



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 14 October 2021
2.30 pm
Council Chamber - Municipal Offices

Membership	
Councillors:	Garth Barnes (Chair), Paul Baker (Vice-Chair), Barbara Clark, Bernard Fisher, Stephan Fifield, Paul McCloskey, Tony Oliver, John Payne, Richard Pineger, Diggory Seacome and Simon Wheeler

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

Important Notice

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If you make a representation to the meeting you are consenting to the use of those sound recordings for broadcasting and training purposes.

Agenda

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
- 3. DECLARATIONS OF INDEPENDENT SITE VISITS**
- 4. MINUTES OF LAST MEETING** (Pages 3 - 8)
- 5. PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**

- 5a **20/02089/FUL Unit 1, Charlton King Business Park, Cirencester Road, Cheltenham** (Pages 9 - 302)
[Planning Application Document](#)
- 5b **21/01270/FUL Oakfield House Stables, Oakfield House, Greenway Lane, Cheltenham** (Pages 303 - 340)
[Planning Application Documents](#)
- 5c **21/01464/LBC Hampton House, Shurdington Road, Cheltenham, GL53 0NH** (Pages 341 - 346)
[Planning Application Document](#)
- 5d **21/01475/FUL 2 Morlands Drive, Charlton Kings, Cheltenham GL53 8LP** (Pages 347 - 364)
[Planning Application Documents](#)
- 5e **21/01591/FUL 52 Farifield Parade, Cheltenham GL53 7PJ** (Pages 365 - 380)
[Planning Application Documents](#)
- 5f **21/01776/FUL British Telecom, Oriol Road, Cheltenham GL50 1BA** (Pages 381 - 388)
[Planning Application Documents](#)
- 5g **21/01815/FUL Lidl Foodstore, Grosvenor Terrace, Cheltenham GL52 2SA** (Pages 389 - 404)
[Planning Application Document](#)
- 5h **21/01856/FUL Imperial Gardens, Promenade, Cheltenham** (Pages 405 - 460)
[Planning Application Documents](#)
- 5i **21/01874 Pittville Pump Rooms, East Approach Drive, Cheltenham GL52 3JE** (Pages 461 - 466)
[Planning Application Documents](#)
- 5j **21/01940/LBC Belmont Lodge, Belmont Road, Cheltenham, GL52 2NJ** (Pages 467 - 472)
[Planning Application Documents](#)
- 5k **21/02201/CONF 16 Thompson Drive, Cheltenham GL53 0PL** (Pages 473 - 478)
[Planning Application Documents](#)
6. **APPEAL UPDATES** (Pages 479 - 480)
7. **ANY OTHER ITEMS THE CHAIRMAN DETERMINES URGENT AND REQUIRES A DECISION**

Contact Officer: Democratic Services,
Email: democraticservices@cheltenham.gov.uk

Planning Committee

Thursday, 16th September, 2021

6.00 - 7.20 pm

Attendees	
Councillors:	Councillor Garth Barnes (Chair), Councillor Paul Baker (Vice-Chair), Councillor Barbara Clark, Councillor Bernard Fisher, Councillor Stephan Fifield, Councillor Tony Oliver, Councillor John Payne, Councillor Richard Pineger, Councillor Diggory Seacome and Councillor Simon Wheeler
Officers in Attendance:	Daniel O'Neill, Claire Donnelly, Mike Holmes, Gareth Jones

1. Apologies

Apologies were received from Cllr. McCloskey.

2. Declarations of Interest

Cllr. Clark declared an interest in the last two applications due to her role on the Trust, and her intention to leave the meeting for those items.

The Legal Officer added that the car park relevant to item 5c was owned by the council.

3. Declarations of independent site visits

Cllr. Clark had visited Priory Street.

Cllr Barnes had visited Merestones Drive.

Cllrs. Baker and Payne had visited Merestones Drive and Priory Street.

Cllrs. Pineger and Oliver had visited all the sites bar the Wilson.

4. Minutes of last meeting

The minutes of the last meeting were approved and signed as a correct record.

5. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications – see Main Schedule

6. 21/01517/FUL 17 Merestones Drive, Cheltenham GL50 2SU

The Planning Officer, Daniel O'Neill, presented the applications relating to 17 and 21 Merestones Drive at the same time. Both applications had been referred to committee by Cllr. Barrell due to the impact on the area's visual amenity.

Members asked the following questions, with the following replies from the Officer:

- Why was the fence planned to be 2.4m when they are normally 2m? This was relatively high but it was not expected to affect neighbours. The footpath could be seen from the property and vice versa, so it was not an unreasonably high fence.
- Did 15 Merestones Drive get planning permission for their installation? This was not within the remit of the committee but there was no reason to doubt it.

The Chair moved to the debate and members made the following comments:

- Various pieces of lands near footpaths are not well maintained, but this will be maintained by the owners and will not detract from the footpath.
- The visual impact for neighbours will be minimal, although high fences are not always welcome.

- A 2.4m fence next to a footpath would block light, be less secure and make it harder to widen the path for disabled and cycle access.
- A 7ft fence would surely be enough to stop people looking in and would be more in keeping with previous approved applications.
- Previous applications like this have been rejected. In response to this, the Chair reminded members that it was important to consider each application on its own merits, and that previous applications should not affect this decision.

There being no further comments, the Chair moved to vote on the Officer's recommendation to permit the first application (17 Merestones Drive).

FOR 8

AGAINST 2

ABSTAIN 0

PERMITTED

There being no further comments, the Chair moved to vote on the Officer's recommendation to permit the second application (21 Merestones Drive).

FOR 8

AGAINST 2

ABSTAIN 0

PERMITTED

7. 21/01529/FUL Priory Cottage, 18 Priory Street, Cheltenham GL52 6DG

The Planning Officer, Claire Donnelly, presented the application, which related to the addition of an air source heat pump to an existing wall. The application had been referred to committee by Cllr. Wilkinson, and the recommendation was to refuse due to the detrimental impact on the conservation area and neighbour amenity.

The applicant, Colin Smith, spoke in support of the application. He emphasised that he sought to replace an inefficient 20 year old gas combi boiler with an environmentally friendly air source heat pump. He acknowledged that it was a town centre location but stressed that it was positioned as far away from neighbours as possible. He had two priorities: the environment and the neighbours. On the issue of conservation, he noted that most of the city centre was in a conservation area, so some leeway was needed. He also took issue with the environmental health requirement for a noise pollution survey, as it was a unique location, and he had been told that an acoustic survey was not necessary. If it was built anywhere else on their land it would not require planning permission or an acoustic survey, but this was a sensibly chosen position.

Cllr. Wilkinson spoke in support of the application, noting that no members of the public had objected to it. Cheltenham was committed to becoming carbon neutral as soon as possible, with a target of 2030, and refusing the application would send a negative message to households that were going above and beyond and making a significant investment to help the climate. He understood the policy position of officers, but the need to act on the climate emergency was essential. The suggested refusal for noise reasons was put forward without an actual noise assessment, and it was hard to make precise predictions about new technology. The suggested refusal based on harming a conservation area was also questionable, since the installation would overlook a car park with around 12 spaces and be screened by trees. This was not an area of natural beauty that needed to be protected. He asked that if members were to reject it, that they work with planning officers to change future

policies so that climate and environmental goals were taken into account. The council should support residents who want to aid it in its fight against climate change.

Members asked the following questions, with the following replies from the Officer:

- Which conservation area was it in? Sydenham.

The Chair moved to the debate and members made the following comments:

- The applicant was a retired engineer who had researched this meticulously and procured a particularly effective and expensive pump, believed to be about as loud as a library.
- The elevated position was a benefit and the trees covering were are evergreen, so the installation would be no more visible in the winter than in the summer.
- This was new technology so planning policies had not yet caught up to it, they needed changing or else the council would be left behind.
- Although the recommendation to refuse was in keeping with the relevant policies, committee members were able to take a more pragmatic approach.
- England currently has the fewest heat pumps in the UK, primarily due to planning policies which make it far too hard to install one. The council ought to make it easier for people to switch to carbon neutral technologies.
- Behind the tree there is a large TV mast, which is far uglier and more obtrusive than this application. It would not make sense to allow that but not a heat pump.
- The proposal was detailed and well-researched, and the applicant had clearly done their due diligence in selecting the pump and location.
- The equipment could be installed elsewhere on the property without the need for planning permission or a noise survey. Rejecting the application was not a rejection of eco-friendly technology, just this one as it was in the wrong place.
- If Cheltenham wishes to become a green town, it must apply green principles everywhere and air pollution is an essential part of that.

One Member asked the Senior Environmental Health Officer, Gareth Jones, about his views on air source heat pumps. He responded that he was generally supportive of the pumps and had recommended them for various council buildings, although it was important to be consistent about requiring an acoustic report on the effect on those in the immediate vicinity. The pump could be situated elsewhere on the property and it would not be an issue. The information that officers had had been presented with so far was not sufficient to make a recommendation to permit the application.

One Member asked how Environmental Health would respond to any possible noise complaints if it were approved. Gareth Jones responded that this would be investigated like any other noise nuisance, with full use of statutory powers.

There being no further comments, the Chair moved to vote on the Officer's recommendation to refuse.

FOR 2

AGAINST 7

ABSTAIN 1

RECOMMENDATION REJECTED

One Member proposed a motion to permit the application. The Planning Officer suggested three potential reasons to permit the application, from Part 14, Class G of the Permitted Development Rights (G.1, G.3 (a), G.3 (d)).

One Member asked whether it would be worth adding a further condition to make sure it complied with the sound check after six months. The Legal Officer clarified that the MCS Planning Standards mentioned in the first condition already included noise level.

There being no further comments, the Chair moved to vote on the Member's proposed motion to permit the application.

FOR 7

AGAINST 2

ABSTAIN 1

PERMITTED

8. 21/01596/LBC The Wilson, Cheltenham Art Gallery and Museum, Clarence Street, Cheltenham GL50 3JT

Having declared an interest in this and the next item, Cllr. Clark left the meeting.

The Planning Officer presented the application, which related to replacing worn parapet gutters and zinc sections of the courtyard roof

One Member asked the Officer to clarify that some of this related to lead being replaced with zinc. The Officer clarified that this was the case.

There being no further comments, the Chair moved to vote on the recommendation to permit the application.

FOR 10

AGAINST 0

ABSTAIN 0

PERMITTED unanimously

9. 21/01687/FUL & 21/01687/LBC Pittville Pump Room, East Approach Drive, Cheltenham GL52 3JE

The Planning Officer presented the application, which related to the installation of new gates and railings at East and West Approach Drives and associated alterations, and the restoration of 19th century steps to the front of the Pump Rooms.

Members asked the following questions, with the following replies from the Officer:

- Why were the steps around the corner of the building not included in the repairs? The steps being replaced were in the grass rather than the actual steps up to the Pump Rooms.
- How did the height of the new gates compare to the old ones? The new railings would be higher than those currently in place, at approximately 2 metres.
- Would the replacement gates have a single opening for vehicles or would there be a separate opening for pedestrian access? A pedestrian gate was proposed on both the East and West Approach drives, with vehicle access in the middle.
- Had the matter from Park Gate House saying that railings were attached to their property been rectified? Comments from the neighbour were passed on to the applicant, although this was outside of the planning process. Whether or not that particular matter was resolved did not affect the application.

One Member welcomed the application and noted how pleased they were to see the Pump Rooms so popular at the moment.

There being no further comments, the Chair moved to vote on the recommendation to permit the application.

FOR 10

AGAINST 0

ABSTAIN 0

PERMITTED unanimously

The Chair moved to vote on the recommendation to grant the application.

FOR 10

AGAINST 0

ABSTAIN 0

GRANTED unanimously

10. Appeal Updates

11. Any other items the Chairman determines urgent and requires a decision

The Chair noted that it was Mike Holmes' last Planning Meeting, and thanked him for his work as Interim Head of Planning during very difficult circumstances. Members echoed this and wished him well.

Chairman

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APPLICATION NO: 20/02089/FUL	OFFICER: Michelle Payne
DATE REGISTERED: 27th November 2020	DATE OF EXPIRY: 26th February 2021 (extension of time agreed until 18th October 2021)
DATE VALIDATED: 27th November 2020	DATE OF SITE VISIT:
WARD: Charlton Park	PARISH: Charlton Kings
APPLICANT:	Lidl Great Britain Ltd
AGENT:	Plan A (North West) Limited
LOCATION:	Unit 1 Charlton Kings Business Park Cirencester Road
PROPOSAL:	Erection of a Class E retail store, car parking and servicing areas, access, landscaping and associated works following demolition of existing buildings

RECOMMENDATION: Permit subject to conditions and a s106 unilateral undertaking



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the western side of Cirencester Road (A435) on the southerly approach to the town, just north of the former railway bridge, and is accessed via a private access road owned by Spirax Sarco. The site is located within the Principal Urban Area, and within Charlton Kings parish. The Cotswolds Area of Outstanding Natural Beauty lies to the south.
- 1.2 The site is irregular in shape, some 0.6 hectares, and comprises five vacant, partially inter-linked, light industrial units and associated external areas adjacent to Cirencester Road; the existing buildings provide a total of 2,007m² gross floorspace. The site forms part of the wider Charlton Kings Business Park, with Timbercombe House, a large office building also owned by Spirax Sarco, located to the rear.
- 1.3 The site is set down from the Cirencester Road with a substantial retaining wall along the eastern and southern boundary supporting the change in levels with neighbouring land. The site is bound by a large hotel and restaurant complex to the south, with the Lilleybrook Golf Club beyond, and residential properties in Branch Hill Rise and Cirencester Road to the north and east. The adjacent highway verge on Cirencester Road accommodates a number of mature trees and other vegetation together with a bus stop; additional mature planting forms the southern boundary with the hotel.
- 1.4 The application seeks full planning permission for the erection of a Class E retail food store of 1,834m² gross floorspace, with car parking and servicing areas, access, landscaping and associated works, following demolition of the existing buildings on site (Units 1-5 Charlton Kings Business Park).
- 1.5 In addition to drawings, the application has been accompanied by the following detailed reports and statements some of which have been revised/addended during the course of the application; and all have been available to view on the Council's website (with superseded documents marked as such where appropriate):
 - Air Quality Assessment
 - Arboricultural Method Statement incl. Tree Survey and Tree Protection Plan
 - Design and Access Statement
 - Drainage Strategy
 - Energy and Sustainability Report
 - Landscaping Proposals
 - Noise Assessment
 - Phase I Site Investigation
 - Phase II Site Investigation
 - Planning and Retail Statement
 - Planting Schedule
 - Preliminary Ecological Appraisal and Bat Roost Survey
 - Statement of Community Involvement
 - Sustainability Checklist
 - Transport Assessment
 - Travel Plan
 - Viability Appraisal
 - Waste Management and Minimisation Plan
 - Flood Risk Assessment
 - Delivery Management Plan
 - Bat Mitigation Strategy
 - Planting Methodology and Aftercare
 - Flood Risk Sequential Test

- 1.6 The application is before the planning committee at the request of Councillor Harvey and Councillor Boyes whose concerns relate to the change of use from Class B1 light industrial to Class E retail; highways impact on an already busy arterial route (A435 Chelt-Cirencester); and the amenity impact on adjacent family homes. Councillor Babbage also asked for the application to be referred to committee given the level of local interest.
- 1.7 At the time of writing the report, 855 representations have been received in response to the proposal; 435 in objection to the proposals, and 407 in support.
- 1.8 In addition, objections have been received from Charlton Kings Parish Council, the Civic Society, and the Architects Panel.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Smoke Control Order

Relevant Planning History:

77/00274/PF	PERMIT	8th September 1977
Erection of single storey building for light industrial assembly purposes		
77/00346/PF	PERMIT	19th December 1977
Erection of 3 no. units for light industrial use		
79/00256/PF	PERMIT	16th July 1979
Erection of new canopy and entrance to factory and office units		
79/00693/PF	PERMIT	17th January 1979
Erection of one lettable unit for light industrial use		
80/00035/PF	PERMIT	21st March 1980
Change of use from light industrial to warehouse		
80/00644/PF	PERMIT	29th May 1980
Extension to existing production area office accommodation		
80/00645/PF	PERMIT	25th April 1980
Extension to existing Lilleybrook Culvert and additional paved area for car parking and access to industrial unit		
84/01055/PF	PERMIT	22nd March 1984
Outline application for the erection of 575sq.m light industrial unit with car parking		
86/01161/PF	PERMIT	18th December 1986
Erection of increased area of production space and warehousing and small lobby to offices		
87/00389/PF	PERMIT	21st May 1987
Erection of two storey offices		
89/00428/PF	PERMIT	27th April 1989
Construction of 1st floor office, together with recladding and reroofing of existing premises		
89/00429/PF	PERMIT	27th April 1989
Recladding and reroofing of premises		

01/00064/FUL

PERMIT

8th March 2001

Single storey extension to the rear of the building to house additional plant

21/00201/DEMCON

NO PRIOR APPROVAL NEEDED

26th February 2021

Application to determine whether prior approval is required for the demolition of five partially interlinked former light industrial units, Units 1-5 Charlton Kings Business Park, as identified on the accompanying Demolition Plan

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 6 Building a strong, competitive economy

Section 7 Ensuring the vitality of town centres

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

Saved Cheltenham Borough Local Plan Second Review 2006 (CBLP) Policies

RT1 Location of Retail Development

Adopted Cheltenham Plan 2020 (CP) Policies

EM2 Safeguarding Non-Designated Existing Employment Land and Buildings

EM3 Employment Skills Plans

D1 Design

L1 Landscape and Setting

SL1 Safe and Sustainable Living

G12 Protection and replacement of trees

G13 Trees and Development

Adopted Joint Core Strategy 2017 (JCS) Policies

SD2 Retail and City / Town Centres

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

SD9 Biodiversity and Geodiversity

SD14 Health and Environmental Quality

INF1 Transport Network

INF2 Flood Risk Management

INF3 Green Infrastructure

INF6 Infrastructure Delivery

INF7 Developer Contributions

Supplementary Planning Guidance/Documents

Planning Practice Guidance

4. CONSULTATION RESPONSES

DPDS (acting as Council's Specialist Retail Advisor)

See Appendix A

CBC Tree Officer
11th January 2021

The CBC Tree Section has some concerns regarding this scheme and some changes, assurances and clarifications are required before there is no tree-based objection to this proposal.

- 1) The 5 limes fronting Cirencester Road appear to partially be within the adjacent adopted Highway. Clarification is required that these trees are within the site boundary.
- 2) It is recognised that 2 of the 5 trees are in poor biological condition and will need removal soon. The remaining 3 trees are in good condition (albeit there is strong possibility that these 3 remaining trees will also suffer the same fate as the 2 phytophthora-infected trees within this group. These trees are old pollards and whilst the 3 trees have good vigour and vitality, their retention would not assist in the creation of a really impressive fresh landscape scheme. As such the CBC Tree Section does not object to their removal subject to replanting. Whilst it is noted that the proposed replanting scheme is for 5 semi-mature Norway maple varieties, this species should be changed. Experience has shown that such species is prone to failure at weak forked junctions. It is suggested that the semi-mature replacement tree species should be wild service trees (*Sorbus torminalis*)
- 3) Similarly, the large Corsican pine (T19), CBC Trees Officer agrees with the arb report that the tree has Red Band Needle Blight and the canopy of the tree on closer inspection is sparse. It is anticipated that sadly, this tree will continue to de-foliate if left and the long term prospect for this mature tree is not good. Whilst this tree is very tall and is a landmark being adjacent to the road, unless new planting is undertaken soon, the area will become devoid of significant trees into the future. It is regrettable that the oak whose trunk was approx. 30cms diameter once growing adjacent to this pine has been removed. As such, there is no objection to the removal of the pine on the assumption that 5 new (semi-mature) Scots pines (*Pinus sylvestris*) -or similar are planted to replace this tree. The proposed second group of 5 Norway maple varieties are not acceptable.
- 4) No tree planting is shown within the proposed new car park. There appears to be appropriate size space for new planting within the car parking spaces 1-17 area. An appropriate tree pit (containing fresh top soil) should be created to visually "soften" the adjacent landscape.
- 5) A new and detailed landscape scheme should be submitted and agreed. This should include tree pit details as well as species, size etc.
- 6) Assurances need to be made that there will be no change in level on the southern boundary. It is noted that there are many mature trees on the boundary but outside the site which will have structurally supporting roots within the site. On no account can the existing soil level at the base of these trees be lowered within the site. To remove or sever these roots will likely cause these large trees to either fall or send their biological condition into a sharp spiral of decline. It appears as that no such alteration of levels is proposed but this needs to be confirmed.
- 7) The adjacent (approx. 5 metre) boundary line consisting of "light touch vegetation management" on this southern boundary ranging from T4 to the east as far as T9 to the west should be left intact and in situ. Should this be left intact, the minor incursion of the parking area into the existing Root Protection Area should not have significant impact. The majority of the feeding roots of this tree are considered to be under adjacent soft surfaces rather than under the existing hard surface.
- 8) Other working methods and surveillance etc as detailed within the David Rice Arb report of Oct 2020 must be adhered to.

24th March 2021 – revised comments

The CBC Tree Section welcomes the Tree Protection Plan (Drawing no CA/2020/85 Rev G) and considers no trees should be significantly impacted.

The Revised Method Statement of Feb 2021 is also acceptable. However, please could the initial arb monitoring site visit include CBC Trees Officers to endorse the Tree Protective Fencing.

The Landscape plan drawing is also acceptable and the proposed 5 semi-mature wild service trees and 5 Scots pine to be planted along Cirencester Rd adjacent to the site should mitigate for the loss of the existing limes, large pine and cypress.

Proposed Tree planting is sparse within the carpark, but much of this car park will be in the shade of the adjacent off-site large trees to the south and so the proposed Flowering pear tree planting is acceptable. The proposal to leave the southerly bank adjacent to the car park under 'light touch management' is welcome as is the proposal to plant with further hazel and hawthorn.

Please could the retained arboriculturist be conditioned with any planning permission. Whilst such a role is described within the Jan 2021 Method Statement, it is imperative that such a role is actioned. Placing such a bespoke Condition should help reflect the importance of this and help achieve no significant damage to retained trees within the site as well as adjacent off-site trees.

Provision should be made for the easy removal of fallen leaves, fruit, deadwood etc from nearby trees onto the roof of the proposed supermarket.

GCC Highways Development Management 4th February 2021

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 recommends that this application be **deferred**.

The justification for this decision is provided below.

The application proposes to replace a commercial building with a discount food retail class E building, the proposed footprint of the building is smaller than the current use but generates a different trip profile.

The proposal has been supported by a Transport Assessment (TA) and Travel Plan. The scope of this assessment has not been agreed in advance of the submission. The TA presents an assessment of impact compared to the current planning use and how that might impact however this does not show the complete picture. Whilst a peak hour review has been provided they do not align with the retail peaks and as such the number of movements suggested does not reflect the totality of the activity.

The TA should submit an assessment of trip movements across the whole day for the extant and proposed uses. This should also be reviewed against the 2019 survey which is absent from the submission. Additionally, the trip distribution analysis should be presented.

The Highway Authority is also unsatisfied with the proposed trip rates for the retail use. The number of donor sites is only 2 due to the narrow range of the floor area reviewed again. A

small alteration to this threshold significantly increases the number of comparable sites and presents a more robust appraisal. A sensitivity test undertaken by the Highway Authority showed that the presented rates are unacceptably low. This has impacts of the net traffic increase, junction capacity appraisal and car parking accumulation. As such the presented impact and car parking levels are not accepted.

The proposal also fails to address access from the nearest bus stops which are to the south of the site. The proposal does not provide a continuous footway to the store entrance, and in practice a footway should be provided to the south of the access road. The access road is not within the red line of the application site, none the less it is important to ensure that high quality walking infrastructure is provided.

There appears to be a discrepancy with the highway limits and this proposal which can be addressed if the other matters are resolved. This would involve the future dedication of land to preserve the visibility splay.

Additionally, the number of electric vehicle charging spaces does not reflect the current document and further explanation and justification is needed for the departure. The number of bicycle spaces appears to reflect the requirements of LTN 1/20 by number, but the spaces are not well located and do not appear to offer any shelter.

The Highway authority has some concern about the manoeuvring arrangements for delivery vehicles within the site. This does not appear to have an immediate access on highway safety but may have implications for the safe use of the. As a minimum position a delivery vehicle management plan is required to limit activities to times of low demand and under banksman control.

The applicant should also ensure that the Travel Plan is updated to provide targets of how mode share and how they are to implement it. The applicant will need to provide a travel plan bond and monitoring fee.

The applicant should submit a TA addendum to address these matters and revise the submitted drawings to ensure that high quality active travel infrastructure in build into the proposals.

The Highway Authority therefore submits a response of deferral until the required information has been provided and considered.

1st June 2021 – revised comments

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 has **no objection subject to conditions and financial obligations**.

The justification for this decision is provided below.

The applicant has worked closely with Gloucestershire County Council to address the matters of concerns that were previously expressed. The proposal is now considered to be acceptable, but conditions and planning obligations are required to regulate the development.

The applicant has updated the trip rates and considered what the implications of this would be at the access onto Cirencester road, the appraisal has been considered and the findings agreed. The modelling result concludes that there will not be a significant delay on the Cirencester Road or the site access road. It should be noted that the assessment does not

make adjustment in this assessment to recognise the current planning use, or to consider the number of trips that would be diverted from other retailer or would be pass-by trips, both of which would already exist on the highway network with only a small number of trips being new trips. This is considered to represent a robust assessment.

The proposal now includes a footway on the south side of the access road which connects to the Cirencester Road and bus stop infrastructure. This is a direct and relatively short walk to the store front and provides an import connection which helps to enable sustainable travel. The bus shelter is presently not within the publicly maintained highway but the applicant has offered to dedicate this land to ensure that this discrepancy is resolved which is a welcome offer.

The proposal has demonstrated that suitable number of car parking spaces are provided including accessible spaces and electric vehicle charging. The number of EV spaces is lower than guidance documents required however the applicant's proposal includes charging equipment which will allow for rapid charging which better reflects customer dwell time, as such the proposal will provide a better level of customer service than if it was fully compliant with the guidance, the proposal also includes for a future 14 EV charging spaces. Cycle parking is positioned in a location which is usable and can be observed which helps to preserve safety and security.

The proposal includes for a travel plan, bond and monitoring arrangements which are proposed to be secured through planning conditions and a planning obligation. These measures are consistent with published guidance and will encourage alternative options to single occupancy vehicle trips, particularly for employees.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Conformity with Submitted Details

The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on drawing AD 110_Rev F.
Reason: To ensure conformity with submitted details.

Electric vehicle charging point

The Development hereby approved shall not be brought into use until 2 rapid electric vehicle charging spaces have been provided.

Reason: To encourage sustainable travel and healthy communities.

Employment Travel Plan

The Employment Travel Plan hereby approved, dated October 2020 Version F4 shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of travel to and from the site. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.

Reason: To reduce vehicle movements and promote sustainable travel.

Delivery Vehicle Management Plan

The Delivery Management Plan hereby approved, dated 30/03/2021 shall be implemented in accordance with these approved details.

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion.

Construction Management Plan

Prior to commencement of the development hereby permitted details of a construction management plan or construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Informatives

Travel Plan

The proposed development will require a Travel Plan as part of the transport mitigation package (together with a Monitoring Fee and Default Payment) and the Applicant/Developer is required to enter into a legally binding Planning Obligation Agreement with the County Council to secure the Travel Plan.

Construction Management Plan (CMP)

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

- Constructors should give utmost consideration to their impact on neighbours and the public
- Informing, respecting and showing courtesy to those affected by the work;
 - Minimising the impact of deliveries, parking and work on the public highway;
 - Contributing to and supporting the local community and economy; and
 - Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principle contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

Planning Obligations

Specific Purpose - Travel Plan Bond

Contribution - £10,000

Trigger - Prior to the first opening of the development to the public

Retention Period - 10 Years from first opening of the development to the public

Specific Purpose - Travel Plan Monitoring

Contribution - £10,000

Trigger - Prior to the first opening of the development to the public

Retention Period - 10 Years from first opening of the development to the public.

Charlton Kings Parish Council

23rd December 2020

The Committee does not on balance object to the principle of such a development, but has concerns as to the impact on the surrounding residents and the increase in traffic it will generate.

In particular, the assessment of noise is flawed. The methodology used to assess the impact of noise, BS4142, is intended to assess the impact of continuous noise, such as that created by chillers and other plant by averaging noise levels over one hour periods from 07:00-23:00 and over fifteen minute periods between 23:00-07:00. While this method will accurately assess the noise impact of continuously operating plant, it masks the impact of short discrete noises such as delivery vehicle doors, roller shutter doors, vehicle reversing beacons, food cages rattling and so on.

Such discrete noises will be very audible to residents, particularly those living on Branch Hill Rise that back onto the site.

A more suitable method to assess the impact of discrete noises should be used.

To prevent serious loss of amenity to residents through noise pollution, before consent is granted an enforceable Delivery Management Plan should be created, limiting the hours of delivery to socially acceptable times. In particular, despite Planning Conditions restricting times of delivery to other retail units in the area, newspaper deliveries routinely take place between 04:45 & 05:30.

The Committee is concerned as to the level of visibility to the south for vehicles exiting the site and would ask that the Highway Authority confirm that it is sufficient, given the increase in volumes of traffic this development will cause compared to the site's previous use.

The forecast traffic flows appear unrealistic. For example, the forecast number of visitors on weekdays between 07:00 & 08:00 is three. In the same period of time the existing grocery store 500m to the north of the site, on the same road, generates in the order of twenty vehicle movements.

A more realistic estimate of traffic volumes would enable a more accurate assessment of the impact of traffic on the road and the wider village. Of concern is the increase in traffic cutting through the village to and from the north.

The Committee does welcome the redevelopment of the site as employment land.

18th February 2021 – revised comments

The Committee objects to this application on the following grounds:

The Noise Impact Assessment has been expanded to theoretically cover the impact of delivery noises. However, the methodology used (BS4142) is still that to assess the impact of continuously running noises such as chillers and averages noises over a one-hour period for daytime and 15-minute period for night-time. Such an approach results in masking the impact of short duration, loud, discrete noises such as reversing beacons, roller shutter doors being operated and so on, by averaging those short interval noises over extended periods of time. As such, it is a highly inappropriate method to genuinely assess the impact of these noises. The NIA is therefore not an accurate assessment of the true impact on surrounding residents.

The Committee has previously expressed concerns as to the loss of amenity to surrounding residents caused by deliveries at anti-social hours. However, there is a major flaw with the design, resulting in the need for all delivery vehicles having to reverse the full length of the car park, reversing beacons continuously sounding as they manoeuvre. Such movement through a car park being used by the public is clearly hazardous. The solution to this designed-in hazard is to propose in the Delivery Management Plan (DMP) that 'Wherever possible deliveries will be arranged for periods outside of store trading*', ie before 07:00 or after 22:00. The noise of lorries' reversing beacons sounding while they reverse the length of the car park during these times would clearly have a highly negative impact on the quality of lives of the surrounding residents.

*Note that since the DMP does not make a categorical statement that all deliveries will take place outside store opening hours, at least some deliveries will still occur during store trading, representing a major hazard to the public using the car park and placing the drivers of such delivery vehicles under the risk of being responsible for causing serious injury or fatality. Such hazards should not be designed in to a scheme.

The DMP states that a typical store delivery profile consists of 1-2 artic deliveries per day. This is somewhat misleading, as while there would be 1-2 deliveries per day from the store owner's Regional Distribution Centre, there would in addition at a typical supermarket be 1 milk delivery and up to 3 bread deliveries direct from those suppliers. There is also a daily newspaper delivery that in Charlton Kings, despite existing Planning Conditions preventing newspaper deliveries before 06:00, routinely take place from 04:30.

In addition to these deliveries there are also collections of general waste (as opposed to packing recycling that returns with the Operator's transport to the RDC), sanitary waste, and food waste.

So, rather than the claimed 1-2 deliveries per day, the actual figure is typically more like 9-10 commercial vehicles per day attending the site, all with reversing beacons operating while reversing the full length of the car park.

Beyond deliveries and collections, window cleaners, store cleaners and maintenance contractors also carry out their operations outside trading hours, to avoid disrupting the store operations, causing further noise disruption to the surrounding residents.

The DMP also make the following claims:

'refrigerator plant must be turned off when waiting to access the delivery bay and once parked in the bay'. This is quite simply not possible. The lorry mounted refrigerator units are thermostatically controlled and cannot be turned off as if the temperature in the lorry rises

above the allowed threshold, the load has to be condemned. There is no manual override for the thermostatic control.

'Vehicle tail lifts to be operated with care to avoid excessive noise'. This cannot be measured and if not measurable, cannot be enforced.

'Goods cages and trolleys used to transfer goods from vehicle to store and back are to be moved without excessive force". Again, this cannot be measured and so is unenforceable.

The Committee debated at length the concerns raised about an increase in traffic levels through the village that would be caused by the development, in particular on East End Road, Church Street, Copt Elm Road, Moorend Road, Greenhills Road, Bafford Approach and Sandy Lane as well as Cirencester Road. It was however recognised that there would be some level of decrease in traffic leaving Charlton Kings on some routes to reach supermarkets elsewhere in the town.

The Committee noted the concerns raised in the DPDS Consulting Letter that the application fails the sequential test for possible retail site locations as laid out in the NPPF. The lack of a Retail Impact Assessment, particularly on the established neighbourhood centres within Charlton Kings, and especially those independent stores that provide local character and service beyond the reach of national or international chains. While the Committee notes from the DPDS letter that the store footprint means that an RIA is not obligatory, it also notes that Lidl and Aldi store proposals do routinely have an RIA and given the concerns as to the viability of the village's independent stores, do not feel that such an assessment would be unreasonable. The strong concern is that if the anchor stores at each neighbourhood centre fail ie Smith and Mann on Lyefield Road and the Co-op in Church Piece and at Sixways, the resultant drop in local footfall may cause the other retail outlets in those areas to fail as well. These independent businesses, including those who have throughout the pandemic have provided free delivery services to sheltering vulnerable parishioners, are part of what makes Charlton Kings a vibrant community to live and work in. In addition, if Smith and Mann were to fail, then the village will lose its last Post Office.

Furthermore, these small supermarkets / convenience stores have a large proportion of their trade coming on foot. If they fail then those walking to these stores are in all likelihood going to drive to the Lidl store, thereby negating some of the carbon reduction in residents driving to this proposed Lidl rather than to supermarkets further afield.

The Committee also notes the concerns raised in the CTC report about the inability of large commercial vehicle movements to the public highway unable to take place without occupying both sides of the carriageway. Such blocking of the highway already results from the Sainsburys development to the north on the same road and has caused several crashes with residents' cars parked on the Cirencester Road.

The Committee also notes the concerns raised in the previous Committee comments on this application and in the CTC report and the Highway Authorities report that the projected traffic volumes stated are not credible.

The Committee is concerned that a combination of these awkward delivery vehicle manoeuvres, the increased volume of traffic, the poor visibility to the south of the junction with the Cirencester Road and the tendency for excessive speed of traffic descending the hill has the potential for this location to become an accident blackspot. We note that there have been some public comments calling for traffic lights or a roundabout, but either of these would have a severe impact on the quality of life of the residents to the east of the Cirencester Road opposite the site with the considerable added noise and air pollution resulting from traffic stopping and starting and the loss of the ability to park on the highway adjacent to their properties.

The Committee agrees with the Architects Panel comment that the design fails to make any connection with the local vernacular and agree that a reflection of the red brick that is common for much of the Cirencester Road, including those opposite the site, would better fit the streetscape.

The size of the illuminated logos visible from the street was felt to be excessive, given the paucity of similar street signage in the area. ie if the street was lined with similarly logoed commercial property then there would be a greater need to stand out, but the only similar signage is at the adjacent hotel and at Sainsburys, 500m to the north. The size of the signage is more in keeping with a large commercial area than a predominately residential area.

In conclusion, while the Committee recognises that there would be some benefits to parishioners in having a larger supermarket within the Parish and welcomes the redevelopment of the site as employment land (although noting that the majority of the jobs created would be low paid), these are, on balance, strongly outweighed by the negative impacts. In particular, the heavy impact on the quality of life of the immediately surrounding residents is completely unreasonable. Given the level of current concerns of traffic volumes on the road network, potential large increases in traffic volumes are unwelcome. The potential loss of the existing retail businesses would be strongly detrimental not only to the parishioners that they serve but also to the wider character of the village with its own distinct centres, differentiating it from the wider Cheltenham area.

25th March 2021 – revised comments

Objection:

The revisions to this application do nothing to address the Committee's previously stated objections to this application (see below for full details).

In particular:

The hazard of all delivery vehicles needing to reverse the length of the public car park, as has also been noted by the Highway Planning Liaison Officer.

The proposal that 'wherever possible' deliveries would be intended to occur either after 10pm or before 7am. This would maximise disturbance to the surrounding residents.

The Noise Impact Assessment uses a methodology (BS4142) unsuitable to assess the impact of short duration loud noises such as reversing beacons, roller shutter doors, rattling of delivery cages moving and so on. It is therefore not an accurate assessment of the impact on the surrounding residents and masks the true impact. It is disappointing that Environmental Health have not noted this, but the fact remains that BS4142 is designed to assess the impact of continuously generated noise such as that created by chillers and other mechanical plant, not short duration loud noises that are masked by this method.

CBC Contaminated Land Officer 23rd December 2020

With reference to the above planning application I have reviewed the Post Demolition Phase II Geo-environmental Assessment provided. The report has also identified the possibility of piled foundations on part of the site. In the event of the developers deciding to use piled foundations at this site there will be significant potential for noise and vibration from this operation to affect nearby premises which will require a full pile method statement. In the light of this, I recommend that should permission be granted, the following conditions are attached:

Unexpected Site Contamination Condition

If, during the course of development, any contamination is found which has not been identified in the original site investigation, additional measures for the remediation of this

source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

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.

Pile Foundations

Condition: No piling activities shall be carried out at this site until a full pile method statement method statement has been submitted to and been approved in writing by the Local Planning Authority. The method statement must assess and include full details of the noise and vibration impact from the piling operations on the nearest residential property, dates and times of piling and details of monitoring measures.

Reason: To prevent nuisance being caused to residents of neighbouring property due to noise and vibration.

CBC Environmental Health 23rd December 2020

I have reviewed the documents provided for the above application, there is not enough information provided at this stage regarding delivery noise and lighting, given the proximity of residential properties. Environmental Protection will require further details in order to assess the requirement for any conditions relating to this and request the following:

Lighting: The applicant has provided details of the proposed lighting, internal, external and signage which will be managed via timers and sensors. There is potential for light to affect nearby residential properties, particularly those in Branch Hill Rise, I am concerned that there is not enough information provided at this stage, therefore I would ask that the applicant provides a report detailing the lighting scheme and predicted light levels at neighbouring residential properties for approval.

Delivery Noise: The applicant has provided details regarding proposed delivery times and duration in regards to neighbouring businesses, there are no details regarding the impact of deliveries on neighbouring residential properties. Noise from vehicle manoeuvring, loading / unloading activity can impact on local residents, particularly at times of the day when ambient noise levels are low. I am concerned that there is not enough information provided at this stage regarding delivery noise and request that the applicant provides further details including access and egress, times and any proposed mitigation measures for approval.

With regards to the following I would recommend that due to the proximity of residential properties, should any permission be granted, the following conditions are attached:

Plant Noise: The applicant has provided a suitable Noise Impact Assessment, dated 17th November 2020, with regards to plant equipment. I would recommend that any development shall be carried out in accordance with details specified in the Noise Impact Assessment and thereafter shall be permanently retained. Environmental Protection should be informed of any changes regarding the details specified in the Noise Impact Assessment as these will require an updated assessment prior to consent.

Construction Management:

No development shall take place, including any works of demolition, until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- o parking of vehicle of site operatives and visitors
- o method of prevention of mud being carried onto highway
- o waste and material storage
- o Control measures for dust and other air-borne pollutants
- o Control measures for noise in regards to both demolition and construction
- o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: To prevent a loss of amenity affecting surrounding occupiers due to noise and nuisance from construction works.

Informative:

A member of the Environmental Protection Team may carry out a site visit should a mobile crusher be in operation.

24th February 2021 – revised comments

I have reviewed the updated documents provided for the above application and recommend the following:

Noise Impact Assessment: The applicant has provided an updated Noise Impact Assessment, dated 25th January 2021. I would recommend that any development shall be carried out in accordance with details specified in the Noise Impact Assessment and thereafter shall be permanently retained. Environmental Protection should be informed of any changes regarding the details specified in the Noise Impact Assessment as these will require an updated assessment prior to consent.

Lighting: The applicant has provided a Proposed Light Layout plan, dated 28th January 2021. I would recommend that any development shall be carried out in accordance with details specified in the Proposed Lighting Layout. Environmental Protection should be informed of any changes regarding the details specified in the Proposed Lighting Layout as these will require an updated assessment prior to consent.

25th June 2021 – additional comments

I have reviewed the following reports and offer these comments:

Piled foundations

The documents provided with the application indicate that piled foundations are likely to be used on at least part of the site. A huge variety of foundations pile types are now available to the construction industry, which have potential to produce a range of impacts on the local community, including noise, vibration and dust. I would therefore request that should permission for this site be granted a condition is attached to ensure that the method of piling is submitted for pre-approval before construction works commence on site.

Air Quality

The AQ report is comprehensive and indicates that the planned development is unlikely to have any adverse effect on air quality in the neighbourhood.

Noise Report

The application has supplied a comprehensive report, prepared using British Standard 4142, which is appropriate for long-term noise sources, such as air conditioning, refrigeration units etc. This indicates that the plant assessed will not have an adverse effect, and I would therefore recommend a condition to ensure that the plant identified in the report is used on site.

There remain concerns expressed by other consultees about noise from other sources, mainly linked to deliveries. Some of these concerns hold some weight. I do not share the concern that noise from moving cages stock or operating roller shutters will have a significant adverse effect on nearby residential property, as the shape of the building will effectively screen these properties from the noise source. However, I do share the concern that noise from delivery vehicles will have an adverse effect on properties around the site. This is caused by a combination of 3 factors, all of which are confirmed in the Delivery Management Plan you have provided:

- An excessively long reversing path for articulated vehicles.
- Delivery outside store operating hours where possible.
- Use of an audible reversing beacon on the vehicle.

I appreciate that the 2nd and 3rd factors may be desirable for a number of reasons, including health and safety, but the combination of these factors is likely to lead to loss of amenity at nearby premises. In order to mitigate this impact the applicant / operator would need to control at least one of those factors. This may be achieved by, for example:

- Specifying smaller delivery vehicles which would be able to turn closer to the delivery bay, thus reducing the reverse track length/time.
- Careful scheduling of deliveries to "twilight hours" when the store is less busy and potentially part of the car park can be closed to allow safe access.

I would be willing to consider a suitably amended plan to incorporate these suggestions, or others the applicant may wish to submit, but at this stage I must recommend refusal of the application in this form.

23rd July 2021 – final comment

As expected and discussed with their consultant. This is much better than the original long-reverse plan that I was concerned about. As such I have no objection to this application proceeding.

GCC Lead Local Flood Authority (LLFA) 3rd December 2020

The proposal for a retail unit includes a drainage strategy prepared by Delta-Simons Environmental Consultants. The drainage strategy shows adequate detail that the discharge rate of surface water can be managed on site with a 40% betterment over the existing discharge rate. The strategy concludes with recommendations that can be managed through a drainage condition for detailed design.

The strategy identifies a need to manage pollutant runoff which it is proposed to achieve with a vaguely described separator. There is no detail about how any pollutant management devices will be managed.

A drainage condition will provide an opportunity for the developer to offer suitable detail as to what the separator is and how it will control pollution hazards to the Lilley Brook, where water will be discharged via the Severn Trent sewer.

The LLFA have no objection to the proposal if any consent granted is conditioned as follows:

No building works hereby permitted shall be commenced until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the principles set out in the approved drainage strategy. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water

by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality however pollution control is the responsibility of the Environment Agency

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

20th August 2021 – additional comment

The additional information submitted against this application published on the planning portal website 19th August 2021 is useful in defining the suitability of the proposed development against the flood risk evidence available on the Environment Agency website.

The LLFA agree with the conclusions presented and continues to have no objection subject to the conditions as described in my response of 3rd December 2020.

Gloucestershire Centre for Environmental Records 8th December 2020

Report in documents tab

GCC Minerals And Waste 10th December 2020

Please accept this correspondence as an initial view from officers acting on behalf of the Minerals and Waste Planning Authority (MWPA) for Gloucestershire. It is concerned with ensuring that due consideration is being given to resource efficiency measures. Attention is particularly focused upon two local development plan policies - Gloucestershire Waste Core Strategy Core Policy 2 | Waste Reduction and Minerals Local Plan for Gloucestershire Policy SR01 | Maximising the use of secondary and recycled aggregates. It is applicable to all major development proposals throughout Gloucestershire that require planning permission1.

Supporting evidence on resource efficiency may be included within a wider Environment Statement where this has also been required, or as part of a Planning Statement that sets out how a proposal will accord with the local development plan. The preparation of a standalone Waste Minimisation Statement (WMS) or a dedicated waste reduction section or

chapter within supporting evidence of an application are the best means of effectively complying with the requisite local policy requirements.

A Waste Minimisation Statement (WMS) should contain enough information for decision-makers to make a valued judgement on whether achievable resource efficiency measures can be accommodated into a proposal. Details of how different types of waste will be reduced and managed efficiently and effectively will be crucial. The full lifecycle of a proposed development needs to be considered. This usually involves the three phases of: - site preparation (including any demolition); construction; and occupation. Whilst appreciating that for many proposals it is unknown who the future occupants will be, the ability to support their re-use and recycling practice should not be hindered. Provision for safe and efficient resource management infrastructure aiming at reducing waste and making recycling easier to engage with should be set out. This includes for commercial as well as residential schemes.

1 Major development as defined within The Town and Country Planning (Development Management Procedure) (England) Order 2015.

The increasing use in both volume and proportion of recycled materials in development is actively encouraged within local policy. It is therefore reasonable to seek evidence of this. This could include details of procurement practice / protocols able to demonstrate that the sourcing of materials will achieve a substantial level of recycled content. Collation of this type of Information may also prove beneficial where sustainable construction technical standards / ratings are to be sought. Requirements for high levels of recycled material use are present within the Building Research Establishment Environment Assessment Method (BREEAM) and Leadership in Energy and Environmental Design (LEED) certification.

To assist decision makers and applicants in their consideration of resource efficiency, local guidance has been prepared - Gloucestershire Supplementary Planning Document: Waste Minimisation in Development Projects (WM-SPD).

The minerals and waste policy team is also able to offer some further advice and commentary on how compliance can be achieved and maintained. This could include the use of conditions for applications recommended for approval. Please do not hesitate to contact the team via: - mwplans@gloucestershire.gov.uk quoting the application reference and / or GCC reference of interest.

14th February 2021 – revised comments

No objection subject to conditions / informatives.

All of the details set out within this section are made by officers on behalf of Gloucestershire County Council in its capacity as the Mineral and Waste Planning Authority (MWPA): -

Officers acknowledge the submission of a dedicated Waste Management and Minimisation Plan to accompany the proposal dated January 2021. The details of the plan have been reviewed. Officers can confirm that subject to the plan's full implementation, the matters of resource efficiency and waste minimisation will be adequately addressed. Officers have no further comments to make at this time.

Architects Panel 11th February 2021

Design Concept - The panel had no objection to the principle of this Lidl retail store given the poor quality of existing buildings on the site.

The only concerns raised were over the quality of the architecture which has clearly been influenced by the corporate brand image and resulted in a large bland supermarket building similar to many Lidl supermarkets around the country.

Design Detail - The panel had no objection to the site layout, the footprint or the overall scale of the building. However, the submitted scheme design takes no cues from the special character of the site and its context, which was felt to be a wasted opportunity. The panel would have liked to have seen the elevations articulated more perhaps with visual references to former railway architecture on the site, or by picking up on some of the intricate building details of the houses opposite.

The choice of dark blue engineering brick for the facades is a worry in that the building could appear particularly drab and uninviting. Selecting a lighter red brick similar to the houses opposite would be more appropriate using engineering brick only to highlight features as commonly done with late Victorian early 20th century architecture.

Recommendation
Not supported

Cheltenham Civic Society
7th January 2021

OBJECT

The Civic Society Planning Forum strongly objects to the application for a supermarket in this location.

This site should be used for housing, for which there is both the need and the demand in this area. The designation of this site as employment/ industrial land is historical and dates back to the existence of the railway line. It is no longer appropriate. Neighbouring Timbercombe House has already been granted planning permission for change of use from offices to flats.

This site marks the entrance into Cheltenham. As a gateway to the town, it deserves better than this.

In addition, a supermarket in this location is likely to be detrimental to the Charlton Kings local shops, which contribute to the community as well as providing employment and supporting local businesses.

A supermarket, especially one of this size, will create a significant volume of car journeys. The submitted plans make it clear that this is designed for drivers rather than pedestrians. The pedestrian entrance is an afterthought, and there is no pedestrian entrance from the nearby bus stop.

CBC Urban Design
23rd December 2020

OVERALL

- The development will cause additional noise and carbon emissions to the surrounding area. As stated in Joint Core Strategy Plan, Policy 4.5.11 Table SD4a, the aim is to reduce CO₂ and other harmful emissions and promote healthier lifestyles through encouraging walking, cycling and public transport use where possible.
- JCS Plan, Policy SD4 4.5.5 Development at any scale and location should make a positive contribution to providing better places for communities. The Lidl illuminated signs facing the Cirencester Road and the increased road traffic might not have positive contribution to providing better place for this community.

- In order to ensure development is adaptable to climate change, proposals should have regard to the following non-exhaustive list of requirements: JCS Plan, Policy SD3 4.4.10.

EXISTING TREES AND VEGETATION

The existing trees along the Cirencester Road are creating a mature avenue and the visual impact is large as they are on the main road. These trees are proposed to be removed due to diseases and crowns overhanging pavement and road.

- If trees are removed and replaced- how long would it take for new trees to have the same visual and ecological impact?

PROPOSED TREE PIT 1500MM SQUARE PIT

Ten proposed tree pits along the Cirencester Rd to replace removed trees. Only one specie proposed 'Acer platanoides Emerald Queen'.

- What is the rationale for the species of the trees chosen for this scheme? Recommendation is to plant trees which can enhance all environments, even urban ones with a wide range of environmental, social and economic benefits. For example, 'Sorbus torminalis's flowers provide pollen and nectar for insects, while the berries are eaten by birds. It is recommended to choose a tree species which will enhance biodiversity and positively contribute towards climate emergency.
- Are there enough new trees proposed? Are they in the right places to perform specific functions (screen, filter screen, landscape setting, break-up hard standing/development, or for habitat?)
- JCS Plan, Policy SD4 4.5.5
- JCS Plan, Policy SD3 4.4.10

There are other alternative locations to fulfil the potential for planting new trees on the site. The middle of the car parking area would benefit from extra tree pits providing more shade, and enhancing biodiversity.

GRASS AREAS

- Is the proposed seeding mix suitable for this circumstance?
- Have they maximised the eco/landscape benefits? I.e bulb planting, perennials?
- How is it proposed to establish the grass?
- What is the arrangement where grass areas are within Highway or public ownership?

PROPOSED PLANTING BEDS

Proposed planting beds are located on the northern and eastern edges of the building and also along the entrance and western corner of the site, along the boundary line. The specification is clear and has a good selection of plants however the recommendation should be to plant a scheme which will support insects, wild birds and other local wildlife with minimal maintenance and water use. The soft landscaping should consist of new planting that will act as a buffer between the surrounding new and existing developments and should provide visual interest and detail along with increased biodiversity.

