and another build out can be created on the southern radii of this junction

### **Car parking**

17 spaces are shown of which 2 disabled have been provided at the entrance. The width of the spaces has been increased to 2.8 and this is suggested as good practice on “Design standards for multi-storey and underground car parks”, for short stay parking.

Again car parking has been the subject of much discussion, but GCC now feel that with the single retail unit and the parking accumulation work that has been carried out, the spaces will accommodate for the majority of the customers. The car park is designed to be for customers only, and staff would have to use on unrestricted on street parking, in surrounding roads, or the free public car park at Church Piece.

It is impossible to stop all indiscriminate parking, but the layout should be attractive for the users, and more attractive than parking outside the shop frontage. Notwithstanding this GCC is seeking a contribution to control any future abuse, which could be as simple as waiting restrictions along the site frontage or strategically placed street furniture to deter kerbside or part footway parking. CBC is not keen on an over proliferation of street furniture, so this will be only used as a reactive measure.

### **Mitigation**

1. Delivery Management Plan – Conditioned
2. Pedestrian crossing facility likely to be a build out, This should have the added benefit of reducing speeds discriminate parking – Contribution £14,252.53 (Mitigation 2 & 3 combined)
3. Reduce the junction width of Newcourt Road with Cirencester Road, to improve the pedestrian safety. This should have the added benefit of reducing speeds, discriminate parking – Contribution (see above)
4. Future waiting restrictions and kerbside street furniture to deter discriminate adjacent parking – Contribution - £10,000 (£5,000 TRO + £5000 Street furniture)

**Contribution Total - £24,252.53**

### **Conclusion**

The revised layout of the Service Delivery Bay, and delivery arrangements, should allow the proposed use of the site to operate safely, and this would be supplemented by the applicant adhering to the DMP.

The car parking level is adequate but some drivers may park on the adjacent carriageway. Therefore we need to be able to implement future measures, to reduce any impact. If the site operates in accordance with the revised layout, and DMP, then the cumulative impact from the application should not be severe, and a safe and suitable access for all users can be achieved. Furthermore if the customers of the store use the adequate parking provision, then the development should not generate high turnover on-street parking. If indiscriminate parking is found to be causing a severe highway problem in the future, then the proposed parking mitigation will allow the highway authority to cost effectively mitigate any issues.



My view is that refusal to this application cannot not be sustained, due to;

- the material considerations of the previous uses,
- the insignificant number of deliveries by rigid vehicle
- the layout of the Service Delivery Bay
- the parking layout
- the Delivery Management Plan
- the highway improvements and waiting restrictions contributions secured

Therefore having regard to the previous uses of the site, the highway authority considers that as the cumulative impact from the application will not be severe, and safe and suitable access can be provided, it raises no highway objection to the proposal subject to the recommended contributions and conditions

### **Conditions**

1). No works shall commence on the development until full details of the layout and accesses, have been submitted to and approved in writing by the local planning authority. No beneficial occupation of development shall occur until the accesses have been completed, in accordance with the approved details.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people.

2). The parking layout shown on the approved plan for all vehicles shall be completed prior to any beneficial occupation of the development, and shall remain available for parking at all times

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a suitable level of off street parking.

3). No works shall commence on the development until a phasing programme of the development shall be submitted the local highway authority and the local planning authority, to ensure that the highway authority can implement highway works prior to the beneficial opening of the store.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people.

4). No phase(s) of the development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority for that phase. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-

- the parking of vehicles of site operatives and visitors;
- specify the type and number of vehicles;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- access routes to the specify the intended hours of construction operations;

- measures to control the emission of dust and dirt during construction

Reason: To provide safe access to site during the construction period

5).The approved Delivery Management Plan shall be adhered to in all respects during the approved opening hours of the store, unless amendments to the plan have been first be agreed in writing by the local planning authority.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people.

### **Informative**

1. The proposed development will require works to be carried out on the public highway to include the relocation of a street light and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the Local Highway Authority before commencing works on the development.

<b>APPLICATION NO:</b> 13/02174/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th January 2014	<b>DATE OF EXPIRY :</b> 5th March 2014
<b>WARD:</b> Charlton Park	<b>PARISH:</b> CHARLK
<b>APPLICANT:</b>	CTC (Gloucester) Ltd
<b>LOCATION:</b>	86 Cirencester Road Charlton Kings Cheltenham
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)

### ADDITIONAL REPRESENTATIONS

165 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DB	
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**Comments:** 8th July 2014

I write, yet again to express my extreme dissatisfaction with this planning proposal. Many local people have provided excellent well-reasoned arguments in defence of our community.

Here are some words from others:

*'Sustainable means ensuring that better lives for ourselves doesn't mean worse lives for future generations Sustainable development is about change for the better The planning system is about helping to make this happen.'* Ministerial foreword to the National Planning Policy Framework (NPPF)

Previous Planning Permission for opening hours of the existing Car Wash stipulates that:  
*'The operation of car washing and valeting on the site shall take place only between 09.00 and 18.00 Monday to Saturday and between 10.00 and 14.00 on Sundays and Bank Holidays. Reason: To protect the amenities of neighbouring residents in accordance with Policy CP3 of the Cheltenham Borough Local Plan (2006).'* Mike Redman: Assistant Director, Built Environment 30th April 2009

*'A key factor in determining this application is the previous use of the sit.'* GCC Highways Planning Liaison Officer  
Highways based their decision on the fall-back position being a Petrol Station instead of the current Car Sales which leads to a very different conclusion.

*'It is impossible to stop all indiscriminate parking...some drivers will park on the carriageway.'* GCC Highways Planning Liaison Officer

*'Tuffley, Gloucester. Whilst this arrangement is similar it does not currently operate as expected, partly due to the lack of a fully enforced DMP.'* GCC Highways Planning Liaison Officer

*'In the JCS area...there has been insufficient delivery of housing...housing need in both the rural and urban areas remains a pressing issue. - Joint Core Strategy 2014*

Hoping you will be brave enough to do the right thing.

32 Charlton Close Cheltenham Gloucestershire GL53 8DJ	
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**Comments:** 7th July 2014

This is my third objection to this development and yet it only counts as one objection regardless that each objection has been made on a revised planning application. I find this very unfair.

I still strongly object to this application based on:

- the opening hours for a store that is not wanted and with the likelihood that current jobs in the 3 other local convenience stores could be in jeopardy.
- the impact of traffic that will stop on the side roads and the delivery lorries while children are crossing roads to get to school. Are we not trying to encourage children to exercise more and walk to school? Can the safety of local children be guaranteed?
- Cheltenham is in dire need of more housing. This should surely be considered as a prime location - why is this not the case?
- I understand this is contrary to several planning policies and am concerned that this is not being considered in light of considerable local objection. I assume that you will publish the number of objections as opposed to those in favour.

11 Branch Hill Rise Charlton Kings Cheltenham Gloucestershire GL53 9HN	
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**Comments:** 7th July 2014

The revised delivery plan only serves to emphasise the unsuitable nature of this application. This narrow road is dangerous enough without large lorries frequently entering and leaving the Cirencester Road; the fact that they enter from the South and leave to the North does not reduce the hazard, especially to cyclists and pedestrians.

The Tesco delivery risk assessment on your website is for a Gloucester store; why is there not a proper risk assessment for this development?

The delivery lorries will be parked on the frontage alongside the Cirencester Road; their refrigeration units will not be turned off and this will add further to the unsightliness, noise and pollution that the development will bring.

There are so many other valid arguments against this proposal that have been made and I urge the Planning Office to reject it.

The Coach House 6 Bafford Lane Cheltenham Gloucestershire GL53 8DL	
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**Comments:** 1st July 2014

While we appreciate the efforts of the planning office to improve this scheme, the fact remains that the planned development does not meet a community need, does not in any way enhance the neighbourhood and, indeed, has the potential to cause a noise, parking and traffic nuisance.

We are already more than adequately served by excellent shops and cafés which give Charlton Kings an attractive village feel. This scheme presents a threat to those existing businesses and has the potential to blight the neighbourhood with empty shop sites.

We ask that the planning officers reconsider their support of the scheme - it must be possible under existing planning law to re designate this site for residential development for which it is ideally suited. We ask our councillors on the planning committee to reflect the views of the community in Charlton Kings and their constituents by voting against the scheme or any retail development of the site.

159 Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DB	
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**Comments:** 6th July 2014

We are writing to object again to the proposed development at 86 Cirencester Road, Charlton Kings ref: 13/02174/FUL.

This development will still result in light pollution and decreased privacy as the majority of the glazing is to the front of the proposed A1 unit. The glazed area is directly opposite our living room windows. As the opening hours have now been confirmed as 7am to 11pm Monday to Saturday which is 16 hours per day for 6 days a week, and 7.30am to 10.30pm on Sundays which is 15 hours a day there will be little respite from light pollution.

This development will condemn the residents to noise pollution for 16 hours a day, 6 days a week, and for 15 hours on Sunday. It has now been confirmed that the residents will be subject to early morning deliveries at 7am and deliveries could then also be at 7pm at night, which due to the time of day will be particularly disturbing for the residents. The proposed hours of operation compare unfavourable with the operational hours of the car wash, which are limited to normal office hours. In fact the proposed hours of operation of this site will massively exceed the operation times when this site was operated as a filling station.

Despite the changes in the proposed development, it seems that there has been little change to the delivery bay. The delivery bay for the A1 unit will not be used as this appears still to involve a difficult driving manoeuvre. We therefore expect that this will not be used and deliveries will therefore take place on the highway. This will clearly produce a dangerous obstruction to traffic on the highway and in particular to traffic exiting the car park. We are also concerned that the exit from the delivery bay will cause conflict with the ingress and egress of customers.

Although the entrance to the A1 unit has been moved, the location of the entrance to the A1 unit at the side of the site adjacent to the Cirencester Road will still actively encourage parking on Cirencester Road rather than use of the parking area. Vehicles parked on Cirencester Road by drivers shopping will make this section of the road even more dangerous than it is at present. This will be especially true as there will be traffic entering and exiting this site for 18 hours a day 6 days a week and for 8 hours on Sunday.

There is no requirement for this development in this part of Charlton Kings as we are well served by the NISA, Budgens, and by a Co-op supermarket. Most residents from this area of Charlton Kings walk to these local shops rather than use cars. The proposed re-development of 86 Cirencester Road will adversely affect the existing NISA, Budgens and the Co-op supermarket thus destroying the viability of existing businesses. If the proposed re-development of this site goes ahead it will lead to the destruction of the smaller local shops which will in turn lead to more unsustainable transport rather than less.

In summary the proposed re-development of 86 Cirencester Road will adversely affect the viability of local businesses; will increase traffic on the road and make it a more dangerous place to live; and will massively increase noise and light pollution and will lead to a reduction in privacy for the residents.

**13/02174/FUL 86 Cirencester Road**

The NPPF is quite clear that the presumption should be in favour of sustainable development and local planning authorities should seek to find solutions to enable development to happen. The definition of sustainable given in the NPPF says that it should provide “better lives for ourselves and not worse lives for future generations”.

I would argue that the proposed development **is not sustainable** on economic grounds. The assessment by DPDS Consulting is that the Nisa shop, virtually opposite the proposed convenience store, which is well used at the moment is likely to close and there will be knock on effects to other shops in the village. Added to these job losses are those at the car wash site itself, another amenity that is well used by local and not so local residents.

I also **object to the development on social grounds**. The borough is in urgent need of housing because of the lack of a 5 year housing supply and the Objectively Assessed Need required by the Joint Core Strategy. Since the site was formerly a petrol station, I recognise that it would require greater remedial work to permit housing but this has been successfully achieved in other parts of Charlton Kings, not least in Croft Court; a development a little further south along the Cirencester Road. Housing would be acceptable to local residents and would be the preferred option as mentioned in the officer’s report. Government has recently announced that local planning authorities can use Local Development Orders to bring brownfield sites forward for housing and the borough council should take advantage of this for the car wash site.

The development **contravenes policy CP4** which requires no unacceptable harm to the amenity of neighbours. A convenience store on this site will increase traffic flow to the site in terms of both cars and HGVs, increase noise on what is already an extremely busy route into town and result in increased light pollution late into the night and again in the early hours of the morning.

The application also **fails on design (Policy CP7)**. The Architects Panel have been scathing in their criticism. Indeed, I have never seen such negative remarks from them and the officer report is damning with faint praise.

I also have **concerns regarding the Delivery Management Plan**, as I do not believe that the proposals in it can be rigorously enforced. They place an additional burden on borough council officers who will rely on local residents to inform them of any breaches. The 5 Best Practice Informatives (non-enforceable) relate to aspects that will affect local residents the most to the detriment of their amenity. Overall, the amount of detail in the Delivery Management Plan suggests that this is an unsuitable site for a convenience store.

In view of all the above, I would urge the committee to reject this proposal.

Cllr Helena McCloskey

11 July 2014



APPLICATION NO: 13/02174/FUL		OFFICER: Mrs Lucy White
DATE REGISTERED: 8th January 2014		DATE OF EXPIRY: 5th March 2014
WARD: Charlton Park		PARISH: Charlton Kings
APPLICANT:	CTC (Gloucester) Ltd	
AGENT:	Hunter Page Planning	
LOCATION:	86 Cirencester Road Charlton Kings Cheltenham	
PROPOSAL:	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. On 14<sup>th</sup> July 2014 the applicants have submitted a legal advice note prepared by Counsel in respect of the Officer Report and recommendation.
- 1.2. In summary, this document reviews the Officer Report looking at the key considerations of policy, retail impact and the requirement for a retail impact assessment, design and amenity. It also considers whether further information or representation should be provided on behalf of the applicant to add clarification to any outstanding matters, points of conflict and to address any issues of policy interpretation.
- 1.3. The review concludes that Officers have assessed the application and all associated material thoroughly, have applied the correct principles and, with regard to the objections raised, make a clear recommendation to grant planning permission on what is a brownfield site in existing commercial use. As such, the applicant's legal officer comments that there is no need for the applicants to provide further information in support of their application and that there is no overriding objection to the grant of planning permission which is presumed in favour by paragraph 14 of the NPPF.
- 1.4. A short update to the applicant retail impact statement prepared by Mango was submitted on 14<sup>th</sup> July. This report confirms that, as stated at paragraph 26 of the NPPF, the requirement for a retail impact assessment applies only to proposals for out of town centre retail, leisure and office development that exceed 2,500 sq metres gross floorspace, unless there is a different locally set threshold. Mango also point out that this is also set out in the latest government Planning Practice Guidance 'Ensuring the vitality of town centres' issued in March 2014. As such, Mango argue that if an assessment of impact is not required for a proposal below 2,500 *'it is illogical that such matters could comprise a reason for refusal'*.
- 1.5. The applicants' legal advice note and Mango update report are attached to this report.
- 1.6. The Environmental Noise Survey and Noise Impact Assessment Report prepared by Hann Tucker on behalf of the applicant has been amended to refer correctly to Cheltenham Borough Council and not Cheltenham City Council. There are no other changes to this report since it was last revised on June 26<sup>th</sup> 2014 as outlined in the previous officer update report.
- 1.7. One further representation has been received from a local resident and is attached.