- Is the species mix appropriate for the situation?

BANK AREAS

As mentioned above, there is a wide range of supporting the habitat plants that can be added to the planting plan.

ROOT PROTECTION AREA RPA

- How is a root protection area calculated?

ROOTS UNDER EXISTING TARMAc WITHIN PROPOSED CARPARK AREA

- What is the methodology to protect the roots during the works?

PROPOSED HEDGE

Six different species are proposed to be planted in a double staggered row. Would it provide sufficient screening / privacy on the borders of the development?

- What is the purpose(s) of the hedge?
- What is the ultimate height of the hedge?

25th February 2021 – revised comments

The revised landscape information is generally acceptable but there is no revised landscape General Arrangement plan provided to accompany this. The drawing should include existing + proposed ground profiles/levels. This needs to be made available for any detailed landscape comments to be made.

From the information which has been submitted;

Planting schedule

- reconsider the species list for 'beds 1-7', including more native species or non-natives which support invertebrates - to support local biodiversity improvements helping to offset loss of existing mature soft landscape.

Planting methodology & aftercare

- applicant to confirm that the 'geotextile weed membrane' does not contain plastic and is made from biodegradable material - to reduce use of plastics and maximise sustainability.
- the aftercare schedule looks detailed & thorough, applicant to confirm how the activities will be managed and monitored - to ensure the soft landscape is managed to establishment.

Proposed site plan

- Provide drawn section details demonstrating the relationship between the existing hard standing levels and new construction and hard standing levels along the southern boundary in relation to the root zone of the existing trees along that edge. Sections should include the underground service run which is located close to this edge - to ensure existing vegetation is not compromised by the development.
- Provide detailed level information at the existing access road/existing speed bump showing how levels relate to the proposed footpath to the proposed 'entrance plaza' area adjacent to the proposed disabled parking bays - to ensure this pedestrian route meets statutory accessibility requirements.
- Consider better pedestrian accessibility by creating an informal foot crossing over the access road - to encourage local customers to consider walking.

27th May 2021 – revised comments

Thank you for providing the planting information. My additional repeat comments on planting information are:

Planting schedule

- Proposed bulbs and wildflower mix, recently added to the planting plan, looks thorough and increases the support for local biodiversity together with the rest of proposed plants for planting beds.

Planting methodology & aftercare

- Can you confirm please, that you are not using plastic as per previous comment? The revised planting methodology and aftercare document does not states biodegradable geotextile weed membrane - to reduce use of plastics and maximise sustainability.
- Applicant to include a statement which indicates how the activities will be managed and monitored and by who (client or design team?) - to ensure the soft landscape is managed to establishment.

Proposed site plan

- As per previous comment - Can the applicant explain the relationship between the existing hardstanding surface and retained tree root zone (along the southern boundary edge)? Sections should include the underground service run, which is located close to this edge - to ensure existing vegetation is not compromised by the development.

We are waiting for more information in regards to revised site location plan/red boundary area, to understand the changes.

Wild Service (acting as Council's Specialist Ecological Advisor) 2nd February 2021

I have reviewed the Preliminary Ecological Appraisal (Deltasimmons, November 2020) and my response with regards to Ecology is provided below.

The ecology report highlights that building 1 was deemed as having high potential and building 2 was deemed as having low potential for roosting bats. Three emergence surveys were undertaken, this identified roosts within each building, building 3 was deemed as having negligible potential, therefore no further surveys were required. I am happy with the survey effort carried out on the existing buildings. An EPSL licence will be required in order to proceed with works, mitigation that will inform the licence will be required to be submitted to the local authority prior to determination in order to satisfy the three 'favourable' tests applied by Natural England.

It is noted in the report that building 1 was deemed as having potential for hibernating bats, this requires a survey visit in order hibernating bats (if present) or other evidence of bat occupation. This will be required to be completed prior to determination and this is to be supported with appropriate mitigation. The optimal period to undertake bat hibernation surveys are December to February (inclusive).

1st April 2021 - updated comments

An updated site survey conclude that the building was largely unsuitable for hibernating bats, timing of the works will be outside of the hibernating season, which is acceptable.

Lighting details have been submitted and these are acceptable.

The mitigation strategy is largely acceptable, however specific mitigation is required for lesser horseshoe bats. A proportionate number of bat features suitable for the species will be required. Lesser horseshoe bats require different features to other bats such as access points allowing for direct access into a roost and room for free hanging, the mitigation proposed is not specific for lesser horseshoe bats. The mitigation is to be updated or can be received as a technical addendum.

Great crested newts were not considered to be a constraint on the site due to the identified ponds being separated from the site by dispersal barriers and that the site itself is predominantly hardstanding.

Sensitive timing has been recommended for nesting birds and a precautionary approach to vegetation clearance in relation to hedgehogs. Enhancements have also been recommended and these are welcomed.

There is currently an ecological objection and a decision cannot be made until the aforementioned details have been submitted and review by the local planning authority.

11th May 2021 - updated comments

Further clarification has been provided and the tunnel will act as mitigation for the lesser horseshoe transitional roost.

Great crested newts were not considered to be a constraint on the site due to the identified ponds being separated from the site by dispersal barriers and that the site itself is predominantly hardstanding.

Sensitive timing has been recommended for nesting birds and a precautionary approach to vegetation clearance in relation to hedgehogs. Enhancements have also been recommended and these are welcomed.

Conditions to be attached:

1. Evidence of ecological enhancements are to be submitted to the local authority prior to commencement, this includes but not limited to bird and bat boxes.
2. All mitigation within the report (Deltasimmons, November 2020) is to be strictly adhered to throughout the works.
3. Dawn survey to be undertaken on the day of demolition to further reduce the likelihood of disturbing/injuring bats. If the dawn survey cannot commence due to weather conditions, works will commence once the survey can proceed.
4. Copy of the granted Natural England EPS bat license to be submitted to the local authority prior to works commencing.

National Planning Policy Framework (NPPF) and Local Plan Policy (Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031) (adopted December 2017)) Context:

- NPPF Para 170 – 177 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework
 - SD9 Biodiversity and Geobiodiversity
 - INF3 Green Infrastructure
- Wildlife legislation context:
- Wildlife and Countryside Act 1981 (as amended)
 - Conservation of Habitats and Species Regulations 2017
 - Natural Environment and Rural Communities Act 2006
 - Protection of Badgers Act 1992

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent to 33 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. Lidl also undertook their own consultation exercise.
- 5.2 The application has prompted a significant volume of interest. As previously noted, at the time of writing this report, 855 representations have been received in response to the publicity; all of which have been made available to Members separately. The responses comprise 435 objections, and 407 comments in support; with the remainder of the comments making general observations. There have also been a number of repeat and additional objections received from some local residents.

- 5.3 Spirax Sarco, Tesco and Morrisons have also objected to the proposal.
- 5.4 The comments received in objection to the development are all very similar and are summarised below:
- No need – community already well-served by a range of stores
 - Impact on existing local independent shops
 - Loss of post office (within Smith and Mann)
 - Lack of retail impact assessment
 - Increase in traffic and congestion
 - Impact on highway safety
 - Impact on character of village and community
 - Increased noise and disruption
 - Increased light pollution
 - Not sustainable development
 - No net gain employment in the long term
 - Out-of-keeping / visually intrusive
 - Devaluation of property
 - Loss of employment land
 - Flood risk
 - Site would be better used for housing or other alternative use
 - Impact on air quality
 - Impact on AONB
- 5.5 The reasons given in support of the application include, but are not limited to:
- Good use of a vacant brownfield site which is currently an eyesore
 - Would reduce the need to travel by car
 - Currently have to travel across town for weekly shop
 - The larger stores are not easily accessible by bus
 - Existing convenience stores are expensive and have a limited range
 - Will still support local stores but not suitable for weekly shop
 - Lidl do not have coffee shops, pharmacies or post offices
 - Don't agree that village is already well-served
 - The plans are sympathetic to the area
 - Modern and attractive store
 - Would provide additional local job opportunities
 - Plenty of parking
 - Would provide electric vehicle charging points
 - The plans include solar panels on the roof to help meet the store's energy needs

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The key issues in determining this application are:

- the principle of redeveloping this brownfield site for retail purposes;
- the retail sequential test;
- impact of the proposed development on the vitality and viability of the town centre and nearby neighbourhood shopping centres;
- the design and layout of the site;
- the access, parking and highway safety impacts associated with the proposed retail use;
- the delivery and service management of the site; and

- the impact of the development on the amenity of neighbouring land users, and in particular, the impact on local residents in terms of noise, disturbance and light pollution.

6.1.2 Other important considerations relate to:

- trees and landscaping;
- flooding and drainage; and
- ecological impacts.

6.2 Policy background / principle of retail development

6.2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

6.2.2 The development plan comprises saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP); adopted policies of the Cheltenham Plan 2020 (CP); and adopted policies of the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy 2017 (JCS).

6.2.3 Material considerations include the National Planning Policy Framework 2021 (NPPF) and Planning Practice Guidance (nPPG).

6.2.4 Paragraph 11 of the NPPF sets out a “*presumption in favour of sustainable development*” which in decision making means:

(c) *approving development proposals that accord with an up-to-date development plan without delay; or*

(d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole.*

Employment Land

6.2.5 Adopted CP policy EM2 seeks to safeguard existing B class employment land and buildings, but does set out some exceptions. Exception b) permits development where:

the loss of the site to other uses does not have a detrimental impact on the continuing operation existing businesses in the vicinity (Note 2) and;

i. *The proposed use is job-generating with any loss of existing provision being offset by a net gain in the quality and / or the number of jobs provided on the site; or*

ii. *Development of the site will ensure the relocation of an existing firm to a more suitable location within the Borough (Note 5); or*

iii. There has been a sustained and long-term absence of economic activity on the land with no reasonable prospect of the land being used for employment (Note 6).

6.2.6 The notes referred to in the policy read:

Note 2: 'In the vicinity' refers to adjacent business land and property; and /or business land and property within the same business site or estate; and /or business land and property within the wider neighbourhood. Each case will be considered on the basis of its particular locational characteristics with the overall aim being to maintain and enhance the Borough's employment offer.

Note 5: Evidence will be required to demonstrate why the existing site is unsuitable for the current use, why the alternative site is more suitable, and why other uses are considered necessary in order to facilitate the relocation of the current user elsewhere within the Borough.

Note 6: Evidence will be required to demonstrate the lack of demand and consider the need for employment land currently or in future. At the heart of the criterion is the need to undertake an active advertising and marketing campaign that has been sustained over an appropriate period of time and has had regard to market characteristics. The amount of time that a campaign should be carried out is likely to vary depending on the scale of the redevelopment proposed and the amount of employment land that will potentially be lost. A period of not less than one year provides a reasonable benchmark.

6.2.7 Officers are therefore satisfied that a change of use of the land to provide a retail foodstore would clearly meet the requirements of exception b) in that the loss of the site to other uses would not have a detrimental impact on the continuing operation of existing businesses in the vicinity; it would generate jobs; and there is no reasonable prospect of the site being re-used for B class employment use. The existing light industrial units on site have been vacant for a number of years, and a Viability Report submitted with the application states that *"Due to the age and configuration of the buildings and lack of demand for the site from occupiers, there is no prospect for the buildings coming back into use as [a B class] employment site."* The report states that marketing has been carried out in excess of two years.

Class E

6.2.8 Notwithstanding the above, the applicant's Planning and Retail Statement sets out that the planning history on the site indicates that the existing commercial units on the site were originally permitted for light industrial use, with associated warehousing and office facilities; and that it is reasonable to assume from the evidence available that the lawful use of the existing premises would now fall within Use Class E (formerly Class B1). They corroborate this assumption by the fact that the business park is located in close proximity to a number of residential properties, with Class B2 and Class B8 uses generally less appropriate in such locations. They also note that the existing accommodation is primarily set out as offices and accessed via personnel doors, not large roller shutter doors.

6.2.9 On this basis, the statement asserts that that the lawful existing use of the application site falls within Use Class E; and that there are no known limitations that prohibit the use of the premises for any use within Class E.

6.2.10 It is noted that the objection submitted on behalf of Spirax Sarco disputes this assumption suggesting that the site was also previously used for B8 uses and therefore the fall-back position in relation to permitted development set out by the applicant in their

statement is incorrect; however, notwithstanding this point, the applicant has applied for planning permission in any event, and so it is of no consequence that there would not be any permitted development rights in respect of a change of use. As previously noted, the principle of a retail development on this site is in any case considered to be policy compliant.

New retail development

6.2.11 Adopted JCS policy SD2 advises that in Cheltenham “*new retail development will be encouraged in accordance with the policies in the saved local plans insofar as they are consistent with national planning policy*” and that “*proposals for retail...that are not located in a designated centre, and are not in accordance with a policy in either the JCS or district plans, will be robustly assessed against the requirements of the sequential test and impact test, as set out in National Planning Policy Framework and national Planning Practice Guidance, or locally defined impact assessment thresholds as appropriate.*”

6.2.12 Saved CBLP policy RT1 sets out the sequential approach for new retail development 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. The policy is generally consistent with NPPF paragraphs 87 and 88 which state:

87. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

88. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

6.2.13 NPPF paragraph 90 goes on to state:

When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace)...

6.2.14 As the application site is in an out of centre location, the application is accompanied by a Planning and Retail Statement which includes a sequential assessment. The Council commissioned DPDS to act as the Council's independent Retail Advisor, and review the submitted documentation. Following an initial review of the Retail Statement, additional clarification on a number of matters was submitted by the applicant, including a Sequential Test Technical Note and Counsel opinion.

6.2.15 The initial responses from DPDS, their full report, and a subsequent update are attached at Appendix A. It is not intended to repeat the comments here, but the key points arising from their assessment are as follows:

Sequential Test

6.2.16 The sequential test is required to assess whether there are other preferable sites which are suitable, viable and available; and the applicant has undertaken an extensive

retail sequential test assessment. The DPDS report assesses the sites rejected in the applicant's Technical Note in this regard, and considers whether there are any other potential sites which should be considered.

6.2.17 The DPDS report sets out that having carried out an internet search of vacant retail units, the writer has been unable to identify any other vacant units of sufficient size which merit further investigation. The town centres sites considered in the report include the former Lidl Unit at Grosvenor Terrace, North Place car parks, St. Georges Lane/St. James Street, the Brewery, the former BHS unit at Regent Arcade, and the Municipal Offices. Having considered the reasons for discounting these sites in detail, DPDS in their assessment are satisfied that the applicant *"has demonstrated compliance with the sequential test"* and that there are no sequentially preferable suitable sites available. No other suitable vacant premises in Bath Road or other relevant centres, or suitable sites in or on the edges of the centres, have been identified; and officers are not aware of any additional sites that have not been considered.

6.2.18 Officers therefore agree with the conclusions drawn by the applicant and DPDS, and are satisfied that there are no suitable and available, alternative sites on which to accommodate the proposed store; and that the proposed development passes the sequential test and so accords with CBLP policy RT1.

Retail impact

6.2.19 The proposal does not meet the threshold for a Retail Impact Assessment (2,500m² of gross floorspace) and, as such, the local planning authority cannot insist on one. Nevertheless, the impact of the proposed development on existing neighbourhood shopping centres is of significant concern to a number of local residents and, DPDS advise that retail impact may be considered as a material consideration, and have gone on to assess retail impact within their report. The report considers the impact on a number of stores/sites, including Morrisons at Caernarvon Road, Sainsbury's Local at Cirencester Road, and the Six Ways/London Road, Lyefield Road West, Church Street, Leckhampton and Croft Road centres.

6.2.20 The DPDS report notes that the proposal is likely to have a turnover of about £12m and that whilst a certain amount of trade would be derived from pass-by trade, a large part of this would be on journeys to or from Cheltenham. A substantial part of the proposed store's trade will be main food shopping and will be diverted from the main food supermarkets, the majority of which are out-of-centre and the impact on them is not a material consideration.

6.2.21 In considering the objection from Morrisons at Caernarvon Road, which is in a district centre, the DPDS report states *"It is a considerable distance from the proposal and there is no reason to believe that it would be disproportionately affected by the proposal to the extent of justifying a refusal."* The report also notes that Morrisons' objection *"does not contain any evidence on the likely impact or assert that the proposal would have a significant adverse impact on the store"*.

6.2.22 The report goes on to state that although figures suggest that some £1.4m might be diverted from current top-up shopping visits, these would be diverted from a range of food outlets throughout Cheltenham, including the larger foodstores, and it is reasonable to assume that about one third of this top-up shopping would otherwise have taken place in the large foodstores. Assuming that about £1m will be diverted from smaller shops and convenience stores and, bearing in mind the likely pass-by trade, about half of this will be from the local centres.

6.2.23 The top-up location deemed most likely to be affected would be the nearby Sainsbury's Local on Cirencester Road because it is the nearest store, and on a direct route

from the proposed store, which would likely intercept some of its existing trade, and because it offers some limited parking for car borne shoppers. DPDS estimate that at least half of the local trade diversion is likely to come from this store; however, the loss of about £250,000 from the turnover, or substantially more, would not threaten the viability of this store which, in any case, is not in an identified centre and does not receive policy protection.

6.2.24 With particular regard to the Lyefield Road West neighbourhood centre, as the centre most referred to in the objections, the DPDS report acknowledges that some loss could be expected from the Smith and Mann store, but concludes *“that the impact on the Lyefield Road West and other local centres is not likely to be significantly adverse in terms of the retail impact test and that the Post Office facilities are not likely to be lost. I also think that it would be difficult to adduce evidence to justify a refusal on the basis of retail impact at any appeal.”* The writer also states that having visited the nearby centres on a number of occasions, there were no obvious signs of economic distress (with the exception of the Croft Road centre) with trade clearly more walk-in than car based. Officers would reiterate the fact that as the proposal is not likely to lead to any significant adverse impact on the vitality and viability of the Lyefield Road West centre, nor result in the closure of the Smith and Mann store, the Post Office facilities within the store are not likely to be lost as a consequence of this proposal.

6.2.25 Whilst, as previously noted at paragraph 6.2.20, DPDS assume the turnover of the proposed store to be about £12m, the applicant has advised that the turnover would actually be expected to be one third less, between £8.2m and £8.4m, and as such, the store would divert less trade away from existing foodstores and non-food retailers than suggested by DPDS. If that were to be the case, the retail impact would be reasonably expected to be even less than that already deemed not likely to be significantly adverse, with the applicant contending that the store would be *“highly unlikely”* to result in any significant adverse impact.

6.2.26 Subsequent to the DPDS report being published, an objection was received on behalf of Tesco, and an additional representation was received from the owner of the Smith and Mann store, enclosing a letter from their accountants. These submissions were duly considered by DPDS who concluded that there was nothing in the additional correspondence that would lead them to change their earlier advice.

6.2.27 The turnover figures provided by Smith and Mann, indicate that its turnover was reduced by about 21% following the opening of the Sainsbury's Local on Cirencester Road; however, DPDS point out that it was always clear that the Sainsbury's Local would have some impact on the Smith and Mann shop, and that they find the level indicated as might be expected. They also set out a number of reasons why the impact of the current proposal would be less than the impact from the Sainsbury's. Firstly, it is further away; secondly, although the proposed store would be a larger unit, most of its trade would be derived from main food shopping, whereas the Sainsbury's is orientated towards the same local top-up market in the same area as the Smith and Mann shop; and lastly, that much of the trade that would have diverted from the Smith and Mann shop will have already diverted to Sainsbury's.

6.2.28 Overall, DPDS conclude that the proposal is not likely to lead to a significant adverse impact on the vitality and viability of any centre. The

6.2.29 It is acknowledged that some people have commented on the closure of the Nisa store at Croft Road following the opening of the nearby Sainsbury's Local but DPDS identified this at the time, and noted that the impact on the Croft Road centre would be severe and the closure of the Nisa store was likely.

6.2.30 As a whole, officers concur with the conclusions reached by DPDS in respect of the sequential test and the impact of the proposed development on existing neighbourhood shopping centres.

6.2.31 Members should be mindful that, for the purposes of determining this application, an assessment of retail impact upon existing nearby neighbourhood centres must be made on objective grounds only and emotive, non-material issues put aside. A refusal based on retail impact would need to be supported by credible evidence at any subsequent appeal; and officers do not consider that there is sufficient evidence to this effect that could be substantiated.

6.2.32 In light of all of the above, officers are satisfied that the general principle of the proposed development on this site, which is sustainably located within the PUA, would accord with the above mentioned policies.

6.3 Design, layout and sustainability

6.3.1 Chapter 12 of the NPPF places great emphasis on the importance of design in decision making, and states at paragraph 126 that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*.

6.3.2 Adopted CP policy D1 requires all new development to adequately reflect principles of urban and architectural design; and to complement and respect neighbouring development, and the character of the locality and/or landscape. The policy reiterates the requirements of adopted JCS policy SD4 which calls for proposals for development to:

- respond positively to, and respect the character of, the site and its surroundings, and be of a scale, type, density and materials appropriate to the site and its setting;
- create clear and logical layouts;
- avoid or mitigate any potential disturbance, including visual intrusion, noise, smell and pollution;
- ensure that landscaped areas are of a high quality design;
- be designed to contribute to safe communities including reducing the risk of fire, conflicts between traffic and cyclists or pedestrians, and the likelihood and fear of crime;
- provide access for all potential users, including people with disabilities, and ensure the highest standards of inclusive design; and
- be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes.

6.3.3 Adopted JCS policy SD3 also requires development proposals to be designed and constructed in such a way as to maximise the principles of sustainability, and to:

- demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, minimising waste and avoiding the unnecessary pollution of air, harm to the water environment, and contamination of land or interference in other natural systems;
- be adaptable to climate change in respect of the design, layout, siting, orientation and function of both buildings and associated external spaces; and
- incorporate principles of waste minimisation and re-use.

Layout

6.3.4 The existing vehicular access to the site from the private access road will need to be revised and widened to facilitate access and egress into the retail site, with a new pedestrian

entrance adjacent to an existing crossing point across the private access road. A new pedestrian footpath from the Cirencester Road would run alongside the access road.

6.3.5 The proposed building would be located on the eastern part of the site, adopting a similar albeit smaller footprint as the existing buildings. The main entrance lobby to the supermarket would be located in the northwestern corner of the building, with warehousing and other ancillary facilities located to the rear and side of the main retail space. The loading bay, which is covered but not enclosed, would be located to the southeast of the store. A comprehensive Transport Statement and Delivery Management Plan have been submitted with the application, and revised where necessary, and these are discussed in more detail later in the report.

6.3.6 Free customer car parking would be located to the west of the store. The car parking would provide a total of 79 car parking spaces, including 5 disabled spaces, 2 electric vehicle charging spaces, 5 parent and child spaces, and 7 motorcycle spaces. Infrastructure would also be provided for a further 14 electric vehicle charging spaces to be made available as and when required in the future. Cycle parking would also be provided.

6.3.7 Areas of landscaping adjacent to the vehicular access and within the car park would help to soften the development, with the retained landscaping along the southern boundary continuing to provide a substantial green visual buffer between the proposed development and neighbouring AONB.

6.3.8 Officers are therefore satisfied that the general layout of the scheme is acceptable and appropriate for the site. Additionally, the Architects Panel *"had no objection to the site layout, the footprint or the overall scale of the building"*.

Design

6.3.9 For the most part, the proposed building is single storey with a flat roof, although a small element of first floor accommodation is proposed in the northern corner of the site to provide for a staff canteen, wc and changing facilities, an IT room, and a Manager's office. Whilst the height of the building would clearly exceed the height of the existing buildings, a lesser extent of footprint is proposed and the building would not be as tall as the large office building to the rear.

6.3.10 With reference to the external appearance of the proposed store, the applicant's Design and Access Statement sets out that the building has been designed to *"blend in and strengthen the existing context as much as possible"*. The external elevations will primarily be faced in red brick, which reflects the materials used in the residential properties immediately opposite the site, with limited blue brick detailing *"which is inspired by the local brick patterns of the adjacent former railway bridge"*.

6.3.11 The Architects Panel comments in this regard are therefore somewhat puzzling as, whilst they raise no objection to the site layout, footprint or overall scale of the proposed building, they suggest that the *"design takes no cues from the special character of the site and its context... The panel would have liked to have seen the elevations articulated more perhaps with visual references to former railway architecture on the site..."* They go on to comment that:

The choice of dark blue engineering brick for the facades is a worry in that the building could appear particularly drab and uninviting. Selecting a lighter red brick similar to the houses opposite would be more appropriate using engineering brick only to highlight features as commonly done with late Victorian early 20th century architecture.

6.3.12 These comments suggest that the Architects Panel have misinterpreted the proposals; and the agent for the application also questioned the comments, pointing out that *“the primary material already proposed is red brick, with the blue bricks just adding some detail/variation only”* and that the building is of a bespoke design for the site. The applicant therefore requested a discussion with the panel to better understand their concerns; however, disappointingly, the panel did not respond to their request. Nevertheless, officers are satisfied that the proposals generally accord with the Architects Panel’s recommendations.

6.3.13 Elsewhere within the scheme, additional materials include white render, grey metal sheet roofing, grey metal flashing, and blue framed windows, glazed shopfront, and doors.

6.3.14 Overall, officers are satisfied that the proposed scheme, whilst designed to meet the applicant’s operational needs and is functional in its appearance, is appropriate for the site and its context; represents an appropriate standard of design both in terms of the building itself and the space around it; and will result in an enhancement to the site and its surroundings. Visually, the building would respond far better to its context than the large commercial building to the rear of the site, and the hotel complex to the south.

6.3.15 The detailed design of a number of elements, including external facing materials, can be satisfactorily dealt with via planning conditions to ensure the quality and durability of the individual elements.

6.3.16 Additionally, whilst it is noted that some concern has been raised in relation to the signage shown on the submitted drawings, Members are advised that a separate application for advertisement consent would be required for all advertisements and signage for the store.

Sustainability

6.3.17 The Energy and Sustainability Report which accompanies the application sets out the sustainability measures that have been incorporated into the scheme; these include the provision of solar PV panels on the large expanse of flat roof, and the use of an Air Source Heat Pump (ASHP) as the main heating and cooling system for the development. The solar PV array will be incorporated into the roof and deliver renewable energy to the development all year round, providing not only environmental benefits of lower carbon emissions and reduced reliance on the grid, but also ensuring lower economical operational costs throughout the building life cycle.

6.3.18 The report sets out that with the inclusion of the ASHP and PV array, *“the estimated reduction in regulated carbon dioxide is approximately 94% below the Part L 2013 compliant baseline scheme which represents a total site wide annual saving of approximately 47 tonnes of CO₂”*.

6.3.19 The application has also been supplemented by a Waste Management and Minimisation Plan (WMMP) which, at this stage, seeks to highlight the principles proposed to be applied to the planning, design, construction and occupation phases of the development. The WMMP has been reviewed by officers at the County Council, in its capacity as the Mineral and Waste Planning Authority, who confirm that *“subject to the plan’s full implementation, the matters of resource efficiency and waste minimisation will be adequately addressed.”*

6.3.20 Officers are therefore satisfied that the sustainability credentials of the proposed development will reduce their reliance on less sustainable forms of energy, and maximise the energy and carbon savings of the development.

6.3.21 Accordingly, as a whole, the proposed scheme is considered to meet the requirements of CP policy D1, and JCS policies SD3 and SD4.

6.4 Access, parking and highway safety

6.4.1 Adopted JCS policy INF1 requires all development proposals to provide safe and efficient access to the highway network for all transport modes; and provide connections where appropriate, to existing walking, cycling and passenger transport networks to ensure that credible travel choices are provided by sustainable modes. The policy states that planning permission will only be granted where the impacts of the development are not considered to be severe, and requires developers to assess the impact of proposals through a Transport Assessment.

6.4.2 The above policy generally reflects the advice set out within the NPPF at Section 9; however, the following paragraphs of the NPPF set out additional relevant requirements:

110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

112. Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*

113. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

6.4.3 From a highways perspective, the access, parking and highway safety impacts associated with the proposed retail use, and the delivery and service management of the site has been fully assessed by the Highways Development Management Team (HDM) at the County Council, as the Highway Authority acting in its role as Statutory Consultee, and their full comments can be read at Section 4 above.

6.4.4 In their initial response, HDM raised concerns in relation to the Transport Assessment (TA) submitted in support of the application, requesting that the TA be updated to include an assessment of trip movements across the whole day for the extant and proposed uses (reviewed against the 2019 survey which was absent from the submission) and the trip distribution analysis.

6.4.5 Additionally, they were dissatisfied with the proposed trip rates for the retail use, suggesting that the presented rates were unacceptably low; and also raised concerns over the lack of a continuous footway from the nearest bus stops to the store entrance, the number of electric vehicle (EV) charging spaces, the location of the cycle parking spaces, and manoeuvring arrangements for delivery vehicles within the site.

6.4.6 Subsequently, the applicant worked closely with HDM to address the above concerns, and no highway objection is now raised subject to a number of conditions. The applicant has updated the trip rates and considered what the implications of this would be at the access onto Cirencester road, and HDM agree with the findings; the modelling result concluding that there will not be a significant delay on the Cirencester Road or the site access road.

6.4.7 The scheme also been revised to incorporate a footway on the south side of the access road which will connect to the Cirencester Road and nearby bus stop infrastructure and help to enable sustainable travel; the walk from the bus stops is direct and relatively short. At present, the bus shelter is not within the publicly maintained highway but the applicant has offered to dedicate this land to ensure that this discrepancy is resolved which is welcomed.

6.4.8 With regard to the EV parking spaces, although the number of spaces is lower than that normally required, the applicant is proposing charging equipment which will allow for rapid charging, and therefore better reflects customer dwell time; as such, HDM are satisfied that the proposal will provide for a better level of customer service than if it were fully compliant with the guidance. As previously noted, the proposal also includes infrastructure for an additional 14 EV charging spaces in the future.

6.4.9 HDM also now accept that the proposed cycle parking is positioned in a useable location; and it would benefit from natural surveillance.

6.4.10 The application also provides for a Travel Plan (TP) to promote and encourage alternative options to single occupancy vehicle trips, particularly for employees. The TP sets out that all new staff at the store will receive a comprehensive travel pack, outlining the objectives of the plan, and an appointed Travel Plan Co-ordinator will be responsible for its implementation.

6.4.11 In addition, a Delivery Management Plan (DMP) has been submitted which sets out the proposed arrangements to control and manage deliveries to the store. The document states that deliveries to the store will be made by 16.5 metre long articulated vehicles and that typically there will be two deliveries per day. The plan has been updated during the course of the application; notably the route and manoeuvring for delivery vehicles entering and exiting the site and accessing the delivery bay.

6.4.12 A recent update to the DMP in response to amenity concerns raised by Environmental Health has been reviewed by HDM and they are agreeable to the revised DMP. The amenity considerations are discussed below at Section 6.5.

6.4.13 Subject to the inclusion of a number of conditions, HDM support the proposed development and conclude that it would not result in an unacceptable impact in terms of highway safety, or a severe impact on congestion, and that *“there are no justifiable [highway] grounds on which an objection could be maintained”*. The necessary conditions relate to the provision of parking including EV charging points, the submission of a Construction Method Statement; and the implementation of the TP and DMP. A Unilateral Undertaking with the County Council is also required to cover the financial obligations relating to the TP (a Monitoring Fee and Default Payment).

6.4.14 Officers have no reason to disagree with the HDM assessment of the proposals and are therefore satisfied that the requirements of JCS policy INF1 and paragraphs 110 – 113 are met.

6.5 Impact on amenity of neighbouring land users

6.5.1 Adopted CP policy SL1 states that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. CP paragraph 14.4 advising that:

In assessing the impacts of a development including any potential harm, the Council will have regard to matters including loss of daylight; loss of outlook; loss of privacy; and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lighting, hours of operation, and traffic / travel patterns.

6.5.2 Adopted JCS policy SD14 reiterates this advice and also seeks to ensure high quality developments that *“protect and seek to improve environmental quality”*.

6.5.3 The proposal has given rise to a number of objections on amenity grounds which primarily relate to noise and disturbance likely to be generated by the proposed use, including deliveries to the store, and light pollution. The nearest residential properties to the site are those opposite and adjacent to the site on Cirencester Road, and those to the north of the site in Branch Hill Rise.

Noise and disturbance

6.5.4 The application has been supported by a comprehensive Noise Impact Assessment (NIA) and, as previously noted, a Delivery Management Plan (DMP); both documents have been updated during the course of the application to address amenity concerns raised by Environmental Health (EH).

6.5.5 The Parish Council have repeatedly suggested that the NIA is flawed and uses an unsuitable methodology to assess the impact of short duration noises such as reversing beacons, roller shutter doors, rattling of delivery cages, etc.; however, in relation to some of these noise impacts, EH have commented that they *“do not share the concern that noise from moving cages stock [sic] or operating roller shutters will have a significant adverse effect on nearby residential property, as the shape of the building will effectively screen these properties from the noise source”*.

6.5.6 EH did however share the concerns in relation to the adverse effect that noise from delivery vehicles would have on nearby properties, particularly when ambient noise levels are low. The concerns were caused by a combination of three factors set out within the DMP; those being the excessively long reversing path for articulated vehicles; deliveries outside store operating hours where possible; and the use of an audible reversing beacon on the vehicle. The applicant was therefore advised that they would need to mitigate the impact by controlling at least one of these factors.

6.5.7 In response, the applicant has updated the DMP, most notably the route and manoeuvring for delivery vehicles entering and exiting the site and accessing the delivery bay; and this has greatly reduced the need for vehicles to be in reverse gear. Following the updates to the DMP, EH raise no objection to the proposal subject to a number of conditions requiring the development to be implemented in accordance with the agreed details.

6.5.8 The plant proposed for the building has been assessed and it is not considered that it will have any adverse effect.

Opening hours

6.5.9 The proposed opening hours for the store are between 7am to 10pm Monday to Saturday (including Bank/Public holidays) and for a six-hour period between 10am and 6pm on Sundays. EH have raised no concerns in relation to these opening hours.

Piled foundations

6.5.10 The supporting documentation submitted with the application suggests that piled foundations will be used on at least part of the site. As such, given that pile foundations have the potential to produce a range of impacts, including noise, vibration and dust, EH have requested a condition be attached to any permission to ensure that the piling method is agreed prior to the commencement of works on site.

Lighting

6.5.11 In reviewing the initial details submitted in relation to the proposed internal and external lighting, and signage, which will be managed via timers and sensors, EH were concerned that insufficient information had been submitted to address the potential for light to affect nearby residential properties, particularly those in Branch Hill Rise. Additional detail was therefore requested and a Proposed Light Layout plan subsequently submitted. In considering the additional lighting plan, EH are satisfied that the proposed lighting scheme would not result in any significant harm to neighbouring residential properties in terms of light pollution, subject to the development being carried in accordance with the agreed details; and this can be secured via a condition. Modern lighting solutions greatly reduce the potential for light pollution.

Air Quality

6.5.12 The application has been accompanied by an Air Quality Assessment (AQA) which has been reviewed by EH. The AQA indicates that the development is unlikely to have any adverse effect on air quality in the area.

6.5.13 On balance, officers are therefore satisfied that the development would not result in any unacceptable impact upon the amenities and living conditions of those residential neighbours living close to the site. It is important to recognise that whilst the site has been vacant for some time, it is a brownfield site, on a busy arterial route in to the town, which benefits from a long established industrial use.

6.6 Trees and landscaping

6.6.1 Adopted CP policy GI3 advises that the retention of existing trees; the planting of new trees; and measures adequate to ensure the protection of trees during construction works may be required in conjunction with development. This advice is reiterated in adopted JCS policy INF3.

6.6.2 Additionally, one of the requirements of adopted JCS policy SD4 is to ensure that the design of landscaped areas, open space and public realm, in all new developments, are of a high quality.

6.6.3 The Tree Officer has reviewed the application and, having initially sought some changes, assurances and clarification on a number of points, now generally supports the proposals. The 5no. semi-mature wild service trees and 5no. Scots pine proposed to be planted along Cirencester Road adjacent to the site are considered to be sufficient to mitigate for the loss of the existing limes, large pine and cypress. Scots pine trees are evergreen; whilst the wild service trees and flowering pear trees within the car park are good for wildlife. Albeit, it should also be noted that the consent previously granted (21/00201/DEMCON) for the demolition of the existing buildings consents to the removal of the trees along the Cirencester Road frontage with no replacements, and this remains an implementable consent.

6.6.4 In addition, whilst the Tree Officer acknowledges that the proposed tree planting within the car park is sparse, they recognise that much of the car park will be in the shade and so consider the proposed Flowering pear tree planting to be acceptable. They also welcome the 'light touch management' proposed to the southerly bank adjacent to the car park together with the proposal to plant with further hazel and hawthorn.

6.6.5 The proposed landscaping has also been reviewed by the Urban Design Team who initially posed a number of questions; however, many of these have been suitably resolved through the submission of revised/additional landscaping detail.

6.6.6 As such, the landscaping proposals are considered to be acceptable from a policy perspective, and would provide adequate mitigation for the loss of the existing trees along Cirencester Road, and provide for a modest enhancement within the site.

6.6.7 The implementation of the approved landscaping can be secured by condition.

6.7 Flooding and drainage

6.7.1 Adopted JCS plan policy INF2 advises that development proposals must avoid areas at risk of flooding, and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate.

6.7.2 The application has been accompanied by a Drainage Strategy (DS) which has been reviewed by the LLFA as a statutory consultee. The strategy sets out that a range of SuDS options have been assessed and that an underground attenuation tank located under the car park within the west of the site is deemed the most suitable approach. The LLFA are satisfied that *"The drainage strategy shows adequate detail that the discharge rate of surface water can be managed on site with a 40% betterment over the existing discharge rate."*

6.7.3 The LLFA accepts that no detail has been provided as to how any pollutant management devices will be managed, but is satisfied that details of the proposed separator, and how it will control pollution hazards to the Lilley Brook (where water will be discharged via the Severn Trent sewer) can be secured by condition.

6.7.4 A recent update to Section 14 of the NPPF in July this year, with regard to planning and flood risk, now require all sources of flooding to be taken into account, with the aim of steering new development to areas at the lowest risk of flooding from any source.

6.7.5 NPPF paragraph 168, whilst noting that applications for some minor development and changes of use should not be subject to the sequential or exception tests, sets out the need to still meet the requirements for site specific flood risk assessments. Footnote 55 provides the following additional clarification:

A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

6.7.6 In response to the revised NPPF, a Flood Risk Assessment (FRA) was subsequently submitted by the applicant which showed the site to be located in Flood Zone 1 and therefore at a low risk of fluvial flooding, but at a medium to high risk of surface water flooding. In light of this, and in order to comply with the following paragraphs 162 and 163 of the NPPF, the applicant also submitted a Flood Risk Sequential Test Technical Note:

162. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

163. If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

6.7.7 The technical note concludes that it has not been possible to identify any sites that are suitable and available to accommodate the proposed development and there are no alternative sites that are sequentially preferable to it in terms of flood risk.

6.7.8 The LLFA, having reviewed the additional documentation “agree with the conclusions presented and continues to have no objection...”.

6.7.9 A public Severn Trent Water (STW) surface water sewer is proposed to be diverted on site to facilitate the raised development and to ensure maintenance access to the sewer is available. The (DS) sets out that consent for the diversion route was previously granted by STW in 2019, and it is proposed to maintain the same diversion route as that previously accepted. The applicant will need to obtain formal agreement to the diversion route from STW.

6.7.10 Officers are therefore satisfied that the proposed development is acceptable in relation to flooding and drainage, and is compliant with JCS policy INF2 and the relevant paragraphs of the NPPF.

6.8 Ecological impacts

6.8.1 Adopted JCS policy SD9 seeks to encourage new development “to contribute positively to biodiversity and geodiversity” and to ensure that protected species are safeguarded in accordance with the law. Where developers are unable to avoid harm to biodiversity, mitigation measures should be incorporated into the design of the development. The policy reflects the advice set out within the NPPF at paragraph 180.

6.8.2 The application was accompanied by a Preliminary Ecological Appraisal (PEA) and Bat Roost Survey, which was reviewed by Wild Service (the Ecological Consultancy for the Gloucestershire Wildlife Trust) acting as the Council's specialist Ecological Advisor (WS).

6.8.3 The PEA identified building 1 as having high potential for roosting bats, with the other buildings deemed as having low or negligible potential. Initially, building 1 was also identified as having the potential for hibernating bats; however, an updated site survey concluded that the building was largely unsuitable.

6.8.4 Prior to any works commencing on site, a licence will be need to be obtained from Natural England that will require adequate mitigation and compensation to be incorporated into the development proposals. WS in their initial review of the proposed mitigation measures set out within the applicant's Bat Mitigation Strategy found the measures to be largely acceptable but advised that additional specific mitigation would be required for lesser horseshoe bats; and therefore an ecological objection was raised.

6.8.5 Subsequently, the BMS was updated to include additional clarification, which adequately addresses the objection raised by WS; a condition will be necessary to ensure that the ecological enhancement and mitigation measures are strictly adhered to. The mitigation and compensation measures include the installation of bat and bird boxes.

6.8.6 Overall, officers are therefore satisfied that the development is compliant with the requirements of JCS policy SD9; the proposals would make a positive contribution to the biodiversity and geodiversity on the site, and any harm to protected species will be adequately mitigated.

6.9 Other considerations

Setting of AONB

6.9.1 As previously noted, the site lies adjacent to the boundary with the AONB to the south. As such, in accordance with adopted CP policy L1 and JCS policy SD7, consideration must be given to the setting of the AONB to ensure that the proposed development would not cause harm to views in to or out of the AONB.

6.9.2 In this instance, officers are satisfied that the proposed development would not cause unacceptable harm to the setting of the AONB due to the mature landscape buffer that exists along the southern boundary which is to be retained and enhanced. Additionally, the site is already developed and sits within the context of larger developments to the south and west, and housing to the east. It is also appropriate to acknowledge that the site sits at a lower level than the hotel to the south, and the housing opposite the site.

Alternative uses

6.9.3 It is noted that the Civic Society and a small number of objectors have suggested that the site would be better used for housing, or other alternative use; however, this is not a material consideration in the determination of this application. Members must therefore determine the application before them and consider this proposal on its own merits.

Public Sector Equalities Duty (PSED)

6.9.4 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;

- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

6.9.5 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.9.6 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.2 The application site is a valuable brownfield site, sustainably located within the PUA, but has been vacant for some time and the existing buildings on site are no longer considered to be fit for purpose. As such, the redevelopment of the site is welcomed.
- 7.3 It is acknowledged that there has been a lot of local opposition to the proposal, and that many of the objections refer to a lack of ‘need’ for another food store within Charlton Kings, and the impact that the store would have on existing shops and services. In this regard, DPDS were commissioned to act as the Council’s independent Specialist Retail Advisor.
- 7.4 Following an initial review of the Retail Statement by DPDS, additional clarification on a number of matters was provided by the applicant including a Sequential Test Technical Note and Counsel opinion. Officers acknowledge that the application has not been supported by a Retail Impact Assessment, but the proposal does not meet the threshold (2,500m² of gross floorspace) for such an assessment. Nevertheless, the impact of the proposed development on existing neighbourhood shopping centres is of significant concern to a number of local residents and DPDS have therefore considered the retail impact of the development within their report.
- 7.5 Having assessed the proposed development in relation to the Sequential Test and Retail Impact, DPDS are satisfied that the applicant has demonstrated compliance with the sequential test, and that the proposal is not likely to lead to a significant adverse impact on the vitality and viability of any centre. A refusal based on retail impact would need to be supported by credible evidence at any subsequent appeal, and officers do not consider that there is sufficient evidence to this effect that could be substantiated.
- 7.6 From a highway safety perspective, the proposed development has been fully assessed by the Highways Development Management Team (HDM) at the County Council, as the Highway Authority acting in its role as Statutory Consultee. The applicant has worked closely with HDM to address some initial concerns, and no highway objection is now raised subject to a number of conditions. With particular regard to the access onto Cirencester Road, HDM agree with the applicant’s findings which conclude that there will not be a significant delay on the Cirencester Road or the site access road.
- 7.7 The application has also given rise to a number of objections on amenity grounds from local residents living in close proximity to the site, and these concerns have been carefully considered by officers in conjunction with the Environmental Health Team. The concerns primarily relate to the noise and disturbance likely to be generated by the proposed use, including deliveries to the store, and light pollution.

- 7.8 In this respect, the application is accompanied by a comprehensive Noise Impact Assessment and a Delivery Management Plan; both of which have been updated during the course of the application to address amenity concerns raised by Environmental Health. A supplementary Light Layout Plan has also been submitted. These documents would form part of any planning approval, and officers are satisfied that with sufficient safeguards in place, the proposed development would not result in any significant adverse impact on the amenities and living conditions of residential neighbours living close to the site. It is important to recognise that whilst the site has been vacant for some time, it is a brownfield site, on a busy arterial route in to the town, which benefits from a long established industrial use.
- 7.9 In terms of design and layout, whilst the proposed store has clearly been designed to meet the applicant's operational needs and is relatively functional in its appearance, officers are satisfied that the building is appropriate for the site and its context, and represents an appropriate standard of design both in terms of the building itself and the space around it. Suitable landscaping proposals have been submitted which will help to soften the development and enhance the surroundings. Additionally, the building has been designed to incorporate a solar PV array on the large expanse of flat roof, and the use of an Air Source Heat Pump as the main heating and cooling system for the development, thereby lowering carbon emissions and reliance on the grid; and would also provide for electric vehicle charging points.
- 7.10 Landscaping proposals would adequately mitigate for the loss of the existing trees along Cirencester Road, and provide for an enhancement within the site.
- 7.11 The application has been accompanied by a Drainage Strategy, Flood Risk Assessment and Flood Risk Sequential Test Technical Note which have been reviewed by the Lead Local Flood Authority (LLFA) as a statutory consultee. The LLFA raise no objection to the proposals subject to a condition. The technical note concludes that it has not been possible to identify any sites that are suitable and available to accommodate the proposed development and there are no alternative sites that are sequentially preferable to it in terms of flood risk.
- 7.12 The ecological impacts of the proposed development have been fully considered and found to be acceptable subject a condition to ensure that the proposed ecological enhancements and mitigation and compensation measures, to include the installation of bat and bird boxes, are fully implemented.
- 7.13 With all of the above in mind, taking into account the economic, social, and environmental aspects of the application, officers have no fundamental objection to the proposed development. The recommendation therefore is to grant planning permission subject to an s106 unilateral undertaking and the schedule of conditions set out below; in accordance with The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018, the applicant has agreed to the terms of the pre-commencement conditions:

8. SUGGESTED CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.
- 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 planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.
- Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of development (excluding demolition and site clearance), a Construction Method Statement or Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The approved plan/statement shall be adhered to throughout the development process and shall include, but not be restricted to:

- i) Provision of parking for vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- ii) Any temporary access to the site;
- iii) Locations for the loading/unloading and storage of plant, waste and construction materials;
- iv) Method of preventing mud and dust being carried onto the highway;
- v) Arrangements for turning vehicles;
- vi) Arrangements to receive abnormal loads or unusually large vehicles;
- vii) Measures to control the emission of noise, dust and dirt during demolition and construction;
- viii) Measures for controlling the use of site lighting whether required for safe working or for security purposes; and
- ix) Methods of communicating the Construction Management Plan or Construction Method Statement to staff, visitors, and neighbouring residents and businesses.

Reason: To minimise disruption on the public highway and accommodate the efficient delivery of goods and supplies during the course of the construction works, and to prevent any loss of amenity to neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and policies SD14 and INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable impact during construction.

- 4 Prior to the commencement of development (excluding demolition and site clearance), tree protective fencing to BS 5837:2012 shall be installed in accordance with approved Drawing No. CA/2020/.85 Rev G, and subsequently inspected and approved in writing by the Local Planning Authority. All works shall be carried out in strict accordance with the Arboricultural Method Statement Rev 27 January 2021.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 5 Prior to the commencement of any works above foundation level, surface water drainage works shall be implemented in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The information submitted shall be in accordance with the principles set out in the approved Drainage Strategy.

Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved surface water drainage scheme shall be implemented in full prior to first beneficial occupation of the development.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 6 If, during the course of development, any contamination is found which has not been identified in the submitted Geo-Environmental Desk Study Report, Ref: 20-1255-P-R1 dated October 2020 or Geo-Environmental Investigation Report Ref: 20-1255-P-R2/A dated 15 October 2020, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

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, having regard to adopted policy SD14 of the Joint Core Strategy (2017).

- 7 Prior to any piling activities being carried out on site, a full pile method statement shall first be submitted to and approved in writing by the Local Planning Authority. The method statement must assess and include full details of the noise and vibration impact from the piling operations on the nearest residential property, dates and times of piling and details of monitoring measures.

Reason: To prevent nuisance from noise and vibration being caused to the occupiers of neighbouring residential properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 8 The ecological enhancements and mitigation measures set out within the Preliminary Ecological Appraisal and Bat Survey Report, Ref: 20-1317.01 dated November 2020, and the Bat Mitigation Strategy Ref: 20-1317.06 dated March 2021, shall be implemented in strict accordance with approved details.

Reason: To conserve and enhance the biodiversity value of the site, having regard to policy SD9 of the Joint Core Strategy (2017), and paragraphs 174 and 180 of the National Planning Policy Framework (2021).

- 9 No external facing shall be applied unless in accordance with:
a) a written specification of the materials; and/or
b) physical sample/s of the materials.
The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 10 All landscaping works shall be carried out in accordance with approved Drawing No. CA 2020/.86 Rev D dated 26 August 2020, approved Planting Schedule dated 24 February

2021 and approved Planting Methodology and Aftercare dated 24 February 2021, prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, GI2 and GI3 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 11 Prior to first beneficial occupation of the development, the proposed means of vehicular access, and parking and turning facilities shall be provided in accordance with the approved plans and thereafter retained as such at all times.

Reason: To ensure a safe and suitable access to the development is provided and maintained, in the interests of highway safety, and to ensure the adequate provision of car parking within the site, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 12 Prior to first beneficial occupation of the development, 2no. rapid electric vehicle charging spaces shall be provided in accordance with the approved plans and thereafter retained as such at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage the use of sustainable transport modes, and healthy communities, having regard to adopted policy SD4 of the Joint Core Strategy (2017).

- 13 Prior to first beneficial occupation of the development, cycle parking facilities shall be provided in accordance with the approved plans and thereafter retained as such at all times.

Reason: To encourage the use of sustainable transport modes, and healthy communities, having regard to adopted policy SD4 of the Joint Core Strategy (2017).

- 14 The store shall only be open to customers between the following hours:

Monday to Saturday (incl. Bank/Public Holidays) – 7am to 10pm
Sundays – 10am to 6pm

Reason: To protect the amenities of the occupants of nearby residential properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 15 The approved Travel Plan (Version F4, dated 25th February 2021) shall be implemented and monitored in accordance with the regime contained within the plan. In the event of failing to meet the targets within the plan, a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of travel to and from the site; and shall thereafter be implemented, monitored and reviewed in accordance with the revised details.

Reason: To reduce vehicle movements and promote sustainable travel, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 16 The approved Delivery Management Plan (Fourth Issue, dated 14th July 2021) shall be strictly adhered to in all respects. Should any variation of the Delivery Management Plan (DMP) be deemed necessary, a revised DMP shall be submitted to and approved in writing by the Local Planning Authority; and shall be strictly adhered to thereafter in accordance with the revised details.

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development, and to protect the amenities of neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policies SD14 and INF1 of the Joint Core Strategy (2017).