DB/130081/L0003

9 July 2014

Mr G Brockbank  
Hunter Page Planning  
Thornbury House  
18 High Street  
Cheltenham  
GL50 1DZ

Dear Giles

**Former Charlton Kings Garage, 86 Cirencester Road, Charlton Kings  
(13/02174/FUL)**

I write to provide you with a brief update on the issue of impact assessments. Paragraph 26 of the NPPF states that applications outside of town centres should be accompanied by an impact assessment if the development is over a proportionate, locally set threshold, otherwise the default threshold is 2,500 sq m.

This has been supported by a number appeal decisions (e.g. Bracknell and Coggleshall) that state clearly that the test of impact does not apply.

Importantly, the latest guidance set out in "Ensuring the vitality of town centres" issued in March 2014, states expressly that:

"The impact test only applies to proposals that exceed 2,500 sq m gross of floorspace unless a different locally appropriate threshold is set by the local planning authority".

As such, if an applicant does not need to assess impacts arising from a proposal below 2,500 sq m, it is illogical that such matters could comprise a reason for refusal.

Should you require any further information please do not hesitate to contact me.

Yours sincerely

Darren Brown  
Associate

cc. Mr T Waldron CTC (Gloucester) Ltd

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**Re 86 Cirencester Road, Charlton Kings, Cheltenham**

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**ADVICE**

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**Hunter Page**

**Thornbury House**

**18 High Street**

**Cheltenham**

**Gloucestershire**

**GL50 1DZ**

**Tel.: 01242 230066**

**Re 86 Cirencester Road, Charlton Kings, Cheltenham**

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**ADVICE**

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Introduction

1. I am instructed by Hunter Page Planning on behalf of CTC (Gloucester) Ltd, the applicant for planning permission for the erection of a new convenience store (A1) and associated parking (following demolition of existing buildings) at 86 Cirencester Road, Charlton Kings, Cheltenham the above site ("the Application Site").
2. I have been asked to review the Officers' Report in order to consider if further information or representations should be provided on behalf of the applicant, and to address any issues of policy interpretation that may arise.

Retail issues

3. The first principle noted by officers in section 6<sup>1</sup> is that notwithstanding desires expressed by third parties to see a residential development on the Application Site, the application is for a retail development and the relative merits of a residential scheme are therefore irrelevant. I endorse Officers' view on this. The Council plainly has to address the merits of the proposal before it, and if its impacts are considered acceptable then there can be no basis for refusing it on the basis that another application which has not been put forward may be preferable (*R (on the application of Mount Cook Land Ltd v Westminster City Council* [2004] JPL 470).

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<sup>1</sup> Paragraph 6.2.2

4. Secondly, the approach to the assessment of this retail application is to assess the proposal against the sequential test and to consider the impact of the proposal on the vitality and viability on existing centres.
5. The Council commissioned a review of the applicant's Retail Statement and this review was prepared by DPDS. DPDS refer to policy RT7 of the Cheltenham Borough Local Plan (Second Review) 2006 ("Local Plan") which presumes against retail development outside the defined shopping areas unless a need for the additional retail floorspace has been demonstrated and the proposals would not harm the vitality and viability of the relevant centres. DPDS draw attention to the fact that a requirement to demonstrate need was removed from previous national planning policy and is not contained within the Framework. Therefore policy RT7 is out of date in this regard and should attract reduced weight for being inconsistent with the Framework<sup>2</sup>.
6. Accordingly, a refusal based on this limb of the policy would not be well-founded. I agree with the position taken by Officers<sup>3</sup> that the consideration of the vitality and viability limb of the test, as now referred to in paragraph 26 and 27 of the Framework remains relevant, but that a requirement to demonstrate need is not consistent with the Framework. In addition, the sequential test is relevant under both national and local policy<sup>4</sup>.
7. I note that DPDS has provided an independent view on the assessment of the proposal against those issues, and this is summarised within the Officers' Report. One issue of disagreement between the Applicant's retail consultants and DPDS concerns whether it is appropriate for the Council to apply an impact test for the proposed development on account of its scale (gross 423 sq m; net 280 sq m<sup>5</sup>). The Retail Statement was prepared in November 2013. The DPDS review was prepared in February 2014, and its addendum on 4 March 2014. On 6 March 2014 the Government published its National Planning Practice Guidance, which includes a response to the question

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<sup>2</sup> Paragraph 215 of the Framework refers

<sup>3</sup> 6.3.8

<sup>4</sup> Framework 24, Local Plan RT1

<sup>5</sup> Officers' Report 6.4.2

‘When should the impact test be used?’<sup>6</sup>. The first sentence of the response provides as follows:

*“When should the impact test be used?”*

*The impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority.”*

8. Paragraph 2b-001-20140306 says this:

*“The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy). It applies only above a floorspace threshold as set out in paragraph 26 of the National Planning Policy Framework.”*

9. As far as I am aware there is no adopted locally appropriate threshold, and the Local Plan does not contain one. It follows that the NPPG confirms the approach taken by the Applicant’s retail consultant that for a proposal of this size the impact test does not apply as a result of paragraph 26 of the Framework. The Local Plan should be read consistently with the Framework if possible, failing which the weight to be given to it should be reduced<sup>7</sup>.
10. In any event, DPDS’s independent assessment concludes, although taking different reasoning, that there is compliance with the sequential test<sup>8</sup>, and that refusing permission on impact grounds would place the Council at considerable risk at appeal. Officers endorse that conclusion and advise Members that they consider that there is not sufficient evidence to be able to put forward a refusal on retail impact grounds that the Council could substantiate at appeal. This conclusion is reached even without making reference to the NPPG advice that the impact test does not apply to proposals the size of the appeal proposal.

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<sup>6</sup> Paragraph 2b-16.20140306

<sup>7</sup> NPPF 215

<sup>8</sup> Summarised in 6.4.4.

11. Officers also, in my opinion rightly, set out the principle that an assessment of retail impact must be made on objective grounds only<sup>9</sup>. For example, a preference for one retailer over another would not by itself be a relevant consideration.

Design and External Appearance

12. There is little to be said on the question of design. The submitted proposals were the subject of considerable pre-application discussion, and Officers note in addition that control over further design details can be secured through condition<sup>10</sup>.
13. Officers conclude that the scheme will deliver a building of acceptable and good quality appearance, and that the overall layout and design is satisfactory and the proposed buildings will sit comfortably on an awkward shaped site, and that the revised scheme offers improvements in architectural detailing, materials and orientation to the original proposals 6.6.14 and 6.6.15.
14. In short, Officers have considered the proposal thoroughly and consistently with national policy in paragraphs 56, 58 and 60 of the Framework, and paragraph 64 that advises that permission should be refused for buildings of poor design that fail to take the opportunities available to improve the character and quality of the area and how it functions.
15. I note also that the Council's consultation with Urban Design concludes that the building is satisfactory (subject to landscaping negotiations) in terms of built form, mass, block layout and landscape, as a result of negotiations with officers.
16. In my view, there is no reason for the applicant to submit further information or seek a more thorough review.

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<sup>9</sup> Paragraph 6.3.8

<sup>10</sup> Paragraph 6.6.13

Residential Amenity

17. Officers conclude in relation to noise and disturbance that the impact of the proposed use on balance will be no worse than the existing use<sup>11</sup>. The advice from the Environmental Health department is that conditions should be imposed and no objection is raised subject to the proposed conditions being imposed. Officers accept that advice and propose a number of conditions.

18. However, I note that no reference is made to the relevant national policy on this issue. Paragraph 123 of the Framework provides:

*“123. Planning policies and decisions should aim to:*

- (a) Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- (b) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*

...

19. Although this paragraph is not expressly set out in the report it appears that Officers had this advice in mind in writing the report and the relevant test (significant adverse impact) is referred to in paragraphs 6.8.9 and 6.8.11 of the Report. The advice from the Environmental Health Officer by reference to the Applicant's Environmental Noise Survey and Noise Assessment Report is summarised by officers as follows: *“[The EHO] has no concerns about impact on nearby residential properties, particularly those opposite the site and the bungalow at the rear, subject to a number of conditions being imposed which relate to opening and delivery hours and the approval of ventilation/refrigeration equipment”*.

20. It seems to me that where the proposed use is considered to be not materially worse than the existing or alternative uses it is very difficult to see how a conclusion that the impact was a significant adverse one could be substantiated.

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<sup>11</sup> 6.8.11



Conclusion

21. Accordingly, it seems to me that there is no need for the Applicant to supplement its representations at this stage. The Officers' consideration of the issues is thorough and addresses all the material considerations applying the correct principles.
22. The one exception to that relates to the consideration of the impact test under policy 26 of the Framework. The NPPG states clearly that this does not apply to proposals the scale of the appeal proposals. The DPDS review pre-dates the NPPG of 6 March 2014. The applicant may therefore wish to draw this to the Committee's attention through its retail consultants, whose approach is consistent with the NPPG.
23. In any event, the outcome of the DPDS review was to advise the Council that any refusal on retail grounds would be difficult to substantiate on appeal even were impact to be taken into account, contrary to the NPPG guidance. Accordingly, the prospect of substantiating any refusal on appeal is further reduced.
24. Otherwise it appears to me that the Officer have assessed the application material thoroughly alongside the objections raised and make a clear recommendation to grant planning permission on what is a brownfield urban site in existing commercial use, and they have no overriding objection to the grant of permission which is therefore presumed in favour of by paragraph 14 of the Framework.

**Landmark Chambers,  
180 Fleet Street,  
London EC4A 2HG**

**GUY WILLIAMS**

**8<sup>th</sup> July 2014.**

Bafford Croft  
4 Bafford Lane  
Charlton Kings  
Cheltenham  
GL53 8DL

14 July 2014

To: all councillors on CBC Planning Committee  
Cc: Mrs L White

**Planning application 13/02174/FUL**

We are writing to you to express our concerns about planning policy for Cheltenham as set out in the draft Joint Core Strategy (reference JCS). Our immediate concern is the proposed retail development on Cirencester Road (13/01274/FUL). We would like you to turn down the application as unnecessary and inappropriate and to revise the Joint Core Strategy to introduce a more stringent test of impact in future for such out-of-centre developments.

When we last wrote (10/6/14) objecting to the proposed development, an important part of the objection relied on the flawed impact assessment made in the planning application. The proposed retail development has a floor area of 280 sq.m. This is above the local out-of-centre threshold for requiring an impact assessment of 200 sq.m. that was recommended by the DPDS study (paragraph 7.33 on page 95) and which was re-affirmed in the review (DPDS/A paragraph A16 on page 6) which followed publication of NPPF.

We have since discovered that the draft JCS has not included this recommendation in its policies. Policy E2 outlined on pages 41-42 of JCS states only "*impact test as set out in national planning guidance*".

The national planning guidance (NPPF, para 26 on page 8) states that local planning authorities should require an impact assessment "*if the development is over a proportionate, locally set threshold (if there is no locally set threshold, the default threshold is 2,500 sq m)*".

As a consequence, given the presumption in favour of development, the Cheltenham planning authority will have no power to evaluate the impact of any proposed development of less than 2,500 sq.m, which is a substantial development for a town the size of Cheltenham.

The proposed JCS is expected to provide the planning policy framework for the next 15 years, and during that period we anticipate that additional development opportunities of this scale could arise. The cumulative effect of multiple medium-scale developments in the suburbs of Cheltenham has the potential to destroy their current individual characters if not properly scrutinised. We ask that the planning committee take steps to revise the JCS appropriately before it is submitted to the Secretary of State for approval.

Yours sincerely



#### References

(JCS) Draft Joint Core Strategy for Gloucester Cheltenham and Tewkesbury, October 2013

(DPDS) Joint Core Strategy Retail Study, DPDS Ltd, December 2011

(DPDS/A) Addendum to DPDS study, December 2012

(NPPF) National Planning Policy Framework, March 2012

(13/01274/FUL) Planning application for a retail development at 86 Cirencester Rd

(10/6/14) Letter of objection to 13/01274/FUL (copy attached)

Bafford Croft  
4 Bafford Lane  
Charlton Kings  
Cheltenham  
GL53 8DL

10 June 2014

Dear Mrs White

**Planning application 13/02174/FUL**

Thank you for notifying us of the revisions to the above planning application.

Our objections to the proposed development are set out below.

**Summary**

The planning proposal fails to identify a need for more capacity in the area, and the proposed development is very likely to have a significant and detrimental impact on existing convenience stores.

**Retail statement**

Para 1.3 of the retail statement states "*It has been prepared in the context of the Joint Core Strategy Retail Study prepared by DPDS Limited in December 2011 ("The DPDS Study").*"

However, two very relevant parts of that study have been ignored.

- para A16 of the supplement recommends that when considering the effect of a proposed development on local centres, the relevant threshold for assessing impact should be 200sq.m. The retail statement does have a brief impact assessment (section 6), but it is superficial.
- Appendix D to the study concludes that Cheltenham already has an oversupply of convenience shopping. It anticipates no requirement for additional capacity until at least 2031.

Para 6.10 states that the NISA store does not appear as an individual entry in the household survey data of the DPDS study as a top up. It claims this as evidence that further top up provision is needed in the area.

However the household survey conducted by DPDS was not designed to identify top up provision across all of Cheltenham, but was specifically targeted at the city centre and three large local centres (Bath Rd., Coronation Sq. and Caernarvon Rd.). It consulted a total of 100 households in all of Cheltenham. The response figures for top up food shopping include 6 for Charlton Kings Coop (London Rd), and 9 for "Charlton Kings" which can be taken to comprise the other Charlton Kings convenience food stores.

The fact that NISA or other Charlton Kings convenience stores exist and appear to be trading successfully (see para 6.24 which estimates the NISA turnover at £650,000-£750,000 p.a.) is evidence enough that they are used.

The retail statement makes no attempt to estimate the total top up expenditure locally, so its claim (paras 3.7 and 6.14) that the majority of top up spending is directed to larger stores further afield has no data to support it.

Para 3.5 describes the range of goods that it is proposed will be offered *"A store of this size and character would typically offer a basic range of convenience goods such as groceries, sandwiches, snacks and confectionery. Non-food goods would comprise no more than 10% of the proposed floorspace and would typically be limited to toiletries, nappies and other 'essential' goods."*

There is no mention here of alcoholic beverages or tobacco and nicotine products. Late-opening convenience stores across the country have extensive provision for the sale of such goods. The retail statement criticises the NISA offering in para 3.7 *"The Nisa unit appears to cater more for small basket and occasional purchases rather than providing a full top-up shopping outlet."* and again in para 6.9 *"...the store continues to have a relatively limited offer, particularly in terms of fresh fruit and vegetables, fresh meat and other perishable goods."* However the proposed store makes no claim to be offer anything other than what is already on offer in NISA.

Para 3.10 claims that the proposed store will offer *"between 20 and 30 full and part time positions for local people"*. No evidence is presented for this figure. The only citations (e.g. Tesco in Quedgley) indicate 15 positions. Given the oversupply of convenience capacity in Cheltenham as a whole identified by the DPDS study, it is doubtful if many of the jobs created would be genuinely new jobs, they would likely be at least partially compensated by redundancies elsewhere.

### **Impact and Sequential assessment**

The retail statement has what it calls a sequential assessment (section 5) which is fundamentally flawed. A sequential assessment is relevant in the context of a defined centre or local centres, and is intended to test whether the demonstrated need could best be served in existing centres.

The planning proposal fails to demonstrate any need for additional convenience capacity either in Cheltenham as a whole or in Charlton Kings. The executive summary states *"... the accompanying Retail Statement suitably demonstrates that there is a need for a retail use in this location and that it will not have a negative impact on the existing neighbourhood centres."* Yet the only part of the retail statement that addresses need is in paras 3.7-3.9 which claim an increase of choice by comparison (solely) with NISA at Cirencester/Croft Rd and ignoring two other neighbourhood stores at Lyefield Rd and Church St. The retail statement indeed makes a point (in para 4.17) of stating that there is no requirement to define a need.

The sequential assessment that they do make is based on the assertion that there is an established need for new capacity in the Cirencester Rd area, and also treats the proposed location as an edge of centre location based on proximity to Cirencester Rd/Croft Rd shops. But as the retail statement itself points out (para 4.18) *"Small*

*parades of shops of purely neighbourhood significance are not regarded as centres for the purposes of this policy statement.*” The only nearby candidates for local centres according to this definition are the Lyefield Road and Church St centres, which lie 600m (by road or foot) away.

Para 5.13 restricts consideration to a catchment within 500m walking distance of the application site. This figure appears to be chosen so as to exclude the two existing local centres at Lyefield Rd and Church St, each of which is at 600m (less than 400m as the crow flies).

Para 5.14 seeks to justify this by reference to a previous appeal, however in that case the relevant distances were significantly greater at 1.2 km and 1.6 km.

Para 6.21-6.23 present some figures for the source of customers. They assert that 80% of custom will come from shopping which would otherwise have taken place at supermarkets much further afield, and only 20% from existing local shops. There is no evidence presented to justify these proportions.

An alternative estimate would start by looking at the total expected expenditure on top up shopping.

Industry estimates have around 25% - 30% of total convenience expenditure as top up.

Cheltenham convenience shopping is estimated (2014 figures taken from Table 2a of the DPDS Study, Appendix D) at £1,953/head. Taking the population of Charlton Kings to be 10,000 (2011 census, including the area north of London Rd) this gives an estimate of annual top up expenditure to be

$$30\% \times £1,953 \times 10,000 = £5.86M$$

Using the sales density figure from para 6.17 of the retail study of £4,500 per sq. m. gives a total need in Charlton Kings of

$$£5.86M / £4,500 = 1300 \text{ sq. m.}$$

Note that if we use higher estimates of sales density then the required need for sales area is correspondingly lower. According to Table 9 of Appendix D to the DPDS Study, the Charlton Kings Coop (London Rd) has a sales density of £7,600/sq.m. Using this higher sales density gives a total sales area need of

$$£5.86M / £7,600 = 771 \text{ sq.m.}$$

The inclusion of the area north of London Rd, much of whose population may well use Tesco Express on Hewlett Rd or Sainsburys on Priors Rd for their top up shopping means that these figures are likely to significantly overestimate the need for top up shopping south of London Rd.

According to the Valuation Office Agency's website, the existing stores have sales areas as follows:

Coop (London Rd)	314 sq.m.
Coop (Church St)	369 sq.m.

Budgens	117 sq.m.
NISA (revised)	131 sq.m.

The total is 931 sq.m.

In the context of this existing adequate provision, the proposed new convenience store of 280 sq.m will have a significant impact on the viability of existing smaller stores nearby (Budgen and NISA) as well as drawing trade from the Church St Coop.

### Site proposals

The original proposal included a large "totem". We note that this part of the design has been altered, as have some of the architectural features of the proposed buildings. The design has clearly been altered to take into account the concerns of residents and be a little more sympathetic to the surrounding buildings; however it is completely generic with no form of supermarket branding and it seems unlikely that it could survive like this.

### Traffic

The planning proposal (para 2.2) refers to "*very intensive use*" and "*a steady stream of traffic entering the site*" with the existing use as a car wash. The car wash only operates during daylight hours, it is not a 7am-11pm facility. The proposed use as a convenience store would have delivery lorries arriving in the early morning before store opening.

Closure of the car wash would not reduce traffic levels overall as cars would have to find an alternative, most likely more distant, facility.

Additionally there would be a significantly increased risk of traffic accidents due to more people crossing the main road on what is already a difficult and dangerous bend for pedestrians. The population densities of the immediately surrounding areas are such that the majority of customers arriving on foot will be from the north-east side of Cirencester Road and so will have to cross the road twice.

The portion of Cirencester Road between Croft Road and Moorend Park Road/Lyefield Road already suffers from cars parked part-way on the pavement which both obstructs the footway and makes it more difficult to get a clear sight while crossing. This development would inevitably lead to additional illegal short-term parking in the area close to the shop, including the hazardous corner where Newcourt Road meets Bafford Lane.

Yours sincerely



Telephone: 

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<b>APPLICATION NO:</b> 13/02174/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th January 2014		<b>DATE OF EXPIRY:</b> 5th March 2014
<b>WARD:</b> Charlton Park		<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	CTC (Gloucester) Ltd	
<b>AGENT:</b>	Mr Giles Brockbank	
<b>LOCATION:</b>	86 Cirencester Road Charlton Kings Cheltenham	
<b>PROPOSAL:</b>	Erection of a new convenience store (A1) with associated parking (following demolition of existing buildings on the site)	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. A letter of representation has been received from Penny Hall (ex Ward Councillor for Charlton Park) and is attached.

-----Original Message-----

From:

Sent: 16 July 2014 08:02

To: White, Lucy

Cc: Chandler, Martin; Councillor Duncan Smith

Subject: Ref 86 Cirencester Road 13/02174/FUL

Mrs Lucy White

Senior Planning Officer

Good morning Lucy

Yesterday Martin Chandler and I discussed this application and he agreed that if I could send in my comments by this morning they would be circulated to planning committee members before the start of meeting tomorrow

I am grateful for the opportunity these are points that I would have used in the discussion had I still been a councillor for Charlton Park and a member of the committee.

You will remember my original request for a committee determination for this application were to allow discussion on 2 issues

The impact of the application on the surrounding roads

The impact of the application on CP4 the Amenity of local residents

It is clear from the responses to the application that these form the concerns of almost all the comments submitted by residents

I have these additional points to make

On the impact on local roads the Highways officer,s report comments that the principle of the site being used for the by the vehicles has already been established in the car journeys and HGV,s fuel containers supplying the previous fuel services unit I disagree. it is clear from the applicants travel plans for service vehicles that these would access the site on a daily basis but in its former use the site would have been serviced regularly but far less frequently fuel supplies are not delivered daily

The fuel service unit closed in 1996

Since then there has been significant increases in traffic volume along the Cirencester Road

And major increases in the road network that impacts on south Cheltenham

The A417/9 dual carriageway opened in 1998

In the year before the closure 1995 the Brockworth Bypass and junction 11A link to the M5 opened

CP4 my comments are on the impact on the local stores especially the Nisa shop and the Croft Road centre

The NPPF ITEM 70 states Planning policies and decisions should Guard against the unnecessary loss of valued facilities and services Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community

I realise that the last is about applications but this emphasises the importance the the NPPF places on the retention of local services and the store has had a large refit recently

On March 31st this year at Cheltenham Borough Council meeting members debated and approved the Corporate Strategy-Draft including "Cheltenham has a strong and sustainable economy" identifying measures under ECON4 to support small businesses

And yet the planning officers report under 6.4.14 includes a report commissioned by the council on the Applicants Retail Impact statement This report carried out by DPDS consultants states that the "closure of the Nisa Store is likely"

I find this extremely concerning that the council can publish such a negative report and justify it by the officers statement at the beginning of this section It is the complete contrast to the NPPF and CBC,s own strategy I hope that members will consider the points that I have raised which as I said before were issues that I would have raised in debate Sincerely Penny Hall

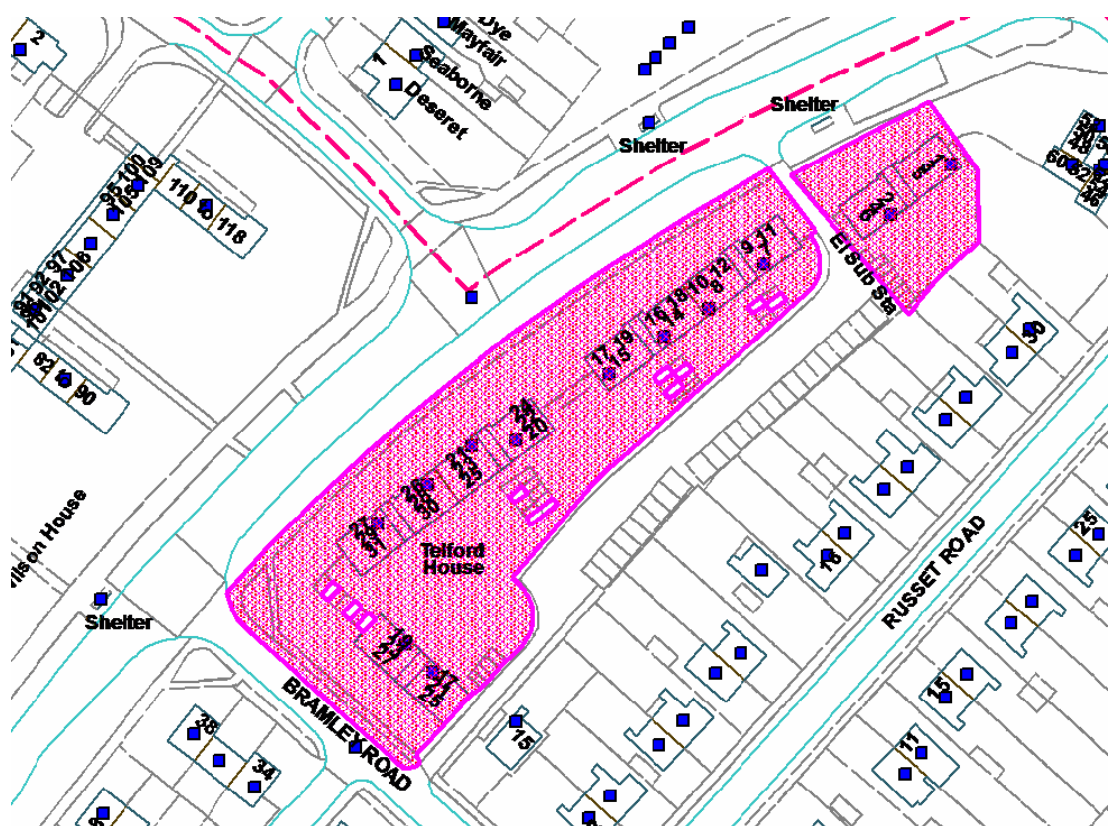
30 Fairfield Avenue  
Cheltenham  
GL53 7PN

Sent from my iPad

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<b>APPLICATION NO:</b> 14/00739/FUL	<b>OFFICER:</b> Mrs Emma Pickernell
<b>DATE REGISTERED:</b> 20th May 2014	<b>DATE OF EXPIRY:</b> 15th July 2014
<b>WARD:</b> Hesters Way	<b>PARISH:</b>
<b>APPLICANT:</b>	Cheltenham Borough Council
<b>AGENT:</b>	Cheltenham Borough Homes
<b>LOCATION:</b>	Telford House, Princess Elizabeth Way, Cheltenham
<b>PROPOSAL:</b>	Proposed replacement of soil/waste pipes to external rear elevation

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a development of flats comprising 5 separate blocks on the south side of Princess Elizabeth Way between the junctions of Bramley Road and Orchard Way.
- 1.2 This application seeks planning permission for the installation of 2 external soil and vent pipes on the rear of each block to replace the current internal pipes which are beyond repair. To replace them in situ would necessitate the residents having to be temporarily re-housed whilst the works were being carried out.
- 1.3 The application is before committee as the Local Authority own the site.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

**Constraints:**

None

**Relevant Planning History:**

None

## 3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

None.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	30
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

The application was publicised by way of letters to neighbouring properties and notices erected at the site. No responses have been received.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

The key issues in determining this application are considered to be the visual impact and the impact on neighbouring properties.

## **6.2 The site and its context**

The blocks which make up Telford House are seen in the context of other similar blocks such as Edward Wilson House opposite. The rear of the buildings are visible from certain vantage points however the rear elevations of the buildings are not overly sensitive in the street scene.

## **6.3 Design and layout**

There are a number of drain pipes on the rear elevations of these buildings and as such the proposed soil and vent pipes will be seen in the context of these. As such whilst they do add somewhat to the clutter on the rear elevation it is not considered that this is harmful to the visual amenities of the locality, particularly bearing in mind the context i.e. the rear of these buildings.

## **6.4 Impact on neighbouring property**

Whilst some of the houses to the rear of the site will be able to see the proposed pipes it is not considered that they would result in any adverse impact upon their residential amenity.

## **6.5 Other considerations**

There are strong practical reasons for requiring these external soil pipes, as detailed above. This proposal is the latest in an number of similar applications as part of rolling improvements to local authority housing stock.

# **7. CONCLUSION AND RECOMMENDATION**

- 7.1 For the reasons outlined above the application is considered to be acceptable and is therefore recommended for approval.