- 17 The approved Waste Management and Minimisation Plan, dated January 2021, shall be fully implemented in accordance with the details set out within the plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of resource efficiency and waste minimisation, having regard to adopted policy WCS2 of the Waste Core Strategy for Gloucestershire (2012).

- 18 All plant used in the proposed development shall be in accordance with the plant identified in the approved Noise Impact Assessment, Ref: 8568/JA/BL Rev B dated 25th January 2021, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupants of nearby residential properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 19 All external lighting on site shall be implemented strictly in accordance with the approved Proposed Lighting Layout, Ref. D-396198 Rev 3 dated 5th March 2021, prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupants of nearby residential properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 20 The building hereby approved shall have a net sales area no greater than 1,117 square metres. No more than 20% of the net sales area shall be used for the sale of comparison goods.

Reason: For the avoidance of doubt and because an alternative format could have the potential to harm the vitality and viability of existing town centres, having regard to saved policy RT1 of the Cheltenham Borough Local Plan Second Review (2006).

- 21 Notwithstanding the provisions of the Town and County Planning (General Permitted Development) (England) order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the building hereby approved shall be used solely for purposes within Class E(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that order with or without modification).

Reason: For the avoidance of doubt and because an alternative use could have the potential to harm the vitality and viability of existing town centres, having regard to saved policy RT1 of the Cheltenham Borough Local Plan Second Review (2006).

INFORMATIVES

- 1 This planning permission is subject to a Unilateral Undertaking with the County Council pursuant to Section 106 of the Town and Country Planning Act 1990 which secures the financial obligations relating to the Travel Plan (a Monitoring Fee and Default Payment).

The permission should be read in conjunction with this undertaking.

- 2 It is expected that contractors are registered with the Considerate Constructors Scheme and comply with the Code of Considerate Practice in full, but particular reference is made to "respecting the community" which states that:

Constructors should give utmost consideration to their impact on neighbours and the public by:

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The Construction Method Statement or Construction Management Plan (condition 3) should clearly identify how the principle contractor will engage with the local community; and this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

- 3 The applicant/developer is requested to include the Council's Trees Officer in the initial Arboricultural Monitoring Visit.
- 4 A member of the Environmental Protection Team may carry out a site visit should a mobile crusher be in operation.
- 5 The applicant is advised that a dawn survey should be undertaken on the day of demolition to further reduce the likelihood of disturbing/injuring bats. If the dawn survey cannot commence due to weather conditions, works should not commence until the survey can proceed.
- 6 The applicant/developer is requested to forward a copy of the Natural England EPS bat license once granted.

Please Reply to Swindon
Our Ref DAM/C10316
Your Ref
Date 5th February 2021



- Town Planning
- Development Environment
- Architecture
- Urban Design
- Landscape Design
- Project Management

Michelle Payne
Development Management
Environmental & Regulatory Services
Cheltenham Borough Council
Council Offices
The Promenade
Cheltenham
Gloucestershire GL50 9SA

Dear Michelle

Planning Application 20/02089/FUL Proposed Lidl Store, Cirencester Rd Cheltenham

This letter sets out our Initial views on the Planning and Retail Statement (PRS) by Plan A dated November 2020. Our instructions cover only the retail planning aspects of the application.

The site is on the southern edge of the town and is out of centre. Key retail policies are policy SO2 of the ICS and saved policy RT1 of the Cheltenham Local Plan Second Review.

Policy RT1

The key policy from the Cheltenham Local Plan Second Review is RT1 which defines the hierarchy of centres in Cheltenham, the sequence of preferred locations for retail development and the policy for out of centre retail development. Policy RT1 has been saved beyond the adoption of the ICS. It sets out a sequence of preferred locations for retail development in the following order:

- The Central Shopping Area
- The Montpellier Shopping Area and High Street West End Shopping Area
- Elsewhere in the Core Commercial Area
- District and Neighbourhood Centres
- Out of Centre sites which are accessible by a regular choice of means of transport

Plan A (para 5.2 of the PRS) claim that policy RT1 is out of date and does not comply with the NPPF on the sequential test in three respects viz

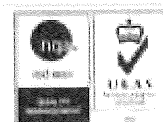
- it seeks to direct all retail development to the Core Shopping Area in Cheltenham, regardless of whether the Core Shopping area is within an appropriate area of search from the application site (which is a widely and long-established methodology for applying the sequential test);
- it does not make any provision for development on the edge of district or neighbourhood centres;

Cont/d.....

Swindon

100 West Street
100 West Street
Old Town
Swindon
Wiltshire SN1 1GB
Tel: 01753 683333
www.dip-dis.com

DIP DIS Consulting Group (company)
Development Planning & Design Services Group Ltd (company) Registration No: 10272841 0200
Consulting and Planning Registration No: 02702 0200 Development Planning & Design Services
Ltd Company Registration No: 09917988 and DPO (and reference) Ltd Company Registration No:
29473382
Registered Office: 100 West Street, Swindon Road SN1 1GB Swindon, Wiltshire SN1 1GB
www.dip-dis.com





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Michelle Payne
Cheltenham Borough Council

- the requirement for out-of-centre sites to be accessible by a choice of modes of transport does not align with the NPPF requirement for out-of-centre sites that are accessible and well connected to a town centre to be preferred.

For these reasons, the Applicant contends that the sequential approach to site selection advocated by saved Local Plan Policy RT1 is out-of-date in the context of up-to-date guidance presented in the NPPF. Accordingly, paragraph 11 of the NPPF directs the Applicant to address the sequential test as it is set out at Section 7 of the NPPF.

However, Policy RT1 is a retail hierarchy policy which accords with para 85 a) of the NPPF. It was considered in the preparation and examination of the JCS and retained. It does not conflict with the operation of the sequential test as set out in the NPPF but does direct retail development to a hierarchy of centres. It is additional to the NPPF sequential test.

With regard to other the other points, there is no requirement in the NPPF to allocate sites in every centre and the appropriateness of doing so will depend on the individual circumstances of the area. The requirement that sites should be well connected to the centres as well accessible to them is a clarification or an additional requirement and not a fundamental revision to the test. The point the Applicant is making about para 11 of the NPPF is not clear. Para 11 applies to all sustainable development. However, without going into the case law, which is already widely known, para 13d refers to the basket of policies which are most important to the determination of the application and would not be engaged even if RT1 were considered out of date.

Policy SD2

The sequential test to be applied is clearly as set out the NPPF as is clear from JCS policy SD2. It is also clear from policy SD2 that in Cheltenham (and Tewkesbury) new retail development will be encouraged in accordance with the policies in the saved local plans insofar as they are consistent with national planning policy.

Para 86 of the NPPF states that

“Main town centre uses should be located in town centres, then in edge of centre locations, and only if suitable sites are not available (or expected to become available in a reasonable period) should out of centre sites be considered.

NPPF Para 87 notes that when considering edge of, and out of centre sites preference should be given to sites which are accessible and well connected the centre.

Cont/d...

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Michelle Payne
Cheltenham Borough Council

The Practice Guidance makes it clear that it is for the Applicant to demonstrate compliance with the sequential test and the failure to do so can justify the refusal of planning permission (ref Paragraph: 011 Reference ID: 2b-011-20190722)

Under the heading of flexibility, the Applicant quotes from the Rushden Lakes decision. This is now somewhat old and pre-dates several significant legal judgments and Secretary of State decisions. We will comment further on these if necessary. The Supreme Court's Dundee judgment did, however, establish that in considering the suitability of sites, it is their suitability for the development proposed (subject to flexibility from the developer/retailer) that should be considered and not different means of meeting a hypothetical public need.

The Applicants Search Area

The area of search for alternative sites has been defined by a 5-minute off-peak drive time from the application site, which it describes as a widely accepted methodology for defining the sequential area of search for stores of the nature and scale proposed. (RPS para 5.7)

The appropriate area of search depends on local circumstances. The potential catchment area of a store depends in part on the location of competing stores. It also depends on the nature or special characteristics of the proposed store and there is evidence that people are prepared to travel further to discount food retailers than main-stream supermarkets. We consider that a food discount store would attract custom from further afield than a 5-minute drive time in this part of Cheltenham. This is because there are comparatively few competing shops and because of the location of the site at the southern edge of the town. The store would be located at the southern extreme of its effective catchment area in terms of population and potential customers. The population of the catchment area would be very small to support a foodstore if it did not rely on customers from further away. In any case the drive time should not be used with undue precision. We consider that a 10-minute drive time would be more reasonable in this area but, in any case, the town centre is within a 6 minute of the site (Google Maps) and should be included in the area of search regardless of the status of policy RT1. So should the Bath Road District Centre.

Level of Detail

The NPPF para 87 requires opportunities to utilise suitable town centre and edge of centre sites to be "fully explored". The level of detail provided is insufficient to assess the availability of potential sites. The only comment on edge of centre locations is in RPS para 5.18. This states that a number of sites were considered and lists some of those considered, but this is not exhaustive, but does not identify the areas considered on plans. It states that a number of sites were identified but immediately dismissed on the basis that they are not suitable and/or available without stating which.

Cont/d...



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Michelle Payne
Cheltenham Borough Council

The only comment on out-of-centre sites is in para RPS 5.22 which simply states that no suitable and available sites have been identified.

The assessment of out of centre sites also need to address to the comparative accessibility of the application site and its connections to the town centres. A reference to an hourly bus route is not sufficient to establish good connectiveness or accessibility, but

It is accepted that not every potential redevelopment site within the catchment area can be covered in a sequential test assessment and that there is a need to narrow down the scope at an early stage, but there is no description of how that might have been done. Perhaps in view of this difficulty, the Planning Practice Guidance recommends that applicants discuss potential sites with the local planning authority at an early stage, and it is not clear whether this has been done.

For these reasons we conclude that the sequential test has not been met. We suggest however, that the applicant is given the opportunity to submit further information based on a more realistic search area and providing the level of information to demonstrate that relevant opportunities have been fully explored.

Retail Impact

In RPS para 6.2 the Applicant states that as

"The proposed Lidl store will have a gross floorspace of 1,840m². The scale of the proposal falls significantly below the NPPF threshold and does not, therefore, trigger a requirement for the Applicant to satisfy the retail impact test."

Notwithstanding that, the impact of the proposal on local centres is a material consideration and objections have been made on the basis that the proposal would have an adverse impact. The Council needs to understand the impact on centres to determine the application in accordance with policy and to consider the objections that have been made. Furthermore, retail impact assessments are routinely submitted for Aldi and Lidl foodstores, including for instance, the application at Grovelands Way, Cheltenham. The Applicant may want to respond to the objections that have been made and we suggest it is given the opportunity to submit further information on the likely retail impact.

Conclusions

We conclude that the sequential test has not been met and suggest that the Applicant is invited to submit further information on the test based on a more realistic study area and providing the detail to demonstrate that the potential of sequentially preferable sites have been explored.

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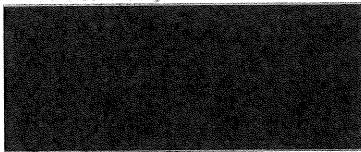
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5th February 2021

Michelle Payne
Cheltenham Borough Council

We also conclude that retail impact is a material consideration on which the Council needs to be informed when it determines the application. We suggest the applicant is given the opportunity to state its case on this matter.

I trust you find this letter helpful but please get in touch if you have any questions.

Yours sincerely



Consultant
Development Planning & Design Services Limited
dmccallum@dps.co.uk

Please Reply to: Swindon
Our Ref: DAM/C10316
Your Ref:
Date: 1st April 2021



Michelle Payne
Development Management
Environmental & Regulatory Services
Cheltenham Borough Council
Council Offices
The Promenade
Cheltenham
Gloucestershire GL50 9SA

By Email: Michelle.Payne@cheltenham.gov.uk

Dear Michelle

Planning Application 20/02089/FUL Proposed Lidl Store, Cirencester Road Cheltenham

I refer the Applicant's letter of the 8th March. The Mansfield judgment is central to many of the points raised. I will refer to it a number of times and attach a copy for your convenience. Although the judgment refers to the 2012 NPPF, there are no material changes in the latest version which now require a different approach.

The judgment considered the sequential test in relation to an Aldi proposal and specifically ruled (para 35) that:

"In my judgment, "suitable" and "available" generally mean "suitable" and "available" for the broad type of development which is proposed in the application by approximate size, type, and range of goods. This incorporates the requirement for flexibility in [24] NPPF, and excludes, generally, the identity and personal or corporate attitudes of an individual retailer. The area and sites covered by the sequential test search should not vary from applicant to applicant according to their identity, but from application to application based on their content."

The description of development in this application is for a class E retail store and not either for a Lidl store or a food discount store. The sequential test has to be applied in relation to that proposal. As far as I am aware the applicant has not offered conditions which would restrict the open E class permission, but the Mansfield judgment did not accept that a named user condition would overcome the requirement for the test to be related to the broad type of development, noting in para 41:

"This is not solved by the imposition at the end of the process of a condition restricting occupation to a particular retailer. That may be necessary for consistency of approach but it would reinforce the error of approach; instructively though it was opposed here by Aldi which had benefited from an approach unique to Aldi. The town centre remains where development is required; the out of centre development may inhibit or prevent a store coming forward in the town centre, and draw away town centre trade, trips, expenditure and vitality."

Cont/d.....

Swindon

291 Bath Road
Swindon Road
W9 1JY
Swindon
Wiltshire SN1 4B
Tel: 01753 50000
www.swindon.gov.uk

DIP Consulting Group Limited
Development Planning & Design Limited (Company Registration No: 110020112905)
Consulting and Planning Registration No: 02002422 Development Planning & Design Limited
1451 Company Registration No: 08812981 and RPA/PA/AS/Urban and Land Company Registration No: 0877031
Registered Office: Chiltern House, 30 Green Road, Old Town, Swindon, SN1 4BJ
www.dip-consulting.com





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Cheltenham Borough Council

Conditions have been used in the past to restrict the number of product lines that can be sold, but it is unclear what is meant by product lines (different brands or different sized packets of the same goods etc?) and it is impossible for a local authority to monitor, so the conditions fail the tests of precision and enforceability. Now that Lidl and Aldi compete head on for main food shopping with the big 4 grocers, it is also probably unfair and therefore not reasonable in all other respects.

However, if granting planning permission is under consideration, in line with common practise, it might be reasonable to impose a condition limiting the floorspace used for the sale of comparison goods. This is generally done to ensure the development is operated on the basis on which it has been assessed in terms of retail impact.

The Area of Search

Policy RT1

In compliance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and sections 70(2) and 79(4) of The Act (1990), planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise.

The sequential test in Cheltenham is governed by policies RT1 of the Cheltenham Local Plan Second Review and policy SD2 of the JCS. Policy RT1 specifically identifies the central shopping area and other areas in the core commercial area as the preferred locations for retail development.

Although Plan A claimed in the PRS that the policy was out of date, it has not addressed the points made on this claim in our earlier letter.

I also draw your attention to para 36 of the Mansfield Judgment. This warns against seeing the plan making and development control sections of the NPPF in isolation from each other and notes that:

"It is not intended that the absence of an up to date plan creates a rather different world in which retailers could enjoy a much greater degree of temporary freedom based on their individual commercial interests."

There is a further point; even if the policy were considered out of date; this might affect the weight given to the policy but does not mean that it can be ignored. The position is usefully summed up in para 60 of the Judgment.

"An out of date policy or part of a policy, is still part of the development plan, in relation to which a decision is still required as to whether the proposal accords with it."

To fulfil this requirement and to determine the weight that the policy should be given, it is still necessary to understand which sites, if any, in the town centre might be suitable and available.

In summary, the application of the sequential test in Cheltenham is set out in policy RT1 and the Council must have regard to it in determining the application.

Cont/d



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1st April 2021

Michelle Payne
Cheltenham Borough Council

The Extent of the Search Area

Given Policy RT1, the appropriate drive time to define the catchment area of a foodstore of the approximate size proposed is immaterial, but I will go on to consider the points made.

First, contrary to Plan A's suggestion, the Mansfield judgment did not endorse a 5-minute drive time for the area of search. An area of search based on a 5-minute drive in that case would have included sites in the town centre, but these were excluded from the sequential exercise because Aldi would not consider them due the proximity to another of its stores. The judgment was not required to consider the appropriateness of a 5-minute drive time and would not do so since it is a matter of planning judgment on which the Courts will not intervene.

The Applicant suggests that a 5-minute drive time would be appropriate because the proposed store is just beyond a 10-minute drive from the recently opened Lidl store north of the town centre. The 5-minute drive time is suggested as a robust basis to distinguish between the catchments of the two stores. The sequential test, however, aims to focus retail (and other main town centre uses) into town centres and it is inevitable that stores' catchment areas will overlap. Clearly the area of search in the sequential test cannot be based on the distance from competing stores.

The Applicant now also suggests a 7-minute drive-time to define the catchment area serving the south-east part of Cheltenham. This is based on the fact that while Lidl looks for a population of 20,000 for its stores, the 5-minute drive time population is 12,000. This is clearly setting the area of search according to an operator's preference which fell foul of the Mansfield judgement (see for instance para 38). It is not clear which drive-time the Applicant now wishes to work to.

There is a clear conflict between the 5-minute drive time shown in the Planning and Retail Statement and the times shown on the Plan in its letter. A further 2 minutes from the 5-minute drive time shown in the PRS would clearly extend well into the town centre. Although the conflict is acknowledged, the information is not provided to indicate which the Council should prefer and why. It is not enough to say that it arises from a difference in software. Google maps indicate a general 7-12 minute drive time from the site to the town centre. It obviously does vary with traffic conditions and this indicates why drive times should not be used to define search areas with undue precision.

The site is clearly right on the southern edge of the intended catchment area which, in terms of its population and retail expenditure, lies overwhelmingly to the north. If the search is taken from a more central point in the intended catchment area, the town centre would fall easily within the area of search. As it is, the town centre would serve most of the population of the intended catchment area equally well.

The application is for a general E class use and the area of search should be based on the proposal. This now includes a wide variety of uses and unless controlled by condition, has to be generic. I have already commented on the use of conditions in this case.

For these reasons and to accord with Policy RT1, I remain of the view that the area of search should include the town centre areas identified and the Bath Road District Centre.

Cont/d.....



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1st April 2021

Michelle Payne
Cheltenham Borough Council

Level of Detail

The starting point is that it is up to the Applicant to demonstrate compliance with the sequential test (PG Paragraph: 011 Reference ID: 2b-011-20190722).

The Applicant comments that we do not contest the claim that there are no suitable sequentially sites available for the development. The position is that the information provided is inadequate for us to come to a conclusion on the availability of sites in the Applicant's search area, although for the avoidance of doubt we clearly disagree that that search area is appropriate. But the point is broader, because the Council's reasoning on the matter must be clear to third parties and to the Council Committee members taking the decision. Plan A has not provided any further information and it is still not clear which sites have been considered or why they were considered unsuitable or unavailable. There is therefore no basis for us to change our earlier comments.

Plan A complains that we imply that the search has been narrowed down and that that is not the case. It is clear from our comment that we see this narrowing down as an essential part of the sequential test process and went on to comment there is no description of how that had been done. I went on to note that the Practice Guidance encourages dialogue with the local planning authority on this at an early stage. I understand that there was no such discussion.

I therefore conclude that sequential test has not been met and para 90 of the NPPF applies.

Retail Impact

Para 89 of the NPPF states:

"When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- a) 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*
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme)."*

It is clear that the NPPF states that if the development is over the threshold the local planning authority should require an impact assessment. It does not state that below the threshold the impact on a centre is immaterial and the NPPF could not do so. Local authorities are required to take account of all material considerations under section 70 of the 1990 TCPA.

My understanding is that what counts as a material consideration is ultimately a matter of law and policy cannot make immaterial something which is material, although it can indicate the weight which should be given to it.

Cont/d.....



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1st April 2021

Michelle Payne
Cheltenham Borough Council

The Practice Guidance on Determining a Planning Application states:

"A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission).

The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations." Paragraph: 008 Reference ID: 21b-008-20140306

The PG then goes on to note:

"The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight." (ID: 21b-009-20140306)

The impact on local centres is a matter of land use and public interest because they have been recognised as part of the retail hierarchy in the local plan. The issue has also been raised by objectors and the Council must consider the merits of the objections. My understanding, reinforced by the PG, is that the Council must have regard to the matter and would be open to challenge if it did not. This is, however, ultimately a matter of law on which you might want to take legal advice.

I agree that the Applicant has no obligation, statutory or otherwise, to address objections but felt that it should be given the opportunity to do so and my letter was couched in those terms.

The Applicant has briefly referred to the likely impact on the local centres in its letter of 8th March. It notes the limited range of goods that Lidl would sell (about 2,500) and that it does not sell cigarettes, newspapers, scratch cards, and single confectionary items. It concludes from this that people will still need to use other shops. While it is true that people will continue to use local shops for such items, there are a great number of products which Lidl does sell – for example most categories of food, household cleaning products, and health and beauty products, which are also sold in the local centres. It follows that some trade diversion is likely. In short, it is not possible to conclude from what the proposal would not sell, what the impact would be or to balance the benefits of the proposal against the potential harm. In this context it is worth noting that the store would have a turnover of about £12m, although a substantial amount of this is likely to be diverted from the larger food stores.

Conclusions

I conclude that the applicant has not demonstrated compliance with the sequential test and that the application conflicts with policy RT1. Para 90 of the NPPF indicates that the application should be refused in these circumstances.

Cont/d.....



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1st April 2021

Michelle Payne
Cheltenham Borough Council

The Applicant is not obliged to submit a retail impact assessment. The effect of the proposal on identified centres is nevertheless a material consideration which the Council will have to assess in a proportionate way.

I trust you find this letter helpful but please get in touch if you have any questions.
Yours sincerely

A black rectangular box redacting the signature of Duncan McCallum.

Duncan McCallum
Consultant
Development Planning & Design Services Limited
dmccallum@dps.co.uk

Enc: Mansfield Judgment



Page 2
28th May 2021

Michelle Payne
Cheltenham Borough Council

Counsel does comment (paras 17 and 18) that DPDS recommended the application be refused. That is not the case. We drew para 90 of the NPPF to your attention but only as matter of fact. We did not advise that Para 90 indicates the "necessity of refusal" and were therefore wrong in law. However, for the avoidance of any doubt, as both you and I are fully aware, planning decisions have to be based on all material considerations. It is, in the first instance, a matter for the Council to decide what weight to give to NPPF para 90 in all the relevant circumstances of the application provided it does so reasonably. We are also both aware that my advice relates only to retail planning matters and does not advise on the other relevant policies or the overall planning balance.

Counsel also found it odd that we had not mentioned application 19/01293 (by which I think he means 17/01293 – Former BMW site Tewkesbury Rd Cheltenham) or appeal AP1/81605/W/18/3200395 (Grovefield Way Cheltenham). The appeal decision at Grovefield Way, although dated December 2019 relates to an application made in 2016 and did not consider retail impact. It is not relevant except perhaps in so far that the 2016 application submitted a retail impact assessment despite being under the 2,500 sq m threshold and considered potential sites in the context of policy RT1. The former BMW site application dates from 2017 and also considered the sequential test in the context of RT1. The development was for a larger overall development including other retail floorspace and was in excess of the NPPF threshold. They were not mentioned (except briefly, and incorrectly as Grovelands) in view their age and the fact that the Applicant in had not, at that stage, considered potential sites in the town centre. These decisions were of limited relevance. There can be no doubt that the Council cannot now rely on the conclusions on the sequential test in 2017 and that a new assessment taking account of more up-date information is necessary, although, of course, the Council should be consistent with its previous conclusions where there has been no change.

The Sequential Test

The Dundee judgment established, in summary, that when assessing potential sites for their suitability, it is their suitability for the application proposal which has to be considered, not the possibility of alternative means of meeting the same public need. This is subject to a requirement for all parties to be flexible. The amount of flexibility is a matter of planning judgement for the local planning authority to exercise and, provided it exercises it reasonably, the Courts will not intervene. Its judgement is of course also subject to a review through the appeal process.

The Mansfield judgment, of which you already have a transcript, found that :-
"Suitable" and "available" generally mean "suitable" and "available" for the broad type of development which is proposed in the application by approximate size, type, and range of goods. This incorporates the requirement for flexibility in [24] NPPF, and excludes, generally, the identity and personal or corporate attitudes of an individual retailer".

The Judge considered this conclusion in the context of the Dundee judgment. In para 47 of his judgment he noted that the Supreme Court had not approached the case with the identity of an individual retailer in mind and in para 48, that what the Supreme Court had rejected was Tesco's argument about the role of need.

I shall approach the test directly by assessing whether any of the sites rejected in the Technical Note are suitable and available for a medium sized foodstore and whether there are any other potential sites which should be considered. Although the onus in the Planning Guidance is on the applicant to demonstrate that there are no suitable alternative sites available the Council would be expected, in practice, to be able to adduce evidence that there is at least one suitable site available to justify a reason for refusal based on the test at any subsequent appeal.



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28th May 2021

Michelle Payne
Cheltenham Borough Council

Vacant Units

I have carried out an internet search of vacant retail units on the market and with the exception of the former Lidl store in Grosvenor Terrace, I have been unable to identify any vacant units of sufficient size in any of the centres to merit further investigation and will not consider vacant units further. As with potential sites, I will consider any vacant units drawn to my attention.

Former Lidl Unit - Grosvenor Terrace

The Applicant's Technical Note makes it clear that the unit is available. The units floorspace is given as 1623 sq m compared with the 1725 sq m of the proposal. It falls within the scope of flexibility in terms of size.

The technical note identifies the reasons why Lidl found the Grosvenor Terrace unsuitable for its needs and relocated. It also claims that it would be "perverse" to expect the company to re-occupy a unit that it has recently vacated at considerable expense. The Rushden Lakes appeal decision is also quoted as the "correct interpretation" of the sequential test.

However, the question is, in accordance with the Mansfield judgment, not whether the unit is suitable for the Applicant (which is a commercial decision for it) but whether it is suitable for "the broad type of development which is proposed in the application by approximate size, type, and range of goods" - in this case another food retailer operating from a similarly sized unit.

This brings in the question of the flexibility. The flexibility required in applying the sequential test is a matter of planning judgement which the Council must exercise in the first place. The Courts will not intervene in such cases unless the judgement is Wednesbury unreasonable, but the Council's judgement is open to review through the appeals process. It follows that the Rushden Lakes decision is not, as claimed by the Applicant, the "correct interpretation" of the sequential or an interpretation of the test at all, but the exercise of planning judgement in that particular case. Other Inspectors and Secretaries of State have exercised their planning judgement in different ways in other cases.

In my judgement, the unit is not suitable for food retailing at an appropriate scale for the test. It dates from a period when shopping patterns were very different and people tended to buy fewer goods when shopping for food and other items in town centres. Trolley use is now a reasonable requirement in a foodstore of this size and the physical relationship between the car parking and the unit would make the use of trolleys difficult. Although there are lifts, and these can be acceptable to retailers in some cases, the arrangement in this particular case would be expecting considerable flexibility. The car park also has rather poor access from the town centre road network and the unit is not visible from Albion Street. While this is similar to the Beechwood multi-storey car park access, the attractor to that car park (originally Debenhams and now John Lewis) is much stronger. The lack of prominence from the High Street is also a fundamental problem. The unit is significantly different from the nearby Sainsbury Local which is smaller, does have prominent street frontage and is very much aimed at basket shopping for people already in the town centre. This combination of factors makes the unit unattractive to food retailers in general and I think it would be expecting too much flexibility to consider the site suitable in sequential test terms.

At best, only a niche food retailer is likely to consider the unit. Inspectors tend to emphasize the practical nature of the sequential test and the flexibility that should be sought from retailers and developers would, at appeal, be assessed in terms of whether a site presents a realistic alternative for food retailers in practice. If no similar retailer is likely to consider a site it is likely to be rejected as a suitable alternative at any appeal.

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Michelle Payne
Cheltenham Borough Council

For the avoidance of doubt, the technical note indicates that Lidl requires bespoke delivery facilities. The unit does have a covered service yard. While this may be inadequate for the delivery lorries Lidl now uses, for instance, or because the adjacent storage area within the building is too restricted, it is impossible to assess and the Applicant does not elaborate. It is presented in terms that could be understood to be a requirement of Lidl (the reference to bespoke facilities) and I do not believe a case has been made out more generally (in Mansfield compliant terms). This requirement has not influenced my conclusion on the suitability of the site for a medium sized supermarket.

I conclude that the Grosvenor Terrace unit is unsuitable for the broad type of food retailer considered.

North Place Car Parks

The car parks are allocated for housing in the 2020 Local Plan (site HD9). The policy notes that planning permission was granted for in 2013 for a large supermarket, car park and 143 dwellings. However, it is noted that permission has not yet been implemented and it is likely that a new scheme will be required in order for development to take place. It is anticipated that a new scheme would provide a similar number of dwellings to the extant planning permission. This leaves the question of a foodstore on the site open.

The Applicant notes the freehold of the site between Portland St and North Place is of similar size to the application site and is being marketed as an investment opportunity with a lease to NCP lasting to 2055. According to the sales detail the lease has a landlord only break clause on three months' notice. The Applicant also claims that the sale price of £8m "would be highly prohibitive to viability of the development of a discount foodstore in the short term." While there is no viability assessment, the fact that it is being marketed as a car park indicates that it is more valuable as a car park with a long lease than it would be in alternative uses. In the absence of any move to redevelop the site in recent years, it cannot be considered as available for a food retailer.

As noted in the Local Plan 2020, the site west of Portland Street had planning permission for development including a foodstore. The Applicant comments that

"Nevertheless, when assessing other discount foodstore proposals elsewhere in Cheltenham, the Council has consistently concluded that this site is not suitable and available to accommodate a discount foodstore, even as part of a mixed-use scheme. There has been no material change in circumstance to justify a different conclusion being drawn".

This is not the case. The grant of planning permission and the fact that Morrisons had entered into a legal agreement with the then developer indicates that it is suitable for food retailing. Morrisons subsequently pulled out of the deal. In relation to the application for a Lidl on the former BMW site on Tewkesbury Road, DPDS advised in 2017 that the Council needed stronger evidence than the applicant had supplied to rule the site out. Following further discussions between the Council and the then landowner, the Council concluded that, at that time, it was more or less impossible for the applicant to pass the sequential test with respect to this site because of the legal dispute between the developer and Morrisons and the lack of information on the landowner's further intentions. The Officers Report concluded that in view of the lack of impact on the town centre and the Applicant's fall-back position (an extant permission for retail warehousing which was regarded as less desirable than a foodstore in impact terms) it was concluded that the failure to fully meet the sequential test did not indicate the refusal of the permission.

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28th May 2021



Michelle Payne
Cheltenham Borough Council

As far as I am aware the last time North Place was considered in a sequential test exercise was in relation an application to vary a condition on the former Homebase Unit at Centrum Park in 2019 to allow the sale of food from 400 sq m of the unit. At that time, we concluded that the site is likely to be developed as a mixed-use site which means that it would not be available for the retailer within a reasonable period of time, given the time scale of the proposal. That proposal would have required a refurbishment of an existing retail warehouse and the timescale was short. While the timescale here might be longer, I am not aware of any progress in bringing forward a mixed use scheme on the site and unless the Council has been involved in recent discussion with a developer, I conclude that the North Place sites cannot be considered available in terms of the sequential test.

St. Georgos Lane/St. James Street

The site is allocated for employment use (site E4 of the 2020 Local Plan). The Plan notes that flood risk is likely to be a significant constraint on development and that is regarded as a prime employment site capable of accommodating a modern office development. It seems to me to be a clear indication that the Council would not favour a retail development on the site.

The use of the land for car parking is clearly intended to be temporary and the Council has stated that preparatory work has started to bring the site forward for development in accordance with the Local Plan and that this is expected to take two to three years. I conclude that the site is not available in sequential test terms.

Other Sites in the Town Centre

I have examined other sites in the town centre which have been considered in the past. This includes the Brewery, the former BHS unit in Regent Arcade and the Municipal Offices. The Applicant has assessed the vacant units in the Brewery and demonstrated that there is insufficient floorspace available there. The position with the former BHS unit is still unclear, but I consider that it is unsuitable for foodstore on the application scale for similar reasons to Grosvenor Terrace. There has been no publicity about the Council's possible move out the Municipal Offices recently and, unless the Council tells me otherwise, I conclude that they not available.

Other Centres

I have been unable to identify any suitable vacant premises in Bath Road or other relevant centres or to identify suitable sites in or on the edges of the centres.

Out of Centre Potential

NPPF para 87 requires LPAs, when considering edge of centre and out of centre sites, "to give preference to accessible sites which are well connected to the town centre". There can be no reasonable argument that the application site is not well connected to the town centre, or any other centre and that almost any other site with reasonable road frontage in the built-up area to the south of the town would be preferable in these terms. Applied too rigidly this would be an almost insurmountable hurdle, although the Applicant might have been able to reduce such a burden through discussion with the Council. However, I have been unable to identify any potential sites along the A435 corridor but will examine any potential sites the Council can identify. The Applicant states that it has carried out a similar exercise.



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28th May 2021

Michelle Payne
Cheltenham Borough Council

The more general location of the proposal and its accessibility and sustainability (matters considered in NPPF para 103) are not part of the sequential test and need to be considered separately from it. Thus nothing I have said should be taken to be a comment on its compliance with the NPPF or the development plan policies on promoting sustainable transport.

I therefore conclude that with the recent submissions, the Applicant has demonstrated compliance with the sequential test.

Retail Impact

As acknowledged in Counsel's Opinion, retail impact is a material consideration and it is up to the Council to determine what weight it should be given although it should be borne in mind that it would have to justify a retail impact reason for refusal with credible evidence at any appeal. Although the Council cannot request an impact assessment, it needs to be informed on the likely impact of the proposal on the vitality and viability of centres not least because of the large number of objections referring to retail impact.

Retail impact in planning terms has two facets – the impact on private and public investment and the impact on the vitality and viability of the centre. It is clear from the Practice Guidance on Town Centres and Retail that the test refers to specific and identifiable investments proposals and not to a generalised fear that investment will be discouraged in the relevant centres. I am not aware of any investment which would qualify in the Practice Guidance terms.

With regard to the impact on the vitality and viability of centres, in its original statement, the Applicant did not address retail impact, just noting that because the scale of the proposal falls significantly below the NPPF threshold it does not trigger a requirement for the Applicant to satisfy the retail impact test. In its response to my first letter of the 5th February 2021, it briefly noted that the Lidl would be used for main food shopping and would sell a limited range of goods (about 2500) and that it does not sell cigarettes, newspapers, scratch cards, and single confectionary items. It concludes from this that people will still need to use other shops. I noted the overlap between the goods that Lidl and local centres sell and noted that it is not possible to assess what the impact of the proposal might be from what the proposal would not sell.

In its letter of the 29th April, the Applicant states that it visited the Six Ways/London Rd, Lyefield Rd West, Church Street, Leckhampton and Croft Road centres and considered them to be in robust health. The Applicant then goes on to examine the impact on Lyefield Road because, in its view, this is the centre about which the objectors have expressed most concern. It notes that there are four shops, a pharmacy, a florist, a café and a Nisa convenience store. It then notes that Lidl sells a limited range of pharmaceutical goods and does not offer a prescriptions service, that it sells a small range of flowers but not the other services florists offer and does not have cafés or sell hot drinks for consumption off the premises. With regard to the Nisa store, it notes that it is primarily a top-up shopping whereas Lidl is primarily for main food shopping. It also notes that these shops are already competing with similar shops in the area, including, in Nisa's case, the Sainsbury Local on Cirencester Road and Co-op stores in Church St and Six Ways.

I have visited these centres on a number of occasions, most recently on the 24th May. With the exception of the Croft local centre, there are no obvious signs of economic distress. Their trade is clearly more walk-in rather than car based, not least because all but Church St are restricted in parking and access by car to Church Street is inconvenient.

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28th May 2021

Michelle Payne
Cheltenham Borough Council



I am somewhat hampered in assessing the likely impact by a lack of data on current shopping patterns derived from a household survey, although it must be said that such data are not very reliable in relation to the use of small shops or their likely turnover.

I noted earlier that the proposal is likely to have a turnover of about £12m. A certain amount of trade would be derived from pass by trade but given the largely local nature of the traffic on the road, a large part of this would be on journeys to or from Cheltenham. This points to a fairly dispersed pattern of impact within Cheltenham. A large substantial part of the proposed store's trade will be main food shopping and will be diverted from the main food supermarkets. To give an idea of the scale of likely trade diversion it is assumed that 95% of its turnover was derived from the Cheltenham area this would give an overall trade diversion of about £11.4m from Cheltenham foodstore. Assuming that 85% of this is from main food shopping, this would suggest that about £10.1m would be diverted from the large foodstores. The majority of these are out-of-centre and the impact on them is not a material consideration. This includes the Lidl on the former Matalan site which could be expected to experience the greatest trade diversion.

The Morrisons at Caernarvon Rd (Up Hatherley) is in a centre and Morrison's has objected to the application. The nub of its objection is that although the proposal is below the NPPF threshold for retail impact assessments, the need for additional convenience goods floorspace identified in the 2015 Retail Study is limited and the proposal should be assessed for its potential impact on existing centres. This is what I have set out to do. The objection does not contain any evidence on the likely impact or assert that the proposal would have a significant adverse impact on the store.

The Morrisons is a large foodstore with an estimated turnover of about £40m according to the 2015 Retail Study Update (in 2014 prices). It appeared to be trading well above the company average, although not too much should be read into that. I appreciate that the turnover figure is now somewhat dated, but it gives some idea of the scale of store. It is a considerable distance from the proposal and there is no reason to believe that it would be disproportionately affected by the proposal to the extent of justifying a refusal.

The figures suggest that some £1.4m might be diverted from current top-up shopping visits. These would be diverted from a wide range of food outlets throughout Cheltenham, including the larger foodstores. I think it is reasonable to assume that about one third of this top-up shopping would otherwise have taken place in the large foodstores. I will assume that about £1m will be diverted from smaller shops and convenience stores and, bearing in mind the likely pass-by trade, about half of this will be from the local centres – that is about £500,000.

The top-up location most affected would be the Sainsbury Local some 500m to the north. This is because it is the nearest store, on a direct route from the proposal and the proposed store would intercept some of its existing trade and because it offers some adjacent parking for car borne shoppers. I estimate that at least half of the local trade diversion is likely to come from this store – that is about £250,000. The store trades all day Sunday and therefore has a sales floorspace (the area used to display goods and serve customers) of under 280 sqm. In 2014 we estimated its turnover at about £2.35m. In current prices and operated by Sainsbury I estimate that its turnover is likely to be about £3m. The loss of about £250,000 from the turnover, or substantially more, would not threaten the viability of the store. In any case, the store is not in an identified centre and does not receive policy protection.



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Michelle Payne
Cheltenham Borough Council

Losses of trade could be also expected from Six Ways, Church Road and Lyefield Road West centres. In total the calculations set out above indicate that this might be in region of £250,000. It is difficult to assign this to the individual centres. In part the trade diversion would reflect the Co-op offer which is more orientated towards grocery sales and offers a wider range of fresh fruit and vegetables, chilled goods and frozen foods than typical of Convenience stores. The Co-op is resilient to trade loss and there is no reason to consider the stores in Six Ways and Church Road would be at risk from the proposal.

Some loss could be expected from the Smith and Mann store in the Lyefield Road West centre, Smith and Mann have objected to the application noting the social role that the centre offers and commenting that it suffered a significant dip in trade when the Sainsbury opened but it does not provide further details that might help my assessment. The Applicant has sent an email to the Council (24th May) which disputes any risk to the Post Office, draws parallels with the determination of the application which is now the Sainsbury Local Store.

In our advice on that application, we (correctly) predicted the risk to the Premier shop in the Croft Road centre contrary to the then policy RT7, but expressed concern that this might be given limited weight at an appeal because the loss of the shop would be replaced by an arguably better facility serving the same local function very nearby. This would not be the case if the local store in the Lyefield Road West centre closed. The proposal is much further away and it would be the loss of a facility rather than a replacement of it.

The potential loss of local shops and Post Offices is a material consideration which falls to be considered separately from the retail impact test under para 92 of the NPPF. Para 92 subsection a) requires planning policies and decisions to

"Plan positively for the provision and use of shared spaces, community facilities, (such as local shops, meeting places, sports venues, open space cultural buildings public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments".

Sub section c requires authorities

"To guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs."

In view of the other shops in the area, it appears to me that the loss of the shop would not necessarily reduce the community's ability to meet its day to day needs, but the loss of the Post Office would. In my view this needs special attention in any report.

To a certain extent the conclusions on the shop and the Post Office are bound together. Although Lidl does not offer Post Office services at present and is unlikely to do so in the future, if Smith and Mann closes the Post Office facility would be lost. I note that the shop lost turnover when the Sainsbury Local opened but the amount is, for perfectly understandable reasons, not given. I also do not know what the turnover or profitability of the shop is. This is usual when considering the impact of proposals on small shops and this is a problem even where full impact assessments are made. There are, however, reasons why the impact of the current proposal would be less than the impact from the Sainsbury. First it is further away. Second, although a larger unit, most of the proposals trade would be derived from main food shopping, whereas the Sainsbury is orientated towards the same local top-up market in the same area. Lastly much of the trade that would divert from the Smith and Mann shop will have already diverted to Sainsbury.



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26th May 2021

Michelle Payne
Cheltenham Borough Council

On the basis of the information and for the reasons I have set out, I conclude that the impact on the Lyefield Road West and other local centres is not likely to be significantly adverse in terms of the retail impact test and that the Post Office facilities are not likely to be lost. I also think that it would be difficult to adduce evidence to justify a refusal on the basis of retail impact at any appeal.

Overall, I conclude that there are no sequentially preferable suitable sites available and that the proposal is not likely to lead to a significant adverse impact on the vitality and viability of any centre. I would of course reconsider these conclusions should other potential sites or opportunities or further information on the current trading performance of stores be drawn to my attention.

Yours sincerely



Duncan McCallum BA(Hons), M Phil, MRTPI
Consultant
Development Planning & Design Services Limited
dmcallum@dpps.co.uk

Enc:

Please Reply to: Swindon
Our Ref. DM/C10316
Your Ref.

Date 12th July 2021
Michelle Payne
Development Management
Environmental & Regulatory Services
Cheltenham Borough Council
Council Offices
The Promenade
Cheltenham
Gloucestershire GL50 9SA



By Email: Michelle.Payne@cheltenham.gov.uk

Dear Michelle

Planning Application 20/02089/FUL Proposed Lidl Store, Cirencester Rd Cheltenham

I refer your email of the 5th July and the submissions by Martin Robeson Planning Practice (MRPP) on behalf of Tesco dated 15th June and by Smith and Mann dated 21st June enclosing a letter from its accountants (dated 1st June).

The Tesco Objection

Taking MRPP's letter first, it raises two issues relevant to retail planning policy – the application of the sequential test to the town centre and the lack of a retail impact study.

MRPP's point with regard to the sequential test is that the area of search should not be restricted to a 5 minute drive time and should take account of linked shopping trips – particularly in the case of the proposal which is based on a business model of a limited range of goods. It should therefore include the town centre. MRPP does not identify any sites which it considers should be included in the exercise. It is not clear whether MRPP had seen the Applicant's Technical Note of 29th April but this considers sites within the town centre. I have assessed the Applicant's Note and visited the sites. I have advised the Council that, in our view, there are no suitable sites available for the proposed development in the town centre (or other centres) and this matter has therefore been addressed.

In terms of retail impact MRPP notes that the NPPF threshold for Retail Impact Assessments does not take account of potential cumulative impacts. This is correct and the Council could not argue that a full impact assessment was required on the basis of other permitted developments. The possible cumulative impact remains relevant in the same terms as the sole impact of the proposal. MRPP states that the combined effect of permitted schemes could pose a real risk of unacceptable impacts but does not indicate where these might arise. In my view there is no reasonable risk to the town centre's vitality and viability from the permitted foodstores. With regard to any local centres, there is little risk of significant combined impact since the permitted proposals are on the other side of the town and would not draw trade from the local centres under consideration here.

Cont/d.....

Swindon
11th Floor
11, Causton Road
Old Town
Swindon
Wiltshire SN1 4LH
Tel: 01753 619332

DIP DIS Consulting
Development Planning & Design Services Group Ltd (Company Registration No: 1011289) (VAT No: 254 041) (Company Registration No: 0202153) (Development Planning & Design Services Ltd) (Company Registration No: 2021791) and DIP DIS Architecture Ltd (Company Registration No: 2001191)
Registered Office: Old Town Centre, 11 Causton Road Old Town, Swindon SN1 4LH





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12th July 2021

Michelle Payne
Cheltenham Borough Council

The Smith and Mann Objection

Smith and Mann's objection points out the overlap between the goods it sells and those that the proposed store would sell and this confirms my view that there would be some impact. The letter from the accountant indicates that its turnover was reduced by about 21% following the opening of the Sainsbury Local on Cirencester Road and a similar impact now would force the closure of the shop. In these circumstances the local Post Office services would be lost.

The turnover figures are for the period up to Oct 2017 and I understand that the Applicant has asked for up to date turnover figures. While these would be helpful to me (and I will comment on them in due course if asked), they are much more sensitive and such figures are not normally released for commercial and other, non-planning related, reasons. It is also the case that turnover figures are not particularly revealing with regard to viability without an indication of costs so the inferences that can be drawn from them are limited. The objector should not be placed in a position where a failure to supply confidential information is taken as a lack of co-operation or that adverse inferences can be drawn. The purpose of quoting the figures was to provide evidence of the impact of the Sainsbury Local and they have done this. It was always clear that there would be some impact from the Sainsbury on the shop and I find the level indicated as might be expected.

There are, however, reasons why the impact of the current proposal would be less than the impact from the Sainsbury. First it is further away. Second, although a larger unit, most of the proposals trade would be derived from main food shopping, whereas the Sainsbury is orientated towards the same local top-up market in the same area as the Smith and Mann shop. Lastly much of the trade that would divert from the Smith and Mann shop will have already diverted to Sainsbury. I do not think that the letters are sufficient to establish with enough certainty that the impact would be at a level that would lead to the closure of the shop.

It is only if the shop were to close that the post office services would be lost. I pointed out earlier that post offices are considered a community service under NPPF para 92 but as I conclude the closure of the shop as a result of the proposals impact is not likely only limited weight could be given to its possible closure

I conclude that there is nothing in the additional correspondence that leads me to change my earlier advice

Yours sincerely

Duncan McCallum

Duncan McCallum
Consultant
Development Planning & Design Services Limited
dmccallum@dps.co.uk

APPLICATION NO: 20/02089/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 27th November 2020		DATE OF EXPIRY : 26th February 2021	
WARD: Charlton Park		PARISH: CHARLK	
APPLICANT:	Lidl Great Britain Ltd		
LOCATION:	Unit 1, Charlton Kings Business Park, Cirencester Road		
PROPOSAL:	Erection of a Class E retail store, car parking and servicing areas, access, landscaping and associated works following demolition of existing buildings		

REPRESENTATIONS

Number of contributors	868
Number of objections	443
Number of representations	14
Number of supporting	408

244 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6HS

Comments: 14th March 2021

I am writing to note my support for the proposed new Lidl in Charlton Kings Cheltenham. I think that this would be a valuable addition to the shops we currently have

28 Ledmore Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8RA

Comments: 14th March 2021

I wanted to let you know that as a resident of Charlton Kings I support the redevelopment of the unused workshops off Cirencester Road to build a new Lidl store. My view is that this will improve access to a variety of food shopping in the village, make better use of an unused resource (the site), increase local employment and because of the nature of the Lidl offer it won't undermine the viability of the existing food stores (Sainsbury's local & Coop).

19 St Judes Walk
Cheltenham
Gloucestershire
GL53 7RU

Comments: 21st March 2021

I am writing to you to express my objection to the proposed new Aldi store in Charlton Kings. I feel that such a store is completely out of character with the area, is un-necessary and will have a devastating effect on the local shops along Lyefield Road.

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We are a small community with a "local feel". Such a large store would bring a large amount of traffic into the area much of which would use "rat runs" through local residential areas often at times when many children would be walking home from school.

I object to this proposal and back our local parish councillors in rejecting it.

Old Ullenwood Lodge
Ullenwood Manor Road, Ullenwood
Cheltenham, Gloucestershire
GL53 9QX

Comments: 22nd March 2021

I would like to support the new Lidl, as my family and I have to travel many miles to get to a reasonably priced supermarket, and this would definitely be closer and more convenient, cutting down on petrol costs and travel time. We see this as a positive proposal.

35 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EZ

Comments: 22nd March 2021

We would like to voice our objection for the application of a a Lidl supermarket on the grounds that it would have a massive impact on our small local shops and our community.

I feel we have enough Lidl and Aldi stores in Cheltenham and the nearest one is only a short drive from Charlton Kings and therefore feel it would be unnecessary to open another this close. Our local shops support local suppliers and give an alternate choice from branded supermarkets. The roads in Charlton Kings are narrow and crowded and this supermarket would just add to the congestion around the village making it more dangerous for our elderly and children!

1 Croft Parade
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LE

Comments: 23rd March 2021

I object to this proposed development. It is unnecessary and Charlton Kings does not need yet another supermarket.

As others have commented, the primary reasons for objection are::

1. The increased traffic volumes along the Cirencester Road. The Sainsburys store - only a few hundred metres from the proposed development - has shown the impact of another retail outlet on the road.
2. There will be no net gain of employment in the long term as the impact of the store on local shops and businesses will result in equal or greater job losses.
3. Local residents can look forward to the increased noise and disruption from delivery vehicles - at unsocial hours - and shoppers. The vast majority of the footfall to this proposal would get there by car.

4. This is not a sustainable development that is designed to help the environment.

I understand and accept the need to make use of the current site, but is yet another unwanted supermarket really the best way this can be utilised?

Kippington
22 Charlton Close
Cheltenham
Gloucestershire
GL53 8DJ

Comments: 26th March 2021

This application will seriously damage the village nature of Charlton Kings. We are so lucky to have a good range of shops and a village green in Charlton Kings and this store will cause major damage to these small shops.

Already the Sainsbury mini shop on Cirencester Road has resulted in a major eyesore across the road because of the power of large chains

Please refuse this application

8 Stockton Close
Cheltenham
Gloucestershire
GL53 9HZ

Comments: 26th March 2021

Traffic will be affected as people from other parts of cheltenham will come here abs local business will suffer

10 Barton Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HR

Comments: 29th March 2021

I think that another supermarket in Charlton Kings will be detrimental to local businesses.

We already have one supermarket on Cirencester Road, so not sure why we need another.

At a time when small businesses are already suffering, another big super market is certainly not going to help them....we will loose all our small independent business if we continue like this.

19 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 29th March 2021

I fully support local 'independent' shops as they are at the heart and soul of the community. I am fearful that these local businesses will be put out of business if this application is approved.

Whilst I am not against competition in business, the sum of the parts that stem from local independent shops in our thriving community, far outweigh any advantages that this store will provide. Indeed, this Lidl store has the potential to suck the life out of the community.

And we already have (more than) enough small supermarkets in the very near vicinity with Sainsbury's and the Co-op. Lidl is simply not needed and whilst that alone is not a reason to refuse the application, consider the impact down-line with ghost-town tumbleweed blowing through the empty streets of the centre of Charlton Kings! Note, I am not one of the shop owners!

19 Greenhills Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 9EB

Comments: 24th February 2021

I am more than happy to support the opening of a lidl store in charlton kings 20/02089/FUL Is the Planning application no We lack a proper supermarket in this area and it will also provide much needed employment

30 Coltham Road
Cheltenham
Gloucestershire
GL52 6RN

Comments: 24th February 2021

Lets not beat about the bush. With living in Charlton Kings area we have no real choice if we want discounted retail food shopping.