# **8. CONDITIONS / INFORMATIVES**

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 005/01, 02, 03, 04, 05 received 28/4/14.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

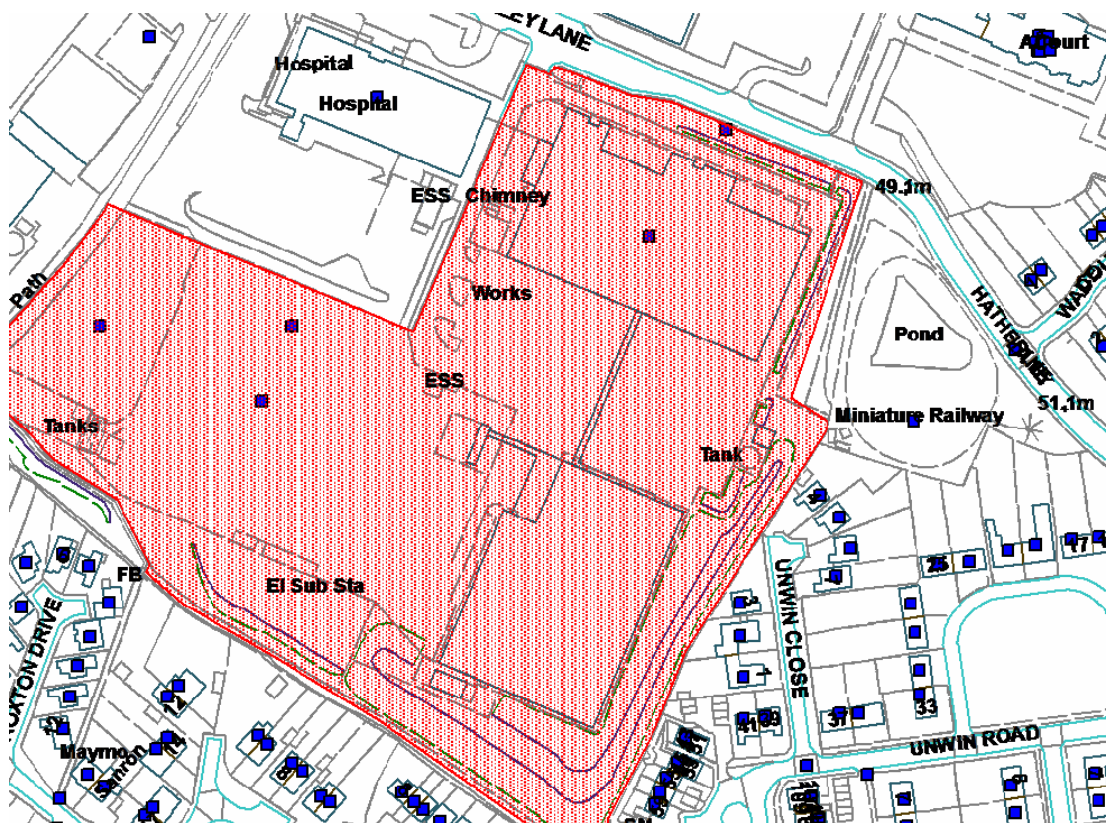
At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.



<b>APPLICATION NO:</b> 14/00766/CONDIT	<b>OFFICER:</b> Mr Martin Chandler
<b>DATE REGISTERED:</b> 2nd May 2014	<b>DATE OF EXPIRY:</b> 1st August 2014
<b>WARD:</b> Benhall/The Reddings	<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Alan Jones
<b>AGENT:</b>	RPS Planning & Development
<b>LOCATION:</b>	ASDA Stores Ltd, Hatherley Lane, Cheltenham
<b>PROPOSAL:</b>	Variation of condition 36 on planning permission 10/00252/FUL to extend the opening/closing times of the foodstore and petrol station

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

1.1 The application seeks to increase the hours of operation for the existing 'Asda' supermarket on Hatherley Lane. When planning permission was originally granted (ref: 10/00252/FUL) a condition was attached to the consent to restrict hours of operation. This condition allowed for the following;

1.2 *The hours of opening of the supermarket for retail sales and fuel sales shall be:*

- *Monday 0800 – 2300*
- *Tuesday 0700 – 2300*
- *Wednesday 0700 – 2300*
- *Thursday 0700 – 2300*
- *Friday 0700 – 2300*
- *Saturday 0700 – 2359*
- *Sunday 1000 - 1600*

*Reason: to limit disturbance to neighbouring residents during unsocial hours, in accordance with Policy CP4 of the Cheltenham Borough Local Plan 2006.*

1.3 The application seeks to allow the store and petrol station to trade between the hours of 0600 – 2359 every day except Sundays. The application proposes that the food store opening hours remain as approved on Sundays, but that the petrol filling station be amended to allow Sunday operations between the hours of 0800 – 2000.

1.4 The application is before Planning Committee at the request of Cllr Fletcher to enable consideration of neighbouring amenity issues.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Landfill Sites boundary

### **Relevant Planning History:**

#### **08/01684/OUT 21st July 2009 PER**

Outline application for the erection of 24465m<sup>2</sup> of employment floorspace (Use Class B1) including the provision for small ancillary services including a Creche (Use class D1), Shop (Use class A1), two cafes/restaurants (Use class A3) and gymnasium (Use class D2)

#### **10/00252/FUL 7th July 2010 PER**

Proposed mixed use development comprising 7,608 sq m of class B1 office space and 6,919 sq m of class A1 food store, petrol filling station, ancillary uses and associated works

#### **10/01708/CONDIT 17th December 2010 PER**

Variation of condition 20 (relating to cycle storage) on planning permission 10/00252/FUL to enable a phased implementation of the approved development

**11/00015/AMEND 1st February 2011 PAMEND**

Non material minor amendment to provide home shopping facility, adjustments to customer entrance lobby location, and small modifications to approved elevations and car park layout

**11/00658/AMEND 27th July 2011 PAMEND**

Non material minor amendment to planning permission 10/00252/FUL, to allow for the omission of colleagues/visitors stair and lift tower, revised location of escape door from customer restaurant, penthouse ventilation louvres to loading bay canopy, omission of sedum roofed cycle shelter, omission of right-turn lane to petrol filling station and the retention of existing gas building

**11/00748/ADV 27th July 2011 GRANT**

Erection of illuminated and non illuminated signs to the store, car park and petrol station (approved under ref: 10/00252/FUL)

**12/01860/FUL 25th January 2013 PER**

Erection of canopy in customer car park over 'Grocery Collection' point

**12/01860/ADV 25th January 2013 GRANT**

Proposed advertisements for 'Grocery Collection' point

**13/00586/CONDIT 20th June 2013 PER**

Removal of condition 38 on planning permission 10/00252/FUL - to allow pharmacy facilities in store

**14/00233/FUL 10th April 2014 PER**

Alterations to existing petrol station forecourt, approach and associated landscaping.

### **3. POLICIES AND GUIDANCE**

Adopted Local Plan Policies

CP 4 Safe and sustainable living

National Guidance

National Planning Policy Framework

### **4. CONSULTATIONS**

**Environmental Health**

*23rd June 2014*

The application to extend hours of opening at ASDA was reviewed by Sarah with my assistance.

As far as I can see any impact on the local residents from the additional opening hours requested would be minimal. The principal noise source from this store which has potential to affect residents would be noise from deliveries to the delivery bays at the rear of the store. This area already receives deliveries 24 hours a day which, bar a couple of initial teething problems, have not produced complaints since the store came in to use. The delivery area is protected by an acoustic fence and the store operates a system whereby vehicles must stop away from the site and ring ahead to ensure the delivery area is clear before proceeding with their delivery. This ensures that vehicles (and in particular refrigerated vehicles) are not left running outside the delivery yard gates for prolonged periods. The quantity of customer traffic accessing the store during the extended hours is not likely to significantly increase noise levels in nearby properties.

I therefore have no objection to the extended opening hours requested at this site, or recommendations for further conditions to be attached to this permission.

Let me know if you have queries.

### 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	55
Total comments received	9
Number of objections	9
Number of supporting	0
General comment	0

**5.1** The application was advertised by way of site notice and letters to nearby properties. In response to this publication, nine letters of objection were received. The concerns raised are summarised below;

- Staff comings and goings already cause disturbances;
- Light pollution;
- Delivery arrangements cause disturbances;
- The increase in hours are unnecessary – the store does not open to the extent allowed by the original planning permission;
- Highway implications;
- Potential ‘creep’ towards 24hr operations;
- Inappropriate within a residential area;
- Potential increase in the number of deliveries necessary;
- Noise survey not a true reflection of on site activities.

**5.2** These matters will be considered in the following section.

### 6. OFFICER COMMENTS

#### 6.1 Determining Issues

**6.1.1** The key consideration in relation to this application principally relates to neighbouring amenity. Whilst some residents have commented on highway implications, officers are of the view that the additional trading hours will have a negligible impact on the highway network.

#### 6.2 The site and its context

**6.2.1** The application site constitutes a recently constructed supermarket. The site, formally occupied by Woodward Engineering, lies adjacent to the Nuffield Hospital with other commercial buildings forming its immediate context. Notwithstanding this commercial character, the site is also bounded by a number of residential properties.

**6.2.2** The store building itself occupies the south east corner of the application site. The partially undeveloped land to the west has planning permission for further office buildings.

#### 6.3 Extending the hours of operation

**6.3.1** Members will note from the representations received that many residents are concerned with the impact the additional trading times will bring in terms of noise and disturbance. With

this in mind, it is necessary to assess the application against the provisions of Local Plan policy CP4 which requires development to protect the existing amenity of neighbouring land users and the locality.

- 6.3.2** When assessing the merits of this application, it is also important to be mindful of the fact that the original planning permission places no restriction on delivery arrangements. The reason for this was the level of detail provided with the application in terms of the delivery yard and how it mitigated against the impact on neighbouring amenity.
- 6.3.3** To accompany the application, a noise impact assessment has been submitted; the assessment is based on the store trading 24hrs and therefore represents a worst case scenario. The measurements were taken from the eastern boundary of the site, adjacent Unwin Close and the assessment then considers the impact of both the food store car park and the petrol filling station.
- 6.3.4** The conclusions of the noise assessment are quite clear, stating that there will be a negligible impact on the noise sensitive properties, which are taken as the nearest affected residential properties (those in Unwin Close) and the adjacent Hospital.
- 6.3.5** When assessing the impact on the residential properties, the World Health Organisation (WHO) standards for sleep disturbance are considered. Based on the measurements recorded, the submitted assessment concludes that the increased activities associated with both the petrol filling station and the car park will be comfortably below the maximum WHO standards and also comfortably within the existing background noise 'climate'. In this respect, it is difficult to argue that the proposal will harm neighbouring amenity.
- 6.3.6** The assessment on the adjacent hospital is measured against the Department of Health standards for 'noise intrusion from external sources' and again the proposed increase in opening hours is predicted to have a negligible impact.
- 6.3.7** It should be stressed that the assessment makes provision for the likely noise generating activities in these extended times; car movements, doors and boots being opened and shut, trolley movements, and engine start up. It is also based on worst case scenarios in terms of hours of operation.
- 6.3.8** The assessment is unequivocal in its findings; the noise impact of the extended opening hours is negligible and does not require any mitigation. The Environmental Health team have also raised no objection to the proposal.
- 6.3.9** It is accepted that a number of residents have raised concerns that existing activities on site have and do cause disturbances and whilst this cannot be dismissed, in light of the technical advice set out in this report, it is difficult to attach a significant level of weight to these objections. The Environmental Health team have not made reference to specific complaints associated with the activities of the food store and members will be well aware that decisions on planning applications need to be based on objective assessments. The noise impact assessment provides an objective analysis of the proposals based on a worst case scenario and concludes that the additional opening hours will not impact on neighbouring properties. The proposal is also supported by the Council's Environmental Health team and therefore officers consider that the scheme is fully compliant with Local Plan policy CP4.

## **6.4 Other considerations**

- 6.4.1** Members will note from the objections that reference is made to the delivery arrangements for the store and how this has caused some disruption to adjacent residents. It is also suggested that if the additional hours of operation are approved, this may lead to additional deliveries. Clearly, the reference to additional deliveries is based on supposition and cannot be afforded any weight. In any event, there are no restrictions on when deliveries arrive at

the store and therefore Asda would not be in breach of their planning consent if deliveries arrived on a 24 hours basis. It is of note that the Council's Environmental Health team consider the delivery arrangements to be working successfully despite some initial teething problems but members are reminded that this application has no bearing on deliveries to the store.

- 6.4.2** Some representations have also made reference to the necessity of this application, pointing to the fact that the current opening hours are less than the planning permission allows for (the store currently shuts at 2200hrs Monday - Saturday). This is not relevant to the consideration of this application; members are required to determine the application that is before them and 'need' for the increased trading hours is not a material consideration.
- 6.4.3** Finally, the representations also make reference to the lights within the store car park. It is suggested that an increase in trading hours will require the lights to be left on for longer. With this in mind, members are advised that the original planning permission placed a restriction on the illumination of the car park, requiring the three lights closest to Unwin Close to be switched off between the hours of 2300 – 0700hrs. This restriction was based on a lighting assessment which analysed the impact illumination would have on neighbouring dwellings. The lighting scheme was found to be acceptable, apart from the three lights referenced in the condition. Should permission be granted for this application, these restrictions will remain in place.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** To conclude, it is considered that this application constitutes a well thought through proposal that gives due consideration to neighbouring amenity. The submitted noise impact assessment is quite clear in its conclusions that the proposed increase in trading hours will have a 'negligible' impact on adjacent properties in terms of noise impact and this is endorsed by the Council's Environmental Health team.
- 7.2** Given that the proposal turns on this one principal issue, it is considered that the application is one that should be supported. It is fully compliant with local plan policy CP4 and it is therefore recommended that members resolve to grant planning permission for this application to vary the operating hours of the food store and petrol station.

## **8. CONDITIONS / INFORMATIVES**

- 8.1** These will be circulated as an update.

<b>APPLICATION NO: 14/00766/CONDIT</b>		<b>OFFICER: Mr Martin Chandler</b>
<b>DATE REGISTERED:</b> 2nd May 2014		<b>DATE OF EXPIRY :</b> 1st August 2014
<b>WARD:</b> Benhall/The Reddings		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Alan Jones	
<b>LOCATION:</b>	ASDA Stores Ltd, Hatherley Lane, Cheltenham	
<b>PROPOSAL:</b>	Variation of condition 36 on planning permission 10/00252/FUL to extend the opening/closing times of the foodstore and petrol station	

## REPRESENTATIONS

Number of contributors	<b>9</b>
Number of objections	<b>9</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

5 Unwin Close  
Cheltenham  
Gloucestershire  
GL51 6PF

### Comments: 29th May 2014

We would like to object to Asda's latest proposal to extend opening hours.