Its either drive into town or go across town to Lidl or Aldi there which means getting stuck in traffic etc and more pollution.

We need something for this side of town to try and level up this retail choice.

The site is well out of the way from the main road and it all gives local folk a chance to walk to the shops for a change and if in a car they will avoid congestion down London Rd on the way to town or further.

Jobs Jobs Jobs is what the town needs especially for young folk, and people with families who only want to work part time.

Lidl are good wage payers so lets support them in this request.

My local community of friends I have spoken too regarding this venture are all in support of the idea.

Lets not let it slip through our fingers because of Nimby attitudes.

Foxden
27 East End Road
Charlton Kings Cheltenham
Gloucestershire
GL53 8QB

Comments: 3rd April 2021

We strongly object to the proposal for a Lidl Supermarket on Cirencester Road on the following grounds:

Traffic - the Cirencester Road gets congested at busy times of day and the area proposed already suffers with poor visibility particularly when coming down the hill. The road is also suffering from significant subsidence and so has been partially coned off for some years now and this would be exacerbated by the additional traffic that a new supermarket would bring. The residential roads in Charlton Kings are already very busy and this would bring extra risk to residents particularly our children who need to be able to walk to our local schools safely and our elderly residents.

Need: we are very well served in our community with both chain supermarkets and independent stores providing a range of option and price all within short walk of our main residential areas. I strongly support the view that this would have a significant impact on our local independent stores who have been an integral part of our community for so many years.

During COVID they have been providing a range of support to the frail and shielding including free deliveries and are a significant source of support for the frail and elderly who live in our community.

It should be noted that at the point at which the new Sainsbury opened the local corner shop shut very soon afterwards and is still an unused and unsightly building.

Environmental impact: the addition of a supermarket on the edge of Charlton Kings would necessarily mean that people would drive to the store rather than walk to local shops. This will increase car journeys and reduce people walking which will have both a public health impact on terms of physical fitness as well as contributing to pollution and vehicle emissions which are already an issue in Cheltenham

We also feel that this will be out of keeping with the area and be visually intrusive in an area of semi rurality.

41 Charlton Close
Cheltenham
Gloucestershire
GL53 8DH

Comments: 4th April 2021

Charlton Kings does not need a large store of this type, it is already well served with small convenience stores, butchers florists etc. I do not want the added traffic and other footfall. Our roads are unable to cope with existing car users. Added litter and noise and other pollution is not welcome.

It will devalue the cost of my house , reduce the privacy I enjoy and for 30 jobs. This is not a good trade-off.

17 Ash Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PW

Comments: 22nd February 2021

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I would like to support Lidl's proposal to bring a new store to Charlton Kings. This is just what Charlton Kings and surrounding villages need as all of the other large supermarkets are situated on the other side of Cheltenham. The new store would create jobs and with 81 parking spaces take pressure off the Sainburys local store further down the Cirencester Road, which has inadequate car parking spaces.

20 Brookway Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AJ

Comments: 15th April 2021

With ref. above subject please register my support for the building of a new Lidl store in Charlton Kings.

12 King George Close
Cheltenham
Gloucestershire
GL53 7RW

Comments: 15th April 2021

I live in Charlton Park (GL53) and would be very much in favour of a new Lidl in my area. I think it would provide an excellent alternative to driving to a large superstore on edge of town. I think it provides excellent value for shoppers.

16 Castlefields Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YW

Comments: 15th April 2021

I support this proposal

It would be nice to get to a bigger store here without struggling through to the other side of Cheltenham.more than 20 sets of traffic lights to be negotiated It will not impinge on my local pattern of shopping

95 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 15th April 2021

We are both behind having a Lidl built at the old Charlton Kings Industrial estate Ref 20/02089/FUL. It make sense to us as we currently have to add to town traffic and pollution to drive across town to any of the main large Supermarkets taking up valuable time also.

Woodend
Sandy Lane Road
Cheltenham
Gloucestershire
GL53 9DA

Comments: 15th April 2021

I fully support Lidl's application. We need a store where we can park. I would support the Village more but the car park is always full and also the roads. I have to shop in Hatherley or out at Waitrose so a store with car parking would be wonderful for me.

16 Westbury Road
Cheltenham
Gloucestershire
GL53 9EW

Comments: 15th April 2021

With reference to the above application, I would like to add my support for the construction of a lidl in charlton kings, which will help many local residents in the C.kings and Leckhampton area without the need to go out of town.

4 Castlefields Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YW

Comments: 15th April 2021

Letter attached.

13 Croft Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LD

Comments: 15th April 2021

Fully support this scheme and hope it goes ahead. No-one has produced a single valid argument for this Lidl not to be built.

74 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NU

Comments: 15th April 2021

As a resident of Charlton Kings I'd like to register my full support for the request for a local Lidl store.

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We desperately need a good sized, good value supermarket this side of town. There are none, to do my weekly shop I either have to order online or travel out of the other side of town to the supermarkets.

This Lidl will not affect my use of local shops because I do not do my weekly shopping in any of the local stores now.

9 Southfield Rise
Cheltenham
Gloucestershire
GL53 9LH

Comments: 15th April 2021

With regard to only having fairly expensive food shops in Charlton Kings, Lidl would be perfect. The part of the village where the planning for Lidl is proposed would be very ideal especially with having a suitable sized car park. The nearest general foodshop is a small Sainsburys and the car park is a dangerzone, not at all suitable for the amount of people that use the store.

The new Lidl would serve everyone well in the village, especially families on a lower budget and those without transport.

3 The Old School Mews
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AU

Comments: 24th March 2021

I am writing to object to the proposal by Lidl to build a store on the Cirencester Rd, Charlton kings.

1. We already have a Sainsbury's the building of which lead directly to the closure of an adjacent corner store.

2. This proposed store would impact severely on existing stores on the Cirencester road and in the village. During the pandemic we have relied on the village stores who have been very supportive of local residents. I have not been aware that Lidl has provided a delivery service or any other service anywhere. During lockdown and shielded many of us have relied on the support of the local stores and feel alarmed at the threat to them. We are supposed to be trying to shop local.

3. Charlton Kings already has significant problems with traffic, this store is like to increase people cutting through the already too narrow roads of the village increasing noise, congestion and pollution in an area where there are four schools. We should be trying to reduce levels of traffic pollution knowing as we do now the risks to the health of both young and old.

4. There is already a Lidl only ten minutes away. They are a big and powerful multinational and should be more respectful of local feeling.

White Lodge
Hatherley Lane
Cheltenham
Gloucestershire
GL51 6SH

Comments: 29th March 2021
Support

57A Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NJ

Comments: 19th April 2021

I would like to give my support to this application. Not sure how to get to the right part of your website to do this. Please would you ensure my support is counted however. Thank you

182 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AE

Comments: 19th April 2021

I am writing in support of the application for a Lidl in Charlton Kings .

I am fully in support of this application .

I would be able to cycle to Lidl in Charlton Kings from Leckhampton .
It would be convenient and the roads are safe .

A supermarket on this side of the town is much needed .

I support small local
Stores , but would also like the choice for some items from Lidl .

Being able to cycle to Charlton kings would save car journeys for my household.

1 Croft Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LD

Comments: 19th April 2021

I would like to register my support for this application for a Lidl Store. I feel this would be a great asset to the community to provide local jobs, a local & good sized supermarket with competitive pricing.

many thanks

10 The Avenue
Charlton Kins
Cheltenham
GL53 9BJ

Comments: 19th April 2021

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I am writing to register my support for the application for a new Lidl store in Charlton Kings. I believe this will provide a much needed additional food store in the southern area of the town, which will not be to the detriment of existing shops. The vacant site is currently an eyesore and a waste of valuable land.

Rahnala
Charlton Drive
Cheltenham
Gloucestershire
GL53 8ES

Comments: 24th March 2021

I want to give my objection to the building of a SuperMarket at Charlton Kings. We already have shops in the village that have been superb in providing all necessary groceries

during the lockdown. and also a new corner shop ,Sainsbury, in the Cirencester road. ,

The last thing we need is to have a large commercial enterprise upsetting our present very satisfactory situation.

Please do not grant this application. .

26 Sandy Lane Road
Cheltenham
Gloucestershire
GL53 9DA

Comments: 15th April 2021

I would like you to register my strong support for the above proposal

Chestnut House
16 Hambrook Street
Charlton Kings Cheltenham
Gloucestershire
GL52 6LW

Comments: 19th April 2021

I am objecting to the proposals for the Lidl store as a resident of Charlton Kings:

1. Scale and Massing - The development proposals are out of keeping with the character of Charlton Kings village and its immediate area which is residential in scale. The building which will be prominently on Cirencester Road will bear no relation to the surrounding properties. It will generate noise at all times of the day and night and light pollution.

2. Access and service vehicles - the entrance to the supermarket will be heavily used due to the size of the store with considerable traffic generation and movements resulting from customers and deliveries. The entrance is very close to the existing bridge and has very poor visibility for cars (often approaching at speed) heading northwards along Cirencester Road. Large articulated vehicles will be used for deliveries that will create noise and disturbance to local residents.

3. Traffic - Due to the catchment of the store and its large size of 1,800 sq m, people will be travelling from a wide area in private cars from areas such as Leckhampton, Naunton Park, the east of the town centre and Cirencester. This will cause considerable congestion on local roads around Charlton Kings village and pose a danger to pedestrians and cyclists as well as school

children attending local schools. Local roads such as Bafford Approach and East End Road will be used as cut throughs.

4. Retail impact - The impact of the proposed store on local independent shops is a material consideration. Charlton Kings offers a range of convenience stores and supermarkets together with pharmacies, coffee shops and the post office within Smith and Mann. All of these employ local people whose jobs would be put at risk as well as the village would lose vital local and community benefits as these traders are forced out of business. The post office is a vital community hub.

5. Use - The site is brownfield and would better lend itself to light industrial use and provide further employment opportunities or as residential providing more homes for local people. Loss of employment land.

6. A more suitable retail site should be found for this store closer to the town centre and in an already established commercial area. It is wholly inappropriate to have this large building located in the village of Charlton Kings at the southern edge of the boundary in a residential area unable to cope with the traffic, noise and disturbance..

77 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BS

Comments: 19th April 2021

THERE IS NO FURTHER NEED FOR A SUPERMARKET-THE CIRENCESTER ROAD ALREADY HAS SAINSBURYS.

THERE WOULD BE no infrastructure to deal with the large volumes of traffic which in themselves are a danger to pedestrians most particularly the large numbers of schoolchildren.

I gather there are to be 80 car parking spaces-this is ridiculous! There is no room for these in Charlton Kings and also no need. We should be walking and cycling more-not driving to a supermarket. We must not build things which encourage car use. Every decision we make must be geared towards preventing climate change thus this is a poor decision

The local shops on Lyefield Road West would lose business and may close. These shops are the cornerstone of the local community. They must remain open. We need a social economic model not a capitalist economic model

Please oppose this plan!

11 Warwick Crescent
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YZ

Comments: 23rd March 2021

As a resident of Charlton Kings, I object to having a large retail store in this location because:

- (a) potential negative impact to local retail businesses (loss of trade & jobs)
- (b) increased traffic in an area not suitable for further traffic increases caused by customers drawn in from Cirencester and nearby villages
- (c) Lidl already have a store in Cheltenham at the Tewkesbury Road Retail Park

(d) We just don't need a store like this in Charlton Kings.

140 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 9th May 2021

I would like to register a strong objection to the proposed erection of a Lidl superstore in Charlton Kings Lidl, as I believe it would be inappropriate in that location, on the very edge of the Cotswolds, and also in scale against the surrounding infrastructure.

In addition, the impact on traffic and on residents and traders in the surrounding area with also more widespread knock-on effect would be disproportionately great.

As a resident of Charlton Kings, I know that there is more than adequate supermarket provision in this area and importantly there is Lidl superstore just a short drive away, which was only built about a year ago in the centre of town.

For these reasons alone, I believe this proposal should be firmly rejected.

8 Robinia Close
Cheltenham
Gloucestershire
GL53 8PR

Comments: 9th May 2021

We live at 8 Robinia Close, Charlton Kings, GL538PR and we fully support the plans for a local LIDL on Cirencester Road. Food and drink is very expensive in the area from Sainsbury's and the Co-Op, and larger retail / choice is not supported in this area without quite a travel across town.

The area that LIDL is planning to use has been delapidated / run down for some time and a smart LIDL store would improve the current look.

We look forward to seeing a LIDL here in Charlton kings serving the community.

8 Croft Gardens
Cheltenham
Gloucestershire
GL53 8LQ

Comments: 9th May 2021

Please be advised that as a resident of Charlton Kings, I would like to add my voice to the objection to a Lidl in the village.

With the Co-op and Budgens/ Smith & Mann's, the Flower Shop, the Butchery on Cirencester rd and most recently (and unnecessarily) Sainsbury's all already established in the village, alongside the shops on the Sixways/ London Rd stretch of the village, we are very well served in terms of retail. These shops also place an enormous focus on sourcing local produce.

Sainsbury's price match Lidl on hundreds of products, this voids all arguable economical benefits for local residents. The risk to existing businesses and employment of Lidl being allowed to open

a branch in the village will have massive negative long term socio-economic as well as health consequences.

Beside the increased traffic and pollution to our village a Lidl in the village would not benefit the people of Charlton Kings in terms of providing meaningful employment or improving the environment or infrastructure of the village. Due to it's 'bowl' location, the exposure to pollution from traffic is already at an increased health risk. A major discounter - planning to not only serve the local community, but attracting a much wider catchment area - will increase the pollution levels disproportionately and will pose considerable health risks to asthmatics and respiratory disease sufferers.

Furthermore, Lidl's produce commonly carries a hefty CO2 footprint on a majority of products. E.g. Sweet potatoes and butternut are without exception sourced for the U.S.A. And the quality of produce is often extremely poor. In particularly meat produce which is sourced from mass-farming instead of supporting local farmers. E.g. in lambing season, Lidl still sells solely Lamb produced sourced in New Zealand. Charlton Kings is a leading pioneer in Gloucestershire in reducing Carbon Footprint in every household. The establishment of a Lidl will be hugely counterproductive. Considering our Climate emergency, supporting the establishment of a Lidl in Charlton Kings, is absolutely irresponsible.

In addition, the recent addition of a Lidl in town, just over a 5-minute drive away and equally well accessible by public transport from Charlton Kings.

Thank you for your time and attention.

28 Averill Close
Broadway
Worcestershire
WR12 7RA

Comments: 9th May 2021

I wish to raise my objection to the above planning application.

3 Perry Close
Cheltenham
Gloucestershire
GL53 8QY

Comments: 9th May 2021

We are emailing to object formally to Lidl's planning application to build a store in Charlton Kings. We have lived here for over 20 years and regularly use our local amenities and have no need at all for another supermarket.

Our local shops have rallied amazingly during COVID times and with climate protection a duty for all of us, using local shops and produce is a must.

Please listen to the voice of the residents and small businesses in Charlton Kings and refuse this application.

8 Croft Gardens
Cheltenham
Gloucestershire
GL53 8LQ

Comments: 9th May 2021

Please be advised that as a resident of Charlton Kings, I would like to add my voice to the objection to a Lidl in the village.

With Sainsbury's, The Co-op and Budgens/ Smith & Mann's, the Butchery on Cirencester rd, all already established in the village, alongside the shops on the Sixways/ London Rd stretch of the village, we are well served in terms of retail. The risk to existing businesses and employment of Lidl being allowed to open a branch in the village will have negative long term socio-economic consequences, with any benefits being realised by Lidl only.

Beside the increased traffic and pollution to our village (notwithstanding the increased carbon footprint of another Lidl, the majority of whose products are sourced outside the UK) a Lidl in the village would not benefit the people of Charlton Kings in terms of providing meaningful employment or improving the environment or infrastructure of the village.

Thank you for your time and attention.

4 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HA

Comments: 9th May 2021

We would like to register our SUPPORT of the proposed Lidl Store.

Traffic is mentioned in many of the objections.

The new store is providing ample customer parking and off road parking for delivery lorries.

The new store would easily be supplied without impinging on the village centre traffic.

Many of the local stores, have made no provision for customer parking or delivery lorries, and show little consideration to the congestion they cause to the neighbourhood.

28 Averill Close
Broadway
Worcestershire
WR12 7RA

Comments: 9th May 2021

I wish to formally object to the building of the new Lidl store in the Charlton Kings area of Cheltenham

5 Vineyards Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NH

Comments: 9th May 2021

We feel that , rightly, we have enough great shops in Charlton kings but only one post office which is widely used and important to our community!! More traffic around the village would be detrimental to all . Sainsbury's is a shop with competitive prices as is Smith and Mann and the Coop which underlines the fact that we do not need another.. Spirax Sarco have also given legitimate reasons for not wanting Lidl built. Time to think of community not pound signs !!!!!

The Old Dairy
Hambrook Street
Charlton Kings Cheltenham
Gloucestershire
GL52 6LR

Comments: 9th May 2021

I object to the increased traffic noise, congestion and flood risk. There is already a Sainsbury's local barely a 1min drive away. The area is served by five grocery stores already, Lidl has also refused to do a retail impact statement. The community will suffer as a result,

Hillview
23A Greatfield Drive
Cheltenham
Gloucestershire
GL53 9BT

Comments: 18th May 2021

I object on the grounds that the area is well supported by food stores so another would seem completely unnecessary. The local shops at Lyefield would also find it hard to survive against the buying power of a major store group.

170 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DY

Comments: 20th May 2021

I strenuously object the proposal to build a Lidl Supermarket on Cirencester Road, Cheltenham on the grounds that it will have an significant adverse traffic impact on quality of life, noise and particulate pollution, and health, and cause economic and social harm to the local community.

We live on the Cirencester Road, already a busy, fast and noisy road, where we are regularly woken by cars and lorries speeding (there is no speed limit enforcement and my experience of living here for more than 10 years is that 30mph is rarely adhered to) up and down the road, starting as early as 4.30am on weekdays.

With 80 parking spaces at the proposed store, there would be some 160 extra traffic movements an hour, during all the store's opening hours, seven days a week, with customers driving to and from the store, necessarily directly past our house. In addition, there will be the impact of deliveries, which will, by necessity, be in HGVs, causing even more HGV movement on an urban road that already experiences a significant level of HGV traffic. You are welcome to come and sit outside our house or to install monitoring equipment here for the purpose of researching noise and pollution levels.

Currently we get some respite from the traffic noise on the weekends, however with a supermarket a couple of hundred yards away we will lose that respite, with a consequent loss of quality of life - particularly sleep - and health impacts of constant high levels of background noise. This constitutes a Significant Adverse Effect Level.

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There will be additional particulate as well as noise pollution. There must be further investigation and independent reports into the air quality in our location, and what the impact of 160 extra cars per hour, seven days a week, will have on air quality and noise pollution. I have been diagnosed with asthma since living here and do not want the situation and my health to deteriorate further.

Our children already cannot play out because of the road and who will be put at further risk from the increased traffic when they need to cross the road in order to go to and from school.

In addition, there is no need for the store. With the increase in online shopping, and a network of local shops, as well as a Co-op and a Sainsbury's Local (the opening of which caused the local Nisa to close) Charlton Kings is not crying out for a supermarket. Additionally, the supermarket would threaten the existing independent shops in Charlton Kings, risking damage to the community by cutting jobs and leaving unsightly empty commercial premises.

The jobs that Lidl say they would create would not offset the jobs of local people, and those who would lose their businesses.

Thank you for your thorough consideration of these objections.

12 Shrublands
Cheltenham
Gloucestershire
GL53 0ND

Comments: 20th May 2021

Please accept this email as my objection to the above proposal. My reasons for objection are :

- 1) The threat of closure to the Charlton Kings Post Office should Smith & Mann's store have to close due to the impact Lidl will have on their business and
- 2) Charlton Kings is already well served by existing convenience stores.

9 The Old School Mews
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AU

Comments: 21st May 2021

The proposed store would impact with the loss of jobs to existing shops/supermarkets in the local village and surrounding area.

Already a huge problem with traffic volume through the village, the proposed new store may well to level causing total gridlock.

Car parking is already a major problem, the increased volume caused by the new proposed store would likely overload already inadequate space.

Many pedestrians, old and vulnerable people, young children who face significant danger to already high levels of traffic would be exposed to even higher levels if the development goes ahead.

Even higher levels of traffic pollution exposed to children's lungs causing permanent lifelong damage.

62 East End Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QL

Comments: 24th January 2021

I am writing to support the proposal for lidl to be built in Charlton kings 20/02089/FUL .

The following reasons:

1. We do not have a superstore this side of Cheltenham, for sustainable reasons people will no longer have to drive to Tewkesbury Road for a weekly shop.
2. The employment will be welcomed in Charlton kings.
3. Environmentally it will be built at a lower level to the road so will not be visible from the road.
4. It would also cater for the villages around Charlton kings.
5. Local residents will be able to walk to collect their groceries.

I hope this planning is successful.

Comments: 14th March 2021

I am writing in support of the above proposal for Lidl in Charlton kings.

As a resident, it would be hood to have a full sized supermarket this side of town which is so been needed for years.

It will reduce our carbon footprint and offer jobs locally. I like the fact that it is in a dip so will not be very visible from the road but will look better than what is on the site currently.

We hope the proposed Lidl store is successful.

165 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 13th February 2021

I am concerned about the impact on the people who live near to the new store as they will see a large increase in traffic, noise and pollution from both customers cars and the many delivery lorries. The deliveries are also likely to start at anti-social hours.

For the rest of Charlton Kings it will unavoidably mean an increase in traffic being pulled through the village from outlying villages and other areas of Cheltenham. This will not only impact on the main roads but especially on the village roads between the A40 and Cirencester Road.

47 Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HQ

Comments: 15th February 2021

It would be brilliant not to have to drive to the other side of town to do our shopping, having a economical large supermarket in Charlton kings would benefit many and provide much needed employment to the community.

26 Pilford Road
Cheltenham
Gloucestershire
GL53 9AQ

Comments: 15th February 2021

Opportunity to use an existing site for a supermarket on the eastern side of cheltenham. With no such facilities this side of town it would hopefully reduce people's mileage to shop and traffic across town. Already good access links to the site and plenty of onsite parking.

47 Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HQ

Comments: 20th February 2021

As Charlton Kings residents my family and I are very much in favour of a new Lidl store. It will provide convenience, greater competition on price, and a shorter travelling distance for local residents. The store and its surroundings will be modern and attractive and the location is such that it will be unobtrusive.

84 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 21st February 2021

This will be great for charlton kings, and will bring more trade for other businesses in the village, and bring people from the countryside into the village, i will use it weekly, and i think it will fit in well where it is going to be situated, value for money supermarket is what's needed.

30 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 22nd February 2021

As a long term resident of Charlton Kings I can think of nothing I would like more than a Lidl store here. This would give me and many others in the surrounding area a far better choice than our existing Sainsburys and Co-Op also avoiding a trip into town. I consider these good reasons for a Lidl store and hope the council will allow this.

Comments: 30th July 2021

Living in Charlton Kings, a Lidl Store would mean that I would no longer have to travel into town or to the outskirts for my weekly shopping

I sincerely hope that you will look favourably on this proposal.

18 Wistley Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NW

Comments: 22nd February 2021

I would like to comment upon the planning application in question. I am of an age where it is important to have access to shopping upon foot and this proposal to have a Lidl at Charlton Kings fits this in abundance. I will definitely shop there and commend their application.

2 Hearne Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8RD

Comments: 22nd February 2021

I am writing to express my support for a new Lidl store in Charlton Kings, on the former Charlton Kings Industrial Estate.

2 Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0PR

Comments: 22nd February 2021

I am writing reference to the proposed new Lidl store off Cirencester Road, Charlton Kings.

I am in favour of this development as there are no decent sized supermarkets in the Leckhampton and Charlton Kings area. At the moment I travel some distance to Up Hatherley or Tewkesbury Road which increases unnecessary traffic and pollution. This site has been vacant for many years and is ugly waste land that needs something of use and benefit to the community. It is on a quieter main road out of Cheltenham since it was bypassed a number of years ago. It would also stimulate growth in the area too. The plans would clean up the area and add some foliage too.

I hope this gets approval.

La Calanque
Camp Road
Cheltenham
Gloucestershire
GL52 6PS

Comments: 22nd February 2021

Regarding the building of a new Lidl store in Cirencester Road, I fully endorse this proposal.

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I live in Charlton Kings (Camp Rd) and feel the only sizeable store in the area is a smaller Sainsbury store. Although there is a Tesco express and small Co-Op with a few independent shops, we could definitely be well-served by a low-cost company such as Lidl.

It has been proved over some years that the quality of Lidl products is on par, or even better, than some of the 'top five large supermarkets' and I would see it as an asset.

Comments: 2nd August 2021

I fully support a branch of Lidl to serve the Charlton Kings and similar areas. I now have to drive to Bishops Cleeve from Camp Road, Battledown and would be grateful for a shorter journey. I cannot see that it would affect local shops to any great extent and would be well supported by local shoppers .

207 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DF

Comments: 22nd February 2021

i am sending you my support for a lidl store in Charlton Kings.As Charlton Kings is getting bigger we want more shops of this kind

Comments: 18th April 2021

I am sending this email in support of Lidl store in Charlton Kings

The reason is that we do not drive and the Lidl store in Cheltenham is not on a bus route and is too far to carry shopping.The store in Charlton Kings will be very handy with a greater selection of items and cheaper prices. without having to catch the bus. My wife was born in Charlton Kings and is looking forward to having a good store in the village.

12 Highland Road
Cheltenham
Gloucestershire
GL53 9LT

Comments: 22nd February 2021

I fully support Lidl's planning application for a bespoke food store at Charlton Kings, a much needed addition to this area. Everyone I've spoken to locally is delighted at the proposal, now the Lidl town centre's store has been moved to Swindon Road on the far side of Cheltenham. Also the creation of more local jobs is very desirable.

2 Ash Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PW

Comments: 22nd February 2021

I fully support the plans to build the new Lidl store for reasons outlined below.

1. There is no other large supermarket in the vicinity.
2. The village shops are limited in choice and are expensive,

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3. I have no car so rely on these shops but if there was a large supermarket within walking or cycling distance I would shop there.
4. The new store will bring employment to the local area, especially if they chose to recruit locally. As someone who is currently looking for work after Furlough, this can only be a good thing during Covid tiimes.
5. Charlton Kings is considered an affluent place to live and if it improves it's amenities this will add to it's great location.
6. Charlton King's size should warrant an appropriate size store.

So yes please accept my comments as positive feedback, I am new to Charlton Kings and I really look forward to a good outcome and eventual shopping experience which will make a real impact on my finance and goods choices.

2 Woodgate Close
Cheltenham
Gloucestershire
GL52 6UW

Comments: 22nd February 2021

I fully support the proposed new Lidl store in Charlton Kings.

We require a local supermarket which the area lacks, we currently have to drive to Sainsburys which is not close.

The current industrial buildings on the proposed site are an eyesore, we certainly do not need more new houses due to the lack of sufficient infrastructure to support more families.

The new supermarket will be good for the area and create new employment for local people.

61 Church Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AT

Comments: 1st March 2021

I fully support this application. The location is ideal using a brownfield site on the edge of the village with excellent access.

This would bring variety and much needed competition for existing stores in Charlton Kings.

44 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AL

Comments: 6th June 2021

I am writing on behalf of my husband and myself regarding the proposal for Lidl in Charlton Kings. We are very fortunate to be well provided for in this area as has been proved during the pandemic. We live in Copt Elm Road and are already aware of the horrors of traffic when it is used as a cut through with Lyefield Road West. This is just more profit for this greedy company. I have no objection to Lidl itself and do shop there occasionally, but it is easily accessible with stores in town and Bishops Cleeve. Please stop this before the inevitable chaos that will ensue.

304 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YF

Comments: 11th March 2021

I would like to let you know of my support for the planning application for the proposed new Lidl in Charlton Kings. I live on London Road and this would help reduce length of car journeys we make to go to other supermarkets in Cheltenham.

19 Oak Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JG

Comments: 11th March 2021

We are writing in support of planning application 20/02089/FUL - New Lidl store, Cirencester Road, Charlton Kings

We welcome the addition of a larger supermarket in Charlton Kings as at present there is only a Sainsbury's in Priors Road.

The new supermarket will bring choice to the residents of Charlton Kings and will reduce air pollution and road traffic, as residents will not have to travel across town to a supermarket.

It will create jobs in the area and will also bring in residents from villages "this" side of Cheltenham to shop.

3 Newcourt Park
Cheltenham
Gloucestershire
GL53 9AY

Comments: 4th March 2021

I wish to support the application for the following reasons:

1. There are no supermarkets this side of Cheltenham- nearest is a 15 minute drive. The proposed supermarket is not an expensive supermarket therefore meeting the needs of all residents.
2. Provision of jobs for local people including part time jobs for older teenagers of school age.
3. It is on an existing commercial site.
4. I do not believe it will impact current shops as none of them would you consider doing a weekly shop in- just pop ins for a small basket of items.

From a personal perspective it will reduce my driving time for weekly shop purposes- cost, time and environment benefit. For smaller shops I will be able to walk to the store.

It will give my son an opportunity for part time work whilst at school- there is little opportunity currently in the local area.

35 Croft Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LD

Comments: 1st May 2021
Support

5 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NG

Comments: 22nd January 2021
I object to this proposal for several reasons.

The site is on a dangerous part of a busy road, where there is frequent ignoring of the speed limit. It is by a bridge and a bend in the road. Entry and exit will be hazardous. The store would attract not just local people, but those from a distance, thus increasing the traffic congestion in the area.

We already have a Sainsbury's local and a butcher just down the road, and in the village centre we have a Co-Op and a local grocery shop. Just slightly further afield, but still local, there is a larger Co-Op. For this reason I see no need for another shop. The result of Sainsbury's opening, was that a local grocery shop had to close down, and the site has been derelict for several years. We don't want this to happen again.

A better use for the site would be for factories and offices or for much needed affordable housing. I would like to see the area converted into a public green space, but I expect that as money talks, this is not going to be a possibility.

Comments: 9th February 2021

I have already objected to the proposal, but having considered the revised plans, I want to raise further objection. It seems strange that some trees have been pronounced unsafe and are therefore subject to felling. Is it a coincidence that these trees are on a site for proposed development? There must be other trees in the town which are diseased, but which have not been considered, because their felling does not afford financial benefit to businesses and residents nearby. I agree with the Spirax Sarco objection, that the traffic would be a further hazard to their staff. If the application is passed, which I hope it won't be, then here are some points, which may be worthy of consideration:

- Install a roundabout at the junction with Cirencester Road (at the expense of Lidl).
- Install traffic lights at the junction with Cirencester Road (at the expense of Lidl).
- Consider a complete redesign of the site, such as putting the car park at the front and the store at the back. This may be safer with regards to vehicles and pedestrians.

21 Withyholt Park
Cheltenham
Gloucestershire
GL53 9BP

Comments: 14th May 2021

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The likely loss of the Lyfield Road West stores resulting from the proposed Lidl store on Cirencester Road would be huge and irreparable loss to those who live in this part of Charlton Kings. The present stores are within an easy walking distance even for elderly people, of which there are many in this area, and they provide for many of our essential daily needs. The proposed Lidl store would not be within walking distance from this part of Charlton Kings, and those who have a car would have to drive to get to it. Having got in their cars, if they were lucky enough to have one, they would most likely go to other stores in Cheltenham or Tewkesbury Road, as Lidl is not universally appealing. Those in this area without cars would have to travel by bus, which takes much more time and is less convenient.

It is unlikely likely that people from other parts of Cheltenham would want to drive over to the proposed area. Cirencester Road would seem out of the way for them.

The central part of Charlton Kings still has a village atmosphere. Over recent years other stores and amenities have been lost here, and further damage to this sense of place should be avoided at all costs.

20 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 23rd January 2021

I cannot add anything to the most complete and well informed comments of objection already put forward, simply to fully endorse them all.

17 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 27th January 2021

I'm sorry to say I deeply object to the opening of a Lidl store in CK.

Firstly, we already have an enormous traffic and pollution issue in CK despite it being a small country village on the end of a Cotswold Town. We have a very big and popular secondary school and 3 primary schools as well as extra pre-schools. There is already an ENORMOUS amount of school traffic in the mornings and afternoons, which cause un-safe streets for children along with extremely high pollution levels and parking issues. If you add a major supermarket onto this I dread to think of the health and safety not to mention logistical problems this will add on.

Secondly, we are in the middle of a pandemic - businesses all around the world are struggling and closing down. I'm happy for Lidl that despite this pandemic they are doing so well they can open yet another store - but where does this leave the small, family run businesses? Their shops - such as Smith & Mann - are their livelihood, they are not a huge global business, they are just a small CK business that have been there for us for years, and deliver to regular customers during the pandemic. We need them to keep open, they need us to keep shopping there. If everyone goes to Lidl, places like Smith & Mann will close, then where will the elderly and vulnerable go in the middle of a pandemic. People that don't feel safe in a huge supermarket full of people from outside our village.

I really hope we can get a petition together to stop Lidl in CK! Its not needed and extremely dangerous for traffic, parking and pollution not to mention the disruption to local businesses. Thank you for your time.

11 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 24th February 2021

I would like to offer my support to the proposed new Lidl store in Charlton Kings on the Cirencester Road. We have lived in Charlton Kings for nearly 7 years and have always felt it problematic that we have to drive to the other side of Cheltenham to access a decent sized supermarket. I do hope the proposal will be approved.

Comments: 16th February 2021

I support the proposed new Lidl in CK. It would be great to have a decent sized supermarket on this side of town. Most other larger supermarket are all located on the other side of Cheltenham. I really hope this proposal is approved.

15 St Michaels Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DW

Comments: 16th February 2021

1. There is no evidence that another supermarket in this locality is required.
2. There are already three established stores in the area: Smith & Mann, a Co-op and Sainsbury's Local.
3. The last opening of those was Sainsburys. It's opening destroyed a Premier Store nearby (which remains derelict and an eyesore) because there wasn't enough demand to sustain four outlets.
4. If Lidl opens, there will be at least the loss of one of the existing outlets. That is part of Lidl's expectation.
5. Lidl say they are doing us a favour by putting the land to good use. If this former light industrial estate is available, it should be used for new housing, much needed, than another supermarket.
6. Lidl heavy goods deliveries will add further to the trunk road traffic not to mention cars adding to pollution.
7. Lidl stores flout Covid requirements - turn up without a mask - just say "I have asthma" and you are in. Cloaking their campaign with bogus environmental claims does not conceal the fact that this will be another blot on the landscape.

Build homes

1 Randolph Close
Cheltenham
Gloucestershire
GL53 7RT

Comments: 25th February 2021

We consider the proposed siting of a Lidl Store in Charlton Kings to be an asset to the village. We have been customers at Lidl for many years and to have a store locally would be a great benefit to the local community. We have found their quality and wide choice of goods to be excellent, supported by their pleasant and helpful staff.

23 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 25th February 2021

We support the above planning application for the following reasons:

1. Easy access for a family shop:

At present Charlton Kings is served well by convenience stores, but a weekly, economical family shop, means a drive to the centre of Cheltenham. The size of the local stores prohibits the range of food choice and prices a family shop requires.

2. Growing community:

Charlton Kings has grown over the last few years. Many new family houses have been built in the area. The community would benefit from a local larger supermarket. It will widen the local shopping facilities needed.

3. The regeneration of the site:

Positioning Lidl, off the Cirencester road, will regenerate the whole site and its landscaping and build will provide a useful resource for a growing community.

1 Regis Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EQ

Comments: 25th February 2021

We support this application, as we feel it meets a need in the area.

Comments: 2nd April 2021

Having had further thoughts, we now wish to oppose this application. We no longer think there is a need for this extra store in Charlton Kings. We value the assistance and cooperation given by the existing shops (such as home deliveries and 'phone assistance), which would disappear along with the present shops if a new Lidl arrived.

We value greatly the helpful personal service we have received from the Lyefield Road stores before and during the COVID pandemic, and we are very grateful for the cooperation and home deliveries we have from them.

This assistance would be threatened and almost certainly removed if a new Lidl superstore came into being in Charlton Kings.

In our opinion such a store is not needed given the present facilities and we hope that you will note our objections to the application.

80 Bafford Approach
Cheltenham
Gloucestershire
GL53 9JB

Comments: 24th February 2021

I am writing to support the plans for a Lidl to be opened in Charlton Kings.

15 Chatcombe Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LT

Comments: 25th February 2021

I would be happy to have a Lidl store in Charlton Kings.

35 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 25th February 2021

I would like to register my support for a Lidl store off Cirencester Road, in Charlton Kings. I think this would be an asset to the community.

1 Croft Mews
Croft Avenue
Charlton Kings
Cheltenham
Gloucestershire

Comments: 25th February 2021

Please note my Support of the proposed Lidl supermarket in Charlton kings.
More choice, and jobs. No more driving to Lidl in town.

13 Newcourt Park
Cheltenham
Gloucestershire
GL53 9AY

Comments: 25th February 2021

I am writing to confirm my support for the planning application Reference 20/02089/FUL.

14 Castlefields Drive
Cheltenham
Gloucestershire
GL52 6YP

Comments: 25th February 2021

I would like to make my view known with regard to the proposed new Lidl store off Cirencester Road in Charlton Kings.

Personally, it would make a huge difference to where I go for my weekly food shop as currently there are no supermarkets nearby for those on a budget. Having this type of store nearby will also enable my husband and I reduce our driving costs. Cheltenham's traffic can be a very busy and congested when trying to cross from one side of the town to the other when not in lock down.

I also shop for elderly parents and I know they would appreciate more affordable food.

It makes sense that the company want to build on an existing brownfield site and there will be the opportunity to create more jobs in the area.

Thank you for taking the time to read my views.

6 Chatcombe Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LS

Comments: 25th February 2021

I wish to register my wholehearted support for the above proposed development.

This will be a very welcome addition to much needed local shopping facilities such as Lidl provide. We are greatly disadvantaged this side of town and this will not only offer a wider range and choice but also offer much needed local competition.

3 Hayman Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9FD

Comments: 25th February 2021

I am in full support of the new store opening as this side of town needs a substantial supermarket that people can travel to without getting in the car or at the very least only travel a short distance therefore reducing carbon footprint.

I truly hope this is approved for the sake of all the people in the village and surrounding area who will not have to travel across town to shop.

Comments From Alex Chalk MP

Comments: 25th February 2021

Alex Chalk MP has been contacted by a number of constituents and businesses regarding 20/02089/FUL | Erection of a Class E retail store, car parking and servicing areas, access, landscaping and associated works following demolition of existing buildings

In the first instance Mr Chalk would like to confirm that any decision in regards to this application will be taken by the Full Planning Committee rather than delegated to planning officers; and that

the local community opposed to the proposals will be made aware of the opportunity to nominate a spokesperson to address the committee directly.

In considering this application, Mr Chalk would ask Committee members to give particular regard to the potential impact on existing local businesses, a point which has been highlighted in a number of the representations on the planning portal. The representations make an important point about the likely customer pedestrian / vehicle ratio in comparison with the existing local shops such as Smith and Mann and the established community of shops at Sixways.

As the Highways Authority comments have identified, the change of use will generate a very different trip profile to the existing site and the traffic studies presented in support of the application are considerably lacking in a number of areas. Mr Chalk asks that any consideration by Committee members should be based on a full independent traffic assessment. Key areas for challenge include the impact from delivery times, noise and air pollution, peak hours traffic volume, access onto Cirencester Road and the knock on effects that will inevitably occur across the already congested local and edge of town centre road infrastructure.

As many representations recognise, should this scheme be approved, it would be another missed opportunity to redevelop a brownfield site to meet the increased pressure for residential development, both in the immediate area and within the town. Committee members will no doubt be mindful of this pressing need, given the recent collapse of the Portland St proposals.

36 Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HG

Comments: 22nd March 2021

I object to the planning application for a Lidl store on this site as it would greatly increase the traffic flow and in turn increase the risk of accidents particularly where a vehicle was leaving the site and turning right into the Cirencester Road.

At present there are old industrial units on the site. I thought that one of Cheltenham's planning policies was to retain employment land and not to allow retail use.

6 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HA

Comments: 22nd March 2021

I'm afraid it wouldn't let me login or create an account in order to submit my objections to the LIDL planning proposal in Charlton Kings.

Please accept my objection to the proposed building of another Lidl store in Cheltenham. There are already several Lidl stores in the Cheltenham area providing services to the town, I see no reason why we would need another. Charlton Kings is already well served by two Co-Ops, a Sainsburys and Smith and Mann.

Charlton Kings has a unique village character with residents supporting the local businesses. Our small independent retailers have gone above and beyond their call of duty is serving our elderly and infirm residents during the current pandemic. Local businesses contribute to the community

by providing services but they also have an important social role that we must maintain and encourage.

The new lidl store will increase traffic, noise and pollution. Traffic congestion is already a problem in the village and road safety for our elderly, school children and vulnerable residents will be increased greatly.

I understand that the local Parish Council, MP and businesses have all objected to the proposal and I support their objection.

1 Ashgrove
Beeches Road
Charlton Kings Cheltenham
Gloucestershire
GL53 8NF

Comments: 25th March 2021

This is a formal objection to the application for the building of a Lidl store on the Cirencester Road near the old railway bridge. The basis of our objection is set out below.

The area is already well served with supermarkets stores, including a Sainsburys Local, Smith and Mann (which houses a Post Office) and a number of independent retailers along nearby Lyefield Road West. The development will adversely affect these well used and well liked local and small businesses. Furthermore, the local businesses source much of their wares locally, whereas Lidl source theirs from elsewhere in the UK and abroad. This is a village community and I talk to many people who use and value the local shops. The building of a Lidl supermarket would cause significant harm to the vitality and viability of the existing Charlton Kings village life.

The A435 Cirencester Road is a secondary 'A' road which winds its way through Charlton Kings. The road is lined with residential properties up to the proposed site of the build and is already busy with pedestrians, traffic and children from a number of schools in close proximity. There is a shortage of off-road parking so some stretches have been adapted for the parking of vehicles.

As there is unlikely to be much demand locally for Lidl, the majority of trade will be attracted from outside the area. The Cirencester Road would be completely unsuitable to cope with such extra traffic, it having evolved as explained above. It can already be a dangerous area to walk or cycle and additional traffic to a Supermarket would be a recipe for serious accidents.

We ask that you take the above into consideration before making your decision. The proposed Lidl store would change Charlton Kings' village life into a busy commercial centre that does not have the infrastructure to support it.

19 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BA

Comments: 28th March 2021

The Cheltenham area, including Charlton Kings, is already extremely well-supported by a high number of supermarkets - both smaller local stores and larger 'out of town' stores. Charlton Kings in particular already benefits from a good number of well-stocked and efficiently run shops - Smith & Mann/Nisa, two Co-ops, Sainsbury's, and others just a short walk distance away in Leckhampton and other surrounding neighbourhoods.

The two local shops in the heart of the village have provided a tremendous and invaluable service, especially over the past and difficult year. When images were shown in the media of shops where shelves were empty in other stores, our local shops always managed to replenish stocks and keep a steady supply of provisions. They have been an asset to the local community and provide a valuable and thriving service, playing an essential role at the heart of the village. They respond to customer need and have managed their stores effectively during these difficult 12 months. As a resident of Charlton Kings, I have felt confident that we would not go without and feel it's very important that we, as a community, lend out support to shops that have supported us well. I fail to understand how there is sufficient demand to support another supermarket coming into the area, without detriment to the existing stores, which service the community more than adequately. I would not like to see a LIDL store arriving here as I feel this would erode the sense of community that our current stores support.

36 Croft Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LA

Comments: 3rd April 2021

In reference to the proposed Lidl store in Charlton Kings, please take this email as being in full support of the proposal. As a Charlton Kings resident from around the corner of the proposed site, we think it would be a welcomed addition which will benefit the village and the surrounding villages. At the moment we have to travel across town to the nearest supermarket which takes time and fuel which is not the best for the environment. Being able to shop locally and affordably (other shops in CKings can be on the pricey side) will benefit us and other residents immensely. Not to mention the jobs it will provide to the local community.

40 Croft Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LA

Comments: 3rd April 2021

I would like to support the planning for Lidl Charlton Kings Cheltenham

3 Lawson Glade
Cheltenham
Gloucestershire
GL53 9HL

Comments: 3rd April 2021

I am very much against the proposed Lidl store in Charlton Kings for two main reasons:-

1. There would be a great increase in traffic both from Cheltenham and from the countryside around that would cause congestion that would affect not only neighbouring property owners but also all the approaches to the site

2. Damage to existing businesses would be enormous. Undoubtedly some will be forced to close as Lidl will suck away their trade. This will upset the balance of trade in the village and cause a domino effect of others. For example why would a coffee shop remain in business if there are no longer any passers by. We will end up with only one or at best two shops serving our needs and have traffic congestion as a result.

Is this the way to thank our retailers for years of service and diversity of choice they have given us and is it a thank you for their help and support during the lockdown days of covid, I think not.

This development should not go ahead.

67 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AN

Comments: 3rd April 2021

I wish to object to the planning application to build a Lidl supermarket on Cirencester Road, Cheltenham.

The impact this would have on the traffic in surrounding areas and the local businesses would be significant and irreparable.

8 Withyholt Park
Cheltenham
Gloucestershire
GL53 9BP

Comments: 3rd April 2021

I am writing to register my objection to this planning application.

This is on the basis of the increased risk to wellbeing from increased traffic - short term physical (road accidents) and long term (pollution effect on our respiratory systems). For example Sandy Lane is becoming increasingly dangerous as cars speed in both directions to and from the Bafford Approach turning. The risk has risen substantially during the lockdowns as pedestrians - walkers, school children etc - seek to practice social distancing but with only a pavement on one side of the road.

Furthermore I'm curious to learn whether increased commercial development in Charlton Kings is strategic aim for CBC and one that the residents have been consulted or voted on?

Thank you for taking this into consideration for planning application: 20/02089/FUL

34 Longway Avenue
Cheltenham
Gloucestershire
GL53 9JJ

Comments: 3rd April 2021

Letter attached.

357 Old Bath Road
Cheltenham
Gloucestershire
GL53 9AH

Comments: 3rd April 2021
Letter attached.

Brookway House
Brookway Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AJ

Comments: 3rd April 2021
Letter attached.

7 School Road Flats
School Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BB

Comments: 3rd April 2021
Letter attached.

Cariadus
5D Morlands Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LP

Comments: 3rd April 2021
Letter attached.

Thirlstaine
18 Greatfield Drive
Cheltenham
Gloucestershire
GL53 9BY

Comments: 3rd April 2021
Letter attached.

20 Parkwood Grove
Cheltenham
Gloucestershire
GL53 9JP

Comments: 3rd April 2021
Letter attached.

21 Shrublands
Cheltenham
Gloucestershire
GL53 0ND

Comments: 3rd April 2021
Letter attached.

Domus
70A Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AW

Comments: 3rd April 2021
Letter attached.

28 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AY

Comments: 3rd April 2021
Letter attached.

9 Maple Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PA

Comments: 8th April 2021

I wish to add my objection to this proposed development as it would greatly affect the nature of the village of Charlton Kings. Cirencester Road is already a busy thoroughfare with congestion especially around the proposed access point.

Charlton Kings has a thriving community spirit which would be greatly diminished if this application were to go ahead because the existing local shops would be unable to compete and would gradually close.

Lidl have many outlets already and can surely reap their profits in their existing locations in and around Cheltenham without ruining the livelihoods of the existing smaller shop owners.

Please refuse this application.

12 Chestnut Terrace
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JQ

Comments: 15th April 2021

As a Charlton Kings resident, I support the plans for the new Lidl to come to Charlton Kings.

22 Bucklehaven
Stockton Close
Cheltenham
Gloucestershire
GL53 9JR

Comments: 15th April 2021

I fully support the planning application for Lidl in Charlton kings.

There are no other supermarkets convenient to the Charlton Kings area, they will not affect local shops such as chemists or coffee shops and offer value for money for pensioners such as myself on a limited budget

10 Westminster Close
Cheltenham
Gloucestershire
GL53 7QP

Comments: 15th April 2021

I wish to show my positive comments to the above proposed Lidl store for Charlton Kings.

It would give more choice locally, like Sainsbury's, (who seem to have plenty of outlets in Cheltenham) make use if a brownfield site, and create jobs in the area too, so I have no objections.

13 Gabell Road
Cheltenham
Gloucestershire
GL53 9FA

Comments: 15th April 2021

I wanted to register my support for the Lidl application for a store in Charlton Kings.

As a regular shopper at Lidl, a store in Charlton Kings would eliminate the need for me to drive to the centre of town for my regular shopping.

I am impressed with the quality of their builds and how it improved the town centre site, and the proposed store would improve, what is, run down industrial buildings.

If I were to offer any improvements; would be to have a natural grass roof to reduce the visual impact from the road and houses opposite, as well as returning a (small) area to plant life.

7 Cudnall Street (Resident 1)
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HS

Comments: 15th April 2021

This is an email of Support for the proposed Lidl store on the former Charlton Kings Industrial Estate.

My Reasoning:

- There aren't any 'weekly shop' facilities in Charlton Kings
- The closest 'weekly shop' facility is a 10 minute drive to Sainsburys (which is extremely expensive) or a 15-20 minute drive to Tesco (which is more financially viable for the demographic of Charlton Kings)
- From an environmental perspective, driving to Tesco regularly is not preferable compared to a facility that will be walkable by most of the community. This would also benefit the older community.
- Two Electric Vehicle charging points (with infrastructure installed to deliver up to 20% of EVC spaces in the future)
- The project is also a regeneration of a vacant brownfield site, which is a current eyesore for the community.
- My son is 16 and looking for employment to support his further education. The Lidl would generate 30 new full and part time job opportunities for the local community

7 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 15th April 2021

We fully support plans for a new Lidl.

7 Cudnall Street (Resident 2)
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HS

Comments: 15th April 2021

This is an email of Support for the proposed Lidl store on the former Charlton Kings Industrial Estate.

My Reasoning:

- There aren't any 'weekly shop' facilities in Charlton Kings
- The closest 'weekly shop' facility is a 10 minute drive to Sainsburys (which is extremely expensive) or a 15-20 minute drive to Tesco (which is more financially viable for the demographic of Charlton Kings)
- From an environmental perspective, driving to Tesco regularly is not preferable compared to a facility that will be walkable by most of the community. This would also benefit the older community.
- Two Electric Vehicle charging points (with infrastructure installed to deliver up to 20% of EVC spaces in the future)

Page 113

- The project is also a regeneration of a vacant brownfield site, which is a current eyesore for the community.
- The Lidl would generate 30 new full and part time job opportunities for the local community

7 Cudnall Street (Resident 3)
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HS

Comments: 15th April 2021

This is an email of Support for the proposed Lidl store on the former Charlton Kings Industrial Estate.

My Reasoning:

- There aren't any 'weekly shop' facilities in Charlton Kings
- The closest 'weekly shop' facility is a 10 minute drive to Sainsburys (which is extremely expensive) or a 15-20 minute drive to Tesco (which is more financially viable for the demographic of Charlton Kings)
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- The Lidl would generate 30 new full and part time job opportunities for the local community

15 Maple Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PB

Comments: 15th April 2021
I fully support this application.

It would be great to have a Lidl store this side of Cheltenham.

16 Belland Drive
Cheltenham
Gloucestershire
GL53 9HU

Comments: 15th April 2021
As one of the more elderly residents of Charlton Kings I want to register my full support for the Lidl's proposals to bring a new store to Charlton Kings.

Sainsburys local can sometimes be 3 times the price for essential items that I purchase in a regular basis.

Capel Orchard
Capel Lane
Cheltenham
Gloucestershire
GL52 6UZ

Comments: 15th April 2021
We would like to register our support for the Lidl application to build a store on the Cirencester Road.

32 Mount Pleasant
Kingsway
Gloucester
GL2 2BX

Comments: 15th April 2021
I think a new lidl store would be great for the local people and for Cheltenham.

I spend a lot of time in charlton kings looking after and shopping for my family.

Lidl have my full support

155 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AD

Comments: 15th April 2021
I am writing to voice my support for the proposed Lidl store in Charlton Kings.

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There is currently no european discounter store this side of cheltenham and this would be a very good addition for the community.

Its important to ensure choice for customers and in the current economic climate it is really important for the community to have this.

The fact that it will also create new jobs is an added bonus.

39 Collum End Rise
Leckhampton
Cheltenham
Gloucestershire
GL53 0PA

Comments: 15th April 2021

I am writing to affirm my support for the Lidl Store Proposal in Charlton Kings. I live on this side of town and it will be a good addition to our shopping choices, and reduce the need for travel to other supermarkets. With the housing developments, like the local school expansion, it will help the local infrastructure.

267C London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YG

Comments: 15th April 2021

I'd like to take the time to express my support for the proposed Lidl in Charlton Kings.

From a personal perspective I look forward to have a store local enough to walk to if I want and large enough to be able to do a full weekly shop at. Even if driving it would hugely reduce my environmental impact where the closest alternative store is some 15+ mins drive away.

I'm always keen to support a project that will create jobs, I understand this development suggests some 30 new jobs - and as a stay at home mum who's on the job hunt, I'm interested to hear more from an organisation that may offer part time working house to fit with school hours?

It would also be a welcome change to see the unsightly brown sight developed into something more attractive!

18 Willow Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PQ

Comments: 3rd April 2021

I support this application. I think it would be great to have a larger local shop with a decent selection of reasonably priced food. There's nothing available on the Charlton Kings side of town, I have to drive through to the centre of town for the Lidl or the Tesco's/Sainsburys out Kingsditch side. Co-op in Leckhampton is slightly larger, but parking isn't great, even with the local paid parking lot, so we don't tend to go there.

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I hear the arguments against saying this is going to affect local businesses, but I only use those local competitors for convenience shopping because they are expensive, and I expect I will continue to do the same, my convenience shopping habits won't change.

39 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NL

Comments: 4th April 2021

I would like to register my objection to the building of a new supermarket.

The Charlton Kings Parish Plan 2017 (<https://www.charltonkingsparishcouncil.gov.uk/uploads/parish-plan-3.pdf>) mentions the Joint Core Strategy and the requirement to build 20,000 homes in Cheltenham between 2011 and 2031.

This would be a good opportunity to build a few of those houses on a brownfield site, especially in Charlton Kings which is surrounded by the AONB.

10 Woodgate Close
Cheltenham
Gloucestershire
GL52 6UW

Comments: 5th April 2021

This building is unnecessary as Charlton Kings has plenty of local shops, plus big supermarkets a short drive away. It will unnecessarily bring horrendous traffic to the village causing potentially life threatening harm to residents from PM 2.5. Also local businesses such as the butchers, and other smaller food shops, and hardware outlets already under severe pressure from Covid will probably go under losing our diversity and cause dismal vacant spaces in the village. The space could far better serve the community for much needed sports facilities, a snooker club perhaps, table tennis, squash etc, rather than something that is totally not needed whatsoever.

Hanscomb International
Eagle Tower
Montpellier Drive
Cheltenham
GL50 1TA

Comments: 24th January 2021

We have over 100 employees in the Charlton Kings area as well as my own family members that are home working.

This store will greatly improve access to shopping without the need for car journeys.

The sympathetically designed store, using high quality materials to replace the existing dilapidated and vacant industrial buildings will enhance the character and appearance of the area and is more befitting the residential nature of the area.

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The proposal will provide new and improved shopping facilities for the area at competitive prices and offer exceptional quality and choice to the benefit of local shoppers and the elderly who shop locally and are currently penalised for doing so by inflated prices.

77 Ravensgate Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NS

Comments: 24th January 2021

I wish to let you know that I support the application by Lidl to build a new store in Charlton Kings (Planning application 20/02089/FUL).

77 Ravensgate Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NS

Comments: 24th January 2021

I am contacting you to let you know that I am very much in favour of the application by Lidl to build a small supermarket in Charlton Kings.

54 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DA

Comments: 24th January 2021

I support the proposal for the Lidl store in Charlton Kings. I feel it would not detract from the smaller existing stores, which we would still use on foot, but it would save us having to drive through town in order to do a big shop, which we have to do at present.

My only concern is the safety of traffic exiting the entrance to the area and turning right towards Cirencester, as the rise of the bridge is not ideal to see approaching traffic. Perhaps traffic lights would improve safety and also help to slow traffic coming into the built up area down the hill from Seven Springs.

74 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AW

Comments: 24th January 2021

I've just seen a leaflet from Lidl about a proposed new store on the Cirencester road. Great idea for the community. Not everyone wants to shop at Sainsbury's!

We have very little this side of town and have to constantly drive over to Tewkesbury road side to go to a gym or go shopping!

Any new gym proposals would also be very welcome!!

2 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HA

Comments: 25th January 2021

Our family sincerely support proposed erection of a new Lidle store on a currently unused site. There isn't a reasonably large supermarket in the vicinity and the new store will greatly improve access to everyday shopping for the residents without the need to drive all the way across town and therefore would also contribute to the reduction of traffic and pollution.

The proposal seems to be sympathetic to the local area and will bring additional benefits by creating jobs in the area.

10 Highland Road
Cheltenham
Gloucestershire
GL53 9LT

Comments: 19th April 2021

I would like to support this application.

The Dunes
102 East End Road
Charlton Kings Cheltenham
Gloucestershire
GL53 8QL

Comments: 17th February 2021

Charlton Kings needs a supermarket. Having to drive across town is time consuming and only adds to town centre congestion.

12 Birch Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PJ

Comments: 21st April 2021

I object to the proposed development, for the following reasons:

1. Under the Countryside and Rights of Way Act 2000, s 85, Cheltenham BC has a duty to "have regard to the purpose of conserving or enhancing the natural beauty" of an Area of Outstanding Natural Beauty (AONB) when making decisions "so as to affect" land within the AONB.
2. This proposed commercial development is immediately adjacent to the Cotswolds AONB, and will affect the land within it. The proposed development will have a detrimental effect on the

AONB's natural beauty, environment and wildlife, particularly in the wooded area behind the Doubletree by Hilton hotel.

3. The character and scale of the proposed commercial development are at odds with the character of the surrounding area. The proposed development will lead to a significant increase in traffic (customers, employees and deliveries), noise, and air pollution in what is a semi-rural, residential area. This substantial development will skew the balance of the neighbourhood from residential to commercial.
4. The Sainsbury's Local on Cirencester Road does not set a precedent, as (unlike the proposed development) its appearance and scale are in keeping with the character of the area.
5. The arrival of an international supermarket chain with a reputation for aggressive discounting will threaten the survival of our few remaining independent local shops.

4 Ravensgate Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NN

Comments: 23rd February 2021
We are in full support for Lidl store.

9 Bafford Lane
Cheltenham
Gloucestershire
GL53 8DN

Comments: 23rd February 2021
After looking at the plans for the new Lidl store in Charlton Kings, I would like to register my support for their application.

10 Bucklehaven Almshouses
Stockton Close
Charlton Kings
Cheltenham
GL53 9JR

Comments: 23rd February 2021
I think a Lidl store in Charlton Kings would be very beneficial, we need more diversity here.

Comments: 21st April 2021
I agree about a Lidl store in Charlton Kings, we need more diversity in the area.

12 Gilbert Ward Court
Croft Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8ND

Comments: 23rd February 2021

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I am glad that we may be having a new Lidl store in Charlton Kings. I have shopped in Lidl stores before and find the food very nice.

Chiltern Lodge
Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 23rd February 2021
Letter attached.

7 Church Piece
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JN

Comments: 22nd February 2021
We very much support the proposal for a new Lidl store in Charlton Kings and feel it will offer a good alternative shopping experience.

21 Everest Road
Cheltenham
Gloucestershire
GL53 9LQ

Comments: 9th May 2021
I would like to object most strongly to the proposed Lidl store in Charlton Kings.

It would add traffic to an already busy road.

There are plenty of other grocery stores in the area, including another Lidl.

It will damage local businesses in Charlton Kings, which has a thriving shopping centre already.

The local Post Office might well be forced to close.

There are already too many Lidl stores in and around Cheltenham.

114 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DG

Comments: 9th May 2021
As a resident on the Cirencester Road I would like to formally submit my objection to the proposed Lidl planning proposal for building a store on the Cirencester Road.

Increased traffic and the threat to local business are my major concerns.

55 Maple Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PG

Comments: 9th May 2021

I responded to a Lidl questionnaire some time ago objecting to their proposed new store in Charlton Kings. We have already seen the demise of our local corner store on Cirencester Rd when Sainsbury's muscled in to a site almost opposite. The Sainsbury store now gives us a good range of household items at reasonable prices. Their other store at Oakley is only ten minutes drive away if we want even more choice. Besides this we have a Co-op in the centre of Charlton Kings and very good choices at Smith & Mann Nisa P.O. In the village we rely upon our Post Office and so cannot risk losing Smith & Mann Nisa in which the P.O. is situated. Many of us shop on foot and/or choose to shop locally. There are sufficient options within walking distance, all with parking nearby. On the London Road are two more stores and a petrol station. This seems like maximum capacity for one small area. I am sure a new Lidl would mean the demise of one or more of our much loved local stores.

My other objection is to the location at the bottom of Charlton Hill. The proposed site is below the level of the road. The junction of this industrial estate with the Cirencester Rd is not ideal for increased and frequent traffic coming up out of the proposed area. The Cirencester Rd is very busy, vehicles coming down Charlton Hill have barely reduced to 30 m.p.h., and the bend in the road will make it difficult for them to anticipate vehicles exiting cautiously up from the estate. Shoppers in cars will also find it difficult to assess a safe exit, especially if they are turning left. Shoppers on foot would need a pedestrian crossing which leads me to the conclusion that there would be a need for traffic lights to enter and leave the area safely. I did not see such refinement in the plan they presented.

If we want to shop at a Lidl there is one about 10 minutes drive away or a simple bus ride!

12 Brookway Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AJ

Comments: 14th May 2021

completely support the planning application, referenced above, for a new Lidl in Charlton Kings. I will be able to walk to the shop rather than have to get my car out to drive to another branch. That makes a store in Charlton Kings an environmentally friendly proposition. The other local shops are overpriced as they don't have enough competition. Sainsburys claim to price match but the local store simply refrains from stocking the items that they price match with Lidl so they can still charge more for the same product.

The local Parish Council objects to anything that is put before them unless it is to their benefit, so I would discount their objections, what the reason is.

Comments: 9th May 2021

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The local post office is staffed by rude unhelpful staff so that would be no loss to the local community if it somehow had to close because of the opening of a local Lidl branch.

The local Parish Council objects to anything that is put before them unless it is to their benefit, so I would discount their objections, whatever the reason is.

Rye House
12 Hambrook Street
Charlton Kings Cheltenham
Gloucestershire
GL52 6LW

Comments: 9th May 2021

Lidl already has 2 large stores in Cheltenham and a further large store in Bishops Cleeve. Charlton Kings is already served adequately by Sainsbury's and 2 Co-Op stores as well as an independent store in Lyefield Road West (which store also offers the very important service of a Post Office). Furthermore there are garages at Six Ways and East End both of which sell basic foods and opposite which is another independent grocery store.

The access to the proposed Lidl site offers poor visibility and would be a further hazard.

I object strongly to the application.

7 Withyholt Park
Cheltenham
Gloucestershire
GL53 9BP

Comments: 10th May 2021

1. The store is likely to cause the closure of several small businesses, including a post office, that are accessible on foot (and well used) in an area of some density of population including a significant proportion on non car users. The large store does not seem accessible like this. This point is especially the case for elderly shoppers and those with disabilities.

2. The creation of the store can only aggravate the existing and increasing problems of cross town connections in this part of Charlton Kings.

6 Birch Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PJ

Comments: 19th February 2021

I believe this development will provide a most important local amenity, in an area of Cheltenham where no large supermarkets exist, thus cutting down on the need to travel to other areas of the town for essential shopping at reasonable prices.

The site itself, on an industrial estate situated on a major road, represents a far less disruptive setting than one closer to residential properties, such as the Sainsbury's convenience store further along Cirencester Road.

1 Sandringham Court
King Arthur Close
Cheltenham
Gloucestershire
GL53 7EY

Comments: 13th May 2021

My only concern would be Access and egress as it is a 2-lane road along the Cirencester Road which might cause problems.

16 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 30th May 2021

I object to this application as I believe it will cause local store closures as happened with the NISA on Croft Road when the Sainsbury's local opened and will increase traffic throughout the village. In particular Horsefair St, Little Herbert's Rd, Garden Rd and Bradley Rd.

Southern Lawn
Ashley Road
Cheltenham
Gloucestershire
GL52 6NU

Comments: 8th March 2021

I fully support Lidl's application. It will drastically reduce the need to drive over to the other side of town to access all the large supermarkets on Tewkesbury Road, and therefore dramatically reduce congestion and pollution. Taking the bus or cycling or walking are not options at all, as buses are so very very infrequent as to be unusable, and cycling or walking with a heavy shop is impossible. Residents of Charlton Kings have very little on offer on this side of town, except for small corner shop type supermarkets. Also the site is hardly visible from the main road, it will have easy access and lots of parking, and will make good use of an old eyesore of an industrial site. A great idea that I fully support.

26 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 3rd March 2021

Letter attached.

The Hendre
33 Brookway Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HF

Comments: 23rd March 2021

Letter attached.

The Hendre
33 Brookway Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HF

Comments: 23rd March 2021

Letter attached.

1 Whitefriars Court
Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LG

Comments: 23rd March 2021

Letter attached.

16 St Judes Walk
Cheltenham
Gloucestershire
GL53 7RU

Comments: 23rd March 2021

I oppose strongly to the recent application for a Lidl store in Charlton Kings, It is totally unnecessary as there is already a very large Lidl store in Town and a further even larger store on the Tewksbury Road. If permission is granted, it would affect all the local services provided by the current businesses in Charlton Kings plus the extra traffic in an already very busy area. We have 3 other supermarkets in the vicinity and we do not need a new one, bearing in mind it would be located right next to a golf club which could possibly endanger shoppers with wayward golf balls. I sincerely hope you as a committee would refuse the application.

16 Brookway Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HB

Comments: 23rd March 2021

To whom it may concern,

I am writing to express my support for a new Lidl Store off Cirencester Road (Planning Reference No. 20/02089/FUL).

Most supermarkets are on the other side of town - why shouldn't us residents of Charlton Kings be able to benefit from more affordable prices without having to get in cars (if indeed we have cars).

I believe that the local trade will survive anyway - there is room for you all.

I hope we see Lidl here soon.

Comments: 29th July 2021

Hi. I am writing to express my support for the proposed Lidl supermarket in Charlton Kings Cheltenham. It's not fair that we are probably the only suburb that has no access to budget supermarkets without having to travel by car. I do not feel it will impact existing business as the market is very different elsewhere in the area. I use both local Charlton Kings convenience stores but I would also use Lidl for certain consumables.

3 Maple Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PA

Comments: 23rd March 2021

To my local planning department, I have just been told of the plans to build yet another Lidl store on the site of the Smith and Mann local Co-op store?

What on Earth are you thinking? Charlton Kings used to be a lovely, quiet village with a local village store, which has been there since the 1800's.

There is already a Lidl on the Cirencester road amongst other stores which are encroaching on all the green spaces around us. Have you seen what has happened to places like Singapore, where they are having to build more land, in order to build more houses and shops. The local Co-op is managed by Colin, who is very upset by this planned reconstruction and new store and he is a well liked member of staff, who provides an excellent service to all the local people.

If you build another Lidl, or get rid of the local Smith and Mann Co-op, it will ruin Charlton Kings. There are thousands of parked cars everywhere in Charlton Kings and there are far too many buildings, which have eradicated all the natural green areas, so this email is in strong opposition to the plans you have to build another store and put the well being of children, families and cyclists like me, who like to live in a GREEN area like Charlton Kings.

and I oppose your plans strongly.

Please do not build another store; nobody wants or needs one.

Comments: 20th April 2021

Hello, this email is to strongly object to the proposed new Lidl store in Charlton Kings. Charlton Kings was, and is still considered to be a village, which is being ruined by more and more development that is completely destroying all the natural green spaces in Charlton Kings.

I know that whomever has put in the proposed new building works, will not live anywhere near Charlton Kings and for them, it is all about making as much money as they can. regardless of the Environmental impact. More shops equals more houses, people, cars and general traffic, which is taking away all the green goodness of the area. Look at Singapore; they have built so much, that they can only build upwards now and that will be the case here, if people keep building big supermarkets.

So please consider this a strong objection to the new Lidl supermarket in Charlton Kings. There is a new Sainsbury's on the Cirencester road about half a mile away from Charlton Kings, so why do we need another one?

27 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BA

Comments: 23rd March 2021

I would like to register my very strong objections to this proposal.

While Lidl Stores would create 30 jobs in this area, it would also result in the loss of the same number of jobs across our independent shops when they have to close due to the anticipated severe impact on their businesses.

These local stores have loyally, selflessly served this community on and beyond their call of duty as we residents all know and appreciate, particularly when the Government has preached to us during Covid to shop locally to stop the spread of this dreadful disease. Imagine what the impact would have been on our local community with the extra influx of people stores like this bring.

It would also cause excessive noise and pollution.

It would come with over 80 car parking spaces and Charlton Kings does not have sufficient road infrastructure to deal with this large influx of traffic. We are already a rat run for people avoiding the lights chaos on the London Road.

Residents from Cirencester and the surrounding countryside of Cheltenham would no doubt use the already congested roads of our village as a cut through to the new development. This poses a significant danger to pedestrians in the village including our school children, the elderly and vulnerable.

We want to, therefore, protect our local essential businesses, jobs and unique village centre in strongly opposing this application.

7 Grovelands Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BS

Comments: 24th March 2021

I hereby object to Lidl's planning application in Charlton Kings Cheltenham Glos - I do this as a C Kings resident- I DO not want my local shops in the village to be forced to close

2 Littledown Road
Cheltenham
Gloucestershire
GL53 9LP

Comments: 23rd March 2021

The impact of this supermarket will be detrimental and negative to the local shops in the area. The row of shops on Lyefield Road are vital - a pharmacist, an amazing corner shop inc. a post office, vet, florist and coffee shop. It is so wonderful to have such a strong friendly community who look out and care for all members particularly during the pandemic when family has become those who live nearby.

Do not assume progress has to be bigger and less personal stores . Help us remain 'local'.

17 Chatcombe Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LT

Comments: 23rd March 2021

I am writing to object to the planning application for a Lidl Supermarket to be built on the old Bence site in Charlton Kings.

The area does not need another supermarket as there are several within driving distance of Charlton Kings, and indeed, within the village itself.

Several local shops will suffer as a result of this development with long term employees being put in jeopardy of losing their jobs and the village losing its local businesses that have been serving us for many years helping to create a strong local community for which the Charlton Kings is renowned for.

What the village does need is affordable housing for the many children living in the area allowing them the chance to remain where they have grown up. The proposed development is a prime brown field site which would be far better utilised for housing. This would in turn go towards helping protect the many greenfield locations around Cheltenham at risk of being built on.

I sincerely hope that the Council's planners will see sense and move to better utilise this brownfield space.

11 Newcourt Road
Cheltenham
Gloucestershire
GL53 9AZ

Comments: 23rd March 2021

This store is completely surplus to requirements. Charlton Kings is already served by sufficient supermarkets and convenience stores. This store may create some job opportunities but will drive out existing ones. This has been exemplified by the Sainsbury's store on the Cirencester Road, which contributed to the closure of a nearby convenience store. The current local stores in the centre of the village constitute more than adequate community facilities, and support a local post office. These will certainly be lost with this new store. With increased online shopping it is hard to see how this additional store, so close to another, is justified. Increased traffic use is another hazard.

124 Horsefair Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JT

Comments: 24th March 2021

I object on the following grounds:

1. This will reduce or destroy trade to valuable local shops, many of which will be forced to close down, just as the Sainsbury's mini-market put the local corner shop out of business.
2. Any new employment will be at the cost of destroying more jobs in local shops as they provide a more personal service.

3. Local roads will become much more crowded and less safe.
4. Horsefair Street in particular, already used as a rat run to avoid traffic lights on the A435, will suffer from an increase in traffic, causing more dangerous conflicts with pedestrians and cyclists, including school children and parents.

4 Cherry Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PN

Comments: 24th March 2021

I am writing to strongly object to the planning application submitted by Lidl, a large, multi national chain store, to build a new store on Cirencester Road. We have some excellent, established, businesses in Lyefield Road and CoOp within the village of Charlton Kings.

>> A Lidl store would cause additional traffic on already congested roads. There has recently been an accident where a cyclist was knocked of his bike on one of the village roads which was possibly caused due to school traffic congestion. Additional traffic would cause a real danger to school children the elderly and vulnerable.

>> We need to protect our local shopkeepers and people of Charlton Kings from large greedy superstores. We do not need another Lidl in the area nor an influx of cars on the local roads causing congestion and danger to the area.

34 Hillary Road
Cheltenham
Gloucestershire
GL53 9LD

Comments: 24th March 2021

There is already a nearby Lidl store, as well as smaller Sainsburys and Coop. The area does not need another supermarket. It will adversely affect the local independent stores, which we want to retain to keep the character of Charlton Kings.

There will be traffic problems with a large supermarket drawing customers down the A417 from outlying villages. The road is already very busy; traffic into/out of the car park will cause a significant hazard.

The areas largest employer, Spirax Sarco, with an office nearby does not support the development. It is more important to keep them happy than to have another supermarket.

38 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 27th March 2021

I live in Charlton Kings and fully support this application. Charlton Kings needs a decent large supermarket and the location is ideal, local but out of the way, and will make an improvement to the current eyesore. Will save a drive to another part of town for a decent shop.

12 Bucklehaven
Stockton Close
Cheltenham
Gloucestershire
GL53 9JR

Comments: 29th March 2021

Surely this is not the place for a huge building bearing in mind the surrounding area. I am also worried about the Extra volume of Traffic using that part of the Cirencester Road especially with the Bridge blocking views of oncoming traffic. I also have a concern on the effect of the nearby Local Community Shops. And then there is the environment to worry about with the extra pollution caused by this.

True, it may mean employment for a few people, but it will also make for losses of jobs when Local businesses have to close, so it is not a big plus is it?

Finally, does Charlton Kings really need another Supermarket ?

2 Maple Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PA

Comments: 24th February 2021

This is just a quick email to advise that myself, husband, sister and son who all live in Charlton Kings fully support the building of a new Lidl in the area.

It will generate new jobs and bring additional income to the area and will be used greatly by us. We are elderly and feel a larger supermarket close to home would be very beneficial to us as a family. We regularly use Lidl in town and so will save us having to make the trip there.

The building sounds like it will suit the surrounding environment and will not impact it negatively.

We feel it puts the site to good use and will be beneficial overall To the community.

360 Old Bath Road
Cheltenham
Gloucestershire
GL53 9AF

Comments: 26th February 2021

I am writing my support for the proposed new Lidl in Charlton Kings.

I feel it will be beneficial in the local area. We are short of supermarkets in this area of Cheltenham- my nearest is a 10minute drive away. It will be a great opportunity for local jobs and it is an existing brownfield site, so will not have an impact on green spaces.

5 Charnwood Road
Cheltenham
Gloucestershire
GL53 0HN

Comments: 26th February 2021

I would like to express my support for the above planning for a Lidl store in Charlton Kings.

9 Bradley Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DX

Comments: 26th February 2021

I wish to add my support for the proposed Lidl Store development, Cirencester Road and wish that your committee take the following into consideration ...

I have previously submitted my support for a new Lidl store on the old industrial estate, which is not too far from where I live in Bradley Road Charlton Kings.

It has been noted by many local people that there is concern that additional road traffic will use many local roads approaching the area to visit this proposed new store, especially Garden Road, Bradley Road and Bafford Approach.

Would the committee consider using traffic calming measures to slow down vehicles using these roads as it is currently an issue of concern and the fear is that it will become even more of a problem as out of area shoppers increase road usage in this area.

27 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EZ

Comments: 29th March 2021

I object to the proposed Lidl on the Cirencester Rd.

1. The local shops provide a community focus and a service that surpasses that to which an impersonal international conglomerate chain could ever aspire. Such a development would threaten the existence of our important local shops.
2. Lidl does not have a buy or supply local ethos, something that we should be doing all we can to preserve.
3. Do we really need a 4th supermarket in Charlton kings? I think not.
4. For the large shopping expeditions, which nobody does on foot, there are large supermarkets only minutes away by car.
5. Traffic cutting through Ch. Kings is already excessive and would increase and be ruinous for our village.

48 Church Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AS

Comments: 30th March 2021

I object to the proposed store due to the fact that there are sufficient numbers of supermarkets in the area to serve local residents. In addition to that, situating the store within Charlton Kings will bring unwanted road traffic, noise and air pollution to the area. Village infrastructure is insufficient to cope with an increase in road traffic and I have genuine concerns about the negative impact a development like this would have on road safety for children, the elderly and other vulnerable residents living in Charlton Kings.

21 Chancel Way
Cheltenham
Gloucestershire
GL53 7RR

Comments: 2nd April 2021

I wish to object to this scheme on the following grounds:

1. It will generate no employment benefit to Charlton Kings. If it opens it will simply result in the closure of one or more of the other supermarkets in the area. This is exactly what happened when Sainsburys opened.
2. Cirencester Road is already a busy and dangerous road and cannot cope with more traffic. It is a residential area with many young families. The proposal to provide 80 car parking spaces suggests Lidl do not expect many of their customers to walk or cycle to the store.

25 Branch Hill Rise
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HN

Comments: 24th February 2021

I wish to register my support for the above planning application.

27 Branch Hill Rise
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HN

Comments: 23rd December 2020

With regard to this proposal we have to register our objections on several levels.

1. In the first instance the timing of this "consultation" is questionable at best. A deadline of 23rd December is surprising particularly as very little time has been allowed for parties to gain additional information or indeed interact. Excuses are given regarding the inability to provide a usual public consultation but it is disappointing that in a time where pretty much every business has had to find different ways of working the Council could not try to involve local residents in some better way. It does not provide any feeling that the Council, or Lidl for that matter, have the will to fully consult with residents in a proper manner to consider what are relevant and serious issues that we see have been raised multiple times already. It would be interesting to have an explanation of the deadline, are the planning committee truly intending to work through these issues on Christmas Eve and through the Christmas period or maybe is it simply an attempt to rush the proposal through?

2. We concur with the opinion that a serious issue is that of the affect this building would have on the traffic on Cirencester Road and the surrounding area. This is already a busy road with regular traffic issues and the additional volumes will cause a problem. Let us not forget there will also be regular traffic at peak times to and from Timbercombe House and of course using the very same access road. We know from personal experience that visibility is poor when driving on to Cirencester Road from the site and it is to be hoped that wouldn't be a case of an accident waiting to happen.
3. It is really questionable whether the site is suitable for a large supermarket in what is primarily a residential area. In isolation we have nothing against Lidl as a business but how many branches does one town need? In fact how many supermarkets does one town need? This will put into question the viability of the Sainsburys store just a short walk away. When consultation for this store was made there were grave concerns raised about the traffic, which is an issue, and more so about the impact on the existing convenience store on Cirencester Road which of course struggled to survive leaving the area with an empty and no doubt decaying building to this day. Would the introduction of the Lidl store with its additional parking not put into question the future of the Sainsburys store and for that matter the building it inhabits? The other consideration is that there is of course a Co-op store just a short distance away too. Has this been considered?
4. Sadly, and hopefully incorrectly, there is a feeling of fait accompli in this matter. If so, serious consideration needs to be given to both the aesthetics of the site and the impact on immediate residents. We are sure that the last thing the residents of relatively new properties on Cirencester Road expected their local Council to be giving the green light to was a large and ugly new supermarket directly opposite their homes. As we know from personal experience the planning committee have strong views on private planning applications and the "fit" with the existing properties. Our own application for a small side extension was declined for the direction of the tilt of the roof for example. With this in mind it would be reassuring to think that the fit of the building style in its surroundings would be very much in the committees minds. As I believe has been stated in several comments there is a very definite concern with the effectiveness of drainage and sewerage in the area. As long term residents we have been aware of blockage issues on many occasions over the years and as people who have worked in Timbercombe House in the past can tell you that there were significant infrastructure issues in the building from the day it was first occupied.
5. Moving on to more personal concerns, the potential for additional noise and light pollution from early morning to late at night cannot be dismissed. The proposed signage alone seems to be excessive in the extreme but the light that will undoubtedly be emitted from the building needs to be addressed in some way. Noise too is bound to be an issue, both from the uplift of traffic and the numerous deliveries that would obviously be required. It is noted that some planting is planned but unless we are misunderstanding it seems to be along the side adjacent to the hotel and the front of Cirencester Road with nothing of consequence for the back of Branch Hill Rise. Surely some significant and sympathetic planting here would at least help disguise the building and more importantly buffer the light and noise. Admittedly we are not surveyors or architects so even though trawling through the 39 documents online is possible it really is debatable just how much useful information we gained. We did not come across any plan that showed the height of the proposed building against the existing homes on Cirencester Road and the affected cul de sac of Branch Hill Rise. We would be interested to see that comparison.

29 Branch Hill Rise
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HN

Comments: 20th February 2021

Lidl have asked us to contact you regarding their plans for a store on the site of the former Charlton Kings railway station.

We have no objection to the plan, other than the siting of the Lidl illuminated signs on the north side of the building facing our house, 29 Branch Hill Rise. They are unnecessary as the ones facing the A435 should be ample.

31 Branch Hill Rise
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HN

Comments: 22nd December 2020

I object to the proposed retail development for reasons, some of which are listed below:

I have concern for ALL local residents but especially so for those of the Cirencester Road and of neighbouring Branch Hill Rise (BHR) and wider area by the hugely negative environmental effects this development will undoubtedly have if allowed to proceed as currently proposed, namely the stark increase in traffic flows and the potential for 'around the clock' noise, light and air pollution generated by this development. This is a worrying consideration given the needs of such a store for its 'out of hours' deliveries by articulated lorries and large commercial waste removal trucks, not to mention the number of customers cars continually entering and leaving the site and the subsequent air and noise pollution generated.

The already extremely busy Cirencester Road has its junction to the proposed site near a former railway bridge which is humpbacked in its form, which consequently hinders a drivers eye view of oncoming traffic. A bus stop is sited BETWEEN the bridge and the site junction meaning that there is regular traffic congestion and greatly reduced visibility of oncoming Cheltenham bound traffic for vehicles attempting to leave the site.

Another concern is the huge increase in light pollution for local residents in transforming what is currently a dark and unlit area into a busy, very light dependant entity.

For one example, as proposed the plans show that on the upper facia of the North facing elevation (and in several other locations on the development) there is to be "New Lidl signage, internally illuminated measuring 2500mm x 2500mm."

This is just over 8ft x 8ft square in size! This proposed bright yellow, blue and red signage is grossly oversized given its proximity, so close to the nearby homes. Signage of this size may be warranted on a huge retail park where you are battling to stand and be noticed in a sea of other retailers but here in this context it is grossly excessive and quite unnecessary.

If the proposed development IS allowed to proceed in ANY design form, will the retail stores opening hours be restricted in any way to lessen the impacts and disturbance generated by the above factors?

In summary, I feel that the proposed development is an inappropriate use for this site.

Comments: 17th February 2021

Further to comments 'submitted on Tuesday 22nd December 2020

Having reviewed the Planning Application in great detail, 'I am still to be convinced that Lidl's proposed new store development is able to meet the objectives and aims promoted by Lidl and

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their agents as benefiting the surrounding area, but especially so of benefiting the residents immediately adjacent to the proposed development site.

Of huge legitimate concern for local residents IF planning is granted, is the stores permitted opening times and whether or not these will be limited in any way to lessen environmental impacts on ALL nearby residents and local infrastructure.

Lidl's agents, Royal Pilgrim Communications have produced A5 information leaflets outlining and promoting their proposals and issued this literature to circa 10,000 local properties in the hope of drumming up support from the local community. Ref' document....
02089_FUL-STATEMENT_OF_COMMUNITY_INVOLVEMENT-1105481.pdf

It is telling therefore that as of today (17/Feb/2020) this huge promotional effort has prompted just 50 supporting submissions and comments via Cheltenham Borough Council's dedicated Planning Application Portal.

I suspect that with Cheltenham already having TWO Lidl stores, most of Cheltenham's residents really don't care either way?

I note that a proportion of the supporting comments appear to come from addresses of such distance away from the development itself as to have no material impact on them themselves? From as far away as Newent and others from Andoversford and Swindon Village for example.

Welcomed though is Consultees Document, comments by.....

*Cheltenham Civic Society

Comment Date: Thu 07 Jan 2021

OBJECT.....

"The Civic Society Planning Forum strongly objects to the application for a supermarket in this location."

Will Lidl store deliveries by Heavy Goods Vehicles and all commercial waste and refuse collections be restricted and scheduled accordingly so as NOT to impact adversely on local residents and traffic infrastructure?

Consultees Document below rightly points out....

*PARISH COUNCIL

Comment Date: Mon 04 Jan 2021

The Committee.....

"....has concerns as to the impact on the surrounding residents and the increase in traffic it will generate.

In particular, the assessment of noise is flawed. While this method will accurately assess the noise impact of continuously operating plant, it masks the impact of short discrete noises such as delivery vehicle doors, roller shutter doors, vehicle reversing beacons, food cages rattling and so on.

Such discrete noises will be very audible to residents, particularly those living on Branch Hill Rise that back onto the site.

A more suitable method to assess the impact of discrete noises should be used.

To prevent serious loss of amenity to residents through noise pollution, before consent is granted an enforceable Delivery Management Plan should be created, limiting the hours of delivery to socially acceptable times. In particular, despite Planning Conditions restricting times of delivery to other retail units in the area, newspaper deliveries routinely take place between 04:45 & 05:30.

The Committee is concerned as to the level of visibility to the south for vehicles exiting the site and would ask that the Highway Authority confirm that it is sufficient, given the increase in volumes of traffic this development will cause compared to the site's previous use.

The forecast traffic flows appear unrealistic. For example, the forecast number of visitors on weekdays between 07:00 & 08:00 is three. In the same period of time the existing grocery store 500m to the north of the site, on the same road, generates in the order of twenty vehicle movements.

A more realistic estimate of traffic volumes would enable a more accurate assessment of the impact of traffic on the road and the wider village. Of concern is the increase in traffic cutting through the village to and from the north."

Lidl's planning application and other promotional literature widely distributed by their agents and/or promoted by the company itself, clearly states that it is their aim to deliver.....

"a BESPOKE and SYMPATHETICALLY designed foodstore suitable for the surrounding areas."

And that they propose a....

"SYMPATHETICALLY designed store, using HIGH QUALITY materials to replace the existing dilapidated and vacant industrial buildings."

Also that....

"A new Lidl will ADD a CONTEMPORARY DIMENSION to the existing street scene and will ENHANCE the CHARACTER and APPEARANCE of the area."

Also that they see themselves as a...

"suitable occupier in this PROMINENT location."

With the above Lidl statements in mind, how for example do plans for brightly coloured yellow, blue and red illuminated Lidl store signs of size, 2500mm x 2500mm square (8ft x 8ft) sit with these statements and environmental objectives?

For residents living immediately adjacent to, and/or those with a clear view of the store, these illuminated brightly coloured signs of over 8 FEET square in size will be an intrusive, inescapable, unnecessary eyesore. Signage of this size and nature might be warranted on huge retail parks where retailers fight to stand out amongst a sea of other retailers but here, in the context of this site and its residential location and proximity to green areas and open countryside, it is excessive, inappropriate and completely unnecessary. I respectfully request that 'IF' this application IS allowed to proceed in any form and planning IS granted, that the Planning Dept' insist that ALL Lidl store signage on the site be substantially reduced in size.

This is especially so on the northern facing facade, where signage of such size will serve no useful purpose at all but WILL glare directly at residents of properties situated at the upper part of Branch Hill Rise cul-de-sac and at properties immediately adjacent to the site on the Cirencester Road.

Consultee Document comments exactly highlight residents concerns....

*URBAN DESIGN

Comment Date: Wed 23 Dec 2020

"The development will cause additional noise and carbon emissions to the surrounding area. As stated in Joint Core Strategy Plan, Policy 4.5.11 Table SD4a, the aim is to reduce CO2 and other harmful emissions and promote healthier lifestyles through encouraging walking, cycling and public transport use where possible.

o JCS Plan, Policy SD4 4.5.5 Development at any scale and location should make a positive contribution to providing better places for communities. The Lidl illuminated signs facing the Cirencester Road and the increased road traffic might not have positive contribution to providing better place for this community.

Also Consultees Document, observations and concerns highlighted by.....

*ARCHITECTS PANEL

Comment Date: Thu 11 Feb 2021

The submitted scheme design takes no cues from the special character of the site and its context, which was felt to be a wasted opportunity. The choice of dark blue engineering brick for the facades is a worry in that the building could appear particularly drab and uninviting."

- Recommendation
- NOT SUPPORTED

I note Planning application document, AD_123_REV B 'Proposed Site Sections' technical drawing shows that the majority of the planned stores single storey element has a roofline very nearly 3 METRES greater in height than the existing, current building's roofline. How can this huge increase in building height be in line with Lidl's own objectives to be "sympathetic" in design and to "enhance the character and appearance of the area"?

Consultees Document, observations highlighted by.....

*ARCHITECTS PANEL

Comment Date: Thu 11 Feb 2021

"The submitted scheme design takes no cues from the special character of the site and its context, which was felt to be a wasted opportunity. The choice of dark blue engineering brick for the facades is a worry in that the building could appear particularly drab and uninviting."

- Recommendation
- NOT SUPPORTED

'With regard to what is proposed in this planning application, versus what MIGHT actually be delivered further down the line, one only has to look to the past several decades or so and construction of the turquoise and brick monolith of a building, 'Timbercombe House' (apparently now occupied by Spirax) to see what CAN and DOES pass as 'sympathetic' or 'bespoke' or indeed as 'enhancing' the local area.

In summary, I hope that in this instance, the relevant local government bodies, all local councillors and the Planning Department itself, hold the developers 'feet to the fire' to ensure that in the event this application is allowed to proceed in any form at all, the development wholeheartedly adheres to Lidl's own mission statements, it's aims to benefit the community and the objectives outlined above in BOLD type, earlier in this correspondence.

Thank you in advance for your attention in this matter.

239 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 23rd December 2020

Three things:

1. TRAFFIC
2. POLLUTION
3. OPENING HOURS

1. TRAFFIC

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In 23 years of living here I have seen several accidents and cars doing over 70 miles per hour on some occasions!

Some are completely reckless even though there is a bridge causing blind spots.

I often hold my hands in the air in the faces of the drivers in disbelief. On the whole, the average speed of motorists is over 40mph.

Lorries are a significant problem, especially those travelling out of town and going up the hill. Why? Because they are building up speed/momentum to make sure they get up the hill faster. The worst are those in the early morning who wake us up when going over the drain covers which have sunken into the road. This has been ignored by Highways Agency on several occasions.

The existing traffic calming measures are useless and we worry about the local children walking to school.

The only way forward is to create extreme traffic calming.

Simply:-

- 20mph zone from the Lillybrook Golf Club.
- A fixed speed camera.

THIS ROAD IS TOO FAST AND TOO DANGEROUS!!!

2. POLLUTION

The suggestion of traffic lights would cause increased air and noise pollution. It is bad enough as it is, and the Report undertaken is far from accurate as 2020 is not an average year.

Traffic has definitely halved during Covid-19.

Surely, the Nature Area on the east side of the bridge will be affected.

As mentioned before the impact of heavy vehicles causes our house to shudder on occasions.

The thought of traffic lights and the constant drone of car engines outside would impact on our lives even more!

We would need to install Triple Glazing to overcome this.

I would also suggest double yellow lines at least 200 metres from the entrance of the new Lidl. This would stop the cars parked either side of the road which will halt traffic unnecessarily and cause further unnecessary emissions. It is bad enough as it is!

3. OPENING HOURS

Cars and lorries coming and going. Surely there has to be a restriction to the opening times.

- Mon-Sat: 8am-8pm
- Sun: 10am-4pm

Hopefully the size of the shop will be too big to have greater opening times than the above.

With Sainsburys, Co-op and Smith & Mann, do we really need another supermarket in Charlton Kings?

Comments: 13th January 2021

ADDENDUM:

Regarding the busy Cirencester Road and Spirax Sarco

BUSY ROAD/ACCIDENTS

In my initial comment I forgot to mention that my son's car was written off in 2019. Parked on the left hand side of the road leaving town, a car smashed into the side avoiding a car which was travelling down the road at some speed. I heard the smash and it was so loud I thought it was a lorry. The driver was shaken but unhurt. The other driver didn't stop.

Further to this.

On Christmas Day just gone, a car parked 20 yards from our house, again on the left hand side leaving town, was hit by a car travelling up the hill. The person driving stopped his car to leave his details and I asked him what happened. He said he was blinded by the sun which is at its lowest and in the morning totally impedes the vision of motorists ascending the hill.

On another occasion about 4 years ago, a car was turning right into the proposed Lidl development. Whilst turning a car overtook and went right into the side of the car. Very messy!

There was also a really bad collision by The Clock Tower / Doubletree Hotel not so long ago which saw a cyclist VERY badly injured when a car pulled out in front of him.

In a nutshell, to allow 500 cars a day entering Lidl with a turning next to a bridge with a blind spot is completely stupid without vital traffic calming measure. Failure to do this will at some point mean there will be a severe accident, possibly with fatalities, and who ever grants this will have blood on their hands if the right measures

SPIRAX SARCO

During late December, Spirax Sarco signs were erected at the entrance and on the side of the old Chelsea Building Society.

Were the traffic plans/reports taking the extra work force traffic into consideration?

Spirax Sarco have thrived in recent years, so are the new premises to house hundreds of staff?

SAFETY & NOISE COULD BE HORRENDOUS!

178 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DY

Comments: 6th December 2020

I object to the proposed retail development for many reasons some of which are listed below:

1. The junction and access to the site is just past a humpbacked bridge which is on a bend, this means there is reduced visibility for traffic passing in both directions.
2. I see that the traffic report states no collisions in the last 5 years, this site has not been fully occupied in the last ten years so the traffic in and out has been massively reduced for the last five years. I have lived in my house for ten years and have seen more than one collision at this junction.
3. There will be dramatic increase in traffic on the Cirencester road. This will affect not only this junction but the village as a whole. Customers from the London road side of the village will use the route around the church to get to the Cirencester road, which is already drowning under the weight of traffic.

4. I have concerns over the amount of School children which walk through the village and will have to cross an even busier Cirencester road with too few crossing point as it is.
5. The access road to the site was clearly designed for oneway traffic going either in or out at rush hour. It is too narrow for the continued twoway traffic required for a retail site.
6. I can foresee issues with the lorry's getting into the site. Numbers 182 and 184 and the houses on the opposite side of the road have cars parked on the road all the time. This restricts the flow of traffic and may well make it impossible for lorry's to turn into the site with the proposed swing angles.
7. The traffic plans seem to indicate that the pavement and footpath may be removed infront of numbers 182 and 184 Cirencester road. This is unacceptable as those houses have Children that walk to School.
8. The Cirencester road is in constant use and has enough traffic on it at the moment. The road is in quite a poor state of repair. My house shakes every time a lorry goes past now when they hit a pot hole or sunken drain cover. Any restriction in the traffic flow into Cheltenham and the traffic quickly builds up to the point where there is traffic queued up past the entrance to the proposed site.
9. For an example of the effect of increased traffic on the Cirencester road you only have to travel 400 meters down the road to the Sainbury's local to see what a store with around 12 parking spaces does... That causes chaos and congestion at all times of the day.
10. As my house in on the same orientation as the access road I would open my windows every morning and be greeted by a great big yellow LIDL sign.

30 Branch Hill Rise
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HW

Comments: 21st December 2020

With reference to the proposed building of a Lidl Supermarket (20/02089/FUL) behind our house in Charlton Kings, we have several questions:-

1. Light pollution...The wall facing our property will be a 4 meter high blue glass construction and with be lit up way after we go to bed. The lights in the car park, security lights at night and company logos- will they light our property?
- 2./ Noise pollution...How many deliveries will there be...on what sized vehicles (will they be as small as used by Sainsbury's on the Cirencester Road)... and at what times? What hours will staff be coming and going? The alarm system- will it be monitored 24 hours a day?
- 3./ Construction and demolition... breaking of concrete bases and grinding of same...what hours of noise making will there be?

Comments: 19th February 2021
Letter attached.

32 Branch Hill Rise
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HW

Comments: 19th December 2020

I do not fully object to this planning application but as my property backs on to the proposed erection of a Class E retail store and car park I would like to know more about how the lighting of this store and car park will affect my property, I am also concerned about the large supermarket signs which when illuminated will shine directly into my property. I would also like to see more planting of trees in front of the windows of the store as again the lighting from these could affect my property. The final concern I have is that of the volume of traffic in and out of the store.

52 Willow Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PQ

Comments: 18th April 2021

I am a resident of Charlton Kings, Cheltenham, and I wish to support the development of a Lidl store on the proposed Cirencester Road site. I believe this will reduce my carbon footprint as I currently have to drive across town to do my shopping at Aldi or Lidl which provide better value for money food items than I can get locally. I believe this development will bring jobs to the local economy and enable residents to cut down on travel. It is an ideal location on the edge of the village. These plans have the full support of my family.

184 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DY

Comments: 23rd December 2020

The site on Cirencester road will need developing, and will be a good location for certain businesses, but we are very concerned about the proposed Lidl for a number of reasons. The main concerns we have are to do with access, safety and the impact on the environment nature in this area, but also the impact it will have on our home and garden.

The Road / traffic / safety

Cirencester road has a high flow of traffic throughout the day. We live on the same side of the road to the proposed site and regularly have to wait significant periods of time to exit our drive. Since the proposal has been discussed I have paid more attention to these times and they can be in excess of 2 minutes to turn left out of the drive. This is despite traffic flow being lower than usual due to covid.

The speed of some vehicles on this stretch of road can be excessive, especially when traffic flow is calmer early morning and later in the evening. Due to the hump back bridge obscuring the view, it is difficult to judge the speed of the vehicles approaching from down the hill, and hence full attention is needed to avoid any incidents.

Vehicles going towards the hill, often start to accelerate well before the speed limit increases and are going at considerable speed past the proposed junction. On one occasion recently my

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husband was indicating to turn right into our drive, thankfully saw something in his right-wing mirror just before he started turning, and was then overtaken at approximately 50 -60 mph. This could have been horrendous for both him and the children in the car.

There have also been difficult moments whereby people have been unclear as to where you intend to turn. This is inevitable at the entrance to the estate is less than 10m from the entrance to the driveways. On another occasion a delivery van assumed I was turning left into the industrial estate (and not the drive) and pulled out directly in front of me. This frequently happens as people pull into the estate entrance to pull up and post a letter or wait for the national express bus etc..

The bus stop to the right of the access has Regional and National Express buses, their loading and unloading times can be long and cause tailbacks up the hill. There have been many near misses as impatient people overtake without full view. This will only be exacerbated by increased traffic flow. It is also used as a waiting stop (often with buses there more than 10 minutes) before the buses enter town.

There are often cars parked on the road both to the right and left of this junction and this can often be beneficial in slowing down the speed of traffic. Many of the houses nearby have no option other than to reverse out onto the road as they cannot turn around in their driveways. If the flow of traffic increases as Lidl have proposed (up to 120 cars per hour) residents will have real difficulty entering and more importantly exiting their driveways.

Many driveways are only suitable for one vehicle and so it is inevitable that on-road parking will be needed. If double yellow lines are suggested to clear the road, then this may well increase the speed on the traffic and make things more risky.

The flow of traffic in this area can already be dreadful at peak times. Key pinch points are; the T junction at Bafford Approach, Sacred hearts traffic lights, Holy apostles traffic lights, and cars turning out of Chancel Way having to wait ages to get a break in the traffic. As most visitors to the site will use these residential roads, as there is no alternative, the impact on locals will be significant.

Almost all traffic will be from local residential areas such as Charlton Kings, Leckhampton, Warden Hill, Fairview, All Saints, Montpellier etc. and they are all in the same direction, so will congest all of these roads. The residents of Branch Hill Rise and the housing near to the Bafford / Cirencester Rd junction will have significantly more difficulty getting onto and off their driveways. It is often the case that there is a queue of more than six cars attempting to exit Bafford onto Cirencester Road, this will only be worsened by the increased flow of traffic.

Bafford and Greenhills is already used as a cut through for many, and this will only compound the issue.

For other residents coming from Oakley/ Battledown /Grenfall direction they will use the roads around the church in Charlton kings and along Little Herbets. These roads are already tricky due to the parked cars etc but will become dreadful if traffic flow increases. The far end of Bradley Road can also be a challenge as it is narrow and this will also have to accommodate the increased traffic flow.

This is all in an area where there are hundreds of school children actively encouraged to walk to school daily.

Other issues for this road include when there are incidents on the main trunk roads. If there is major bother on; the A40, The air Balloon Roundabout, the M5 or A417 then the flow of traffic comes down Cirencester Road. The queues at such times, regularly reach as far back as to the Seven Springs roundabout, and have often added more than an hour on journey times for the vehicles involved.

The proposed re-routing of the A417 is predicted to take many years. During this time the flow of traffic along Cirencester Rd will be significantly increased, and hence all of the points mentioned above will be exaggerated.

Pedestrians accessing the site will have real difficulty crossing Cirencester Road. There is no safe crossing point this side of Bradley Road. The crossing near to Okus will be of little use for Lidl customers, as it means having to cross the tricky Bafford / Cirencester t junction to access it. It will also mean people walking from Bradley Road / The beeches direction will need to walk well out of their way to access the crossing (which they will not do.)

Lidl say there are numerous safe crossing points along Cirencester Road, but they will be of little use if they are not where people need them to be.

There are very few options for locating a safe placement of a crossing or junction due to the access to properties.

Cyclists also need a mention, as many of the issues mentioned above will also impact on them. Particularly the speed of traffic and being able to safely access and leave the site.

The above issues regarding safety could potentially have a massive impact on the local residents. I have first-hand seen and dealt with the consequences of Road traffic accidents and would not want my friends, neighbours and family be exposed to such things. The majority of this risk could be reduced with meticulous planning, but I'm unsure this site would provide enough flexibility for this to be fully addressed. An out-of-town site does not have to account for per-existing infrastructure, pedestrians, cyclists etc to the same extent.

Lidl have stated 'The predicted increase in traffic flows is not expected to be significant' and that 'many residents could choose to walk or cycle to their supermarket.' Unfortunately, as we have witnessed with the Sainsburys local less than 400m away, this is not the case.

Local amenities

Charlton Kings is a well-established community with local shops such as the butcher, florist, boulangerie, chemist to name but a few. A supermarket store of this size will have a detrimental effect on all of these and eventually result in them closing, which will negate the new jobs created by your new store. The butchers alone employ more than 6 people, (many more when you take into account the supply chain.) When the Sainsburys local (approximately 400m away) was initially proposed, the residents were reassured time and time again that it wouldn't affect the local shops or traffic. It was only a matter of months after it opening that the local corner /paper shop closed down and it has remained derelict ever since. The negative impact of the store on local traffic flow can be evidenced repeatedly throughout the day.