We are already disturbed early morning many mornings with staff arriving. These will have to arrive earlier so we will be disturbed earlier and for longer throughout the evening with public then staff leaving well in to the early hours! Despite the somewhat convenient noise survey that was undertaken we can still hear the trucks and deliveries, bottle bank deposits, trolley collections; especially in the warmer months when windows are open. I'm wonder how many car alarms went off during the noise survey, especially at night when background noise is much reduced.

In addition, despite the planting the green asda sign is clearly visible from our bedroom window and this will now illuminate our room again, in to the early hours.

I strongly suspect that Asda are just playing the long game to get to their desired position of 24 hour opening. This is completely unacceptable in a RESIDENTIAL area and we will object at every given opportunity based on the almost daily disruptions we currently have to endure.

7 Unwin Close  
Cheltenham  
Gloucestershire  
GL51 6PF

### Comments: 28th May 2014

I live at no7 Unwin Close and have received from our neighbour a copy of a letter sent to him, relating to the proposed increase in opening times for the ASDA store opposite us. Can I say that we are extremely disturbed and disappointed that you did not feel it necessary to advise us of this change, as we will be directly affected and that we most strongly object to the proposal on the following grounds:

1. The noise will cause added interference with our right to 'quiet enjoyment' of our home. Although the noise report included with the application appears to suggest there will be no significant increase in noise, the points that have been overlooked, are that any increase will be at night when any noise will be magnified, particularly after midnight and that there will be increased noise from staff vehicles leaving even later. At present the store closes at 10.00pm, although it is entitled to remain open until 11.00pm and at 11.00pm a motor cycle is heard leaving. This is disturbing, but not unduly so as we are normally still awake. If this were to happen any later, it would be very disturbing.
2. Potential light pollution is dismissed by saying that there will be no car park lighting after present permitted hours but that is clearly a play on words. At present because of the lack of demand of use the supermarket closes at 10pm and the lights are turned off at 11pm. In the event of an extension to permitted hours does this mean that car park lights will be turned off at 12 midnight - the time when these hoards of late night shoppers leave the store? This does not make sense and the next thing will be an application to extend the time when the car park lights can be on.

My view is that this is just the next step in a campaign by ASDA to apply and apply again to you until they receive permission to open 24hrs a day. There is no evidence submitted to support this application other than a vague reference to 'our customers' demands' which is clearly not true or the store would now be opening until 11pm and not closing at 10pm. There is also a reference to ASDA being put to a commercial disadvantage. There is no evidence submitted to support this assertion and it does apply to Morrisons, Waitrose or Sainsburys. Tesco Gloucester Rd is like a graveyard when open at night and these reasons are fanciful.

In all, this application seems unnecessary. The current approved opening times are not used to their limit, presumably because of the lack of demand and any increase will cause undue interference to neighbouring properties at very unsocial hours. The proposal is ill conceived and should be rejected.

10 Roxton Drive  
Hatherley  
Cheltenham  
Gloucestershire  
GL51 6SQ

**Comments:** 20th May 2014

I see ASDA, Hatherley Lane, are yet again complaining about their opening hours, & asking for extended hours.

I would like to formally object.

Their premises back onto our houses here in Roxton Drive, & unlike the two people quoted in the recent article in The Echo, we do hear their deliveries, with the noise of lorries, & rubbish bins being clattered about.

I refuse to believe that there is a large demand for this extension to their opening times, as claimed by their planning consultant, & I equally refuse to believe we need yet another alcohol outlet opening late at night.

I cannot help but think that initially ASDA accepted the refusal of 24 hour opening grudgingly, but accepted the compromise with a view to raising the issue again, & if necessary, again once the store was built.



I may sound cynical but I sincerely believe that if this application were to be allowed, in a year or so's time they'll be back arguing that they need 24 hour opening, & as they are almost there, the Council might just as well grant it.

I also feel sorry for the staff, some of whom are already working at earlier & later times than they would wish, & who would undoubtedly be pressurised to extend their hours again.

We already have 24 hour shops in parts of Cheltenham, we have filling stations that sell milk/bread on a 24 hour basis, & many stores, including ASDA have on-line shopping services that can be accessed 24 hours a day. To say this is needed is a gross abuse of the English language.

25 Century Court  
Montpellier Grove  
Cheltenham  
Gloucestershire  
GL50 2XR

**Comments:** 16th May 2014

I am objecting on behalf of my mother who lives at Wade Court AND on my own behalf as I often encounter traffic problems near ASDA when visiting her.

I do not understand why ASDA is asking for an extension of opening hours when they are currently not open for the hours that were originally approved. Current permitted hours total 102. Current actual hours total 95. And yet they are applying to open for a total of 114 hours! Why?

There are already major traffic issues, as we all know, along Hatherley Lane, mostly generated since the arrival of ASDA. The extended hours will simply exacerbate these and make Hatherley Lane even more unacceptably busy and dangerous.

If you are travelling towards ASDA with the intention of getting to the A40 from Wade Court or Grace Gardens, it is already very difficult to get across the small roundabout outside ASDA because the oncoming traffic has right of way. If this volume of traffic increases because of extended hours, it will cause even greater blocks and back ups of traffic.

As far as we are aware, ASDA have not yet done all that was specified in the original planning approval with regard to road and traffic management eg traffic calming measures etc. If they have demonstrated that they are incapable of doing what was required of them, why should they be allowed to expand and attract even more business and cause more noise, traffic pollution and road deterioration?

2 Unwin Close  
Cheltenham  
Gloucestershire  
GL51 6PF

**Comments:** 23rd May 2014

The application to extend the opening hours will cause disturbance to the residents that live near to Asda. At present the staff can be heard leaving the store, unwinding with rather loud voices and laughter, getting into their cars and driving off, this being before midnight is fully acceptable. If planning is passed we are talking of the staff leaving in the small hours of the morning and the same behaviour would not be acceptable. The staff could be asked to be as quiet as possible when leaving the store, but we all know that this would be hard to monitor. The bright lights of the car park of course will by law have to be on until the park has been cleared of shoppers and staff. We are now talking about 1.0. - 1.30am. Often car alarms are activated during store hours when

customers return to their cars, they will appear to be a lot louder in the small hours of the morning.

Could any of the suggestions below be put forward to help nullify the disturbance at such unsociable times for the residents who will have to experience this every night/early morning. Could a covered walkway be built down the side of the store where the staff exit the building? This would help to reduce the noise to the residents living so close.

Ask the late night staff to park on the right hand side of the car park next to the office complex, to elevate some of the noise at this very late night/early morning hour. The noise and reverberation of car engines from the petrol station is at present already enough.

The car park lights: could they be fitted with more shields on the Unwin Close side, dimming the glare from the nearby bedroom windows?

Knowing that Asda will eventually be planning to extend to 24 hour opening in the future, perhaps these suggestions could be put forward now. A little less expensive than in a year's or so time!! When a large and very busy store is built only a few yards from your property all problems and disturbances such as the above are there for the duration. Unfortunately we have to put up with it. The manager (Mr. Lee Williamson) of this store has been so considerate towards us the neighbours he has ironed out many problems as they have arisen, we could not have hoped for a more co-operative neighbour. We just hope that he will stay at this store for a few more years.

8 Redgrove Cottages  
Hatherley Lane  
Cheltenham  
Gloucestershire  
GL51 6SH

**Comments:** 29th May 2014

Regarding Asda's application to extend opening hours, I have the following points to make against the proposal:

- The current opening hours are perfectly adequate for a supermarket in a residential area.
- The biggest issue is traffic. Traffic is already at very high levels along Hatherley Lane, at all times of the day - and is getting worse. Increasing the opening hours is only going to add to the misery for local residents. The roundabout which leads to the store has already had to be resurfaced due to excessive wear.
- Less than 2 years since Asda last applied to extend its opening hours (which was rightly rejected), the Council has still not spent the 2m GBP which was pledged to make improvements to traffic calming on Hatherley Lane and surrounding roads. There have been countless incidents of excessive speeding and dangerous or careless driving since the store opened, which, I suggest, can be attributed in part to the increase in traffic using the road. Asda 'home delivery' vans are also guilty of speeding.
- There is an ongoing and serious litter problem, which has come about as a direct result of Asda Store opening, yet nothing is being done to clear it up. Trolleys are also regularly abandoned outside nearby houses.
- Had this application been submitted when the store opened, it would have been rejected. Asda is making the application by 'stealth' in the hope that no one will care now that the store is established. There is a 24 hour Asda less than 10 mins drive away; if anyone's that desperate to use Asda outside their current opening hours, they can go to Gloucester, or they

can visit several other late opening convenience stores. Customers can also shop 24hrs online. I completely reject the claim that there is a "need for this proposal".

We sincerely hope that Cheltenham Borough Councillors and the Licensing Department take notice of these views, and are not swayed by individuals who are not resident in the near vicinity. The covering letter with the application brushes aside the "impact on residential amenity" with complete disdain; its author clearly has no clue what she is talking about. Who did she speak to? No-one has ever contact me or my neighbours. The traffic and noise impact is significant. We know - we live on Hatherley Lane. We're not just talking local traffic either. More and more traffic and buses from outside the local area is using Hatherley Lane as a rat run to avoid the A40, and the Asda store has exacerbated the traffic situation. It should also be noted that Asda lorries also cause considerable noise pollution through the night as they make deliveries. It's time that the council did something positive for local people and rejects this application and does not submit to corporate greed.

We would appreciate support from local councillors (cc'd) too please.

6 Unwin Close  
Cheltenham  
Gloucestershire  
GL51 6PF

**Comments:** 28th May 2014

I have received from our neighbour a copy of a letter sent to him, relating to the proposed increase in opening times for the ASDA store opposite us.

Can I say that we are disappointed that you did not feel it necessary to advise us of this change, as we will be directly affected and that we most strongly object to the proposal on the following grounds:

1. The noise will cause added interference with our right to 'quiet enjoyment' of our home. Although the noise report included with the application appears to suggest there will be no significant increase in noise, the points that seem to have been overlooked, as far as I can tell, are that any increase will be at night when any noise will be magnified, particularly after midnight and that there will be increased noise from staff vehicles leaving even later. At present the store closes at 10.00pm, although it is entitled to remain open until 11.00pm and at 11.00pm a motor cycle is heard leaving. This is disturbing, but not unduly so as we are normally still awake. If this were to happen any later, it would be very disturbing.
2. There is already increased traffic in Hatherley Lane, to and from ASDA. This proposal will increase the possibility of more traffic at unsocial hours, together with the associated noise, not a satisfactory situation for those living in the Hatherley Lane area.

In all, this application seems unnecessary. The current approved opening times are not used, presumably because of the lack of demand and any increase will cause undue interference to neighbouring properties at very unsocial hours. The proposal is ill conceived and should be rejected.

7 Roxton Drive  
Hatherley  
Cheltenham  
Gloucestershire  
GL51 6SQ

**Comments:** 2nd June 2014

With reference to the latest request by ASDA to extend its hours, I would like to object to their application.

I note that a company commissioned I assume by ASDA could not find anything wrong with the noise levels taken over a one day period.

Then they weren't around Sunday evening May 18th when two delivery lorries over a one hour period were parked up with their refrigeration units running at full blast, and I can supply photos and video if you wish as I can see them from my bedroom window.

And again today Sunday June 1st. an ASDA lorry parked was up with its refrigeration unit running.

This is not the first time I have complained to ASDA managers and pointed out that the agreement is for the lorries to park on the A40 and phone in to check if they can drive straight into the unloading bay. This link I sent to the council in November 2012

<http://www.youtube.com/watch?v=nLXtz6EbVLU&feature=g-crec-u> of a lorry parked for over an hour with the unit running, so long that I even had time to go around and video it.

To conclude I see that the application doesn't ask for increased deliveries, but feel that an increase in business, as ASDA predict, will surely mean more goods will have to be delivered and its only a matter of time before an increase in deliveries will be applied for should the extension be granted.

6 Tylea Close  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RB

**Comments:** 27th May 2014

I am writing to object to the extension of the opening hours of the ASDA store on Hatherley Lane on the grounds of noise and disturbance.

With regard to ASDA's statement regarding their need to be competitive. The nearest Supermarket is Morrisons which closes at 10pm as does Sainsburys with the only 24 hour store being Tesco which is not built in a residential area. As ASDA chose to build near a residential area such as this store, the opening hours must be restricted to allow for consideration to nearby residents.

The existing planning permission already allows the store/petrol station to open until 2300 which at present they are not utilising. Therefore, this application will amount to a 17% increase in the total weekly opening hours.

Much as ASDA has produced a detailed noise report, this means little to the nearby residents who are left to live with the outcome. Let's be honest if the store is open longer more noise will be

created if not by the odd person who needs to visit the store near midnight but due to the fact that the store is operating with staff going about their duties.

My house backs on to the rear of the store and we can clearly hear the tannoy announcing that the store is closing. If this permission is granted then there must be measures put into place to restrict this nuisance noise at what will be after midnight! In addition there is some form of compressor that starts up at various times and can be heard in the house with the windows closed. It may only go on for 5 minutes but will this now occur soon after 6am or 11:30pm?

We are all too well aware that it is ASDA's intention to open 24hours and they will keep pushing until this is achieved. I can only hope that the Cheltenham planning take into account the location of the store and its closeness to residential property and ensure that this request is denied.

Therefore I feel that this application is irresponsible and inappropriate considering its closeness to residential areas.

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<b>APPLICATION NO: 14/00766/CONDIT</b>		<b>OFFICER: Mr Martin Chandler</b>
<b>DATE REGISTERED:</b> 2nd May 2014		<b>DATE OF EXPIRY:</b> 1st August 2014
<b>WARD:</b> Benhall/The Reddings		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Alan Jones	
<b>AGENT:</b>	Mrs Kate Gapper	
<b>LOCATION:</b>	ASDA Stores Ltd Hatherley Lane Cheltenham	
<b>PROPOSAL:</b>	Variation of condition 36 on planning permission 10/00252/FUL to extend the opening/closing times of the foodstore and petrol station	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. At the time of publication, the relevant suggested conditions were not attached to the officer report. These are now set out below.

### 2. CONDITIONS

- 1 The hours of opening of the supermarket for retail sales shall be;
  - Monday 0600 - 2359
  - Tuesday 0600 - 2359
  - Wednesday 0600 - 2359
  - Thursday 0600 - 2359
  - Friday 0600 - 2359
  - Saturday 0600 - 2359
  - Sunday 1000 - 1600

Reason: To limit disturbance to neighbouring residents during unsocial hours, in accordance with Policy CP4 of the Cheltenham Borough Local Plan 2006.
  
- 2 The hours of opening for the petrol station shall be;
  - Monday 0600 - 2359
  - Tuesday 0600 - 2359
  - Wednesday 0600 - 2359
  - Thursday 0600 - 2359
  - Friday 0600 - 2359
  - Saturday 0600 - 2359
  - Sunday 0800 - 2000

Reason: To limit disturbance to neighbouring residents during unsocial hours, in accordance with Policy CP4 of the Cheltenham Borough Local Plan 2006

#### INFORMATIVES :-

- 1 The applicant is advised that all other conditions on planning permission ref: 10/00252/FUL that are relevant to the ongoing operation of the foodstore remain unchanged as a result of this decision and therefore require ongoing compliance.

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<b>APPLICATION NO:</b> 14/00938/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 28th May 2014	<b>DATE OF EXPIRY:</b> 23rd July 2014
<b>WARD:</b> Warden Hill	<b>PARISH:</b> Leckhampton With Warden Hill
<b>APPLICANT:</b>	Mr Steven Williams
<b>AGENT:</b>	
<b>LOCATION:</b>	126 Warden Hill Road, Cheltenham
<b>PROPOSAL:</b>	Two storey side and single storey rear extension

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application is before Committee at the request of Councillor Anne Regan.
- 1.2 Planning permission was granted earlier this year for a very similar extension to this property (ref 14/00061/FUL) to which the occupiers of the neighbouring dwelling objected in term of loss of light and outlook from their kitchen window. This objection was withdrawn upon the receipt of amended drawings which introduced a flat roof to the single storey element and a reduction in the depth of the proposed two storey element. The current application reintroduces the pitched roof to the single storey element which was originally shown on the previous scheme. In light of this switch back to a pitched roof, Councillor Regan would now like the matter determined by the Planning Committee.
- 1.3 The applicant proposes the erection of a two storey side extension and a single storey side and rear extension. A new French drain within the rear garden is also proposed to provide adequate drainage of surface water at the rear of the property.
- 1.4 The application site consists of a two storey, semi-detached dwelling with double bay front elevation, a tiled hipped roof and red brick facing walls. There is a small lean-to single storey extension to the rear and a detached flat roofed garage in the garden accessed via a driveway which runs along the side of the house.
- 1.5 This part of Warden Hill Road is characterised by semi-detached houses the majority of which are identical on the south side of the road and have a number of distinctive architectural features, namely the double bay windows with rendered panel and arch detail over the front door.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

None

### Relevant Planning History:

**03/01980/FUL    16th February 2004    REF**

Construction of single storey rear extension (incorporating existing garage)

**14/00061/FUL    14th March 2014    PER**

Erection of two storey side and single storey rear extensions

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 1 Sustainable development

CP 4 Safe and sustainable living

CP 7 Design

UI 2 Development and flooding

### Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Sustainable developments (2003)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### Parish Council

25th June 2014

The Council objects to this application on the grounds that the total footprint of this application is far too large in respect to residents at no 124 Warden Hill Road, as the proposed development poses a severe threat to their privacy, loss of light and risk of flooding. In addition the proposed side wall on the plan will form the boundary for no 124, this is not acceptable and certainly not conducive to the double width drive condition Mr & Mrs ... have currently, this proposal is far to imposing to the residents next door. Other factors to consider include the inconvenience of any build regarding scaffolding etc which would have to be erected on the drive of 124.

The Council requests that the planning officer Lucy White to visit Mr & Mrs ... as soon as possible to discuss their concerns.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

**5.1** A total of 5 local residents were notified of the proposals and this has prompted 2 letters of objection, one from each of the neighbouring properties, No 128 and 124 Warden Hill Road. The concerns raised can be summarised as follows (and include issues raised with the previous application):-

- Loss of daylight and sunlight to neighbour's ground floor kitchen window, first floor landing and bathroom windows and patio. One of the occupiers of No 124 has poor eyesight and there are thus safety issues to consider.
- Potential for noise associated with the construction of the extension and access onto the neighbouring property for scaffolding is not acceptable to the occupiers of this property.
- Overbearing appearance of the two storey side extension from the neighbour's kitchen window; the alterations to the roof will impact upon the appearance, shape and character of the semi-detached pair
- View of proposed straight roof from the garden of No 128 will be obtrusive and unattractive
- Velux windows in single storey extension unnecessary given size of patio windows proposed and will be seen to and from bedroom window of No 128
- Roof pitch of single storey extension too steep and above height of neighbour's conservatory
- The proposed extension would be erected over a manhole cover for a shared drain.
- A previous application for an extension to No 126 was refused (single storey rear extension)

- Flat roof previously proposed would have less impact on both neighbouring properties
- No 124 Warden Hill Road flooded in 2000 and 2007 and subsequently the conservatory has been rebuilt at a higher level. The proposed narrower gap between the two houses will result in excess surface water during heavy periods of rainfall escaping between the houses to the road with potentially more being channelled onto the neighbouring property No 124. Potential for excess surface water to also enter No 128 as a result of the extension.
- All objections to the previous permitted scheme still stand and should be referred to

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.2** The key issue is the extent to which the re-introduction of a lean-to roof to the proposed single storey extension would cause harm to the amenities of the occupiers of the two neighbouring properties (particularly those at No 124 Warden Hill Road) in terms of loss of light, outlook and privacy.

### **6.3 Design and layout**

- 6.4** Planning permission has already been granted for a two storey side extension and single storey side and a rear extension to this property earlier this year (ref 14/00061/FUL). Therefore the principle of development of this scale, layout and footprint is considered acceptable.
- 6.5** However, the previous scheme granted planning permission in March 2014 was amended during the course of negotiations with the applicant. Initially the two storey extension ran the full length of the side elevation with a full width single storey rear extension. The two storey side extension also incorporated a hip to gable roof extension. This first scheme was considered unacceptable for a number of reasons; the height and proximity to the boundary, the lack of a set back from the front elevation and the loss of light to the kitchen window on the side elevation of the neighbouring property, No 124 Warden Hill Road. A light test was also carried out and the proposed development failed the test.
- 6.6** Following discussions with the applicant two further revisions were made which showed an increased 1.5 metre set back of the two storey element from the front elevation and alternatively a 1 metre set back from the rear elevation but with the extension flush with the front elevation. The hip to gable extension was also omitted in favour of a simpler hipped roof extension. Whilst both revised schemes passed the light test (albeit marginally), Officers still had concerns about the loss of outlook from the neighbour's kitchen window and the overbearing appearance of the two storey side extension together with the single storey rear extension.
- 6.7** In light of the above concerns the applicant amended the scheme a third time and the approved scheme has a two storey extension set back 1 metre from the front elevation and 1 metre from the rear elevation of the existing building. The single storey extension also incorporates a flat roof with raised rooflights. As such, the proposed development was considered acceptable in scale, height and layout in relation to the neighbouring property and is subservient in both scale and appearance to the parent dwelling. The proposal thus adhered to the criteria of Policies CP4 and CP7 of the Local Plan.

- 6.8** The applicant now wishes to re-instate the lean-to roof with rooflights over the single storey element at the side and rear of the property.
- 6.9** After careful consideration of the concerns of the occupiers of No 124 Warden Hill Road, Officers consider that any additional harm caused by the slight increase in height of the single storey extension (300mm) would be minimal and, in comparison with what has already been approved, not sufficient to warrant refusal of this planning application.
- 6.10** Similarly, the lean-to roof of the single storey rear extension will not harm the amenities of the occupiers of No 128 Warden Hill Road. This property also has a single storey extension, smaller than that proposed at No 126, but again the slight increase in height and forward projection of the proposed single storey extension should not result in any significant loss of light or outlook to the rear of No 128.
- 6.11** It is disappointing that the applicant has chosen to alter the design back to what was originally proposed, particularly given the neighbour's willingness to withdraw their previous objection in light of the amended drawings. However, Members should be mindful of the very small increase in height of the single storey extension and that planning permission has already been granted for an extension of identical mass, layout and footprint at this property.
- 6.12 Other Considerations**
- 6.13** The Parish Council has objected and raised a number of issues relating to flooding, footprint and proximity to the boundary and the resulting harm to the amenities of the occupiers of No 124 Warden Hill Road. These matters were considered in relation to the previous scheme and are therefore largely irrelevant in the determination of the current proposal. Planning permission has already been granted for two and single storey extensions of identical footprint.
- 6.14** With regard to the potential for flooding, the applicant proposes a new and extended French drain at the rear of the property to mitigate against any increase in surface rain water from the rear garden draining down and through the proposed narrower gap between Nos 126 and 124 Warden Hill Road. As part of the previous application, the applicant also submitted a Water Engineer's report in respect of the proposed French drain and drainage in general from the site following completion of the proposed extension.
- 6.15** The Water Engineer concluded that that there should be no significant increase in the amount of rainwater that will enter the surface water drainage system in the proposed scenario compared to the existing situation and that the extended French drain will improve the efficiency of the drain in removing water to the surface water system compared to the current situation. There have also been recent improvements to the Flood Alleviation scheme within the locality.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** In light of all the above and on balance, it is recommended that planning permission be granted subject to the following conditions.

## 8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers Williams.Planning received 27th May 2014.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no additional openings shall be formed in the development without planning permission.  
Reason: Any further openings require detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

## INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

<b>APPLICATION NO:</b> 14/00938/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 28th May 2014		<b>DATE OF EXPIRY :</b> 23rd July 2014
<b>WARD:</b> Warden Hill		<b>PARISH:</b> LECKH
<b>APPLICANT:</b>	Mr Steven Williams	
<b>LOCATION:</b>	126 Warden Hill Road, Cheltenham	
<b>PROPOSAL:</b>	Two storey side and single storey rear extension	

## REPRESENTATIONS

Number of contributors	<b>2</b>
Number of objections	<b>2</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

128 Warden Hill Road  
Cheltenham  
Gloucestershire  
GL51 3EH

**Comments:** 17th June 2014

I write, on behalf of my wife and myself, with reference to the above Planning Application at 126 Warden Hill Road.

You will be aware that a previous application - Ref 1/0006/FUL - was made for an extension to the property on 15.01.14, and that approval was given on 14.03.14 for the work to be carried out to the applicants drawing 013.097.Planning 01 Revision D of 05.03.14.

The new application, drawing Williams Planning, shows that instead of the flat roof to the rear extension, there is now to be a tiled pitched roof. This is going back somewhat, to a design that was changed during the consultation period of the original application. We did state in our letter of objection at that time, that we would prefer a flat roof as this would be less obtrusive to us and be less visible from our property.

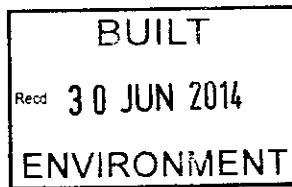
It does seem to be unfortunate that the new application goes back on something that has already been agreed on and that has been accepted by us. We would certainly prefer that if an extension is to be built then it be done to the plans which have already been thoroughly discussed, amended and subsequently approved.

124 Warden Hill Road  
Cheltenham  
Gloucestershire  
GL51 3EH

**Comments:** 2nd July 2014  
Letter attached.

MRS. LUCY WHITE, PLANNING DEPT.  
CHELTENHAM BOROUGH COUNCIL  
P.O. BOX 12, MUNICIPAL OFFICES  
CHELTENHAM, GL50 1PP  
YOUR REF: 14/00938/FUL

Page 390



124, WARDEN HILL RD.,  
CHELTENHAM.  
GL51 3EH.

Dear Mrs. White,

PROPOSAL: TWO STOREY SIDE + SINGLE STOREY REAR EXTN. @ 126 WARDEN HILL RD, CHELTENHAM, GL50

We are writing to object to the "New" Plan 4; of the above Extension for the following Reasons  
Previously (Plans 1-3) were passed & "ACCEPTED" with a Flat Roofed Extension by the  
Occupants of 126, Warden Hill Rd.

Our ~~THE~~ Previous Objections you still hold & will hopefully be referred to - together with  
these added ones

We are writing to object to the New Plan ④ of the above Rear Extension of 126.

① The Agreement of Planning (1-3 Plans) were passed with a Flat Roofed Extension -  
which "We finally submitted to - & Agreed to 'Comprise' with in the Agreement!"

However, we feel very disappointed that the same "ORIGINAL" - "New Plans", which  
were incidentally turned down before, have since been Re-Submitted - albeit  
in a slightly revised form!

OUR MAIN ISSUE - THE OVERBEARING STRUCTURE STILL REMAINS !!

Our objection is:- The Great Height of the Structure Point of this Proposed Rear Extension  
added together with the "Massive Wide Scale Spread Outwards" - which joins onto the  
Double Storey Extn. along the Boundary wall:- Obtrusive & Unreasonable from our Side!

It will be the "Biggest Overall Sized Extension 'Spread Around' in this Road!

One without the Other - You could "ARGUABLY" accept?! But the Two  
Together - we feel is Unreasonable!

The Loss of light again - is our Main Concern & Worry.

On a Concluding note:- Our Grave Fears still Remain & will continue to do so  
with this "Massive Takeover of Land" alongside our Boundary.

The Positioning & this being the "Highest Point" of land on the downward Slope  
of "Warden Hill" itself - "IS AN UNKNOWN PROBLEM" - as Water will always find it's  
own level! From Whatever Angle - with this Proposed land being taken over &  
& Built on - Leaving less Space to Drain Away!

These are our Great Concerns & Worries for Future Happenings - on this Heavy Clay  
Incline - which has hitherto - neither been touched or Disturbed for the past 60 YRS

Your Sincerely



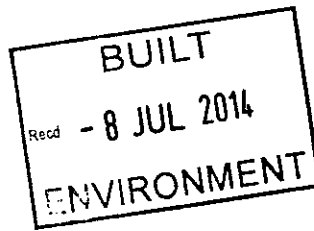
<b>APPLICATION NO:</b> 14/00938/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 28th May 2014		<b>DATE OF EXPIRY:</b> 23rd July 2014
<b>WARD:</b> Warden Hill		<b>PARISH:</b> Leckhampton With Warden Hill
<b>APPLICANT:</b>	Mr Steven Williams	
<b>AGENT:</b>	No agent used	
<b>LOCATION:</b>	126 Warden Hill Road, Cheltenham	
<b>PROPOSAL:</b>	Two storey side and single storey rear extension	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. A letter (attached) has been submitted by the applicant on 8<sup>th</sup> July 2014 which responds to the various issues raised by the Parish Council on 25<sup>th</sup> June 2014.
- 1.2. The applicant is concerned that the Parish appears to have focused their objection to the proposed development on the impact of the two storey side extension and footprint of the proposed development and wish to point out that planning permission has already been granted for a two storey side and single storey side and rear extensions at this property. The only difference between the two applications is the introduction of a lean-to roof to the single storey side and rear extension.
- 1.3. Similarly, the previous concerns in relation to flooding have been addressed and a report was provided by an independent Water Engineer as part of the earlier application.