Does Charlton Kings need this provision?

Charlton Kings already has 2 Co-ops, a Sainsburys local, a Nisa, an independent store and two petrol stations that are open long hours. In Charlton Kings centre there is the Coop, then a selection of shops and services along London Rd and Lyefield Road West. When you look slightly further afield and along the Bath Road in Leckhampton there are a significant number of shops that can meet peoples' requirements. Many of which are independent and support local and family businesses. There is sufficient bus provision to access Town if more variety is needed. The nearest bus stop to the proposed site is Bradley road and that is a fair walk for many people (with no resting points). This is why many favour taking the bus into town and they can get on / off directly in the Town centre by M&S and rest on the benches in town if need be.

There is also Sainsburys Oakley which is less than 2 miles away and the Lidl in town which is 2.2 miles away.

Impact on our life/ property and garden.

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Our garden and property will probably be one of the most affected by this proposal due to the location. Concerns for us, include vehicle noise and vibration from both moving and idle vehicles trying to enter and exit the site, and the associated pollution.

Noise from delivery lorries/ cages / trolleys from early hours to late at night.

Due to the slope of the land and the height of our garden we will be overlooked by the pedestrians and vehicles. We understandably have concerns regarding the privacy and security of our young family.

There is no greenery or hedging between our boundary and the proposed site and so any noise and lighting will be unimpeded and directly into our garden.

The noise assessment that has been carried out was done at the point furthest away from our property and possibly from in a hollow (its difficult to see) due to the lay of the land. It was also performed when the trees were fully laden and obviously absorbing most noise possible. Hence the noise impact may well be greater than expected.

We and our neighbours should be able to enjoy our garden, sit out in it, entertain, speak to our friends with ease and listen to the wildlife. We do not want to have to compete with the noise of trolleys, vehicles etc.. Nor breathe the fumes of many idle vehicles.

We also have the issue of security as currently the gates at the entrance are locked and regularly checked throughout the night.

Other issues include the damaging effects of the lighting on the local wildlife. We have owls, buzzards, cuckoos and many other birds in the woodlands surrounding this site. We are also blessed with bats which can easily be seen on a summers evening. The lighting can only have a negative impact on these treasured species.

Smaller, but also significant worries, include litter and antisocial behaviour both on and around the site.

Finally, we are surprised at the choice of location as most Lidl's are positioned in retail parks with other large retail units.

Thank you for reading.

247 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 23rd December 2020

Very concerned about the effect this proposal could have on traffic safety on the A435 which is extremely busy at times especially when the Air Balloon roundabout is closed and the A435 literally becomes a slow moving car park. All the residences opposite the site have very limited parking spaces and most visitors and Contractors have to park on the road. In my case the only safe way to access my drive is by turning in the entrance to the site which could affect traffic leaving and entering. Also visibility from the old Railway bridge for approaching traffic is limited and thus poses an additional hazard.

Deliveries to Supermarkets are frequently made overnight which would cause problems so must be restricted to 6am to 6pm

253 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 25th March 2021

I writing to explain my objection to the Lidl planning application. I am a resident of Charlton Kings - I live on Cirencester Road opposite the proposed site.

Please consider the following objections:

1. This road is excessively busy already. I have children - it is dangerous. At this end of Cirencester Road, cars regularly go over the speed limit. This proposal will mean a huge increase in traffic on an already busy road. This road is primarily residential. Lots of families with children live here. This will have dangerous implications for road safety.
2. For the same reason above, pollution will be greatly increased. Cheltenham already has an above average rate of asthma amongst children - due its position - this will greatly increase pollution in a very residential area.
3. For the reason above noise levels from the traffic will also increase.
4. The roads - including Cirencester Road - but also all the other smaller roads within Charlton Kings are not built to take this large, busy build. There is already too much traffic within and around the village for safety. These roads will be used as a cut through to get to the shop - further endangering children walking to the popular schools and elderly people.
5. We do not need this shop in Charlton Kings - you will put people out of work. There are enough shops in Cheltenham - you will simply make the shoppers move from one shop to another - ruining small businesses. At this point you should be doing your utmost to promote small retailers NOT large global companies who will not have an invested interest in the community. This would draw people from local shops - we have enough shops.

I would hope that you could be much more creative about your thinking about using this space when we do not need another large shop in Cheltenham (people always drive to these). People's safety and health - especially children's should be a prime consideration.

255 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 9th December 2020

We live on the main Cirencester Road opposite the proposed Lidl store to be built.

We would like to object to the proposal on the following grounds:-

1. That a food retail unit and associated parking is being proposed rather than residential properties. There are a number of supermarkets already within a short drive from the site so don't see this development as a priority vs combating the shortage of housing.
2. The development will bring with it additional noise and emissions for the surrounding houses. I appreciate the number of studies supporting the planning application suggesting this will be low impact but there will be increase none the less e.g. the plant servicing the store will be on

24/7, traffic entering and exiting the site backing up traffic as happens now with the Sainsbury's store further down the Cirencester Road, delivery vehicles entering and exiting the site etc.

3. Increased light emanating from the 2 signs facing the properties on the Cirencester road and from the surrounding security and car park lighting.

It is disappointing that Lidl did not choose to hold a public consultation prior to submitting the planning submission (other than a leaflet through the door from a 3rd party representing them with the option to send them comments which I did but didn't receive a response to)

If there was a public consultation I would have raised / asked the following that could have fed into the planning application:-

- a) Asked for assurance that prior to any demolition on the site that vermin would have been dealt with to ensure they do not migrate to neighboring properties and gardens.
- b) Raised concerns around the poor sewerage infrastructure on the Cirencester road and it's ability to cope with the extra demands from the site - I know a study has been done but being a resident here for 20 years and the issues we have seen over the years with sewers being blocked and collapsing.
- c) Asked more about the planting along the site on the Cirencester Road and sought assurance that the proposed tree planting variety was evergreen all year round. I see the planting study outlines proposed species to be planted but would have welcomed more consultation regarding the variety to provide the best coverage as I'm not sure the best choice is being proposed. It looks like new railings are being built along the Cirencester road as well as a hedge but wanted to check and how high the hedge would be grown to.
- d) Raised questions regarding the 2 x Lidl illuminated signs facing the Cirencester road and the rationale for both as passing traffic would only see them for a fleeting second vs the residents opposite seeing them 24/7. Are both really required?
- e) Asked about when lighting is turned off in the evening or left on 24/7 - the preference being it is switched off when the store is closed to reduce the impact to neighboring properties.
- f) Discussed how Lidl would address the increase in noise with it's immediate neighbors and how they could put measures in place to put us back in a position we were prior to the site being developed e.g. enhanced sound proofing to the frontage of the properties.
- g) Discussed the store opening times and delivery times. The closest comparison is the Lidl store in Bishops Cleeve that is open Mon-Sat 8am to 9pm and Sundays 10am to 4pm. I would expect similar times to be adopted and hope delivery times being comparable this.
- h) The plans show a 'flagpole' to the entrance of the site - what does this mean ? Is it another illuminated sign at the entrance?

Comments: 12th February 2021

I have previously objected to the proposed development but would like to add an additional comment.

I have heard via a Lidl employee from another store in Cheltenham that the proposed site in Charlton Kings is to be more of a distribution centre.

I would welcome Lidl's response to this and what that means.

It suggests that deliveries to the Charlton Kings store will then be sent onto other stores which would further increase traffic coming and going to the site.

257 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 22nd December 2020

We live on the main Cirencester Road opposite the proposed Lidl store to be built.

We would like to object to the proposal on the following grounds:-

1. The development will cause additional noise and carbon emissions to the surrounding area. Pollution has been linked to health problems and this aggravate any current ongoing issues. I understand that some studies have been carried out suggesting that this will be low impact but there will be increase none the less e.g. the plant servicing the store will be on 24/7, traffic entering and exiting the site backing up traffic as happens now with the Sainsbury's store further down the Cirencester Road, delivery vehicles entering and exiting the site etc.

2. Light pollution from the 2 signs facing the properties on the Cirencester road and from the surrounding security and car park lighting.

It is disappointing that Lidl did not choose to hold a public consultation prior to submitting the planning submission (other than a leaflet through the door from a 3rd party representing them with the option to send them comments which I did but didn't receive a response to)

We would have liked to have raised the following points that could have positively influenced the planning application for the local community:-

a) The Cirencester Road area has poor sewerage infrastructure and we have concerns that it would be able to cope with the extra demands from the site - I know a study has been done but long-term residents here report issues with sewers being blocked and collapsing.

b) Prior to any demolition on the site we would want to know that vermin would have been dealt with to ensure they do not migrate to neighbouring properties and gardens.

c) Asked more about the planting along the site on the Cirencester Road and sought assurance that the proposed tree planting variety was evergreen all year round. I see the planting study outlines proposed species to planted but would have welcomed more consultation regarding the variety to provide the best coverage as I'm not sure the best choice is being proposed.

d) It looks like new railings are being built along the Cirencester road as well as a hedge but wanted to check and how high the hedge would be grown to.

e) Raised questions regarding the 2 x Lidl illuminated signs facing the Cirencester road and the rationale for both as passing traffic would only seem them for a fleeting second vs the residents opposite seeing them 24/7. Is a sign really required in a residential area? And what size will they be?

f) Asked about when lighting is turned off in the evening or left on 24/7 - the preference being it is switched off when the store is closed to reduce the impact to neighbouring properties.

g) Discussed how Lidl would address the increase in noise with it's immediate neighbours and how they could put measures in place to put us back in a position we were prior to the site being developed e.g. enhanced sound proofing to the frontage of the properties.

h) Discussed the store opening times and delivery times. The closest comparison is the Lidl store in Bishops Cleeve that is open Mon-Sat 8am to 9pm and Sundays 10am to 4pm. I would expect similar times to be adopted and hope delivery times being comparable this.

i) The plans show a 'flagpole' to the entrance of the site - what does this mean ? Is it another illuminated sign at the entrance?

Many thanks for taking the time to consider this email when dealing with this application.

261 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 23rd December 2020

We live on the Cirencester Road, directly opposite the proposed Lidl site, and would like to object to the proposal for the following reasons:

Traffic - The Cirencester Road is already far too busy. The inevitable increase in traffic would cause jams and sitting traffic, leading to increased fumes and pollution. The speed of traffic approaching the rail bridge on either side is considerable, and there is a very real danger of accidents due to the entrance being so close to the brow of the bridge. There would also be an unwanted increase in lorry traffic due to deliveries.

Light pollution - The proposed signage facing residents on the Cirencester Road would produce significant light into our homes. Is it necessary to have two large signs on the building "towers" at either end? And will these signs be turned off during the night?

Noise - Although the current site is vacant and therefore quiet, we did not experience any noise pollution from its previous owners Bence. However, a supermarket will create considerable noise during the day and potentially during the night. Any deliveries made at night will cause great discomfort to nearby residents, as well as any humming or low-level noise from the plant servicing the store which may be active 24hrs a day.

Demand - Is there really a need for a medium sized supermarket in Charlton Kings. We already have access to Sainsbury's Local on Cirencester Rd, the Co-op at Church Piece and Nisa Local on Lyefield Road. It is a reasonably short drive to the larger Sainsbury's at Oakley and we have an abundance of supermarkets within the town.

Charlton Kings is an attractive part of Cheltenham and the Cirencester Road is one of the main routes into the town from London and the South East. It would be a real shame for the drive into Cheltenham to be marred by the passing of a Lidl store, 50 yards from the "Welcome to Cheltenham" sign.

A previous planning application for the building of a retirement village would have been more in keeping with the surrounding area, and less impactful on nearby residents/traffic/noise etc. We did not hear anything further about this application, so I'm assuming it was rejected or cancelled.

Thank you for considering our views.

279 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8ED

Comments: 26th March 2021

We in Charlton Kings do not need a supermarket chain in a built up housing area, I strongly object for the following reasons

We need to support local businesses

Too small a area for delivery lorries, so a awful lot of noise with reversing lorries.

Will cause lots of extra traffic and pollution on a already too busy Road.

Dangerous area due to the fact the entrance will be just after/before a bridge so sight line issues.

Westernmost
289A Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8ED

Comments: 23rd March 2021

We strongly object to this application due to a number of concerns we and other local residents have:

Increased Traffic: Cirencester Road is already a busy road and is being used more frequently by larger good vehicles in recent years. The increased volume of traffic is causing noise, vibrations and danger to pedestrians and other road users. The proposed junction to enter and exit the site is just beyond the bridge heading into Charlton Kings from Cirencester with poor visibility due to the undulation caused by the bridge and the bend in the road. Although already a 30 zone, vehicles heading North in to Charlton Kings along the A435 often exceed the speed limit as they pass the transition zone between countryside (AONB) and the village (there is a radar activated sign which evidences this at the Clock Tower pub) and any significant increase in use of the junction into and out of the proposed development site will naturally increase the risk of collisions

Increased noise: Although the various noise reports submitted in support of the application claim there will be little or no increased noise, they focus only on the noise from the store and associated plant and machinery. There is no analysis of the noise from increased customer traffic and heavy good vehicles approaching, entering and leaving the site and the impact that will have on surrounding and adjacent properties.

Local Businesses: Although the proposed development claims it will generate employment in the local area, it is expect that this will also lead to job losses and the death of independent local retailers. This was seen when Sainsburys opened just a short distance away and which has led to the permanent closure of the local Nisa store opposite.

Unnecessary: Charlton Kings is already well served by several independent retailers as well as a Sainsburys local and co-op. For those residents who do want to shop at lower-cost international retail stores such as Lidl, there are already two new stores within a just few miles and which are easily accessible by car, bike or public transport.

Easternmost
289B Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8ED

Comments: 21st December 2020

We live at 289b Cirencester Road just up the road from where the above planning application is for a new Lidl Supermarket ..

Our one concern is obviously traffic .. as you may well know this is a very busy Road especially at certain times of the day i.e. first thing and late afternoon .. we already have dreadful trouble trying to cross the road at the best of times and always thought that there should be a pedestrian crossing somewhere along our end of the road for access for pedestrians who want to go to the Clock Tower Restaurant or even cross the road to the bus stop .. I am sure more local people and families would frequent the Clock Tower by walking if crossing wasn't so dangerous ..

With the onset of this supermarket being passed and thinking of the Cirencester Road being even busier we would like to put forward that a pedestrian crossing is a must it would also calm the speed down a little from those cars going up the hill and those coming down the hill ..

8 St Judes Walk
Cheltenham
Gloucestershire
GL53 7RU

Comments: 23rd March 2021

The proposed store would

*cost jobs because of the very substantial damage caused to local stores. Indeed these local stores may well be wiped out.

*cause excessive noise and traffic pollution

*cause a large influx of traffic that local roads cannot cope with, and this will cause danger to pedestrians

In addition the quality local service provided by existing outlets in the village would be replaced by a bland supermarket offering.

A Lidl store would irrevocably damage and downgrade the character of the village.

For all these reasons the application should be refused.

14 Wistley Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NW

Comments: 23rd March 2021

Objection of the retail store on the basis it would mean the independent shops in Charlton Kings would have to close and it would cause excessive noise and traffic pollution.

23A School Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BG

Comments: 23rd March 2021

I object to this because another supermarket is not necessary.

Drive to Lidl in Swindon Road about 10 minutes, drive to Tewkesbury Road in about 15 minutes, depending on time of day..

It would take away a lot of business from butcher on the corner of Croft Road, Co-Op in Church Piece and shops in Lyefield Road , including the Post Office.

Also Spirax Sarco is more important to the area than another supermarket, and other reasons mentioned by other objectors.

38 Sandy Lane
Charlton Kings
Cheltenham
GL53 9DQ

Comments: 26th March 2021

As a resident of Charlton Kings, I would like to raise an objection to the Lidl proposed planning application for a new store in the Cirencester Road.

I consider that CK is well served by its current retail outlets engaged in selling grocery products similar to that offered by Lidl. There are two CO-OP Supermarkets, a Sainsbury store, A Nisa outlet (Smith & Mann), a retail butcher and two chemists, all of which serve the community adequately for its day-to-day needs.

To introduce a large multinational chain in such close proximity to these traders will surely threaten their businesses to the point of closure in some instances .

Significantly, in the event of such closures, hitherto local shoppers, together with outsiders, will be drawn to the proposed store using cars and thereby adding to the already congested local roads. This should be best avoided to chime with the mood of Government and councils campaigning for a reduction of traffic use wherever possible.

Calder
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 26th March 2021

Please receive this email to confirm my support for the proposed Lidl store in Charlton Kings.

41 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EX

Comments: 26th March 2021
Letter attached.

79 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 26th March 2021
Letter attached.

11 Croft Parade
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LE

Comments: 27th March 2021

I strongly object to this proposal. It will put local businesses out of business. Cause excessive noise and traffic pollution on already busy streets. Extra traffic through village will cause danger to people especially the vulnerable like older people and school children. We already have a Sainsbury just 100m away from the proposed site.

17 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BA

Comments: 5th April 2021

I would like to object the the building of Lidl on the grounds that it will cause a very significant increase in traffic and secondly impact on the local independent shops in Charlton Kings.

Ranch House
2 Greatfield Drive
Cheltenham
Gloucestershire
GL53 9BU

Comments: 14th April 2021

I strongly object to this application. Echoing previous objections made on this website, my main concerns are the inevitable traffic increases on roads approaching the proposed site and the negative effects on established local businesses.

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Traffic currently using Sandy Lane as a 'rat run' to and from the A435 Cirencester road is potentially dangerous. It is a narrow road with a narrow pavement. The town is already well supplied with food shops and the local services are more than adequate.

Not needed, not necessary and unwelcome.

27 Shrublands
Cheltenham
Gloucestershire
GL53 0ND

Comments: 18th April 2021

Charlton Kings is well served by four main convenience stores, namely Coop London Road (4,446 sq ft), Coop Church Street (5,298 sq ft), Sainsburys Cirencester Road (4,343 sq ft) and Nisa/Smith & Mann Lyefield Road West (1,823 sq ft).

These convenience stores are of a size and character that suitably reflect the needs of the local resident community. In total, they provide a total retail floor area of 15,930 square feet, so the proposed 19,806 square foot supermarket development will more than double the area of food retail sales in Charlton Kings. Given the absence of any significant quantity of residential development in the vicinity (and any consequent increase in the number of residents), it is hard to justify the need for such a large development.

Whilst the development has a clear value to the landowner, the added value to the community is most certainly not clear. More concerning is the potential impact on trade at the existing convenience stores, particularly the Nisa store on Lyefield Road West, which is independently operated. However, as the Coop seeks to dispose of its less profitable stores, I would suggest that the future of the Church Street store could also be called into question.

The existing warehouses on the proposed site may no longer be economically viable, but surely the Council should be encouraging retention of the employment use in the form of starter business units? Otherwise, much needed affordable housing would also be a more appropriate use of the land.

For these reasons, I oppose the proposed retail development.

10 Moorend Glade
Cheltenham
Gloucestershire
GL53 9AT

Comments: 21st April 2021

I strongly object to the proposed Lidl store in Charlton Kings.

We have enough large stores in Cheltenham. There is a definite move to shopping on line so we do not need any more.

We are being encouraged to shop local and support our small independent shops. We do not want to lose them as would probably happen if custom was diverted.

Charlton Kings has a sizeable elderly population with no car and they would lose out.

What would happen to the Post Office if Smith and Mann had to close?

Please turn down the application.

2 Pinetrees
Cheltenham
Gloucestershire
GL53 0NB

Comments: 11th May 2021

We wish to object to the above Lidl store development in Charlton Kings:

1 We are already well served with supermarkets and independent stores providing more than adequate provision. The new development would inevitably cause some of the smaller independent stores to close, with the possible threat to the local Post Office, housed in the Smith and Mann store.

2 The parish council has objected, as well as the largest employer in Charlton Kings and the local MP.

3 The site is badly placed for safe car access, with sight lines for emerging traffic hampered. There is a risk of increasing road accidents due to the extra traffic

4 There will be an inevitable increase in the amount of traffic on already busy roads within the 'village'

5 There are ample chain stores in the area, indeed Sainsburys is very close to the proposed site. In Cheltenham there are already several Lidl stores of the type proposed. This store would merely duplicate existing offerings.

Please refuse Planning Permission for this development.

257 Old Bath Road
Cheltenham
Gloucestershire
GL53 9EF

Comments: 11th May 2021

I would like to raise strong opposition to the proposed building of a Lidl supermarket in Charlton Kings, as numerous residents have already pointed out we are amply served by establish shops. I am thoroughly disgusted by the amount of green fields that are disappearing in Leckhampton for housing, completely spoiling the once beautiful area, I have lived in the area for over thirty years, great shame.

31 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 11th May 2021

I would like to register my objections to the proposal for a Lidl store on Cirencester Road Charlton kings. I have lived in the village all my life. We do not need another grocery store let alone a "super store".

Local independent and smaller grocery stores already serve the community well and offer a personal and individual service.

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Lively hoods depend on these smaller stores. Bigger stores are only a few miles away so choice is already available.

The inevitable increase in traffic on an already busy road is also a master of concern.

Cheltenham is already covered by enough Lidl stores we do not need another one.

The only reason I can see why Lidl are making this application is greed....

10 Shrublands
Cheltenham
Gloucestershire
GL53 0ND

Comments: 11th May 2021

We object to the above on the grounds that it is to be built with an entrance on a busy road near a hump bridge with restricted viewing . There would be too many cars using it for the road infrastructure of Charlton Kings .

It would be very dangerous for turning right coming or going from the proposed sight .

We have sufficient shops in Charlton Kings and do not want any more and the village wants to support the independent stores and maintain the village atmosphere.

18 Withyholt Park
Cheltenham
Gloucestershire
GL53 9BP

Comments: 11th May 2021

With enforced isolation through Covid-19 I have only just become aware of this application.

I object most strongly to yet another branch of this company in an area which already has more than enough retail grocery outlets. My main reasons are:

1. Charlton Kings is a strong local community which supports its local traders, particularly Smith & Mann who offer an excellent range of goods and provide a vital Post Office facility. At the start of lockdown they were the first to offer a free delivery service for the benefit of many of us older folk.
2. With increased home working the commercial centre of Cheltenham is already facing a difficult future. The presence there of existing Lidl stores doubtless draws people into the town bringing extra trade to other retailers and hospitality providers.
3. Traffic levels and associated noise increased substantially when the nearby Sainsbury was built, but the effect of a huge Lidl will be far worse. Congestion at the entry/exit point is inevitable.

1 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LG

Comments: 11th May 2021

I write to add my concern to that of many others about this proposal.

Firstly, I recognise that superficially the site proposed is one which needs some sort of revamp. However, this proposal has consequences for the whole of the area.

Established residents of Charlton Kings refer to it as the 'village'. As a relative newcomer (5 years) I soon came to the view that that is a little optimistic. It is quite a large parish, with a lack of a focal point to really give it a real community feel. However that is altering for the better. Three areas in particular have contributed to this. They are Sixways, Church Piece/Grange Field, and the Copt Elm/Lyfield Rd small parade of shops. Through the recent lockdowns in particular, businesses in each of these locations have adapted and served their local communities in a way which has been transformative. This was a process already begun before Covid, and one which should be encouraged to continue in the future.

The key businesses in this respect are the two Coop stores at Sixways and Church Piece, and Smith and Mann at the Lyfield Rd location. Smith and Mann in particular has become a distinctive local store, with a variety of produce and friendly relations with its customers. It is also, as you will be aware, the local Post Office. All of these grocery stores need protecting in themselves. More importantly however they are the central hub of the three groupings of shops in which they stand. If any of them ceases to be profitable, their neighbouring businesses will suffer a major decline in footfall, and thus the whole of that community will be diminished.

Please make a decision in this case which protects these local businesses, and helps to protect the local community's identity.

1 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LG

Comments: 11th May 2021

As a local resident I have serious concerns about this proposal. This area already enjoys good access to several supermarkets, including an existing Lidl only a short drive away. We also benefit currently from some excellent local stores, which my husband and I prefer to use as much as possible, since they offer quality produce and a high standard of personal service, and are conveniently accessible on foot, thereby reducing our carbon footprint. One of these, Smith & Mann, houses our nearest Post Office, which is heavily used by the community. The opening of a Lidl store in the immediate vicinity would be highly likely to drive these local stores out of business.

Loss of local food stores would have a detrimental knock-on effect on other thriving local businesses, including cafes, specialist retailers and so on. At present those shopping at a local store will often pop into one of these other establishments, but if the local food stores closed, the footfall for other local businesses would be much reduced. This would represent a devastating loss to our area, significantly affecting the local economy and the quality of life of residents.

28 Willow Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PQ

Comments: 14th May 2021

Letter attached.

10 Stockton Close
Cheltenham
Gloucestershire
GL53 9HL

Comments: 14th May 2021
Letter attached.

10 Vineyards Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NH

Comments: 14th May 2021
Letter attached.

10 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NQ

Comments: 14th May 2021
Letter attached.

22 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 14th May 2021
Letter attached.

4 East End Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QD

Comments: 14th May 2021
Letter attached.

24 London Road
Cheltenham
Gloucestershire
GL52 6DX

Comments: 14th May 2021
Letter attached.

14 St Judes Walk
Cheltenham
Gloucestershire
GL53 7RU

Comments: 25th January 2021

We need a supermarket on the east side of town because currently we only have small metro stores. A new supermarket will therefore reduce journeys across town. This will reduce traffic.

I note the site is below road level, and therefore planting can be used to reduce the visual impact of the store from Cirencester Road.

6 Balmoral Court
Cheltenham
GL53 7RF

Comments: 25th January 2021

I cannot wait when Lidl will be built - please support this application and get it done ASAP.
Many thanks

8 Salisbury Avenue
Cheltenham
Gloucestershire
GL51 3BS

Comments: 2nd July 2021

I wish to add my support for the planning application for the new Lidl store in Charlton Kings.

I am in favour of the project.

28 Hales Road
Cheltenham
Gloucestershire
GL52 6SE

Comments: 12th July 2021

We, the undersigned, strongly object on the following grounds to the establishment of a new Lidl store in Charlton Kings:

- o We don't need another supermarket; there are already several in the area;
- o Environmentally; there would be a huge increase in traffic, especially along the already far too busy London Road - causing pollution and congestion;
- o Aesthetically; it would ruin the small community 'village' appearance and atmosphere;
- o And morally; many small individual traders would lose their businesses after having served us all so well, particularly during the past 16 difficult months of the Covid-19 pandemic. It would demonstrate a lack of respect to those traders if this new, rival company were set up.

3 Timbercombe Gate
Cheltenham
Gloucestershire
GL53 8NE

Comments: 25th January 2021

This will allow local people to walk for provisions reducing pollution and generating local jobs It is unlikely that this office site will be reused as same with more working from home and promotes a more sustainable local infrastructure

27 Castlefields Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YR

Comments: 26th January 2021

I am in support of Lidl building a value for money store here and disagree with the comments that Charlton Kings is well served already. I would guess most of those who object get home deliveries from the major supermarkets and therefore don't travel to the other side of Cheltenham to get the bulk of their weekly shopping.

1 Inglecote Close
Cheltenham
Gloucestershire
GL52 6UR

Comments: 27th January 2021

We do not need another supermarket in Charlton Kings as it will put more small businesses to the wall, as Sainsbury's did (look at the vacant shop premises opposite their shop). The extra traffic near that bend on the Cirencester Road opposite the houses will damage the environment.

Let's get real about this issue as it will create jobs by taking them from our local stores. Please don't let this happen.

27 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 28th January 2021

There are 7 convenience store in c kings already, 2 garages, Smith & mann, sainsburys, 2 Co ops and East end stores. Only 2 miles from a larger than proposed lidl and just over a mile to Sainsburys in Priors Road. There are 10,300 people in Charlton King's who are very well served for shopping in my opinion. As we have seen time and time again when a large multi national supermarket opens, the local shops close. During the last 10 months , those local shops have been a lifeline for some of those 10,300 and to lose the smaller shops would be a loss to the local community .

8 Pine Halt
Andoversford
Cheltenham
GL54 4JX

Comments: 16th February 2021

I am commenting in support of the proposal.

My support is based on the need for a large affordable supermarket in the area and also on the job opportunities it would create and maintain. It would reduce the number of deliveries from town centre supermarkets (current method of shopping for me and many others) so whilst increased traffic in the immediate vicinity would need to be addressed, there may well be a reduction in large delivery van traffic which causes some problematic parking in the village.

It would be of huge benefit to the surrounding villages, which are very poorly served for shopping, whose residents would mostly access it from the direction of Seven Springs and so not add to traffic coming through Charlton Kings.

2 Croft Parade
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LE

Comments: 16th February 2021

I'm very in favour of this. The proposed sight is brownfield and an eyesore, we have a dearth of nearby large shops requiring a drive of at least 15 minutes and the new shopping centre will complement rather than compete with local stores (two of which are supermarket brands anyway!)

1 Newcourt Park
Cheltenham
Gloucestershire
GL53 9AY

Comments: 9th February 2021

I object to the proposed building of a Lidl store at Charlton Kings Industrial Estate on the following grounds:

1. Unnecessary and a threat to local stores and job.

There are plenty of local shops (Co-op, Sainsbury's, Smith & Mann and more) than cater for shopping in this part of Cheltenham. Building a Lidl store here would jeopardise existing jobs. If people want to shop in a Lily there are stores in the town including a brand new large store in Swindon Road.

2. Traffic.

Charlton Kings has very few 'through' routes and the Cirencester Road is the only way in and out of this part of Charlton Kings; it is already heavily used and having a store with up to 80 parking spaces will cause further congestion. The Sainsbury Local has only about 15 parking spaces and there is frequently congestion caused by shoppers entering and leaving that site.

3. Safety.

This site is very close to a hump-back bridge, therefore traffic turning right into this site cut across traffic coming over the bridge who can't properly see that traffic. It will frequently cause dangerous road situations.

4. Use of the land.

Surely the "Industrial Estate" should be used for that purpose rather than for Retail?! It would be more appropriate to encourage light industry to use the site. Or better still build a small number of much needed houses.

Summary.

I firmly object to this development.

Banbury House
29B Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DF

Comments: 20th February 2021

We wish to support the Proposed New Lidl Store, off Cirencester Road, Charlton Kings (Ref: 20/02089/FUL).

We feel it would be an asset for Charlton Kings - a good sized, affordable supermarket in a good situation, with safe parking. We regularly use Lidl but have to drive to Swindon Road or Tewkesbury Road..

Would like to add that the proposed Lidl food store would regenerate a vacant brownfield site which is a current eyesore for Charlton Kings and would create up to 30 new and part-jobs for local people.

43 Withyholt Court
Cheltenham
Gloucestershire
GL53 9BQ

Comments: 20th February 2021

I am happy to support the above planning application as it will provide more jobs, more competition & a useful amenity in Charlton Kings.

Sakkara
Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 20th February 2021

The purpose of this email is to register my support of proposed new Lidl store off the Cirencester Road in Charlton Kings.

As a local resident I believe it would be a beneficial use of a brown field site,

The current Covid 19 pandemic reducing, perhaps permanently, the need for office space and the only other obvious use would be housing which tends to reward only the developers.

The arrival of a Lidl store offering goods at sensible competitive prices would be a welcome addition to the other current choices.

It would reduce my trips to town and beyond for food shopping and would provide some much needed jobs for the area.

29 Chase Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YU

Comments: 20th February 2021

With ref to above I would definitely support the planning for a LIDL supermarket on the Charlton kings industrial estate. Ref 20/02089 FUL.

We need some retail outlets this side of Cheltenham.

14 Cedar Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PF

Comments: 20th February 2021

I am very happy for the application from Lidl to go ahead. It would be of benefit to the whole community to have a Lidl supermarket in Charlton Kings. It will give us, as the consumer, more choice.

We do have both a Sainsburys and the Co Op, which are both quite expensive and smaller stores.

It would also bring more employment opportunities into the community too.

1 And 2 Kings Hollow
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BU

Comments: 22nd December 2020

I object.

1. Traffic jams and increased noise would be dramatic on an already extremely busy Cirencester Road.

2. A new supermarket is not needed in Charlton Kings.

Cirencester Road is extremely busy and at peak times is a nightmare. This development will cause additional noise, entering and exiting the site 24/7.

I have concerns over the amount of school children which walk through the village and will have to cross an even busier Cirencester road. Visibility on this stretch of the road is difficult with the amount of traffic already.

Lidl have already built two large supermarkets in Cheltenham.

We do not need another one.

243A Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 23rd December 2020

Opposed to this application for the reasons that many others have given.

Cirencester Road is extremely busy as it is without adding additional delays of customers and delivery arctic lorries leaving and gaining entrance to a side road off this. Inevitable light, noise, and air pollution. All of which will be seen, heard, and negatively affect my household which is directly opposite this site.

Absolutely no need for a fourth Lidl within Cheltenham. Support should be given to SME.

Not to mention the first site you see when you drive into Cheltenham will be an illuminated Yellow Lidl flagpole sign.

Absolutely not needed and I cant see how this would positively impact local residence or the local economy.

27 Castlefields Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YR

Comments: 28th March 2021

A value supermarket is very much needed this side of town. I would disagree with some of the comments that Charlton Kings is well served by the stores here . A bit of healthy competition is always good.

20 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 28th March 2021

Architecture is of low quality as a typical retail/industrial estate styled building with oversized chain store signage not in keeping with the area. No connection at all to the local vernacular. Doesn't even attempt to reflect the history of the former Charlton Kings station yard.

Lidl made a significant loss across Europe in 2020. Despite this they want to open many more shops in the UK (they already have 7 in the Cheltenham and Gloucester area) they are now targeted to cut costs to return to profit, which means the cost of building stores will be done as cheaply as possible.

Negative impact on established local businesses that are of far greater benefit to the local community. Won't just be the other food retail outlets that suffer. If as a result of the local grocery food outlets closing the reduced footfall will impact the other retail outlets; post office closure is likely. Florist, coffee shops, pharmacy, butcher etc., all effected. Consequently, there will be no net gain in employment for the area.

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Lidl source very little food from local suppliers, as their marketing makes clear they are a budget price supermarket chain and that reflects on food variety, sourcing and quality. They are not known for contributing financially or otherwise to community projects.

Road infrastructure is not adequate. Unless houses are knocked down there is no room to upgrade the junction needed for the Lidl store. Inevitably traffic lights will have to be installed to control the junction. This will further reduce the free flow of traffic on the Cirencester Road, and result in light, noise and atmospheric pollution.

The Cirencester Road is an important A road as one of few for access in and out of Charlton Kings and Cheltenham from the South. The A46, Shurdington Road, the other main road access from the South is pretty much a 'car park' at rush hour, with even more housing estates being built or planned to feed into. The Cirencester Road will become equally congested if further traffic dependent development, such as the Lidl store, is allowed along its already confined route through Charlton Kings.

There are larger supermarkets within perfectly reasonable time and distance car journey (Morrisons, Caernarvon Rd and Sainsbury's Hales Road) but Lidl will attract many car bound shoppers from east and south east of Cheltenham and its environs to Charlton Kings because it will lessen their journey by 5 minutes. That minimal time saving will be perceived as advantageous. In other words it is not going to be a 'local store'.

The car park does not have enough spaces for the size of store. Yet the majority, just as with the vast majority of supermarket shoppers (unless they live within half a mile) will not walk there but drive.

Better alternative uses of the site, such as, affordable housing that could be built with ground floor garages and living accommodation on two storeys above to make best uses of the space. What about consideration of some units for hi-tech start-ups to complement Cheltenham's focus on cybersecurity.

Lidl have misrepresented their delivery profile, stating only 2 articulated lorry deliveries per day, whereas there will be numerous other deliveries including but not limited to bread, milk, newspaper, waste collection (food and sanitary). Lidl have refused to complete a retail impact statement for the Borough Council. Can they be trusted on any aspect of this proposal?

73 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BS

Comments: 30th March 2021

Now more than ever we should be supporting local businesses.

The building of Sainsburys in Cirencester Road was the first blow to local business in particular Smith and Mann in Lyfield Road which also has to compete with two Co-Ops within 5 minutes walk!

Smith and Mann supports the community including offering amazing discounts to community organisations such as the Old Pats Rugby Club.

We need to put money in local pockets so that it can be spent on services and goods provided by family, friends and neighbours and not continually syphoned out of the community.

The proposed site is also in a quiet suburban enclave on the edge of an area of outstanding beauty this alone should be enough to prevent it.

A property opposite is one of Cheltenham's most historic houses comprising a crook structure dating back to the 1400's

I also think other neighbouring households need protecting from what will be a hugely intrusive operation serving people outside the community.

High View
Harp Hill
Charlton Kings Cheltenham
Gloucestershire
GL52 6PR

Comments: 15th April 2021

I support this proposal. The Charlton Kings area is poorly served by large retail supermarkets and this is a regeneration of a vacant brownfield site. This would reduce the amount of travel time and associated environmental costs for CK residents to reach a major supermarket.

7 Branch Hill Rise
Charlton Kings
Cheltenham
Gloucestershire
GL53 9HN

Comments: 18th January 2021

Letter attached.

Mallards
Balcarras Retreat
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QU

Comments: 18th April 2021

As you know, a Lidl store would obliterate the small traders in Charlton Kings.

We are very content with the status quo having lived in Charlton Kings since 1982 - and are therefore well qualified to comment

Please respect the wishes of local residents against this Application.

14 Southfield Manor Park
Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DJ

Comments: 27th April 2021

I would like to express my complete disapproval of the above planning application. Our local shops are independent and we only have a few surviving shops in Charlton Kings, as we have recently lost The Forge newsagents. During lockdown I was lucky enough to have groceries

delivered weekly by Smith & Mann, as I was unable to venture out and they could not have been more helpful. I do not accept that a multi-national chain store will be a benefit to Charlton Kings. If I wanted to shop at Lidl I would go to Cheltenham, but I choose to shop locally when possible in the hope that these shops continue to flourish and survive. It will be a retrograde step to allow this store into the area as it will certainly have a negative impact on local businesses and impact on traffic and resulting pollution. Independent shops need our support and I hope this proposal is rejected.

6 Southern Road
Cheltenham
Gloucestershire
GL53 9AN

Comments: 27th April 2021

I support the proposal to build a new Lidl store in Charlton Kings.

In Leckhampton and Charlton Kings we are poorly served by larger supermarkets and for large shops we have to drive across town to the Tewkesbury Road areas. Establishing a low-cost supermarket locally will eliminate the need for these cross-town journeys.

The building itself will be set into the former railway cutting and hence have a low visual impact on the surroundings.

There will be some increase in traffic on Cirencester Road, but this is likely to be more than offset by the reduction in travel from Charlton Kings and Leckhampton across to West Cheltenham. This will reduce overall air pollution, particularly in the centre of the town. Any reduction in carbon emissions will be worthwhile.

3 Timbercombe Gate
Cheltenham
Gloucestershire
GL53 8NE

Comments: 25th January 2021

We are in desperate need of a proper food retail store here in Charlton Kings and it would be fantastic to have Lidl here. Also there will be additional employment in the area.

46 Sandy Lane
Cheltenham
gl53 9dq

Comments: 22nd January 2021

As a local resident I would say that we already have enough shopping capacity in the area.

This site already contains a good quality office block with parking. It would be a shame to lose yet more office space to make way for shopping.

Another supermarket here would not really create jobs, it would reduce trade to the existing shops and replace high quality jobs with lower paid work.

19 Lyefield Road West
Charlton Kings
Cheltenham
GL53 8EZ

Comments: 7th April 2021

We Object to the planning application of another big chain supermarket in the Village of Charlton Kings. The traffic is already very congested on Cirencester Road. If this supermarket is granted then there will create a much more dangerous road to our local children who need to cross this road to school and moms with babies.

15 School Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BG

Comments: 7th April 2021

I would like to register my opposition to the proposed new Lidl in Charlton Kings. I am against this on the grounds of increased traffic through the village which has narrow roads particularly around the infants and junior schools. Traffic would cut through this area from the London road side. Additionally we are already well serviced with 2 co-ops and a Sainsburys in the area. Another supermarket would also threaten the viability of our local independent retailers who have been a godsend during the pandemic.

28 Bafford Lane
Cheltenham
Gloucestershire
GL53 8DL

Comments: 31st January 2021

I wish to lodge an objection to the application on two grounds.

First, various documents lodged refer to INF1 which requires a safe access to the highway network and states that permission will only be granted in the impact is not severe.

The transport statement estimates approximately 1350 traffic movements per day during a 15-hour period. That equates to, on average, one vehicle (excluding deliveries) entering or leaving the site every 45 seconds. At peak times flows are estimated to be considerably more frequent. This level of additional traffic will not only cause severe disturbance for adjacent properties but will increase atmospheric and noise pollution and will substantially increase the risk of serious accidents given the site lines to the south of the entrance are restricted by the rise in the road over the old railway bridge and the shallow bend in the road.

Cars entering and leaving the Sainsburys local 800m down the road have a regular impact on traffic flows on the A435 already at peak times.

Furthermore there will be an increase in traffic flows in all of the surrounding roads as it is inevitable that residents across the southern parishes of Cheltenham will drive to the store, increasing flows in Bafford Approach, Newcourt Road, and other smaller roads as well as on the A435. Lidl clearly anticipate the significant increase in traffic and accept it will occur.

Secondly the impact on existing local shops, faced with a discount supermarket, will be significant. There are already four small supermarkets/ convenience stores closer to the heart of

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the village to which locals can walk with ease, along with a chemists and a butchers whose trade will be adversely impacted. They already provide a varied range of food options.

Both of these factors will have a severe impact on the local community over time.

I urge councillors to reject this application.

18 Croft Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LF

Comments: 7th April 2021

I write to express my opposition to the application by Lidl to open a new supermarket on Cirencester Road in Charlton Kings. Charlton Kings already has more than enough supermarkets and convenience stores for its population and another one would simply be overkill. Surely it is better to have fewer stores that are able to generate a good level of income to sustain them than to saturate the market and watch many, if not all of them, struggle financially as a result of not enough customers to go round.

I strongly object to this proposal as it makes no sense at all. It would be a case of having it for having its sake.

White Gables
Moorend Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 9BN

Comments: 7th April 2021

I would like to register a strong objection to the proposed Lidl development on Cirencester Road. As a resident of Charlton Kings I am hugely dismayed at this. The existing shops on Lyefield Road West serve the local community superbly and provide a reliable and friendly service to all. A modern multi national taking away their business and jobs would be disastrous to all. The traffic in that area is already heavy and more daily cars and vans would pose a substantial risk.

In these days when 'shop local' has been our inspiration it would be a complete travesty to impose a faceless, impersonal , unneeded supermarket.

Please heed the opinion of those who live here.

8 Smithwood Grove
Charlton Kings
Cheltenham
Gloucestershire
GL53 9JN

Comments: 5th February 2021

I am concerned about the negative impact this store will have on the local economy. We have a number of smaller supermarket stores (Co-ops, Sainsburys) and small independent shops very local to this site. A store like this will cause jobs to be lost not only directly in the existing shops

but also their supply chains. I don't think that the expected 30 jobs will compensate for this. We lost a local store within months once the Sainsburys on Cirencester road was built.

The traffic on the Cirencester Road is chaos around the turning to the Sainsburys store this proposal can only exacerbate this!

This site could be much better used for housing thereby relieving the pressure to build on green field sites.

62B School Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BW

Comments: 10th April 2021

I strongly object to the building of a large supermarket store (Lidl) with parking for 80 cars on this site.

It is the wrong location for such a store bringing increase of traffic and congestion from delivery vehicles.

There are already two large Lidl stores in Cheltenham.

Our neighbourhood is well served by existing long standing local businesses and stores which will be affected by the competing trade.

33 Copt Elm Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AE

Comments: 8th May 2021

- No economic assessment of impact on employment despite retail being an area of interest in planning policy. Whilst Lidl would employ people it is reasonable to speculate that there would be net loss of jobs due to the consequential impact on other retailers.

- Whilst better than the existing structures, the building proposed is poor/bland "off the shelf" architecture, inappropriate and unsympathetic to the area. Lots of 'hard' features, few trees or plants or amenity space, despite being near the AONB border.

- Does Cheltenham need another discount groceries retailer? Is the market competitive enough? Cheltenham already has 3 discount grocery retailers, one of which is as little as 10 mins drive away and well connected by bus.

- Market dominance of Lidl, this would make Lidl the only supermarket in Cheltenham with three major sites, reducing retail diversity, encouraging consolidation in the sector, rather than competition, at an economically challenging time.

10 Castlefields Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YW

Comments: 16th February 2021
Full support. Much needed

2 Croft Parade
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LE

Comments: 16th February 2021

I support this supermarket. We do not have a budget supermarket this side of town, it will also benefit local villages as well as reduce our carbon footprint as presently we have to drive to the other side of town.

I wanted to email regarding the plans that Lidl have put forward regarding opening new branch off the Cirencester Road in Charlton Kings.

I wanted to register my whole hearted support via email. This would be an asset to this area. We currently do not have any supermarkets within a walking distance. I do not agree with residents and some non residents who live at least 5 miles from the site concerns. I live in GL53 8le and yes there may be an increase of traffic on the Cirencester Road and Bafford Approach they are main roads and it is to be expected to have large amounts of traffic. Lorries are already frequent travellers along this road. It would in fact actually reduce the amount of supermarkets delivering to houses while providing around 30 jobs.

I strongly believe planning should be granted.

91 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 16th February 2021

As long as there is proper traffic management, we support Lidl in CK because we feel there is a lack of affordable supermarkets in East Cheltenham for those who need it.

45 Horsefair Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JU

Comments: 16th February 2021
SUPPORT

98 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DG

Comments: 8th May 2021

Cirencester Road is a very busy road - a store of this size will cause congestion and increased noise and pollution. The majority of shoppers will be driving and 80 parking spaces shows how busy the road will become.

Charlton kings is a small village - we do not need a store of this size which is better suited to a less residential area.

The store will impact local smaller shops and lead to closures & job losses.

How many Lidl stores does Cheltenham need - surely this borders on competitive bias

Deliveries to a store this size will cause noise pollution/congestion & littering- something already experienced by the local Sainsbury's- however it will be on much larger scale with the proposed new store.

I am equally concerned about safety - Charlton kings has a large number of students walking to school - increased traffic is a risk to children as there have already been many near misses.

I trust this planning permission is not granted for all of the above.

14 Croft Parade
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LE

Comments: 8th May 2021

There are plenty of shops in Charlton Kings. Adding a large chain store would have an impact on those shops, particularly the local independents, who are struggling at the moment. I shop at Lidl, but there are enough in the area, so there is no need for one in Charlton Kings, and anyone in the Cheltenham area has plenty or choose from.

There will be an impact on the traffic in the area, particularly down Cirencester Road. I am concerned that this road will become too busy. It is bad enough with the Sainsbury store on the Cirencester Road that I think causes a issue without adding to it.

46 King William Drive
Cheltenham
Gloucestershire
GL53 7RP

Comments: 10th May 2021

I should like to add my voice to the numerous local objections to the proposed Lidl store development. The Covid experience has shown the importance to all communities of local shops and services. The presence of the new store would damage the viability of these smaller retail outlets and the services, like a Post Office, that they provide to the community within walking distance. We fear the likely retail impact of this store on local shops.

Retail habits are changing, with the increased use of online deliveries and click and collect, this is reducing the need for multiple larger stores like this. By its nature it does not support a key objective of the Gloucestershire Local Transport Plan of 'A greener, healthier county' as it requires large numbers of additional car journeys to survive.

Listen to the local community's voice and refuse this application.

126 Horsefair Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JT

Comments: 16th February 2021

This is a much welcome store in Charlton Kings. Presently we do not have a decent size store at a reasonable price. Sainsburys is very small with a poor selection of goods and expensive, the Coop in the village is the same as is Smith & Mann. We have to travel across town to get to a decent sized supermarket so I wholly support this application

41 Croft Gardens
Cheltenham
Gloucestershire
GL53 8LG

Comments: 19th February 2021

I would like to support the above planning application

95 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 19th February 2021

We would like to register our support for the plans for a new Lidl store in Charlton Kings ref 20/02089/FUL.

8 Newcourt Park
Cheltenham
Gloucestershire
GL53 9AY

Comments: 19th February 2021

Please accept this email as my support towards the planning application for a new LIDL in Charlton Kings

I very much look forward to visiting the new store in the near future..

60 East End Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QL

Comments: 19th February 2021

I would like to support this planning application , Charlton Kings could really do with a bigger supermarket this side of Cheltenham

56 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NQ

Comments: 19th February 2021

Just would like to add our support to a Lidl being added to Charlton kings

42 Withyholt Court
Cheltenham
Gloucestershire
GL53 9BQ

Comments: 19th February 2021

We are writing to register our support for the above planning application for the proposed Lidl Store on the former industrial estate site off Cirencester Road, Charlton Kings.

We have been residents of Charlton Kings for 3 years, and noticed when we arrived here that there is a definite lack of supermarkets at this end of town - all the larger stores are located the other side of town. We are supporters of the current local shops and will continue to use them for frequent purchases, but still feel the need for a larger affordable outlet for bulk shopping.

We hope you will give the application a favourable decision.

105 Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0PF

Comments: 19th February 2021

As a resident of Leckhampton, I support the plans for the Lidl store in Charlton Kings - it's about time we got a discounter on our side of the town.

10 Hearne Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8RD

Comments: 19th February 2021

I would like to register my support for the above planning application for the proposed new Lidl store in Charlton Kings.

47 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 19th February 2021

I would like to strongly SUPPORT the proposed LIDL development in Charlton Kings. The local area is devoid of proper supermarkets, meaning a car journey to either Morrisons or Sainsburys, at least a 10-15 minute drive in either case. This adds to traffic on the road, especially towards Cheltenham. There are a multitude of supermarkets in the Kingsditch area which is completely unnecessary and hardly anything this side of Cheltenham. The addition of a supermarket within cycling distance would greatly improve the traffic situation on the A40 towards Cheltenham with all the benefits that would bring, and bring additional employment to the area which would be an added bonus. It would also regenerate a brown field site which is a current eye-sore.

Comments: 13th May 2021

I wish to lodge a complaint about a campaign of lies and misinformation circulating by letter drop locally by a local convenience store and Post Office proprietor (attached - available to view in Documents tab) about the proposed Lidl development in Charlton Kings.

He is selling the development as direct competition to his convenience store when in fact it is simply not. No one does their weekly shop in his store - he doesn't even provide trolleys. I use his store and will continue to do so once Lidl opens their doors since he sells specialist products which Lidl will not. The difference will be that my neighbours and I won't be contributing to the traffic congestion on the A40 when we fight my way to the supermarkets in town and beyond for the weekly and top-up shops.

He is using scare tactics on vulnerable local residents, threatening the closure of the Post Office and other local businesses like the Chemist (in a different letter) which Lidl present no threat to at all.

No doubt people who rely on the local Post Office and Chemist will now object to the Lidl development without considering the very real benefits that a supermarket in the local area will bring - reduced congestion, reduced carbon emissions, competition, Brown Field development and regeneration, local jobs.

I urge the Planning Authority to consider the negative and un-just impact the attached letter may have brought when assessing local opposition to the development.

15 Chatcombe Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LT

Comments: 19th February 2021

I would like to confirm my complete support for the proposed Lidi store in Charlton Kings.

Pen Lea
3 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 19th February 2021

I wish to record my support for the proposed Lidl store in Charlton Kings.

It will improve shopping facilities in the area and reduce vehicle travel to similar stores much further away.