126 Warden Hill Road  
Cheltenham  
Glos  
GL51 3EH



1<sup>st</sup> July 2014

Dear Mrs Winstone,

**OBJECTION BY PARISH COUNCIL TO PROPOSED DEVELOPMENT, 126 WARDEN HILL ROAD**

I refer to the Parish Council's comments dated 25/6/14 on the planning application for a two storey side and single storey rear extension at 126 Warden Hill Road, Cheltenham (application number 14/00938/FUL).

I note that the Council considers the total footprint of the application to be far too large. I would like to draw the Council's attention to the fact that the footprint of the proposed development is the same as that which received planning approval on 14/04/14 (application number 14/0006/FUL).

I am surprised that the Council believes that the proposed development poses a severe threat to the privacy of the occupiers of 124 Warden Hill Road because no windows are proposed that will overlook this property. The current situation is 3 windows with an outlook towards 124 Warden Hill Road i.e. from the existing kitchen, hallway and bathroom. These will be eliminated by the proposed development and therefore privacy will be improved.

With respect to the concern the Council has regarding loss of light for 124 Warden Hill Road, I understand that the proposal passes the light test. Regarding the perceived risk of flooding that the Council has stated as a reason for objection, I would like to refer the Council to the Water Engineer report which accompanied the previous planning application (number 14/0006/FUL). The report (dated 04/03/14) concluded that 'the proposed scenario will not be significantly different to the existing scenario and should not lead to any additional flooding of properties either side of 126 Warden Hill Road'. The proposed drainage system is the same as the drainage system assessed by the Water Engineer in this report and these conclusions are therefore relevant to the proposed development.

Could I ask the Council to explain why they have raised an objection to the proposed side wall forming the boundary between 124 and 126 Warden Hill Road? This proposed wall is the same length, size and construction as that which received planning approval on 14/04/14 and is within the curtilage of 126 Warden Hill Road.

I would like to confirm that the only difference proposed by the current planning application compared to the plans that were approved on 14/04/14, is a change in roof structure for the one storey rear extension. In the new application the roof structure is

a tiled, pitched roof. When comparing this to a flat roof, I believe that the pitched roof is more sustainable. It is also more in-keeping with other properties nearby. Of the 23 houses in the row in the vicinity of 126 Warden Hill Road, 6 have single storey rear extensions with a pitched roof and 4 have a single storey rear extension with a flat roof.

I hope that the Council will reconsider the objections raised after reading this letter and request that the questions that I have asked are answered as soon as possible.

Yours sincerely

A black rectangular box redacting the signature of Mrs Clare Williams.

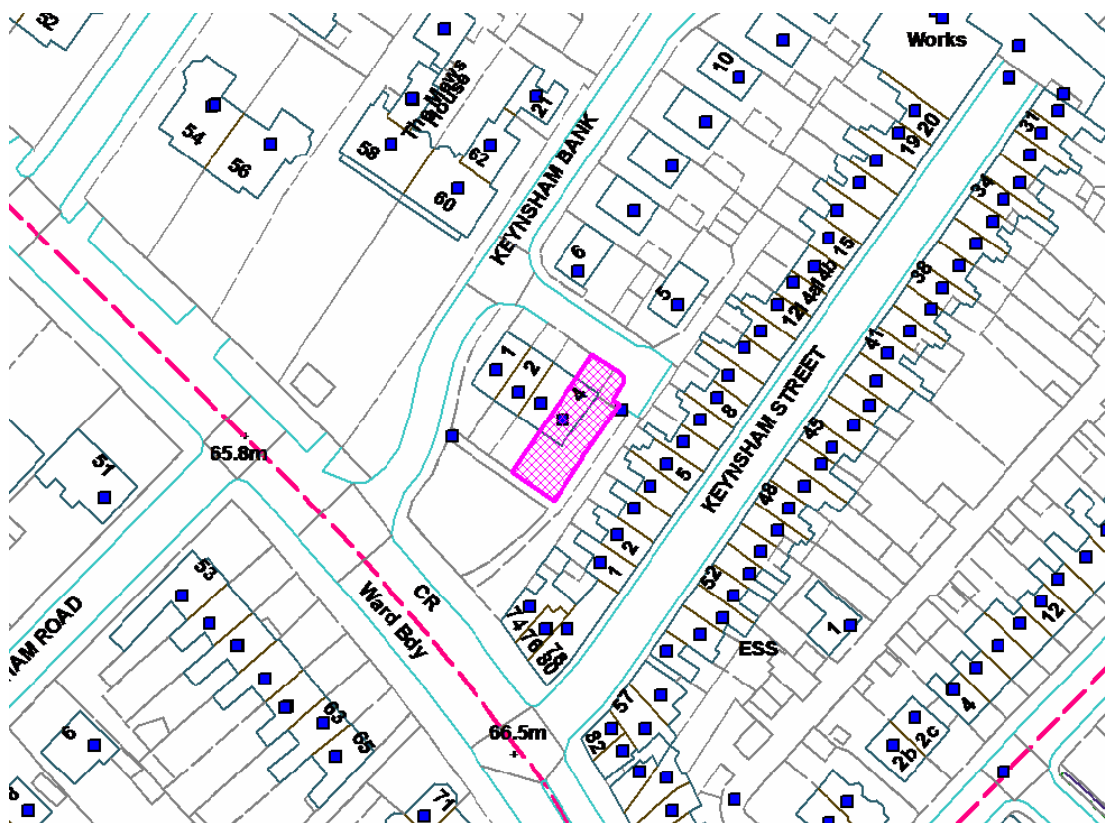
MRS CLARE WILLIAMS

Cc Victoria Harris, Planning Officer, Cheltenham Borough Council

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<b>APPLICATION NO:</b> 14/01017/FUL	<b>OFFICER:</b> Miss Michelle Payne
<b>DATE REGISTERED:</b> 7th June 2014	<b>DATE OF EXPIRY:</b> 2nd August 2014
<b>WARD:</b> All Saints	<b>PARISH:</b> None
<b>APPLICANT:</b>	Mr Ralph Staelens
<b>AGENT:</b>	Drawing Services
<b>LOCATION:</b>	4 Keynsham Bank, Cheltenham
<b>PROPOSAL:</b>	Three storey side extension (revised scheme following refusal of previous application ref. 13/01676/FUL)

**RECOMMENDATION:** Refuse



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a modern end-of-terrace, three storey townhouse within a cul-de-sac accessed from the London Road. The site is located within the Sydenham character area, one of 19 character areas that together form Cheltenham's Central Conservation Area, and the building is positively identified in the Townscape Analysis Map.
- 1.2 The terrace of four dwellings addresses the London Road but is set well back from the highway with only pedestrian access available to the front of the property and vehicular access provided to the rear. No.4 Keynsham Bank sits within a wider plot than its immediate neighbours with an enclosed yard alongside. A public footpath runs parallel to the south-eastern site boundary with residential properties in Keynsham Street beyond.
- 1.3 The property is rendered and has a flat roof with parapet detail; the front elevation incorporates a stringcourse detail.
- 1.4 The application is seeking planning permission for the erection of a three storey side extension to accommodate a garage and utility at ground floor, a dining room at first floor and an additional bedroom at second floor.
- 1.5 The application has been submitted following the withdrawal, and subsequent refusal of two similar schemes in June 2013 and November 2013; the difference between the recently refused scheme and that now proposed is a 500mm reduction in the width and depth of the extension at first and second floor.
- 1.6 The application is before planning committee at the request of Cllr Jordan on behalf of the applicant; Members will visit the site on planning view.

## 2. CONSTRAINTS AND PLANNING HISTORY

### Constraints:

Conservation Area

### Planning History:

**CB11175/07**

**PERMIT**

**9th September 1977**

Erection of 8 detached houses and block of 4 townhouses

**13/00746/FUL**

**WITHDRAWN**

**27th June 2013**

Three storey side extension

**13/01676/FUL**

**REFUSE**

**11th November 2013**

Three storey side extension (resubmission following withdrawal of previous application ref. 13/00746/FUL)

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 1 Sustainable development

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 7 Design

GE 6 Trees and development

TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Residential alterations and extensions (2008)

Sydenham character area appraisal and management plan (2008)

National Guidance

National Planning Policy Framework

## 4. CONSULTATION RESPONSES

None

## 5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 11 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. In response to the publicity, one letter has been received and is attached to this report.

## 6. OFFICER COMMENTS

- 6.1 The main considerations when determining this application are design and impact on neighbouring amenity.

Design

- 6.2 The proposed extension would be set well back from the principal elevation, with a slightly lower parapet height and would clearly read as a subservient addition which would sit well within its context. The use of external facing materials and fenestration to match existing would ensure that the extension would reflect the character of the original building and locality, and although officers consider that the existing stringcourse detail to the front elevation should be repeated in the extension this could be adequately controlled by way of a condition.
- 6.3 The extension is therefore considered to accord with the aims and objectives of Local Plan Policy CP7 relating to design.

Impact on neighbouring amenity

- 6.4 The proposed extension would extend almost to the site boundary, with its blank three storey side elevation within 5.5 metres of the rear boundary to no.5 Keynsham Street. Whilst the extension has been reduced in both depth and width by 500mm at first and second floor, since the previous refusal was issued, officers consider that these changes simply do not go far enough to overcome the significant harm that would be caused to neighbouring amenity.
- 6.5 No.5 Keynsham Street has only a very small courtyard to the rear and has a pair of French doors in its rear elevation which, together with a roof light, serve a large kitchen/dining room. Having visited this neighbouring property, it is clear that the three storey height of the proposed extension in such close proximity to their rear boundary would have a significant impact on the amenity of the occupiers of this neighbouring dwelling with regard to both outlook and daylight; the council will normally seek a minimum of 12 metres between clear glazed windows and blank flank walls. Furthermore, whilst the kitchen/dining room is also served by a large roof light, the proposed extension

fails the 25° light test set out in the residential alterations and extensions SPD when used to assess the effect of the height of the extension on the French doors.

- 6.6 The proposal is therefore contrary to the requirements of Local Plan Policy CP4 relating to safe and sustainable living.

### Other issues

- 6.7 Comments have been forwarded with the application from Gloucestershire Highways in which they raise no objection to the proposed extension or their trees being pruned.

### Conclusion

- 6.8 With all of the above in mind, the recommendation is to refuse the application for the following reason:

## 7. REFUSAL REASON

- 1 The proposed extension would extend almost to the site boundary with its blank three storey side elevation within 5.5 metres of the rear boundary to no.5 Keynsham Street. This neighbouring terraced property has only a very small courtyard to the rear and has a pair of French doors in its rear elevation which, together with a roof light, serve a large kitchen/dining room. The height of the extension in such close proximity to the rear boundary of this neighbouring property would have a significant impact on the amenity of the occupiers of the dwelling with regard to both outlook and daylight. Furthermore, whilst the kitchen/dining room is also served by a large roof light, the proposed extension fails the 25° light test set out in the residential alterations and extensions SPD when used to assess the effect of the height of the extension on the French doors.

The proposal is therefore contrary to the requirements of Local Plan Policy CP4 relating to safe and sustainable living, and one of the core planning principles set out in the NPPF which states that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

## INFORMATIVE

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the authority cannot provide a solution that will overcome the concerns in respect of neighbouring amenity.

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.



<b>APPLICATION NO: 14/01017/FUL</b>		<b>OFFICER: Miss Michelle Payne</b>
<b>DATE REGISTERED:</b> 7th June 2014		<b>DATE OF EXPIRY :</b> 2nd August 2014
<b>WARD:</b> All Saints		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Ralph Staelens	
<b>LOCATION:</b>	4 Keynsham Bank, Cheltenham	
<b>PROPOSAL:</b>	Three storey side extension (revised scheme following refusal of previous application ref. 13/01676/FUL)	

### REPRESENTATIONS

Number of contributors	<b>1</b>
Number of objections	<b>1</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

5 Keynsham Street  
Cheltenham  
Gloucestershire  
GL52 6EJ

#### Comments: 27th June 2014

I refer to our recent telephone conversation in connection with the above planning application, which I understand is a revised application following the refusal of the previous application (13/01676/FUL) and withdrawal of the original application (13/00746/FUL).

I understand that the revision to the previous application is simply a reduction of 500mm to the width of the proposed 3 storey extension. This alone does not negate the huge impact the proposed extension would have on my home (outlook/light).

As touched on before, and in no particular order, I am deeply concerned with the distance between any of my rear windows/French doors and that of the gable/flank wall of the proposed extension, which I understand still contravenes the Council's planning regulations.

I had the French doors & a large skylight installed at the rear of my property to increase the light flowing into my kitchen/diner due to the detrimental effect of the communal trees behind the rear wall of my home and the party walls surrounding my courtyard/garden. With the proposed extension I may as well resign myself to just using artificial light.

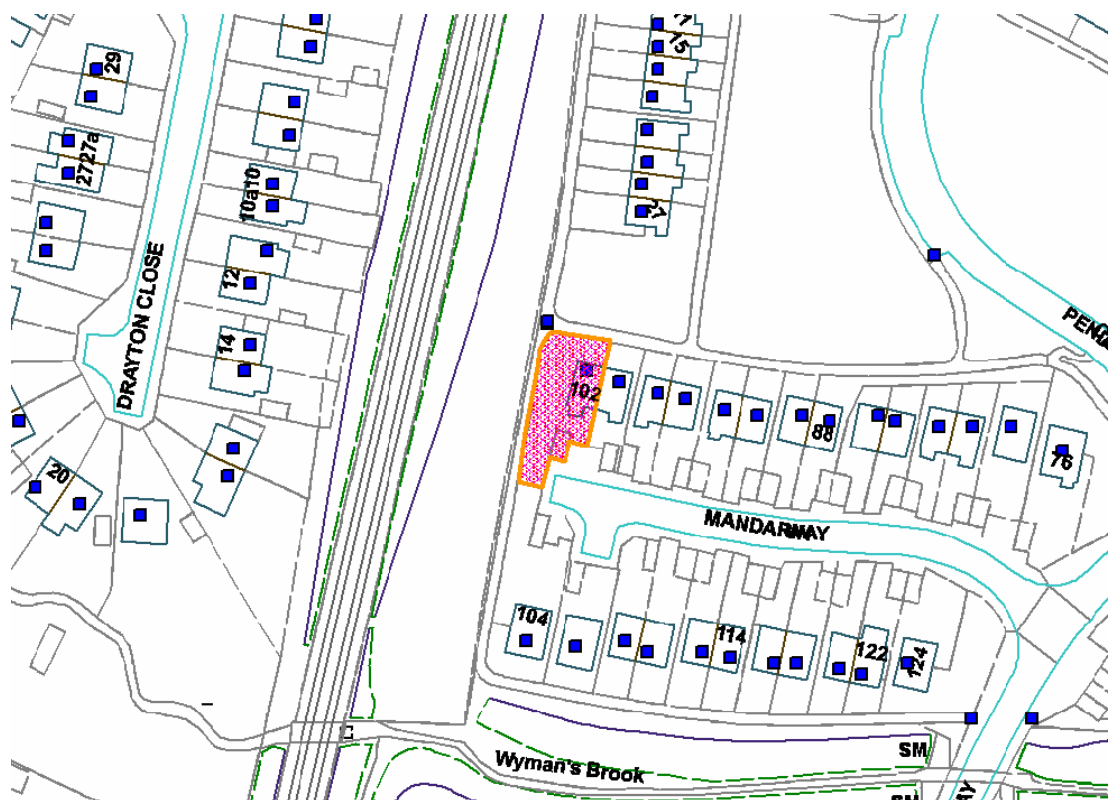
As mentioned before should permission be granted for this application the proximity combined with the height of the proposed extension and the aforementioned trees, I reiterate that it will have a hugely detrimental effect on not only the light but also on the outlook from my home.

Again, I am conscious that my continued concerns will not be to the applicant's liking but again invite all concerned to my home so that my concerns can be experienced/felt first hand.

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<b>APPLICATION NO:</b> 14/01043/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 10th June 2014	<b>DATE OF EXPIRY:</b> 5th August 2014
<b>WARD:</b> Swindon Village	<b>PARISH:</b> Swindon
<b>APPLICANT:</b>	Mr K Taylor
<b>AGENT:</b>	Dennis L Rayton
<b>LOCATION:</b>	102 Mandarin Way, Cheltenham
<b>PROPOSAL:</b>	Erection of two storey side and single storey front extensions, wood burner flue in roof of proposed two storey extension and velux window in front roof slope of main dwelling (revised scheme following planning permission 14/00196/FUL)

**RECOMMENDATION:** Refuse



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application is before Committee at the request of Councillor Bernard Fisher. He considers the proposed development sound and that it would be beneficial to all concerned that the application is determined by the planning committee.
- 1.2 The applicant proposes the erection of a two storey side extension, single storey front extension, installation of a wood burner flue in the roof of the proposed two storey extension and a velux window in the front roof slope of main dwelling.
- 1.3 Planning permission was granted earlier this year for a two storey side extension (ref 14/00196/FUL).

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

None

### **Relevant Planning History:**

**83/00637/PF    8th February 1983    PER**

Alterations and extension to existing dwelling to provide a bedroom, shower room and porch

**83/00638/PF    26th April 1983    PER**

Alteration and extension to existing dwelling to provide a hall, cloakroom and sitting room with hall and two bedrooms over

**14/00196/FUL    15th May 2014    PER**

Two storey side extension

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 1 Sustainable development

CP 4 Safe and sustainable living

CP 7 Design

TP 1 Development and highway safety

### Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Sustainable developments (2003)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### **Building Control**

*26th June 2014 - no comment*

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	3
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 A total of 3 local residents were notified of the proposals; there have been no representations received following the public consultation exercise.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

- 6.2 The key issues are the scale and design of the proposed extensions and other external alterations and their impact upon the architectural integrity and character and appearance of the existing building and wider street scene. The potential harm to the amenities of neighbouring properties will also need to be considered.

### 6.3 The site and its context

- 6.4 The application site consists of a two storey, modern, semi-detached dwelling with brick and tile hung facing walls and a pitched roof. The property has both front and rear pedestrian access, with vehicular access only from the rear. There is a timber shed located in the front/side garden (hidden by a tall hedge) and a detached single garage at the rear. The land drops steeply at the rear of the property and off road parking for approximately three cars is provided adjacent to the garage. A footpath abuts the west boundary with the railway line beyond.

- 6.5 All properties in Mandarin Way and surrounding streets do not benefit from permitted development rights.

### 6.6 Design and layout

- 6.7 The previous application and approved scheme for a two storey side extension (14/00196/FUL) was significantly revised to address officer concerns in relation to the scale and layout of the proposed development. Initially, the proposed two storey extension was shown almost flush with the front elevation but set back 1.8 metres from the rear elevation to retain as much rear garden as possible. Officers had concerns about the set back, width and overall size of the extension and the Parish Council also considered the proposal to be overdevelopment of the site and would result in loss of garden area.

- 6.8 The applicant then submitted revised drawings which the Council considered addressed the above concerns. The extension was set back 750mm from the front elevation and 1.3 metres from the rear elevation. This set the roof of the extension well below the ridge height of the main dwelling and provided adequate amenity space for the property at the front and rear. The width was also considered acceptable and was pulled away from the hedge boundary with the adjacent footpath. As such the extension was considered subservient to the existing dwelling in both scale and appearance and adhered to Policy CP7 and the guidance provided by the Council's Supplementary Planning Guidance 'Residential Alterations and Extensions'.

- 6.9** The current application proposes a two storey side extension of the same scale and form as previously approved but now includes a single storey, pitched roof, gable extension attached to the front of the proposed two storey extension and which projects forward of the front elevation of the main dwelling by 2.6 metres.
- 6.10** The footprint of the proposed extensions would occupy the majority of the front and rear gardens of this property, leaving only a small amenity area at the rear, some of which is taken up by a ramp. The boundary hedge which runs along the west boundary and wraps around the corner of the plot is shown as retained. Notwithstanding the fact that there is no guarantee that this hedge would be retained in perpetuity, there would be clear views of the side elevation and roof of the single storey extension when viewed from the north and east.
- 6.11** Mandarin Way and the surrounding estate were purposely designed with open plan front gardens and properties with both front and rear access. Therefore, the introduction of a single storey extension which projects significantly forward of the principal elevation of the dwelling and occupies a section of the front garden would appear incongruous in the street scene and would detract from the overall character and appearance of the locality.
- 6.12** Further, the proposed development almost doubles the footprint of the property and in this respect cannot be considered subservient to the parent dwelling. The proposed development is therefore considered to be contrary to Policy CP7 of the Local.
- 6.13** The fact that the single storey extension would replace an existing timber shed in the front garden, which is largely concealed by an existing hedge, does not add any weight in support of this application. The shed has been erected without planning permission.
- 6.14** The applicant has provided a number of photographic examples of other properties in the locality that have extended at the front. These examples are either large porch extensions or single storey extensions (some of which are incorporated into two storey side or rear extensions) which do not project forward of the principal elevation. In any event, a planning application will always be considered on its individual merits.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** In light of all the above considerations, it is recommended that planning permission be refused for the following reasons.

## **8. INFORMATIVES / REFUSAL REASONS**

- 1 The proposed single storey extension, which is attached to the proposed two storey side extension, projects 2.6 metres from the front elevation of the original dwelling. As such, the single storey addition would be located forward of the established building line of the adjoining row of identical semi-detached houses within this established housing estate, the layout of which, has been purposely designed with open plan front gardens. Given the distinctive characteristics of Mandarin Way, the proposed development would look incongruous in the street scene and detract from the overall character and appearance of the locality.

Further, the proposed development almost doubles the footprint of the property and in this respect cannot be considered subservient to the parent dwelling. The remaining garden area is also considered inadequate for a property of this size. The proposed development is therefore contrary to Policy CP7 of the Local Plan.

## INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the authority cannot provide a solution that will overcome the concerns relating to impact on the character and appearance of the locality and subservience.

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.

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<b>APPLICATION NO:</b> 14/01043/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 10th June 2014		<b>DATE OF EXPIRY:</b> 5th August 2014
<b>WARD:</b> Swindon Village		<b>PARISH:</b> Swindon
<b>APPLICANT:</b>	Mr K Taylor	
<b>AGENT:</b>	Mr D Rayton	
<b>LOCATION:</b>	102 Mandarin Way, Cheltenham	
<b>PROPOSAL:</b>	Erection of two storey side and single storey front extensions, wood burner flue in roof of proposed two storey extension and velux window in front roof slope of main dwelling (revised scheme following planning permission 14/00196/FUL)	

## Update to Officer Report

### 1. OFFICER COMMENTS

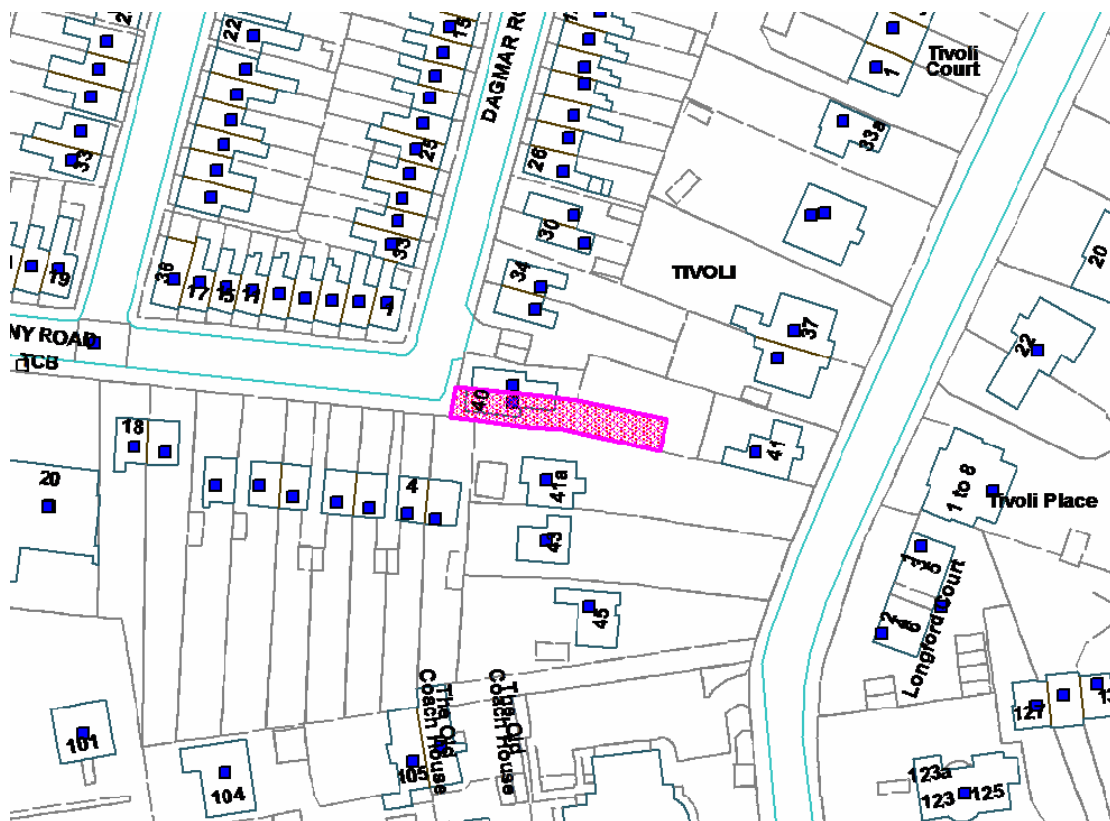
- 1.1. Members need to be aware that an objection has been received from Swindon Parish Council on 14<sup>th</sup> July 2014. They comment as follows:-

*The Parish Council wishes to object to this application. The extension consumes a large part of the garden of the property and also extends significantly beyond the building line.*

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<b>APPLICATION NO:</b> 14/01079/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 18th June 2014		<b>DATE OF EXPIRY:</b> 13th August 2014
<b>WARD:</b> Park		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Carl Roblin	
<b>AGENT:</b>	None used	
<b>LOCATION:</b>	Evergreen, 40 Dagmar Road, Cheltenham	
<b>PROPOSAL:</b>	Rendering of rear two storey wing, increase in height of rear boundary fence from 1.8 metres to 2.5 metres	

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application is before Planning Committee because a member of the Built Environment team lives at the application site.
- 1.2 The applicant proposes the rendering of the rear two storey wing and an increase in height of the rear boundary fence from 1.8 metres to 2.5 metres.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Conservation Area

### Relevant Planning History:

**93/01217/PF 20th January 1994 REF**  
Installation Of New Velux Roof/Balcony Window

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 1 Sustainable development  
CP 4 Safe and sustainable living  
CP 7 Design  
BE 5 Boundary enclosures in conservation areas

### Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)  
Sustainable developments (2003)  
Central conservation area: Tivoli Character Area and Management Plan (July 2008)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### **Gloucestershire Centre For Environmental Records**

25th June 2014 - Report available to view on line.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	6
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 A total of 6 neighbouring properties were notified of the proposed development as part of the statutory consultation exercise. A site notice was also displayed.
- 5.2 There have been no third party representations received as a result of the public consultation exercise.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.2** The key issues are the impact of the proposed increase in the rear boundary fence height and the external alterations to the main dwelling upon the character and appearance of the existing building and the wider conservation area. The potential harm to the amenities of the occupiers of neighbouring properties, particularly those at No 41 Tivoli Road, will also need to be considered.

### **6.3 The site and its context**

- 6.4** The application site is a two storey, semi-detached period dwelling with red brick facing walls and a tiled pitched roof. The property is located on an end plot at the right angle junction with Albany Road and benefits from an enclosed rear garden with boundary walls and fencing on three sides ranging in height from approximately 1.6 to 2.3 metres in height. The site lies wholly within the Central Conservation Area (Tivoli Character Area Appraisal and Management Plan).

### **6.5 Design and layout**

- 6.6** The proposed rendering of the two storey rear service wing in white painted smooth render is considered acceptable. The rear service wing is concealed from view by the main two storey element and since this section of the building would remain as red brick, the impact upon the character and appearance of the conservation area would be minimal.
- 6.7** The adjoining semi-detached property, No 38 Dagmar Road has a blockwork rendered rear service wing and therefore the proposed rendered wall adjacent would sit comfortably alongside.
- 6.8** The proposed increase in height to 2.5 metres of the rear boundary timber fence is also considered acceptable. The property to the rear of the application site is 41 Tivoli Road and given the layout of the gardens and the relationship of these two dwellings, the rear elevation of 41 Tivoli Road is approximately 12 metres from the rear boundary of the application site. A raised decking area has recently been erected at the rear of this neighbouring property and when stood on the decking there are, in close proximity, clear views into the rear garden and kitchen of the application site. The proposed increase in height of the rear boundary fence will prevent direct overlooking into the rear of the application site and should protect the amenities of the occupiers of both properties.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** In light of the above, it is recommended that planning permission be granted subject to the following conditions.

## **8. CONDITIONS / INFORMATIVES**

- 1** The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 1079.04 received 17th June 2014.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.