41 Bafford Approach
Cheltenham
Gloucestershire
GL53 9JF

Comments: 19th February 2021

My mother and I live on Bafford Approach and would more than welcome this new addition to the village. Where it will be sited set back off the main road will be ideal and there should be ample parking, compared to the mini Sainsburys further down the road. The site is also much safer than where Sainsburys is especially as the pedestrian crossing, which was badly needed there was turned down. Trying to cross that road coming from Pumphreys road is extremely dangerous as with the cars being allowed to park on the right, traffic coming from town is completely blind and there are far too many drivers during the lockdown ignoring the 30mph speed limit.

So please pass the planning for this new and exciting addition to the ever growing village of Charlton Kings.

5 Hamilton Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HN

Comments: 20th February 2021

There are no large supermarkets in the large area of Charlton Kings and this proposed facility would be of tremendous benefit to the more elderly and infirm within the area. It would also offer many job opportunities to younger people in Charlton Kings and would be of economic advantage to the community. I strongly support this application

Comments: 30th July 2021

Please record my strong support for the above Planning Application.

This development will contribute tremendously to the amenities in the area and will provide numerous job opportunities for local people.

Ham Hill Farm South
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL54 4EZ

Comments: 1st March 2021

I would like to register my support for the new Lidl store in Charlton Kings. I feel this is making good use of a brownfield site.

40 Willow Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PQ

Comments: 1st March 2021

Having received notification of the proposed Lidl store in Charlton Kings, I would whole heartedly like to register my support for the plans.

It will be of great benefit to the local residents in the area and also turn what is currently an eye sore into something worth while.

Looking forward to the approval.

76 Bafford Approach
Cheltenham
Gloucestershire
GL53 9JB

Comments: 9th March 2021

I would like to register my support for the proposed new Lidl on Cirencester road in Charlton Kings. I live in Bafford Approach, also in Charlton Kings. I think it would be a good addition to the area as there are no large supermarkets in the area. Also it would replace some derelict looking buildings which are an eyesore.

21 Highland Road
Cheltenham
Gloucestershire
GL53 9LU

Comments: 9th March 2021

We write to give our full support to the new Lidl Store of the Cirencester Road, Charlton Kings.

It will tidy up the former Charlton Kings Industrial Estate and bring much needed jobs to the local area which will be good for the local economy.

It will also enable us to do our full household shop locally without the need for the use of our car and therefore will be better for the environment. We will have the choice of a bike ride to the store or walking which will also benefit our health and reduce our expenses.

We are unable to think of any negatives to the proposal.

1 Lyefield Close
Cheltenham
Gloucestershire
GL53 8AZ

Comments: 19th March 2021

It has been brought to my attention that Lidl are seeking planning permission for a store in Cirencester Rd.

My wife and I would like to object to this in the strongest terms.

Particularly , we feel this would be unwanted competition for the excellent already existing small independent Smith & Mann Store. The shop is excellent and the support it has provided our local community during the Covid crisis has been prodigious. I don't know what we would have done for shopping /food supplies particularly in the early stages of the pandemic. They had stock, were open all hours, local and safe. Deliveries were free while larger stores didn't even have any slots. It would be a kick in the teeth for them after all they have done. They have supported the

community and the council , they are a small business and they need all the business they can get to make them viable. To pay rates all these years and then have this seems vey unfair. We do not need another Lidl.

I know I speak for many other people in my community.

I understand , although I haven't seen it myself , that Lidl have provided local questionnaires inviting people's comments. This was to be returned to Lidle.

Please.

I know of at least one old lady who said she'd raised an objection. Asked if she'd sent it to the council, she said "no - she'd sent it to Liidl. So I suspect you are not receiving the full volume of objections as many local people may think they have raised an objection when all they've done is send it to Lidl, not the council.

Nor do I think there is the capacity in local roads to take the traffic or parking either. The area is already particularly busy around school time because of the number of local schools.

Hill View House
29A Sandy Lane
Charlton Kings Cheltenham
Gloucestershire
GL53 9DF

Comments: 20th March 2021

Charlton Kings is already well served with food stores. It does not have the road infrastructure to handle the increased traffic, particularly through the centre of the village. It will force the closure of well-used and well-appreciated local shops which have done magnificent work keeping housebound people supplied during lockdown.

The site should be used for affordable housing or green industry. There is another Lidl store within 10 minutes drive so this one is unnecessary. The application should be refused.

10 Copt Elm Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AD

Comments: 20th March 2021

While this would benefit Lidl, I cannot see how it would benefit Charlton Kings. An already busy road would become choked, and local businesses would suffer. Lidl already has two supermarkets serving cheltenham, and Charlton Kings already has several supermarkets, including a Sainsburys and three co-ops. The site would be much better used for affordable housing (buying and renting).

74 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RJ

Comments: 6th July 2021

Please see below my ref no in support for the new lidl store opening.

8 Hetton Gardens
Cheltenham
Gloucestershire
GL53 8HU

Comments: 21st March 2021

I object in the strongest possible terms to this proposed retail venture.

I appreciate the unique village culture we enjoy here in Charlton Kings. This 'feeling of village' is created by the wonderful independent shops and fantastic personal service they provide, in particular Smith & Mann. This very shop, which is the beating heart of our community, is under threat. I say NO,

6 Hetton Gardens
Cheltenham
Gloucestershire
GL53 8HU

Comments: 21st March 2021

with the current excellent facilities of the local shops and the support of the Sainsbury's store on the Cirecester Road a further introduction of a major store such as Lidl would be destructive for the Charlton Kings community. It is not needed.!

8 Moorend Glade
Cheltenham
Gloucestershire
GL53 9AT

Comments: 24th March 2021

I object to the proposed Lidl store in Charlton Kings.

Charlton Kings is already well served with local food and other stores and another Lidl would result in job losses for those local people working with long established businesses which would be forced to close were the proposal to go ahead.

The increased traffic which would result on the Cirencester Road is bound to lead to more accidents. Already that road is very dangerous and I myself have experienced several near misses with speeding traffic coming down the hill.

There would be an increased use of Bafford Approach and Sandy lane as people used them as a cut through to access the site.

It is the wrong place for such a store.

Ryeworth Farmhouse
26 Greenway Lane
Charlton Kings Cheltenham
Gloucestershire
GL52 6LB

Comments: 24th March 2021

With Sainsburys, Smith & Mann, Co-op and NISA already present the planned location of LIDL is not driven by need, but only by retail competition. This will simply increase traffic, result in loss of local businesses, decline in local diversity and migration of higher value jobs away from the local town to centralised purchasing headquarters. We already have a LIDL store in Cheltenham we do not need another one. Many of these local stores provide a very valued service.

49 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AG

Comments: 25th March 2021

I wish to object to this application on the following grounds;

- The opening of another supermarket will impact the existing independent retailers on Lyefield Rd. who have supported the local community for many years and have been essential through the last year of the pandemic.
- If those retailers fail, the reduced footfall in the area will have a knock-on effect to other retailers in Sixways.
- Charlton Kings does not have the infrastructure to support the additional traffic. Cirencester Road is already a busy and dangerous road and the area cannot sustain further traffic increases.
- There would be additional impact on other neighbouring roads from traffic coming in from outside of the local area, creating cut-throughs that increase risk to pedestrians, particularly school children making their way to and from local schools.
- There is a lack of affordable housing in the area, why is the site being developed into retail and not housing?

2 Wistley Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NW

Comments: 26th March 2021

I strongly object to the proposed application because of the impact it will have on the smaller businesses and the community at large in Charlton Kings. We already have more than enough in the way of local shops including some superb independently owned businesses that create a rare community feeling in the neighbourhood.

These offer an extensive range of goods and introducing something like a Lidl will inevitably reduce their customer base and ultimately may lead to their closure which would be a devastating blow for the Charlton Kings community.

Any job opportunities created by Lidl will ultimately be cancelled out by the loss of jobs in our local businesses.

The community is served in more ways than just shopping by our local independently shops. They provide a friendly face and more personal service which is invaluable to many in the community especially the elderly.

The proposed Lidl site is out of proportion for the local area and will create a huge increase in traffic creating a more hazardous environment for the many school children who walk to the local schools, not to mention the large delivery lorries that will arrive daily and disturb the surrounding residents.

There are already Lidl supermarkets dotted around Cheltenham that people can drive to if they wish - please don't ruin our community!

41 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 27th March 2021

Charlton Kings has a number of small convenience stores but no stores that are big enough to do a weekly shop. The industrial units are not used and whilst there needs to be consideration for vehicles entering and exiting the site, this seems like a great location for the store.

I support this application.

23 Croft Gardens
Cheltenham
Gloucestershire
GL53 8LQ

Comments: 27th March 2021

I support this and Ck needs a store of this size and one that is competitive price wise with the expensive local shops. As I do not drive this would be an essential store for me.

I also agree that this would be a good use of the industrial site as well as providing much needed local jobs.

Merrivale
Sandy Lane Road
Cheltenham
Gloucestershire
GL53 9DB

Comments: 27th March 2021

We do not need yet another Lidl - or any other supermarket. reasons for my objection:

There is a Lidl approx 10 mins away already

The Cirencester Road is already very busy and difficult for traffic to pass each other, with cars parked on the side of the road. The road infrastructure is unable to deal with the increase of traffic.

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This is a residential area and people - adults and children - enjoy walking for health and fitness and increased traffic would be detrimental due to pollution and noise. The pavements are relatively narrow and often require people to step off the kerb to pass other walkers.

Greenhills Road and Sandy Lane are already used as a cut through route for many drivers - again, traffic, pollution would increase in an area where many many children walk to and from school.

There is already a Sainsbury's Local and the excellent Smith & Mann . Smith & Mann has served the community for many years - introducing Lidl to the area would undoubtedly result in this closing, the local community (of which there are a number of elderly residents) losing the post office and in turn the pharmacy.

Lidl would not create 30 'extra' jobs at all - not when you take into account the employment lost when the community shops in Charlton Kings will end up closing. Losing the heart of a village to accommodate an unnecessary supermarket does not make sense.

114 Charlton Lane
Cheltenham
Gloucestershire
GL53 9EA

Comments: 27th March 2021

This proposed development would have a dramatic and detrimental affect on the excellent cluster of local shops which would probably have to close and is also quite close to the relatively new Sainsburys in the Cirencester Road.

It is really unnecessary and the application should be rejected.

Southwood
25 Sandy Lane Road
Cheltenham
Gloucestershire
GL53 9DE

Comments: 28th March 2021

We strongly object to the proposed Lidl store development because it will create a large amount of extra traffic and will also have a detrimental affect on the local independent businesses of Charlton Kings who have proved to be an invaluable local resource over the last year.

8 Glenure Court
168 Cirencester Road
Charlton Kings

Comments: 12th April 2021

Letter attached.

14 Pilford Road
Cheltenham
Gloucestershire
GL53 9AQ

Comments: 12th April 2021

Letter attached.

13 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EZ

Comments: 12th April 2021
Letter attached.

Lilleybrook Lawn
Cirencester Road
Charlton Kings
Cheltenham
GL53 8ED

Comments: 12th April 2021
Letter attached. .

155 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 21st December 2020

Cllr Paul Baker and myself as Borough Ward Members for this site would appreciate confirmation that comments by residents will be accepted AFTER the current deadline, and certainly well into the New Year.

People have Christmas and New Year on their minds and some have commented that this was not a helpful time of the year to submit a planning application, not the LPA fault of course, and receive a lot of attention

28 Copt Elm Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AE

Comments: 20th April 2021

I think it would be useful to have a low cost supermarket this side of town. At present for my main shop I either use Sainsbury, Oakley Farm or Tewkesbury Road, Waitrose or Lidl on Tewkesbury Road. Should this proposal be approved it will make little difference to the items I purchase at Smith and Mann, whose service I appreciate. I do wonder how many people with families do their main shop in any of the local shops.

As far as I can see Lidl do not have coffee shops, pharmacies or post offices.

If traffic issues were a consideration, I might feel it was worth objecting. I currently do not think planners are interested in taking into account potential traffic problems, see developments around Kidnappers Lane, Oakhurst Rise, etc. I would hope that careful consideration is made regarding

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traffic entering and exiting the site. Traffic coming down Cirencester Road is often travelling faster than the speed limit. Also I hope the car park is better arranged than the one at Sainsbury. Where will the bus stop be located, I think the current one, when buses are stopped would block visibility, the site of the stop would need careful consideration.

I am unsure how much impact this supermarket would have on shops such as the two Co-ops and Smith and Mann.

I think there is a need for a low cost supermarket this side of the town.

In terms of appearance, the front part of the site is a mess and the two large blue buildings can in no way be described as attractive.

33 Treelands Close
Cheltenham
Gloucestershire
GL53 0DF

Comments: 26th April 2021

I am emailing my support to the proposed planning for a new Lidl in Charlton Kings.

33 Treelands Close
Cheltenham
Gloucestershire
GL53 0DF

Comments: 26th April 2021

I'm emailing to give my support to the development of the new LIDL store.

1 Withyholt Court
Cheltenham
Gloucestershire
GL53 9BG

Comments: 26th April 2021

I write to oppose the plans for a Lidl store in Charlton Kings.

At first I thought it a good idea but after thinking further about what it will mean for the community I realise it will be a bad decision to permit a large store on that site.

The traffic generated will make Cirencester Road much more dangerous to negotiate as it already has heavy traffic with a great deal of on-street parking that already causes problems. The vehicles entering Charlton Kings from the south tend to speed down the road off the steep hill and the Cirencester Road is simply not suitable for local cars crossing each lane both into, and out of, the car park at all hours into that busy road. Sooner or later an accident will happen that could be disastrous.

As well as that aspect, such a large store presence will simply drain trade away from the existing small shops like Jeffries butchers and those in Lyefield Road West with its varied services now regularly used and valued by all members of the Village community. Those local shops and their staff deserve to grow and thrive without another unnecessary Big Brother store killing off their hardworking businesses.

So I say NO THANK YOU to Lidl.

Hedge End
Balcarras Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QG

Comments: 1st May 2021

I would like to voice my opposition to the proposed Lidl supermarket in Charlton-Kings.

Charlton-Kings is well served with several excellent local shops, this creates a unique and friendly atmosphere for our local population, all within walking distance.

We already have the Sainsbury-Local (Cirencester Rd.), as well as the Smith&Man shop in Lyefield rd., West, both excellent, as is the well established Co-op.

There is a variety of butchers, flower and coffee-shops, etc etc.,

Independant quality local shops are essential in a post-Covit Britain , Charlton-Kings lacks the needed infra structure for something as massive as a Lidle supermarket, just think of all the increased traffic and polution, it's a NO -NO !

6 Churchill Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JJ

Comments: 1st May 2021

I feel I must register an objection for both myself & my husband to the planning application by Lidl's
Ref number 20/02089/Ful.

It is our belief:-

- 1) The impact on local shops would be unacceptable.
- 2) Excessive noise & pollution from traffic through the village & surrounding area.
- 3) The addition of extra traffic on roads that currently struggling with the load now.
- 4) Danger to children & elderly pedestrians from vehicles cutting through the village.
- 5) Any loss on local business would impact on the character of the village.

36 Sandford Mill Road
Cheltenham
Gloucestershire
GL53 7QS

Comments: 1st May 2021

My wife and I would like to register our support for the plans of a new exciting Lidl store of the former Charlton Kings Industrial Estate, off Cirencester Road, GL53 8DZ please.

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We like the idea of a much needed store in that area, especially as they always look so clean and tidy, with plenty of useful stock to choose from. Off road parking is of course a must, and it is useful to know that, if successful this will help to regenerate a vacant brownfield site which at present creates a current eyesore for the community. The proposed sales area seems to be about right, and being bespoke should be an asset.

It is good that the plans include "green" solar panels on the roof to help meet the store's energy needs, and it is hoped that this store will create much needed new full and part-time jobs for local people.

Finally, Lidl are looking to the future with their intention of having 81 parking spaces along with two Electric Vehicle rapid charging spaces and cycle storage.

5 Cedar Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PF

Comments: 1st May 2021

I support new Lidl store.

17 Ravensgate Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NR

Comments: 11th May 2021

I would like to oppose the application to build a lidl in Charlton Kings.

I don't believe it's needed and I believe it will impact the local community and increase traffic greatly

41 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DG

Comments: 11th May 2021

I would like to register my objection to the proposed superstore in Charlton Kings.

Cheltenham already has two Lidl stores and there is no necessity for another one. I understand a Retail Impact statement has not been completed and can only conclude that it would show there is no need for another food retailer in the area.

A superstore would seriously affect the village atmosphere of Charlton Kings with its range of independent shops and would imperil local jobs.

The increased traffic would cause congestion and pollution for residents.

I would be grateful if the Planning Department could register my objection to the proposal.

3 Birch Mews
Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DT

Comments: 11th May 2021

I am writing to object to the planning application for the building of a new Lidl in the Charlton Kings area, reference number 20/02089/FUL. The reasons for this are that I fear it will negatively impact the many independent and local smaller shops that make Charlton Kings such a vibrant and enjoyable place to live in. This may lead to these shops closing and jobs being lost, particularly the post office which is such an asset to have in our local area. There will also inevitably be an increase in traffic which will lead to an increase in air and noise pollution which is totally unnecessary when there are several small supermarket chains that provide for the local area and larger supermarkets not very far away including another Lidl only 10 minutes drive away.

Please could you register my objection - many thanks.

27 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 11th May 2021

Please take this email as my objection to the proposed development of a new LIDL for Charlton Kings. My concerns are:

1. increased congestion - both deliveries and customer traffic
2. noise and pollution increase
3. disturbance for residents - deliveries at all hours
4. unnecessary as there are several established grocery outlets in Charlton Kings: these include 2 x Co-op, Smith and Mann (including a Post Office), 2 x pharmacies, Sainsburys Local, butchers
 - o plus 1 mile away is another LIDL, Tesco local, Sainsburys at Whaddon Road - all served by bus routes
 - o Sainsburys and Tesco both price match LIDL/ALDI
5. Flood risk from the development

It would be more beneficial to the area to provide a leisure facility for young people - NOT a licenced premise

9 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BA

Comments: 11th May 2021

I wish to express my objection to the proposed LIDL store (Ref 20/02089/FUJ) in Charlton Kings. The village is well served with grocery stores at the moment and the effect on them can only be detrimental. Many of these stores are in the centre and should they be forced to close many residents will be forced to use a car to travel farther afield, including to this proposed LIDL.

2 Robinia Close
Cheltenham
Gloucestershire
GL53 8PR

Comments: 11th May 2021

This is to register my concern about the proposed new Lidl on the Cirencester Road, ref: 20/02089/FUL.

My main objection is that it will put local shops at risk, particularly Smith and Mann which houses the Post Office. The Post Office is such a valuable amenity to the whole village that it cannot be allowed to disappear. On the other hand, the Lidl offers nothing that cannot easily be found elsewhere (Sainsbury's on Cirencester Road, 2 Co-op stores and Smith and Mann, to say nothing of the Sainsbury's Superstore at Oakley).

3 St Judes Walk
Cheltenham
Gloucestershire
GL53 7RU

Comments: 25th January 2021

We would like to oppose the building of a Lidl store in Charlton Kings for the following reasons:

- We already have two supermarkets in the village - the Co-op in Church Piece and, more recently, the Sainsburys in Cirencester Road. We also have Smith and Mann on the corner of Copt Elm Road which houses the Post Office, and another Co-op a little further away at Sixways. We do not need another supermarket. Lidl will take business away from the Co-op, which is an ethical and Fairtrade supermarket providing a vital service to the people of Charlton Kings, potentially leading to its closure. We have already seen how the new Sainsburys has resulted in the closure of the local Nisa convenience store. Many elderly people use the Co-op store as they can walk to it, as do people with young families, and its loss would damage community cohesion and be a tragedy for the village. Smith and Mann, as our local convenience store, also provides a vital service, particularly to our elderly population, and a Lidl supermarket would have a detrimental effect on their business too.

- We can see from our experience of the new Sainsburys how the traffic has increased as a result of the building of even a small supermarket in the village. At busy times of the day, cars can be queueing to get into the car park, blocking the main road, causing a hazard and increasing the danger to pedestrians and other road users. A Lidl supermarket will increase the amount of traffic on the roads and the consequential pollution - something we should all be working to reduce by shopping local and supporting local businesses. The Lidl is away from the centre of population in the village so users will be required to drive there, and a carpark with room for 81 cars implies they expect most of their customers to drive.

28 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AH

Comments: 15th February 2021

SUPPORT

8 Inglecote Close
Cheltenham
Gloucestershire
GL52 6UR

Comments: 16th February 2021

I am completely against us having YET another Lidl in Cheltenham. I fear that the independent traders in Charlton Kings would be hugely affected and would possibly be put out of business. It won't just affect Smith and Mann, Lidl have an in store butchery so just think of the effect it'll have on the Butchers Jefferies on the Cirencester Rd. All of the small businesses have reasonably priced, good quality goods for sale, there are a number of buses which go into town from Charlton Kings which allow people to reach the larger supermarkets. Wouldn't this development site be put to better use for more affordable housing?

28 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 16th February 2021

Allowing people to shop without driving across town will reduce use of cars

17 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 10th May 2021

I wish to register my objection to the building of the Lidl retail store for the following reasons.

1. Its impact on the surrounding economy of the area

Currently there are four medium sized grocery retail outlets for the catchment area of Charlton Kings, and the development of a Lidl store would have a significant impact on their ability to remain in business. This would raise the threat of redundancy for those who staff these outlets, and the loss of their income. In the longer term should these premises close, then it would create vacant properties that under the current climate would most likely prove difficult to fill, especially with commercial business of a similar nature, because they would be in competition with an already established supplier.

2. Its impact on the local community

The current outlets in the Charlton Kings area are an integral part of the life of the local community. They provide social hubs for people to meet and communicate, they contain essential services such as a post office, a Hermes parcel drop off point, as well as dry cleaning collection and delivery, to name just a few. In addition they enable relationships to be built up with those who staff these premises who live in the area. This would not be the same for those who would serve at Lidl as the whole dynamic of customer / staff interface would be changed to a more impersonal one due to the nature of the business as a large retail outlet.

The development of a Lidl store would not serve the community in the same way. Instead of it being a local facility, it would draw its customer base from a wide area who would have little connection with the community, and therefore little interest in the detrimental impact the store would have on community life.

3. Its impact on the local environment

At present the existing outlets have a minimal impact on the environment of the surrounding area. With the building of a Lidl store, this would inevitably increase, carbon pollution from the traffic, using the site, noise pollution from the same sources, and as has been raised by other correspondents, increased traffic flow through the village of Charlton Kings by vehicles using it as a short cut to access the store with the increased potential risk of accidents.

It is noticed from the list of documents that no study has apparently been undertaken on the ecological impact of the store on local wildlife which would be affected by the increased light and noise pollution and vehicle movement. This is of serious concern as the impact of a large retail outlet should be fully assessed in the light of a rapid decline in native species of animals and birds, especially in suburban areas.

4. The close proximity of other large grocery outlets

Lastly, the proposal to build the store would seem superfluous given that there is another Lidl store, a 10minute drive from Charlton Kings, plus the Sainsbury's at Oakley, Bath Road parade along with the Co-op store, and Tesco on the Tewkesbury Road. Given that the majority of people in the village have access to either a car or easy access to the local bus service into Cheltenham one questions the whole premise of why such a development is necessary.

I would therefore urge the planning committee to give this application serious scrutiny on the negative impact it would have on the surrounding area and refuse planning permission

35 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 21st February 2021

I would just like to register my support for this Lidlington development in Charlton Kings.

Comments: 20th March 2021

Having now considered the impact on local businesses I would like to withdraw my support for this application.

2 Pumphreys Court
Pumphreys Road
Charlton Kings Cheltenham
Gloucestershire
GL53 8BX

Comments: 19th February 2021

SUPPORT

Comments: 15th April 2021

SUPPORT

10 Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HT

Comments: 21st February 2021

I support the planning application to build a Lidl store on the site of the former Charlton Kings industrial estate.

74 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DH

Comments: 21st February 2021

I would like to express my support for the new Lidl store. At the moment I have to travel to the other side of town for an economy supermarket. This entails petrol and clearly more fumes than if I have a store close by. My closest large store is Morrison in Hatherley.

There is nothing at all in this quadrant of the town.

15 Maple Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PB

Comments: 21st February 2021

This is to confirm that I fully support the proposal for a Lidl development as detailed in reference 20/02089/FUL.

15 Maple Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PB

Comments: 21st February 2021

This is to confirm that I fully support the proposal for a Lidl development as detailed in reference 20/02089/FUL.

28 Treelands Drive
Cheltenham
Gloucestershire
GL53 0DE

Comments: 21st February 2021

We are writing in response to the above application submitted by Lidl GB Limited for their proposed development in Charlton Kings.

We would, along with many of our friends in this area, very much welcome the arrival of Lidl in the proposed Charlton Kings location.

Not only will it benefit the immediate locality but also, in our case and for many to the South of town, would save awkward cross-town drives to one of their other stores, thereby reducing traffic in already congested areas.

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Secondly, it is rewarding to see that their proposal is to develop a brown site, not a green field one; the existing evacuated buildings add little charm to the area. Lidl as we have seen in other locations, are keen to provide proper landscaping and car parking areas and generally improving the sites they occupy, including the environmental benefit of solar panels.

Finally, providing the opportunity for additional jobs, which at this point, would be very welcome indeed by the local community.

We are very much in favour of this application and sincerely hope that it meets with your approval.

11A Detmore Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QP

Comments: 21st February 2021

I support the above planning application being made for a new Lidl Store in Charlton Kings, as it will offer more choice for grocery shopping in Charlton Kings

69 Southgate Drive
Cheltenham
Gloucestershire
GL53 7QR

Comments: 21st February 2021

I would like to lodge the fact that I am in favour of the new Lidl store off Cirencester Road, Charlton Kings (planning ref: 20/02089/FUL).

94 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NX

Comments: 21st February 2021

Regarding the proposed building of a Lidl store in Charlton Kings. I am a resident of Charlton Kings and want you to know that we are in full support of the idea. There is no large supermarket this side of town. The parking at Sainsbury's on Cirencester Road is often quite dangerous too.

Having a Lidl this side of town would be very convenient. I think the site is well chosen and would be very happy for the project to go ahead.

28A Bafford Lane
Cheltenham
Gloucestershire
GL53 8DL

Comments: 21st February 2021

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I received a letter re the proposed new Lidl store at Charlton Kings. I am delighted about the application as we really need an outlet of this size in the eastern side of town and it will be a great asset in an expanding population in this area. It will be within walking distance for many.

It will be very good indeed to see the very untidy industrial estate get some TLC when it is converted into the beautiful design which Lidl is projecting.

8 Ledmore Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8RA

Comments: 21st February 2021

I am sending this email to offer my full support of the above proposal. I am a Charlton Kings resident and we have no supermarkets of any decent size on this side of town. I have no objections to the proposal outlines.

8 Ledmore Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8RA

Comments: 21st February 2021

Planning permission for LIDL supermarket former Charlton Kings Industrial Estate.

I just wanted to voice my support for this application. We are severely lacking in a supermarket of any decent size on the Eastern side of Cheltenham. As a Charlton Kings resident I have no objections to this development and fully support this application.

4 Horsefair Close
Cheltenham
Gloucestershire
GL53 8JP

Comments: 21st February 2021

I would like to show my support for the building of a Lidl food store in the Charlton Kings area.

21 Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HS

Comments: 21st February 2021

We would love a Lidl's in Charlton Kings to increase the range of food available in the area. Lidl's sell food etc that other stores do not, with competitive pricing.

The current site is an eyesore, and this scheme will create jobs and a good use of the site. The plans appear to be sympathetic to the area.

This proposal can only be good for Charlton Kings. Also it will provide

2 charging points for electric vehicles, which are in short supply in the area.

Please , we would love Lidl's in Charlton Kings

49A Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 21st February 2021

I would like a supermarket in Charlton Kings, Lidl would give us more choice.

Comments: 29th July 2021

The smaller shops we have do not have the choice for a weekly shop and I have to drive across town for my proper food shop. All other parts of Cheltenham have a large supermarket just Charlton Kings people have to drive a few miles. I would like to stay local .

I hope you will grant Lidl permission to give Charlton Kings a useful new shop on the industrial site which is on the edge of our village and at a low level, so will not be too intrusive.

295 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YY

Comments: 21st February 2021

I write in favour / support of the above planning proposal for a Lidl store in Charlton Kings.

I believe Charlton Kings would benefit from having a medium-sized supermarket. Currently the only competition for a 'close-by' supermarket for a 'weekly' shop is Sainsbury's in Oakley. The myriad of other supermarket shops in Charlton Kings are convenient only for the odd loaf of bread/ pint of milk (Co-op x2, Sainsbury's- Cirencester Rd, Smith and Mann- Lyefield Road) but are too small and too expensive for anything else.

It will also make use of a currently redundant brown field site, create employment and provide the opportunity to create a facility which is as environmentally friendly as possible.

(I would Definitely be objecting if this was a proposal for hundreds more 'new homes' without expansion of the facilities to support an ever-burgeoning town. However a supermarket will serve its local community well.)

However, I also believe careful consideration needs to be given to:

1) design and layout of adequate car parking.

2) safe road access in and out of the Lidl site.

3) the addition of traffic calming measures on Cirencester Road which are long-overdue anyway (it's a 30mph but usually this is ignored by road users).

4) adequate delivery lorry space and turning.

5) sympathetic lighting.

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This is important for the maintenance of the area and particularly for the local residents who live close by and are likely to object to this proposal for understandable reasons.

1 Balcarras Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QG

Comments: 21st February 2021

I wholeheartedly support the Lidl application for Cirencester Rd , Charlton Kings. WE , the residents & shoppers need a good quality store for competition with Sainsburys & more choice . IT will help the environment by not driving to Tewkesbury RD or town centre for choice. Yes ,Yes we need LIDL, Something for EAST Cheltenham. Their plans seems well thought ;I don't see any negatives,; all positive .

38 Charlton Lane
Cheltenham
Gloucestershire
GL53 9DX

Comments: 21st February 2021

I think the building of Lidl on the Cirencester Road is a great idea as there is no decent supermarket on this side of the town (only small shops). Currently it has empty units on that site and it will save the driving across town to other supermarkets, which is inevitable. Even though we will continue to use the small independant shops we still drive to Sainsbury's, Morrisons, or Asda or indeed Lidl in Kingsditch! So, a local Lidl would be ideal.

I support this application.

Comments: 18th April 2021

Yes please!

I am writing to support the proposed plan for a Lidl on the Cirencester Road in the space that is otherwise empty.

We do not have a decent supermarket on this side of Cheltenham and I find myself driving much further through town to other supermarkets.

Essentially, those people living in Whittington, Shipton Oliffe and Andoversford also drive right through Cheltenham to get to a reasonably sized supermarket. I know because I have declined to live in those villages for that very reason.

A Lidl or any other reasonably sized supermarket would be ideal as there are other options further afield. Also, it would but competitive pressure on the very overpriced Sainsburys on the same road.

That space on Cirencester Road was always commercial so a Lidl would be very useful to the community.

8 Cedar Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PF

Comments: 21st February 2021

In support:

Marvellous idea

SAFETY.

Sainsbury local is in a far more dangerous location. I have seen cars in a queue blocking the Cirencester Road queuing to go in.

LIDL would be off-road down in the old industrial estate with 81 parking spaces. Any vehicles coming over the bridge from Ciren should only be doing 30 so should in theory be a safe place to plant a new LIDL.

To accomplish a larger shop Charlton Kings residents have to travel to Hatherley as the nearest major supermarket option. True there are 'smaller' retail outlets in CK but these have limited range.

Older less mobile residents deserve to have more variety of choice on their doorstep.

I urge the planning committee to support this application. Charlton Kings needs this, and the sooner the better.

4 Pumphreys Court
Pumphreys Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BX

Comments: 21st February 2021

I am writing to support the Planning Application submitted by Lidl's for a new store to be built in the Charlton Kings area. With the closure of the Lidl's store in The Strand I feel there is a need for a store of this type this end of the town.

7 Croft Gardens
Cheltenham
Gloucestershire
GL53 8LQ

Comments: 22nd February 2021

This side of Cheltenham lacks a larger supermarket. It will save many CK residents having to go by car, across town to shop. We will still use the existing local shops. The site is discreet but easily accessible and the design is good. Hopefully it will encourage more businesses to locate to the site, promoting further regeneration and employment

14 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 24th February 2021

I fully support the proposal by Lidl to open a store on Cirencester road, Charlton kings. I personally feel this side of Cheltenham would highly benefit from a larger supermarket. There are currently only small more convenience type stores in Charlton kings.

7 Smithwood Grove
Charlton Kings
Cheltenham
Gloucestershire
GL53 9JN

Comments: 24th February 2021
SUPPORT

35 Little Herberts Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LX

Comments: 3rd March 2021

I would like to register my support for the plans regarding the above proposed store. I live locally in Charlton Kings, and would welcome having this store in our locality. Myself , and many people I have spoken to here in Charlton Kings miss having the store that used to be in Grosvenor Terrace. We now have to either travel to the store on Swindon Road, or Tewkesbury Road. To access these stores on a bus route is not easy. The proposed new store can be accessed by Stagecoach Route 51, and Route B. The position of the store will also be beneficial to those living in villages beyond Charlton Kings going out on the Cirencester Road. There are also the benefits of local jobs being created , and development of brownfield site land, which is now becoming an eyesore.

24 Oak Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JG

Comments: 5th July 2021

I totally support the application for a Lidl site on the site in Cirencester Road. This store will be invaluable not only for the residents of CK but also those in the surrounding villages. Currently all of the stores that provide economical groceries are either in the centre of town or on the western side of the town. When shopping i have to travel across town to get the value i need. The village has 2 Co-ops, Smith an Mann and a Sainsbury Local. These are not the stores that are used for the 'Weekly Shop' None of them has a decent selection of affordable groceries. Lidl is totally necessary to address this.

Pen Lea
3 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 4th March 2021

I wish to support this application as it will greatly improve shopping facilities in Charlton Kings, and reduce traffic volumes to other more distant Supermarket outlets.

The Beeches
Sandy Lane Road
Cheltenham
Gloucestershire
GL53 9DB

Comments: 17th March 2021

I am writing to support this application.

It will give more choice for the residents of Charlton Kings for essential shopping and it will reduce the need to travel to the large supermarkets on the other side of town for their main shopping. The current site is an eyesore and of questionable economic value. The proposed store will provide employment and will benefit the economy, local and otherwise, especially at these difficult times. Regarding traffic and access, this will be part of detailed consultation with GCC Highway and I hope that a solution can be found. Access and car parking is set well back from Cirencester Road. The nearby Sainsbury's supermarket has no specific traffic or pedestrian facilities and is located much closer to Cirencester Road.

I think the benefits of this proposed application far outweigh the objections.

5 Newcourt Park
Cheltenham
Gloucestershire
GL53 9AY

Comments: 26th March 2021

I live about 1 mile distant from the site, in a road off Cirencester road. My experience of shopping in Charlton Kings over the past 25 years includes using 3 retail units; Smith and Mann in Lyefield road, the CO-OP in Church Piece and the Sainsburys in Cirencester road but the former general stores opposite used to have a good offering. I continue to use all three of the main retail units which compete well with each other on price and selection.

The proposed store is not required and if the Council wish to encourage employment the existing site will do well with small industrial units with B1 use as their is a good catchment are with people prepared to walk to work rather than drive across town.

Traffic and street parking will become a problem- look at the Sainsburys unit.

25 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NG

Comments: 24th March 2021

I object to this proposal. It will affect local businesses and cause traffic congestion and pollution.

2 Parkland Road
Cheltenham
Gloucestershire
GL53 9LR

Comments: 26th March 2021

There are already 2 new and very large Lidl stores recently opened in Cheltenham, only 10 minutes drive from Charlton Kings. If this application goes through then it will have a detrimental effect on the local shops in Charlton Kings where we have a good mix of independent shops which could all have to close because of yet another supermarket.

1 Croft Parade
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LE

Comments: 27th March 2021

I fully support this development for Lidl. It's a sensible placement off a safe road. Plenty of parking to stop traffic problems. It will greatly reduce traffic for residents who currently have to travel to town, Tewkesbury road or Brockworth/Cirencester for a supermarket shop. Traveling over Harp Hill to that supermarket is congested as are all these other routes. It will be a great benefit for the village and allow people to do their main shop safely. It will not affect my use of local shops but will stop us having to travel for our main shopping.

This will be great for local jobs and a fantastic use of an unused part of estate. it will greatly help the community and Cotswolds to have a well priced, accessible supermarket. The local shops are fine for small shopping but far too expensive to be able to afford to fill your fridge and freezer so you have to travel currently for that. Lidl do not have a pharmacy, newsagents, post office etc so it would not change my use of them. I think the objections I've read are short sighted and not taking the community feelings in. I don't know anyone who does not support this. It would certainly benefit older residents as well and people affected from COVID-19 for their jobs to have affordable fresh healthy food with low priced fruit and vegetables. Their produce is excellent quality.

I fully support this and think it is a great benefit for Charlton Kings residents and surrounding community.

46 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 27th March 2021

Think that this would benefit the residents of Charlton Kings as well as having a positive environmental impact as we would no longer have to travel across town to the nearest big supermarket.

12A Evelyn Close
Cheltenham
Gloucestershire
GL53 9BX

Comments: 27th March 2021

In these unprecedented times of economic deprivation and widespread poverty, I think this is a great opportunity for the people of Charlton Kings. We the locals can shop cheaply in Lidl which is laudable and the local job opportunities for the local people is a great bonus. I will fully support the opening of this shop no matter what.

62 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 25th March 2021

I am writing you to let you know I wish to give my full support for the planning of the Lidl in Charlton Kings.

74 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BL

Comments: 25th March 2021

I am writing to express my tentative support for LIDL's application to build a store in Charlton Kings. This area has a shortage of supermarket options, which this new store could address. However, I am concerned at the lack of tree planting in their existing plans. To be of maximum benefit for the community, I feel strongly that acceptance should be conditional on some more attractive planting in verges, with trees to create a green screen and improve the existing site.

1 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BA

Comments: 25th March 2021

We are writing to voice our absolute objection to the proposed Lidl Store on Cirencester Road.

Firstly, why would anyone want a German International discount chain with over 12'000 stores across Europe & United States opening up on our doorstep?

Charlton Kings has an enviable close community, we appreciate & support our local shops.

Buying Locally strengthens communities. Local purchases keep the wealth in our neighbourhood, increasing the prosperity for the people around us instead of going to a far-away corporation.

Buying locally enables us to invest directly into our local economy. By contributing to a local business we help to preserve existing local jobs. Local businesses are also the most ardent supporters of local parks, libraries, events, and the great area amenities that make communities unique.

Buying locally builds trust and positivity, opens minds and hearts, and makes us more independent as a community. A more connected community is safer, more resilient and self-reliant in times of uncertainty.

Our village doesn't have any need or capacity for a Lidl Store.

25 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 25th March 2021

Re the planning application from Lidl. 20/02089/FUL The proposed site on the Cirencester Road has very poor access.

Traffic coming from Cheltenham speeds up to go up the hill, traffic coming to Cheltenham has difficulty slowing as it approaches the town.

If there was to be a supermarket there there would need to be traffic signals to prevent accidents and a controlled crossing for pedestrians.

As we have a Co-op near the library and one at 6Ways, a Sainsbury's further down the Cirencester Road and a good independent grocer on Lyefield Road West, we do not have any need for another supermarket in Charlton Kings.

I oppose this application.

28 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 25th March 2021

I object to the Lidl store in Charlton Kings for a number of reasons:

1. Charlton kings is a village and as such should remain so.
2. Traffic - the Cirencester Road is busy with excess speed coming down the hill and also the number of cars having to park on the road since the closure of the little owl pub.
3. We need to support local shops and protect jobs not transfer them to another store. The local stores provide excellent service and diversity to support the local community proven during the current pandemic. One local store provides vital post office services to serve particularly the elderly. If this store were to close it would affect many residents. I can't think that Lidl would offer this service.
4. The store would be near the nature reserve (the old railway) and disturb wildlife.
5. Noise pollution due to delivery.

17 Withyholt Park
Cheltenham
Gloucestershire
GL53 9BP

Comments: 25th March 2021

OBJECTIONS TO PROPOSED LIDL DEVELOPMENT, CIRENCESTER ROAD, CHELTENHAM

The area is already well-equipped with local businesses which amply cover the market needs supplied by Lidl. The added competition from a national supermarket would blight the the area by threatening the closure of well-established small stores and the establishment of a monopoly supplier.

A monopoly supplier, with a large carpark would concentrate road traffic and prioritise that traffic over the local and diffused services available to other customers (for instance the elderly and those without cars).

This concentrated and increased road traffic would cause congestion on Cirencester Road. The road is narrow at this point and access on and off a large carpark would cause self-evident problems of flow both in and out of the supermarket. Moreover, there would be increased traffic flows, congestion and pollution through local streets concentrating upon one site.

CONCLUSION:

- 1) Increased pollution and increased road traffic is directly counter to the green measures essential to reduce carbon emissions and thus contradicts national and necessary policies.
- 2) The increased capacity provided by Lidl is unnecessary and would blight diffused and local businesses.
- 3) Residents dependent on local and pedestrian services would be very much disadvantaged.
- 4) The practical problems of increased traffic flow, access and egress pose substantial problems both to arterial flow on Cirencester Road, and to local, residential streets in the vicinity.

Therefore, I oppose the application.

26A Bafford Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DL

Comments: 8th September 2021

I am writing to register my objection to the proposed Charlton Kings Lidl, 20/02089/FUL.

I do not believe there is any need for a new supermarket, the area is well served with two other Lidl stores in the town one only 10 minutes drive away. I am concerned that a new large Lidl will have a detrimental effect on existing businesses in the local community. Already in the vicinity there is a butchers and a number of small other supermarkets, Smith and man co-op and Sainsbury's. A new large Lidl would surely mean that some of these businesses have to close, having a negative affect on the village atmosphere of Charlton Kings.

If this land has to be developed, surely it would be much better used for housing.

382 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YX

Comments: 12th September 2021

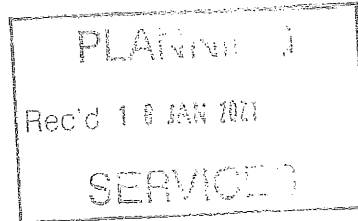
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Having a store in Charlton Kings will significantly reduce the traffic through Cheltenham as it is currently a trek to get to a supermarket for Charlton Kings residence. I fully support the application and hope it will be progressed expediently.

Local businesses' objections stem from fear, however there will always be support from Charlton Kings residents of local independent businesses as well. There are room for both. Please give us the choice.

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7, Branch Hill Rise,
Chalton Kings,
Cheltenham,
GL53 9HA
13th January 2021



Dear Sir/Madam,

I was very surprised when I heard that Kild wanted to build a shop and 80 parking spaces in the Business Park, Lincester Road, Chalton Kings,

When Spinx Sarcos moved in I was very pleased that it was to be used for its original plan and the substantial units, with Brexit in mind, would be useful for industry.

I have reservations for the following reasons, against a large store in this situation:

- 1) We want people to go into town to shop, not out of it. The town needs them.
- 2) When coming from town the turning right is dangerous on account of bridge on a curve in Lincester Road.
- 3) Bafford Approach has a dangerous area where the Lilley Brook culvert is underneath.
- 4) The shops in the Hub and Lyfield Rd., have supported

the people of Charlton Kings with deliveries all through lockdowns and after Sainsbury's took much of their business this is a kick in the teeth for those who help to keep a 'village' community spirit. What is the point of having a HUB if you don't respect it.

Yours faithfully,



MP Ref: NM/0500
Email: nathan.mcloughlin@mplanning.co.uk
Tel: 01242 895 128

28/01/2021

Planning Department
Cheltenham Borough Council
VIA EMAIL ONLY

Dear Sir or Madam

PLANNING APPLICATION 20/02089/FUL

McLoughlin Planning has been asked by its client Spirax Sarco owner of the adjacent Timbercombe House and the land on which the proposed vehicular access is located to highlight its concerns with this planning application which can be summarised as follows:

- Principle of Development
- Sequential Test
- Loss of Employment Land
- Access and Highway Safety
- Noise

Each of these issues will be assessed in turn below.

Principle of Development

The Planning Statement accompanying the planning application assumes that the existing use of the site is solely light industrial and therefore benefits from permitted development rights to change to a retail use under Class E of the updated Use Class Order introduced on 1 September 2020.

However, the site was used for a variety of the B uses under the previous Use Class Order, including office (B1a), light industrial (B1c) and, crucially, storage and distribution (B8) as well. This means that the applicant's argument which is based on the fall-back position created by the provisions of Class E are not necessarily sound because B8 uses do not fall within the new Class E.

The principle of development is not as unequivocal as stated and the proposal would still need to comply with the relevant local and national retail planning policies, namely Joint Core Strategy (JCS) Policy SD2 and Section 7 of the National Planning Policy Framework (NPPF).

Sequential Test

The recently adopted Cheltenham Plan does not have any retail policies as it is waiting for the review of Policy SD2, which has not yet happened. Policy SD2 states that proposals for retail and other main town centre uses that are not located in a designated centre, and are not in accordance with a policy in either the JCS or Local Plan, will be robustly assessed against the requirements of the sequential test, as set out in the NPPF.

The size of the proposed supermarket falls below the 2,500 sq.m threshold for the requirement of a Retail Impact Assessment. However, NPPF paragraph 86 states that local

0500
Timbercombe House
28 January 2021

planning authorities should still apply a sequential test to planning applications, such as this one, with a preference for main town centre uses being located in town centres, then in edge of centre locations. It goes on to say that only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

The Sequential Test included within the Planning Statement has only assessed the following four local neighbourhood centres:

- Sixways/London Road Neighbourhood Centre;
- Lyefield Road West Neighbourhood Centre;
- Church Street Neighbourhood Centre; and
- Croft Road Neighbourhood Centre.

No town centre sites have been evaluated which is precisely where retail development should be prioritised and where a Sequential Test should focus its attention, especially since the Covid-19 pandemic has led to a significant increase in vacant town centre retail units. The failure to include town centre sites within the search area is an error which means the Sequential Test is fundamentally flawed.

The small retail units found within neighbourhood centres would never be large enough to accommodate a supermarket, so it is unsurprising that the proposal satisfies this particular Sequential Test prepared by the applicant with its flawed methodology. The outcome may be entirely different if town centre locations were also included in the search area.

Loss of Employment Land

Policy EM2 b) of the Cheltenham Plan states that the loss of an employment site to other uses will be supported providing it would not have a detrimental impact on the continuing operation of existing businesses in the vicinity.

The Planning Statement acknowledges that Timbercombe House has been purchased by Spriax Sarco but offers no detailed assessment regarding the impacts it would have on this neighbouring business. There will be a detrimental impact on the operation of Timbercombe House principally with regard to the shared vehicular access and the noise and disturbances that this would create. Both of these issues are discussed in further detail below.

Policy EM2 also states that traditional B-class employment should be considered before retail or any other uses for this site. The Commercial Viability Report dismisses the prospect of the site being redeveloped for employment uses based on the fact the existing buildings are in a dilapidated state and that the next business would be in the form of a light industrial / warehouse use. It does not account for the fact replacement buildings could be erected on site and new businesses would not necessarily be constrained by the existing dilapidated buildings.

Access and Highway Safety

Spirax Sarco are concerned that the intensification of the use of the application site in terms of additional vehicle journeys resulting from customers and deliveries that would result from the proposal would have a detrimental impact on the efficiency of their site at Timbercombe House.

Carl Tonks Consulting has provided a detailed review of the access and highway safety issues associated with the proposed development which is appended to this letter.

0500
Timbercombe House
28 January 2021

In terms of access, we wish to add that the pedestrian access arrangements see pedestrians walking past the store to cross the road and then walk back up to the store. Our concern is that natural 'desire lines' will develop which will see pedestrians cross the access road at a point before the current crossing point, reducing the effectiveness of the crossing point, further work is required on this.

Noise

To prevent serious loss of amenity to local residents and occupiers of Timbercombe House through noise pollution, in the event planning permission is granted an enforceable Delivery Management Plan should be created, limiting the hours of delivery to socially acceptable times which minimise the noise impact on neighbouring residents and workers at Timbercombe House. This Delivery Plan should also seek to avoid store deliveries at peak times for arrivals and departures from Timbercombe House.

Summary

Following a review of the submission documents for this planning application, it is clear that the principle of development is not as straightforward as purported and the Sequential Test which is designed to find identify and assess retail sites closer to or within the town centre has not been carried out in accordance with the guidance within the NPPF.

The redevelopment of the site for alternative B-class uses has not been fully explored as any future occupiers would not be restricted to re-using the existing buildings. An opportunity exists for the site to be redeveloped for a range of traditional B-class uses.

There are also issues relating to the vehicular access and vehicle movements the development would create which would have a negative impact on the successful operation of the operation of Timbercombe House, which shares the same vehicular access owned by Spirax Sarco.

We ask that further information is provided by the Applicant to redress these concerns.

Yours faithfully

Nathan McLoughlin BSc (Hons) DipTP MRTPI
Managing Director



13 – 14 Orchard Street
Bristol
BS1 5EH

Our Ref. 2020-F-044
Date: 26th January 2021

T – 01179 055 155
M – 07866 543939
e – carl@tonks-consulting.co.uk
www.tonks-consulting.co.uk

Mr N McLoughlin
McLoughlin Planning
North Warehouse
Gloucester Docks
Gloucester
GL1 2FB

By Email *nathan.mcloughlin@mplanning.co.uk*

Dear Nathan,

Land at Cirencester Road, Cheltenham.

I write on behalf of Spirax Sarco, to object to Planning Application 20/02089/FUL (the Application) on grounds of traffic and transportation impact. I have particular concerns regarding operational issues, including road safety in close proximity to my client's sole access.

The Application proposes a Lidl discount foodstore of Gross Floor Area 1840sqm on land immediately adjacent to the highways access into the Charlton Kings Business Park, Cirencester Road, Cheltenham. My client owns and operates the adjacent business park; a popular and successful employment site on the south-eastern side of Cheltenham. My client's preliminary concerns, which prompted my commission, comprised whether or not the significant volumes of traffic expected to be generated by a discount foodstore in this location can be realistically and efficiently catered for by the adjacent highway arrangements, including the junction of my client's access road with Cirencester Road. Any potential traffic congestion on the proposed access can be expected to have a severe impact on the accessibility of my client's adjacent businesses and clearly, if that proves to be the case, my client will require to object in the strongest terms in order to protect his business interests.

Continued.../

Company Director – Carl J Tonks
BSc MSc FCILT MCIHT FIHE
Company Secretary – Jacqueline A Ireland
BSc (HONS) MSc PGCE BHSII MCIHT

carl TONKS consulting
is a trading name of Carl Tonks Limited
Company Number 8048957
Registered address 13 – 14 Orchard Street, Bristol, BS1 5EH

I note that a Transport Assessment (TA) has been prepared by Pell Frischmann in support of the proposals and I have identified several concerns in regard to the analyses undertaken. These concerns bring into question the conclusions reached in the Pell Frischmann TA and form the basis of my client's objection on highways grounds to this Application. My concerns range from severe, to minor discrepancies, some of which may be defined as differences of opinion or methodology, whilst others present clear and significant road safety issues. I outline my concerns regarding these analyses below.

Serious Concerns

I outline below my serious concerns in regard to the analyses presented. These are such that the future operation of the access must be brought into question both in regard to safety and capacity of throughput.

Site Access Arrangements, Including Servicing

The pedestrian access for the proposed foodstore is at the rear, away from the adjacent highway and facing the store car park. It is clear that the store is design to specifically target car-borne trade in preference to people travelling on foot, by bicycle or by bus. Access to the store by all modes is therefore proposed to be tucked away in the rear, facing in towards the adjacent employment site and away from Cirencester Road. Consequently, all vehicular access will be through the existing junction of the Charlton Kings Business Park access road with Cirencester Road and pedestrian access will also use this route. Travelling from the north, pedestrians will need to cross the access road, before joining other pedestrian traffic to access the site via the car park.

With the above in mind, I have concern in regard to both the ability of a 16.5m HGV to access and egress the site without causing significant issues of congestion for other traffic on the adjacent road network, including Lidl generated trips. Once inside the car park, the service vehicle is required to undertake a rather tortuous manoeuvre between parked cars and this raises significant concerns for personal safety of shoppers.

The submitted Swept Path Analyses have been undertaken for a 16.5m articulated vehicle, which is as I would expect for this kind and scale of foodstore and they do indicate that such a vehicle can successfully manoeuvre first into the car park and then between parking spaces, into and subsequently out again from the proposed service bay. However and notwithstanding the confirmation that these manoeuvres are achievable, I have significant concern in regard to the vehicle's use of the majority of the full bellmouth width on entry to the car park. In addition, it is seen to require a significant cross over into the adjacent lane for inbound traffic in order to achieve the egress track. This means that when a service vehicle is entering or exiting the site, no other traffic can use the access and, conversely, the service vehicle will have to wait, potentially blocking traffic, if other vehicles are entering or exiting the site.

Continued.../

Once inside the proposed car park, there is a requirement to manoeuvre the 16.5m articulated vehicle in reverse gear a distance of approximately 80m across the full length of the car park, the majority of which occurs between two banks of parking bays. This is considered dangerous for pedestrians walking to or from the store, and for vehicles reversing out of parking bays. Furthermore, when this manoeuvre is taking place, vehicles cannot enter or leave the majority of parking bays in the car park, hence gridlocking the car park for customer use.

Further concerns arise in regard to the necessary manoeuvres onto Cirencester Road, for departing service vehicles. The submitted "right out" (ie eastbound) track on Cirencester Road shows the vehicle oversailing the opposite (westbound) traffic lane (and therefore into oncoming traffic) for a distance of approximately 25m. This has clear implications for highway safety, but also for the junction capacity, as the driver of the servicing vehicle will likely have to wait for that approximately 25m stretch of carriageway to be clear before undertaking the right turn manoeuvre. This will be further exacerbated by the presence of legally parked cars opposite the bellmouth of the junction and along Cirencester Road. These are associated with adjacent residential properties and effectively narrow the carriageway width, forcing a sharper right turn and necessitate travelling in the opposite lane for a longer distance. This clearly presents a significant road safety concern.

In order to effectively control the above issue, a Traffic Regulation Order (TRO) ought to be sought in order to remove parking from Cirencester Road in the vicinity of the access junction and for a distance of 25m either side. As the site is opposite residential dwellings it is to be expected that a significant number and strength of objection would be received to any proposal to remove parking from in front of the adjacent houses. Given that TROs can only be achieved further to successful conclusion of extensive Public Consultation, it is clear that any requirement to remove parking from adjacent residential properties would render a Planning Permission vulnerable to legal challenge. Consequently, I strongly suggest an Out of Hours Servicing Condition would be appropriate in regard to any consent granted on this site, however, in light of the proximity of adjacent houses, it should be confirmed that out-of-hours servicing is permissible in view of the inevitable disturbance to adjacent residents.

For these reasons of local amenity, highway operation and highway safety it is recommended that planning permission not be granted.

Capacity Analyses

In order to assess the impact of a development at key junctions, capacity analyses are provided to demonstrate likely queuing and ratio of flow to capacity (RFC). In this instance insufficient capacity and excessive queuing would result in the junction failing to operate properly and vehicles would be delayed or potentially prevented from accessing and egressing the site, including the adjacent employment land.

Continued.../

cTc has various concerns in regard to the traffic forecasts used in the capacity analyses in the TA and these are noted below:

- Unsubstantiated or unqualified 30% pass-by trip discount;
- Incorrect lane widths for the minor arm on the Cirencester Road analyses;
- No Saturday peak hour analyses.

These call into question the validity of the analyses and, therefore, the ability to grant planning permission based upon them. Of particular concern is the absence of capacity analyses for the weekend peak hour at the Cirencester Road junction. The proposed development is a food retail store and the peak hour over a week will be at the weekend. To draw firm conclusions of the likely capacity impact of the proposals, weekend analyses should be conducted, and this omission is unconventional for food store TAs.

No account has been made by Pell Frischmann for the loss of carriageway width on Cirencester Road by vehicles that can be observed parking legally opposite the bellmouth of the junction. This will impact the capacity of the junction, and may require a TRO to remove parking. This cannot be guaranteed due to the consultation process; hence junction issues could result and these have not been addressed in the TA.

Base Traffic Flows

The submitted TA notes that due to the current Covid situation, and therefore atypical traffic profiles, the conventional traffic surveys would not provide robust results and consequently these have not been conducted. This is unfortunate as it marginalises the resultant capacity analyses, however, at present there is little opportunity to approach this any other way if the Planning System is to continue to operate in such unusual conditions. However and this notwithstanding, it is essential that traffic data sourced to permit such calculations is thoroughly reviewed and vetted, to ensure its relevance to the analyses and conclusions subsequently drawn. We have carefully considered the provenance of the traffic data used in the TA and conclude that it is poor, of little relevance and consequently not fit for purpose.

The historic traffic data was derived from a Department for Transport (DfT) count approximately 1.75km south of the site. Pell Frischmann state that there is **“little opportunity for vehicles to divert off Cirencester Road between the count point and the Site”**, thereby claiming that the data obtained is relevant and representative of through traffic flows at the site access. Whilst it is true that there are not significant diversion opportunities between the site and the count location, a cTc review confirms a number of developments which could easily generate, or attract traffic in sufficient volume as to impact on the traffic forecasts presented. These include:

Continued.../

- Hotel owned by Puma Hotels;
- Lilley Brook Golf Course and large car park;
- Residential properties on Gadshill Road turnoff;
- Approximately 20 residential dwellings fronting Cirencester Road;
- Short narrow rat-run on Timbercombe Lane into a housing development with hundreds of residential dwellings;
- Hilton Hotel and large car park;
- Clock Tower pub restaurant and car park.

As the full traffic count was not provided as an appendix in the TA (which I would normally expect it to be in order to permit detailed review), no further checking or data extraction is possible. It is therefore considered that the base traffic flows be treated with significant caution, as errors are likely.

I also have some reservations in regard to the forecasting of traffic generation, although these are less severe, hence I summarise subsequently, in regard to Other Matters Of Concern.

Other Matters of Concerns

Whilst the above summarises my most serious concerns with the application, each of which in my view on its own justifies refusal of Planning Permission, we have identified other matters in reviewing the analyses and design. These other matters are less severe than the concerns expressed above, however and nonetheless, in combination they provide further reason for objection on traffic and transportation grounds.

Pedestrian Access

Pedestrian access to the store is from adjacent to the car park, hence requiring shoppers to walk along the access road before entering the store. This is unusual and introduces a likely conflict between pedestrian and vehicular movements on the access road, at a location where drivers will be concentrating on many different items on approach to the car park. I consider this to present a significant road safety concern.

Furthermore, locating the pedestrian access to the rear of the store Removes it from the frontage, where it would have benefitted from overlooking by the houses opposite, hence natural surveillance, enhancing personal security of the shoppers, especially in hours of darkness. Requiring pedestrians to walk to the rear of the store on entry and exit is considered to offer poor natural surveillance and increases personal safety concerns.

Continued.../

Traffic Generation (TRICS) Analyses

The TRICS database is an industry standard means of forecasting trip rates, derived from characteristics such as, but not limited to, scale, location and local population. It is important when using TRICS to ensure that the above characteristics are reflected as accurately as possible in one's site selection criteria and failure to do so will undermine the accuracy and credibility of any trip rates produced.

In reviewing the submitted TRICS analyses a number of issues with the selection parameters were noted. These include:

- Insufficient number of sites used in each analysis. Pell Frischmann used between 2 and 4 sites, when 10 sites is considered the desired minimum for statistical reliability and good practice;
- Development scale used was too narrow, resulting in the abovementioned shortage of sites;
- Site locations used were not sufficiently accurate. The site is located at the edge of town; using edge of town centre sites potentially reduces trip rates.

cTc ran TRICS analyses correcting the above issues and found higher trip rates for the weekday discount food retail results, which inform the submitted capacity analyses. Although in our view the submitted TA understates traffic generation, the difference is not sufficient on its own to render large errors in conclusion. In combination with some of the Serious Errors identified earlier, however, these other concerns could become significant in implication.

Conclusion

The submitted TA contains a number of salient omissions and oversights, as outlined above, which call into question the ability to rely on the analyses in decision making. Consequently and on behalf of our client, Spirax Sarco, we wish to object to the Application in its current form.

Furthermore, important issues of highway safety and on-site safety have been revealed, which should render refusal of planning permission the only reasonable, effective option.

I would welcome discussions with County Highway Officers, or with representatives of the Applicant and I ask please that someone from Gloucestershire County Council, Highways Department please contact me to discuss the above concerns.

Continued.../

7.../



Kind regards.

Yours sincerely,

**Carl J Tonks BSc MSc FCILT MCIHT FIHE
DIRECTOR**

carl TONKS consulting



**3, Withyholt Court, Moorend Road, Charlton Kings,
Cheltenham, Glos GL53 9BG**

Telephone: [REDACTED]
Email: [REDACTED]

2nd February 2021

Cheltenham Borough Council
Planning
Municipal Offices
Promenade
Cheltenham GL50 9SA

Dear Sir/Madam

**Planning Application reference 20/02089/FUL
Proposed Store for Lidl, Charlton Kings**

I have just received a survey to complete from a bulk mail drop from Lidl asking me to give feedback approval on the above proposal of a discount supermarket on the Charlton Kings Industrial Estate. I returned it with my reasons for my disapproval as follows.

When the Sainsburys supermarket was built it put one well established family run corner shop out of business and no doubt adversely affected the turn over of the local Co-op and Smith and Mann. It also significantly increased the traffic in the Cirencester Road and the amount of lorries using it.

Cirencester Road is a narrow road which has car parking on both sides, in some places the only way this is possible is to park on the pathways. This is necessary because of the large lorries and buses that use the road and in an effort to keep the traffic flowing. When the Government brings a ban in, perhaps later this year, to prevent parking on the pavement and the residents resort to parking in the road traffic could well come to a halt.

Cirencester Road is used by the Cirencester buses, also the National Express London Buses and one of the bus stops is very near where the supermarket is proposed and very near a bridge on a curve in the road. It will be extremely dangerous for traffic turning right either into or out of the entrance and will be an accident waiting to happen.

Lidl appear to be under the illusion that people will be going there by bicycle! I would suggest they would be taking their lives in their hands! Most people going to Lidl stock up, they do not go on the bus or on a bike!

Apart from the dangers on the road there are environment issues. I believe there is a colony of bats that nest in that area and barn owls.

And I believe that there is lot of asbestos on the site which will need very careful handling if it is not to be a health hazard for the residents nearby.

Once we can get back to some normality we need to get all the traffic we can into Cheltenham to get our town back to the thriving hub it was or risk losing it.

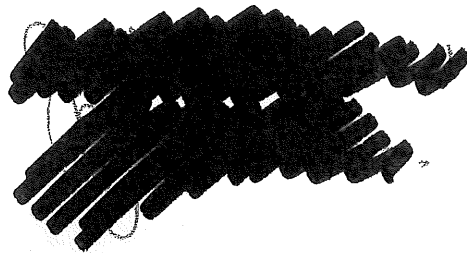
Yours faithfully

A large, irregular black redaction mark covering the signature area.

30 BROWN HILL RISE
CHARLTON KINGS,
CHERTENHAM
GL 53 9HW
16th Feb '21

Dear Sirs,
Ref Diddle's proposed
store in Charlton Kings - we have
no disagreement with this proposal
only concerns

- 1/ Light pollution
- 2/ Heavy movements - how many
and at what times
- 3/ Speed down access road.



20/02089/FUL.

~~REDACTED~~
12 GILBERT WARD COURT,
CROFT ROAD
CHARLTON KINGS
CHELTENHAM
GL53 8ND



Proposed New Lidl Store, off Cirencester Road
Charlton Kings (Ref: 20/02089/FUL)

I am glad that we may be having
a new Lidl Store in Charlton Kings.
I have shopped in Lidl stores before and
find the food very nice.

Michelle Payne, Planning, Municipal Offices
Promenade, Cheltenham,
Glos, GL50 9SA

Yours Sincerely

~~REDACTED~~

MICHELLE PAYNE.
PLANNING.
MUNICIPAL OFFICES.
CHESTERHAM.

~~XXXXXXXXXX~~
A RAVENSCAPE ROAD.
CHESTERHAM.

21.2.21
PLANNING
Rec'd 23 FEB 2021
SERVICES

REF. 20/02089/FUL. WE ARE IN

FULL SUPPORT FOR LIDL STORE.

THANKING YOU.

~~XXXXXXXXXX~~

"Chiltern Lodge"
Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB
England



Michelle Payne
Planning-Municipal offices,
Promenade,
Cheltenham,
Gloucestershire. GL50 (SA

19. February, 2021

Dear Michelle Payne,

Re: Proposed New Lidl Store for Charlton Kings (Ref:20/02089/FUL)

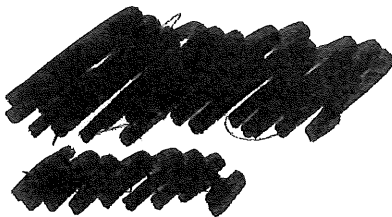
With regard the above, I write to submit my Full Approval and Support for this Application and for this to be authorized by the Cheltenham Borough Council. It is my hope that this project will be allowed to go-ahead and for it to be fully implemented without undue delay!

The reasons for my approval are many but here I would just mention:

- 1- The Proposed site for the Store will be a great improvement to the local area which currently is in a much run-down state and it will also provide much needed employment.
- 2-Because of its local proximity, it would be more environmentally friendly as it will help to reduce the length of journeys by car to otherwise more distant Stores, both for me, and many other residents of the area.
- 3- As an 84year old pensioner, given more financial choice to shops of easy access is important to me and my wife and, access to this New Store would also be much easier than to other more distant Stores in Cheltenham.

I'm remain hopeful that this Application will be successful and I thank you and the Planning Office Team for the attention given to helping to arrive at a positive decision on this matter!

Yours truly,



[Redacted]

Michelle Payne
Planning
Municipal Offices
Promenade
Cheltenham
GL50 9SA

4 East End Road
Chelton Kings
Cheltenham
GL53 8QD

23 February 2021

Dear Sirs,

Your reference 20/02089/FUL

We would like to support the proposal to build a new Lidi store in Chelton Kings. It would be helpful to have a large store in the locality, for the community.

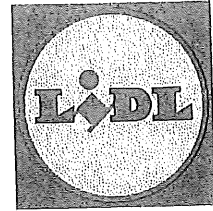
Yours faithfully

[Redacted Signature]

[Redacted Signature]

PLANNING
Rec'd 24 FEB 2021
SERVICES

We totally support ^{the} building of this store. Will be a great benefit to the community.



[Redacted]
Bramleys
Newcourt Road
Charlton Kings
Cheltenham
GL53 9AZ

Lidl Great Britain Limited

Central Park
Severn Beach
Bristol
BS35 4DF

www.lidl.co.uk

February 2021

Dear Mrs Newber,

Proposed New Lidl Store, off Cirencester Road, Charlton Kings (Ref: 20/02089/FUL)

Thank you for submitting your support for Lidl's proposals to bring a new Lidl store on the site of the former Charlton Kings Industrial Estate, off Cirencester Road (GL53 8DZ) in Charlton Kings. To date, we have received over 1,200 feedback forms with 85% of respondents supporting the plans.

Lidl has submitted a planning application to Cheltenham Borough Council and it is important that the Council understands that the local community would like to see a new Lidl store for Charlton Kings. Therefore, we would be extremely grateful if you could register your support for the plans, with the Local Authority, as unfortunately only significant weight is given to your support if submitted directly to the case officer. You can do this by:

Email – You can email your support to the planning department at planning@cheltenham.gov.uk quoting the reference number **20/02089/FUL**.

Post – You can post your comments to – Michelle Payne, Planning, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 9SA and quoting the reference number **20/02089/FUL**.

As a reminder, the proposals include:

- A new Lidl food store with a sales area of 1,117 sqm, with associated landscaping, servicing and parking
- A bespoke and sympathetically designed food store suitable for the surrounding areas
- 81 customer parking spaces, including accessible and parent & child spaces, along with two Electric Vehicle rapid charging spaces and cycle storage
- Solar panels on the roof, to help meet the store's energy needs
- Regeneration of a vacant brownfield site which is a current eyesore for the community
- Creation of up to 30 new full and part-time jobs for local people.

You can still view the plans at www.charltonkings.lidl.co.uk.

Thank you for your support. If you have any questions about the proposals, please contact us on 0117 4280 395 or by email at avonmouth.property@lidl.co.uk If you do not wish to receive further updates regarding these proposals or would like your details removed from our project database, please do let me know.

Yours sincerely

[Redacted signature]

Sarah Rees-Davies - Senior Consultant - Acquisitions

PLANNING
Rec'd 24 FEB 2021
SERVICES

22 NO FEB 2021

38761B/3288801AF01723

11 Ravensgate Road
Charlton Kings
CHELTENHAM
GL53 8NR

0953191 - 0953200
8358765/139123

DEAR NICHELLE

AS YOU KNOW LIDL IS HOPIING TO BUILD A
STORE IN CHARLTON KINGS.
WE CERTAINLY NEED A SUPERMARKET IN
C.K. I THINK WE ARE THE ONLY AREA
THAT DOESNT HAVE A LARGE SUPERMARKET.
WE NEED TO HAVE MORE CHOICES &
COMPETITION IS ALWAYS GOOD. FINGERS CROSSED!

MANY THANKS

[REDACTED]

REF NO. 20/02089/FUL.

PLANNING
Rec'd 24 FEB 2021
SERVICES

February 2021

~~XXXXXXXXXXXXXXXXXXXX~~
10, Willow Road,
Charlton Kings
Cheltenham
GL53 8PQ.

Dear Sir,

Proposed New Lidl Store, off
Cirencester Road, Charlton Kings.

We support for the plans new
Store, Ref number 20/02089/FUL.

Yours Sincerely,
~~XXXXXXXXXXXXXXXXXXXX~~

PLANNING
Rec'd 24 FEB 2021
SERVICES

18th February 2021

Ref No. 20/02089/FUL

20 Withyholt Court

Morand Road, Charlton Kings

Cheltenham GL53 9BG

Dear Ms. Payne,

I have been informed that hidl has submitted a planning application to Cheltenham Borough Council to build a new store on the site of the former Charlton Kings Industrial Estate, off Linchester Road, GL53 8DZ in Charlton Kings.

I am writing, therefore, to say that I totally support this plan. I was very disappointed, as I know a lot of older people were, when the store in the centre of town closed.

This was very convenient for me and many others but now I have to go to the store near Bounswick Street or, go even further, down to the Tewkesbury Road store.

I feel that my side of town has been somewhat neglected in this respect and to have a hidl store for residents in Charlton Kings would be a great asset.

hidl's plans to turn this brownfield site into a sympathetically designed and eco friendly area for this store can only be a positive outcome for Charlton Kings which will also create some badly needed jobs.

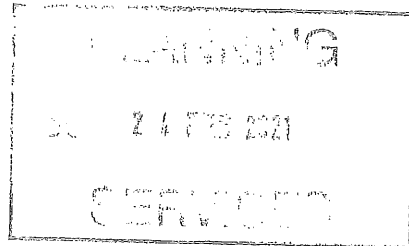
I look forward to hearing that the Borough

Council will approve ² hidi's application.

Yours faithfully

[Redacted signature]

Michelle Payne
Planning
Municipal Offices
Promenade
Cheltenham
GL50 9SA



26 Hartlebury Way,
Charlton Kings
Cheltenham GL52-64B
2 March 2021

The Chief Planning Officer,
Cheltenham Borough Council

Dear Sir,

Proposed Lidl store
Cirencester Road, Charlton Kings



I should appreciate it, if it could be conveyed to the members of your Committee that to agree to the above proposal will, without question, sound the death knell for local shops in Charlton Kings.

We are a happy and, I believe, fairly homogeneous community in Charlton Kings. With an excellent library, splendid schools, churches which often pull together for the good of the residents (and are frequently in touch with one another), recreational facilities for children of all ages and shops which have served this area superbly over very many years, our sense of 'community', of pulling together for the good of those among whom we live, is something to be treasured.


Always evident have been the efforts of local shops (I believe, without exception) not only

to supply our needs in the best way possible, but also to be part of the area inhabited by their customers. In very recent, difficult times it has been quite humbling to observe their efforts to run their businesses as effectively and safely as possible and to the benefit of all. Further, ~~to~~ one cannot gauge their contribution to morale - but there has undoubtedly been a contribution. They have, in effect, reflected in a wonderful way the spirit in the wider community.

To the members of your Committee I emphasize... the arrival of Lidl's in Charlton Kings would mean that, inexorably and without question, one by one, these shops will close.

I could argue that the closure of the local shops, with the inevitably much lighter foot-fall in the village, could lead to the loss of the library. However, that is another question. There could be further ramifications beyond that.

Close the local shops and people will be out and about in the village much less, see each other much less, talk to each other much less, pass on information about local events much less - - - -


95 ROSEHILL ST
CHELTENHAM
GL52 6SQ

FOR THE ATTY OF
MICHELLE PAYNE, PLANNING OFFICE

I AM WRITING IN SUPPORT OF THE
PROPOSED LIDL STORE (REF 20/02089/FUL
OF CINCENESTER ROAD)
NOT ONLY SOAS FOR LOCAL PEOPLE
IT WOULD BE BUILT ON BLOWNFIELD
LAND, WHICH IS A CURRENT EYESSONE
I THINK IT WOULD BE GREAT FOR
CHARLTON KINGS



(I HOPE YOU LIKE THE CARD)

PLANNING
Rec'd 1 6 MAR 2021
SERVICES

[REDACTED]

21 Croft Gardens

Charlton Kings

GL53 8LQ

Reference 20/02089/FUL

Michelle Payne, Planning, Municipal Offices. Promenade. Cheltenham. GL50 9SA

Dear Michelle Payne,

I should like to register my wife and I's support for the above plan concerning building and opening a Lidl Store in Charlton Kings.

From a personal point of view, it would allow us to shop at a Lidl Store, [REDACTED] [REDACTED], and since they closed the Lidl Store at the top of town, we are unable to reach the store on the old Matalan site.

We have shopped with Lidl for many years and have always found them to be a caring and helpful Store with a large product range and very competitively priced stock and consider that they would be a credit to the area.

Having viewed the basic plan to enhance the proposed plan we consider that clearing the present eyesore, providing a quite reasonably sized car park, Electric charging for vehicles and using Solar Panels to meet their own energy needs are all pluses. Of course in providing extra opportunity for 30 full and part time jobs, especially at this time, is yet another plus.

We Remain, Yours Sincerely.

[REDACTED]
[REDACTED]
[REDACTED]

MICHELLE PAYNE
PLANNING
MUNICIPAL OFFICES
PROMENADE
CHELTENHAM GL50 9SA.

~~XXXXXXXXXX~~
39 LONGWAY AVE
CHARLTON KINGS
CHELTENHAM
GL53 9SH.

~~XXXXXXXXXX~~
16.03.21.

REF 20/02089/FUL.

DEAR MICHELLE.

I FULLY SUPPORT (BY 100%) THE
PLANNING APPLICATION FROM LIDL TO INSTALL
A NEW LIDL STORE @ CIRENCESTER ROAD, CHARLTON KINGS.
CHARLTON KINGS IS A LOVELY GOOD
QUALITY RESIDENTIAL AREA OF CHELTENHAM,
PROBABLY THE FAVOURITE & IT IS ABOUT TIME
IT HAD A PROPER STORE OF SUBSTANCE.
THE SITE COULD NOT BE BETTER FOR ALL
COMMERCIAL REASONS. I'D LOVE IT TO HAPPEN
YOU NEVER SEE A RUN DOWN LIDL STORE,
ALWAY CLEAN, EXCELLENT CAR PARKING & LOVELY
STAFF.

I WISH THEM ALL THE VERY BEST
& WELCOME TO CHARLTON KINGS.

YOURS SINCERELY

~~XXXXXXXXXX~~

Ref. Planning Application
20/02089/FUL

The Hendre,
33, Brookway Road,
Charlton Kings
Cheltenham
GL53 8HF



20/3/21

I am writing about the proposal to build a
Lidl on Cirencester Road. I am horrified that you
should even consider it. Have you no thought
for the people who live in this area.

The main reason I came to live here in
1968 was the fact that I would have local shops
to cater for my needs. ~~XXXXXXXXXXXX~~ I need those
local shops more than ever. I have stopped in
the shops in Lyefield Road all these years. In
this current times when I have been unable to
get out Smith & Mann have delivered my weekly
shopping without fail. Normally I can just about
walk around there. I also rely on the Post Office
a lot as I correspond with my far flung family
by post & also get my money out of the Post office.
I believe there is a machine at Six Ways but to use
that I would have to get a taxi or a lift from
someone. The same would apply if I had to go to
Cirencester Rd for groceries.

The chemist is a life line always so helpful
& full of advice on the aches & pains of old age - I
can't think of life without my local shops. The
florist have come to my help many times & I know
I can always pop in (when I'm allowed out) & get
a sandwich etc at the coffee shop - it is a joy to see

the young mums & the older generation sitting outside in the better weather. We have so much to lose if the Lidl plan goes ahead & our shops had to close.

The population around here is mainly retired & elderly & like me have no access to internet or smart phone so can't shop on line. Local shops are our life line.

I have said nothing yet about the extra traffic - it is bad enough already - some mornings we can wait up to 5 minutes for a break in the traffic to even get out to Lyefield Rd. Horseshair Rd is always busy with thru' traffic - cutting thru' to London Rd & avoiding 6 ways.

Please, please turn down the application. I want my friendly local shops to remain & not be forced out by Lidl.

Yours



Ref. Number
22.3.2021

PLANNING
20/02089/FUL
Rec'd 23 MAR 2021
SERVICES

I am writing to object most strongly about the planning application for yet another Lidl shop.

I am a resident of Chaulton Kings where we have some excellent food shops where we get very good personal service, plus there are other shops i.e. chemist, coffee shops and florist, all of these would lose custom if Lidl were allowed to

open.

Please consider the
planning application
very carefully and take
notice of what local
people want and do not
want in their area.

Yours faithfully,

~~XXXXXXXXXXXXXXXXXXXX~~

POSTAL
M 23 MAR 2021
SERVICES O

POSTAL
M 25 MAR 2021 O
SERVICES

THE GARDEN FLAT
68. COPT ELM ROAD
CHARLTON KINGS
GL53 8AW

CHELTENHAM B.C.
MUNICIPAL OFFICES
PROMENADE.
CHELTENHAM GL50 9SA

24/03/2021

PLANNING
Rec'd 25 MAR 2021
SERVICES

Dear Sir/Madam,

I am writing to appeal against the opening of another Sainsbury's superstore in the Cirencester Road. We have a wonderful group of shops on Lyefield Road West which serve us magnificently with all our requests, delivering to the elderly during lockdown, with a personal help and assistance.

A Sainsbury's is also along the Cirencester Road.

Please spare us from losing

2

our community, friendly helpful
shops to supermarkets that do not
always supply our needs. Not every
one owns a car

Yours faithfully.

A large, thick, black horizontal scribble used to redact the signature of the sender.

29 Gopt Elm Close
Charlton Kings
Cheltenham

21/3/2021

Dear Sir

Re: Planning ref 20/02089/FUL

I wish to register my objection to the proposed planning application above. I have used the independent shops in Hyzfield Road for over 40 years and they are a hub of the community.

yours faithfully





PLANNING
Rec'd 24 MAR 2021
Ref SERVICES 2019/FUL

#, Randolph Close
Cheltenham.

GL53 7RT

20.3.21.

Dear members of the Planning Committee,

For thirty three years we have
lived in this area of Cheltenham.
The local shops, Smith + Mann,
the Coffee Bean, the Flower shop
and Charlton Pharmacy have
been important to us - especially
now ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Please, please, do not put
these excellent shops at risk
of closure by allowing planning
permission for a large
multinational chain store, Lidl,

PLANNING
Rec'd 24 MAR 2021
SERVICES

75A Cirencester Road
Charlton Kings
Cheltenham
GL53 8DB

21.03.2021

Planning & Environmental
Regulatory Services,
Cheltenham Borough Council
Municipal Offices, Promenade.
Cheltenham, GL50 1PP

Ref 20/02089/FUL

Dear Planning Director

Regarding proposed hill foodstore on the former
Charlton Kings Industrial Estate off Cirencester Road.

I make comments as below:-

- ① This is a residential road and area.
- ② There will obviously be more lorries for goods deliveries, along with customer cars from outside the area.
- ③ Raising pollution and road damage, the above coming from Gloucester/Cirencester via A435, will add to the already unstable road heading towards the site.
- ④ In my view, we do not need further store outlets, already having a Coop, Nisa, Pharmacy, to serve our needs.
- ⑤ The increased traffic will increase dangers to school children, elderly and vulnerable people.

Yours sincerely



~~XXXXXXXXXX~~

7 LITTLE PROASPEROS

CHARLTON KINGS

CHERTONHAM

GL53 8ET

REF NO 20/02089/FUL

TO WHOM IT MAY CONCERN

AS WE HAVE 4 STORES IN C/K

AS IS 2 CO-OP: 1 SMITH AND HANN

+ 1 SAINSBURY'S I DON'T THINK A

LID6 WOULD BE APPROPRIATE AS IT

WOULD CAUSE A LEAST 1 STORE TO

GO BUST. A SEE LEAFLET ENCLOSED

PLANNING

Rec'd 7 5 MAR 2021

SERVICES

Glencoe
Bradley Road
Charlton Kings
Cheltenham
GL53 8DX



Alex Chalk MP
Office 11
Sunningend Business Centre
Unit 22 Lansdown Industrial Estate
Gloucester Road
Cheltenham
GL51 8PL

23rd March 2021

Dear Alex,

Ref: Lidl planning application 20/02089/FUL

We have today received a leaflet from shop owners in Lyefield Road West objecting to the Lidl store planned for Cirencester Road Charlton Kings. We note that your name together with the parish council is also listed as objectors.

There are many Charlton Kings residents that would welcome a decent sized supermarket, as this area is the only one in the Cheltenham area that does not have one.

Who will represent those of us that are for this development?

Charlton Kings has a population of nearly eleven and a half thousand, more than enough to keep Lidl and the four shops in Lyefield Road West in business. 30 new jobs are surely to be welcomed.

The Cirencester Road (A436) is a main route into Cheltenham and therefore more than adequate to take a little increase in traffic. We would also point out that any shoppers from Cirencester would not be cutting through the village.

As for excessive noise and pollution, that has no bearing on trade in Lyefield Road West. Lidl store will be below road level creating no excessive noise. The proposed development will use a disused brown field site and will not be encroaching into green belt land.

There is no mention in the Lidl proposal to incorporate a coffee shop, chemist or Post office thereby alleviating any fear of loss of trade by the objectors.

We would appreciate you reconsidering your objection to this planning application.

Yours sincerely,

c.c. Cheltenham Borough Council Planning Dept,
Lidl Store Head Office

Page 247
Cirencester Road,

Chalton Kings

Cheltenham

GL53 8EX

The Planning Department
Cheltenham Borough Council

23. 3. 2021 .

Reference : 20/02089/FUL

I should like to object to the proposed Lidl store on Cirencester Road.

1. We already have two Coop supermarkets and a Sainsbury's Local in addition to a variety of smaller businesses which serve the area. We do not need any more.
2. A Lidl store would take people away from the existing shopping hubs (Six Ways, Church Piece and Lyefield Road) leading to the death of these focal points of village life.
3. The small independent shops have served the community brilliantly during the pandemic. Two particular examples are Chalton Pharmacy, which has delivered medicines throughout, and Smith and Mann, which has set up a home delivery service for those who need it. Such shops need a big thank you and support; not the opposite.

Yours faithfully : 

To Keworth Rd
CHARLTON KINGS,
GL52 6LS.

Planning Officer
Cheltenham Borough Council
Municipal Offices
Cheltenham GL50 9SA

24-03-21

Dear Sir

20/0289/FUL

I am writing to express my concern and objection to the Planning Proposal by Lidl to build a new store on Gloucester Rd. Charlton Kings. and to give my support to the Parish Council, our Local MP and local employers in their objection to the proposal on the grounds of increased traffic, with more pollution and noise and danger to people, young and old.

It is obvious that there would be a threat to the small independent local businesses who have served Charlton Kings for many years, both in the way of business and socially. It would be a cruel blow if having survived coronavirus they were forced to close, and the community to lose small but useful social facilities, which is surely, if this development went forward

I urge you to reject this proposal

Yours faithfully



[REDACTED]

From: [REDACTED]
Sent: 28 March 2021 09:58
To: Internet - Planning Comments
Subject: Re: 20/02089/FUL

Sorry its gl53 8lf no 1
[REDACTED]

many thanks
[REDACTED]

From: Internet-PlanningComments.Internet-PlanningComments@cheltenham.gov.uk <Internet-PlanningComments.Internet-PlanningComments@cheltenham.gov.uk>
Sent: Sunday, March 28, 2021 8:33:53 AM
To: [REDACTED]
Subject: RE: 20/02089/FUL

Thanks for your email.

In order for your comments to be registered, please provide your full postal address.

With best wishes

[REDACTED]
Planning Support Services
[REDACTED]

01242 264170

From: [REDACTED]
Sent: 27 March 2021 11:19
To: Internet - Built Environment <Planning@cheltenham.gov.uk>
Subject: 20/02089/FUL

20/02089/FUL

There is a lot of local support for this.

I would urge you not to be put off by the locals that just do not understand family life.

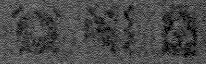
A lot of older locals are against this supermarket but they are not understanding that.

Around 7 in 10 of local families either get items delivered or travel to supermarkets for weekly shops of items they can't source locally.

This generates more traffic on the road leaving the are, people who would walk to a local supermarket.

The financial savings of shopping locally at lidl instead of a 20 minute trip to the nearest tesco or sainsburys superstore, or getting deliveries in would amount to at least £50 a month in savings.
For me it would save me £30 a week min and increase my excersice.

11:16



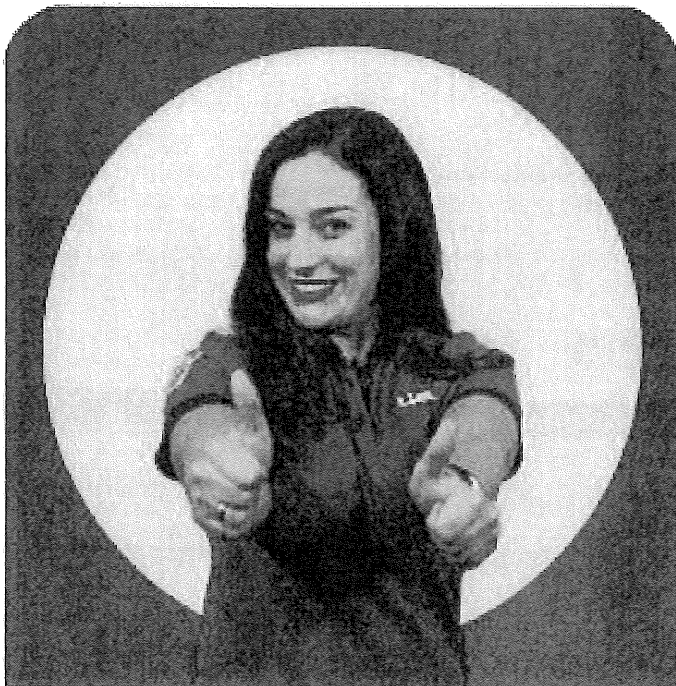
moot point , because currently CK r
drive further and cause MORE pollu
their shopping ! "We don't want cars
into the area causing pollution " ? B
happy... See more

4 h Like Reply



~~XXXXXXXXXX~~

It's a yes from me 😊



GIPHY

11:16



2 >



[Redacted]

It will also bring people spending m
other local businesses , and jobs , a
the convenience of a Supermarket
CKings .

14 h Like Reply



[Redacted]

Can I ask where you shop [Redacted]?

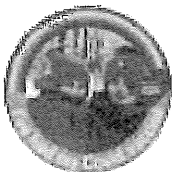
14 h Like Reply

2



[Redacted]

All 4 of those argum

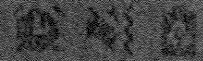


[Redacted]

I'd love Lidl to come to Charlton Kir
yes from me.

12 h Like Reply

11:17



2 >

coffee bean because there are other shops closer to... See more

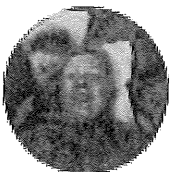
1 h Like Reply



~~XXXXXXXXXX~~

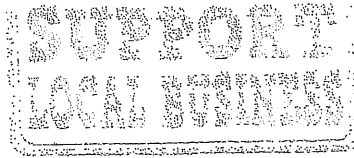
I personally was outraged to receive through my letterbox and instantly I all the companies listed on here. It's ridiculous, they had the local niche products that locals used and this is replacing the distant trip to the super to get products local shops don't stock a local supermarket does. Sorry your trade not through a supermarket but because of your... See more

12 m Like Reply



~~XXXXXXXXXX~~

What utter nonsense. We always pr



Dear Residents of Charlton Kings,

For over a century, there has been stores on the Lyefield Road providing essential services to the Charlton Kings community. We, the business owners of Lyefield Road West – Smith & Mann, the Coffee Bean, Make Their Day Flor and Charlton Pharmacy – take great pride in our standing as independents and of the personal relationships we've built with our customers, friends and neighbours in Charlton Kings.

However, we're now facing an existential threat to our business and we need your help!

Lidl, a large, multinational chain store, has put in a planning application to build a store on Cirencester Road. This new store, less than a ten-minute drive away from another Lidl, has been opposed by the Charlton Kings Parish Council, local MP Alex Chalk, and the community's largest employer, Spirax Sarco. We strongly object also and can say with certainty that should this new store open it would impact our businesses so severely, we would have to shut our doors.

Collectively, the main objections to this proposed store are –

- While it would create 30 jobs at Lidl, it would result in the loss of the same number of jobs across our independent shops when we close.
- It would cause excessive noise and traffic pollution.
- It would come with over 80 car parking spaces and Charlton Kings does not have sufficient road infrastructure to deal with this large influx of traffic.
- Residents from Cirencester and the surrounding countryside of Cheltenham would no doubt use the already congested roads of our village as a cut through to the new development. This poses a significant danger to pedestrians in the village including our school children, the elderly and vulnerable.

We're asking the local community to come together to object to their planning application, and protect our local businesses, jobs and unique village culture.

You can send in your objection to Lidl's planning application via email to planning@cheltenham.gov.uk or by post to Cheltenham Borough Council, Municipal Offices, Promenade, Cheltenham GL50 9SA. Please ensure to quote the reference number 20/02089/FUL. You can also object online, by going to www.cheltenham.gov.uk/publicaccess and typing '20/02089/FUL' into the 'Application Quick Search' box.

Thank you in advance for your support. We are a strong and united community and we hope that we can continue to serve and work alongside you for many years to come.

Colm McAlary



Tracy McAlary



Smith & Mann

The Coffee Bean

James Payne



Ismene Reeves



Charlton Pharmacy

Make their Day Florist

For more information, please visit stopthelidl.co.uk

Cariadus
5D Morlands Drive
Charlton Kings
Cheltenham
GL53 8LP

To: Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

25th March 2021

Re: Planning Application 20/02089/FUL

In June 1967 we moved to No. 253 Cirencester Road overlooking Charlton Kings railway Station which had been closed for some years. In 2004 we moved to our present home close to Cirencester Road, A435. Over the years traffic on the A435 steadily increased. The railway bridge obscured the view from the site entrance for traffic approaching from the Cirencester direction. Visibility was worsened when a busstop and shelter was installed almost opposite No. 253. This was for the hourly Stagecoach 51 service and long distance coaches from Heathrow and London several times a day.

A large supermarket on this site generating hundreds of traffic movements every 24 hours is likely to cause many accidents. The supermarket would destroy the livelihoods of the local small shops. When we moved to Charlton Kings there were three Post Offices, Now we have only one inside Smith and Mann's grocery store. This Post Office is always busy and many people rely on it for cash and banking as well as normal Post Office work. (All our banks closed years ago)

Charlton Pharmacy is a lifeline for us all. The Pharmacist can give us medical advice, which has often helped us. The Pharmacy also carries a large range of products. The little Flower shop is well used as is the local butcher - who will cut us what we need. The cafés in the village will close if their passing trade disappears due to shops closing. The heart of Charlton Kings village would be destroyed.

Lidl's already have very large supermarkets on Swindon Road and Tewkesbury Road.

We must not let these huge multinational chain stores destroy our village.

We would respectfully suggest that the Planning Committee travel by coach to the site before making any decisions.

Yours sincerely

Reg. No 20/0208 Page 255.

29/3/21

18 Greatfield Drive
Charlton Kings
GL53 9BY

Dear Sir/Madam,

Planning Application - Hide Store,
Civencester Rd., Charlton Kings

1) I object to the above
planning application for the
following reasons -

The Civencester Road is
a very busy road & would
cause a large influx of
traffic into Charlton Kings.

2) Charlton Kings has an
ample selection of shops



and if Page 256 is built in
Cirencester Road, the
existing smaller shops will
not survive.

3) If residents from Cirencester
& other areas of Chetewham
visit the new development
this will cause heavy
traffic pollution in an
already busy village area.

Yours faithfully



20 Parkwood Grove

Charlton Kings.

Cheriton

GL53 9SP

26/3/21.

REF 20/02089/FUL

Dear Sirs.

My wife and I are writing to you, regarding our objections to the new Lidl store in Charlton Kings.

We have lived in Charlton Kings for 50 yrs. We can't see why we have to have another news store here. We have good range of shops here. in the village and at Sweets. If this store is accepted it would mean traffic problems and possible redundancies in this area.

Yours Sincerely.

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

21 Shrublands
Charlton Kings
CHELTENHAM
GL53 0ND

28th March 2021

Cheltenham Borough Council
Municipal Offices
Promenade
CHELTENHAM
GL50 9SA

Dear Sirs

NEW LIDL STORE IN CHARLTON KINGS.

We are blessed with several shops already in Charlton Kings .

We have lived in the village for thirty seven years and the existing shops have served us well

Particularly in the last year with COVID.

They have provided deliveries to those who find it difficult to shop and the elderly with no computer.

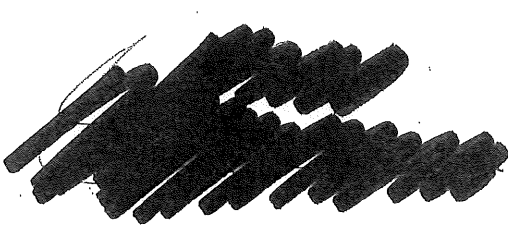
We are concerned that the arrival of Lidl to the village will have a big impact on the present shops.

We have already a Sainsbury stores and it is difficult to justify another food store.

The other concern is the extra traffic from the surrounding villages in the area.

Yours sincerely

John and Margaret Burrows



REF 20/02089/FUL

SIXTON
34 LONGWAY AVE.

LITTON KINGS IS BY NATURE

A VILLAGE. SERVED BETTER

THAN MOST VILLAGES BY WAY

OF ITS MULTIPLE SERVICES AND

AND SHOPS. TO INTRODUCE A

LARGE SUPERSTORE WOULD

COMPLETELY UPSET THE BALANCE

IT WOULD NOT PROVIDE MORE

EMPLOYMENT BECAUSE THIS WOULD

BE OFFSET BY LOSSES ELSEWHERE.

PLEASE LEAVE WELL ALONE.

RIDL HAVE PLenty OF OTHER

OUTLETS IN CANTONHAM.

SAINSBURY'S WAS INTRODUCED

TO VILLAGES WITH PRESENT

PROBLEMS. WILCAT MEMBERS

OF THE COUNCIL ARE STILL

TRYING TO SOLVE

PLEASE REORGANISE THE VILLAGES

AND LEAVE WELL ALONE



Dear Residents of Charlton Kings,

For over a century, there has been stores on the Lyefield Road providing essential services to the Charlton Kings community. We, the business owners of Lyefield Road West – Smith & Mann, the Coffee Bean, Make Their Day Florist and Charlton Pharmacy – take great pride in our standing as independents and of the personal relationships we've built with our customers, friends and neighbours in Charlton Kings.

However, we're now facing an existential threat to our business and we need your help!

Lidl, a large, multinational chain store, has put in a planning application to build a store on Cirencester Road. This new store, less than a ten-minute drive away from another Lidl, has been opposed by the Charlton Kings Parish Council, local MP Alex Chalk, and the community's largest employer, Spirax Sarco. We strongly object also and can say with certainty that should this new store open it would impact our businesses so severely, we would have to shut our doors.

Collectively, the main objections to this proposed store are –

- While it would create 30 jobs at Lidl, it would result in the loss of the same number of jobs across our independent shops when we close.
- It would cause excessive noise and traffic pollution.
- It would come with over 80 car parking spaces and Charlton Kings does not have sufficient road infrastructure to deal with this large influx of traffic.
- Residents from Cirencester and the surrounding countryside of Cheltenham would no doubt use the already congested roads of our village as a cut through to the new development. This poses a significant danger to pedestrians in the village including our school children, the elderly and vulnerable.

We're asking the local community to come together to object to their planning application, and protect our local businesses, jobs and unique village culture.

You can send in your objection to Lidl's planning application via email to planning@cheltenham.gov.uk or by post to Cheltenham Borough Council, Municipal Offices, Promenade, Cheltenham GL50 9SA . Please ensure to quote the reference number 20/02089/FUL. You can also object online, by going to www.cheltenham.gov.uk/publicaccess and typing '20/02089/FUL' into the 'Application Quick Search' box.

Thank you in advance for your support. We are a strong and united community and we hope that we can continue to serve and work alongside you for many years to come.

Colm McAlary

Smith & Mann

James Payne

Charlton Pharmacy

Tracy McAlary

The Coffee Bean

Ismene Reeves

Make their Day Florist

For more information, please visit stopthelidl.co.uk

25 March

Page 262

Cheltenham Borough
Council

~~XXXXXXXXXXXXXXXXXXXX~~
Brookway House

Brookway Drive

Charlton Kings,

Cheltenham

GL53 8AJ

Dear Sir / Madam

I read with dismay Lidl's
planning application for yet another
store. This would be the 'death knell'
for our lovely local shops and local
employment. These we can walk to. Should
this change we will have to drive to
further away stores, how futile. We
object most strongly

Yours Sincerely

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

Domus

25.03.2021.

70A Copt Elm Rd.
Charlton Kings
Cheltenham.
GL53 8AW.

Ref. No.
20/02089/FUL

I live in a house in Copt Elm Road. Nearby are 4 shops, a Pharmacy, a Flower Shop, a small Café and a large corner shop selling foods. All are run by very efficient people whom I know and trust as friends and helpers.

I am an old lady and I can easily walk to these shops as so can a lot of people who live in Charlton Kings. We also have a Co-op shop nearby. We do not need a large Super Market like Lidl's built in this area which would

destroy our local shops.

The Cirencester Road is not wide enough for the building of a very large SuperMarket and up to 80 car parks. The whole area would become a danger zone. We do not need another SuperMarket in this area.

Yours sincerely,

A large, dark, irregular scribble used to redact the signature of the sender.

Cheltenham Borough Council
Municipal Offices
Cheltenham
GL50 9SA

25 March 2021

Reference 20/02089/FUL

Toad Hall
Ham Square
Cheltenham
Glos.
GL52 6NF

Good morning

Planning Application for New Lidl Store on Cirencester Road Charlton Kings

I object most strongly against this application.

As a resident of Charlton Kings, I use the shops in Lyefield Road and The Precinct almost daily. I am greatly opposed to the idea of a second supermarket in a village like Charlton Kings, because that is what Charlton Kings is, a village with a strong local community that has flourished for many many years.

Charlton Kings does NOT need a further supermarket. There is a small supermarket, Sainsburys, in Cirencester Road already plus an additional shop, which together with the facilities in Lyefield Road East and Church Piece is more than adequate for local shopping. All can be accessed by foot serving local people.

Another supermarket only increases road traffic on an already busy road. Could not the land be used for low cost housing, always a necessity.

The Parish Council of Charlton Kings are working towards creating an even closer community by increasing open spaces for walkers encouraging greater connectivity between residents within our community. WE DO NOT NEED ANOTHER SUPERMARKET.

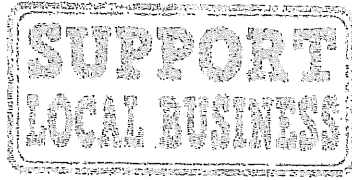
I do hope Borough Planning Officers will clearly sense public opposition to this unnecessary development and recommend to the CBC Planning Committee the rejection of this application.

[REDACTED]

POSTAL
M - 6 APR 2021 O

We do not need THIS Page 266

I object to this



[Redacted]
13 Lyefield RD West
Charlton Kings
Cheltenham
GL53 8EZ

Dear Residents of Charlton Kings,

For over a century, there has been stores on the Lyefield Road providing essential services to the Charlton Kings community. We, the business owners of Lyefield Road West – Smith & Mann, the Coffee Bean, Make Their Day Florist and Charlton Pharmacy – take great pride in our standing as independents and of the personal relationships we've built with our customers, friends and neighbours in Charlton Kings.

NOT Needed

However, we're now facing an existential threat to our business and we need your help!

Lidl, a large, multinational chain store, has put in a planning application to build a store on Cirencester Road. This new store, less than a ten-minute drive away from another Lidl, has been opposed by the Charlton Kings Parish Council, local MP Alex Chalk, and the community's largest employer, Spirax Sarco. We strongly object also and can say with certainty that should this new store open it would impact our businesses so severely, we would have to shut our doors.

Collectively, the main objections to this proposed store are –

- While it would create 30 jobs at Lidl, it would result in the loss of the same number of jobs across our independent shops when we close.
- It would cause excessive noise and traffic pollution.
- It would come with over 80 car parking spaces and Charlton Kings does not have sufficient road infrastructure to deal with this large influx of traffic.
- Residents from Cirencester and the surrounding countryside of Cheltenham would no doubt use the already congested roads of our village as a cut through to the new development. This poses a significant danger to pedestrians in the village including our school children, the elderly and vulnerable.

We're asking the local community to come together to object to their planning application, and protect our local businesses, jobs and unique village culture.

You can send in your objection to Lidl's planning application via email to planning@cheltenham.gov.uk or by post to Cheltenham Borough Council, Municipal Offices, Promenade, Cheltenham GL50 9SA. Please ensure to quote the reference number 20/02089/FUL. You can also object online, by going to www.cheltenham.gov.uk/publicaccess and typing '20/02089/FUL' into the 'Application Quick Search' box.

Thank you in advance for your support. We are a strong and united community and we hope that we can continue to serve and work alongside you for many years to come.

Colin McAlary

Smith & Mann

James Payne

Charlton Pharmacy

Tracy McAlary

The Coffee Bean

Ismene Reeves

Make their Day Florist

For more information, please visit stopthelidl.co.uk

Page 267.
14 FILFORD ROAD
CHELTENHAM
GL53 9AQ

1st April 2021

PLANNING DEPARTMENT
CHELTENHAM BOROUGH COUNCIL

Dear Planning officers,

PLANNING APPLICATION REFERENCE NUMBER:
20/02089/FUL

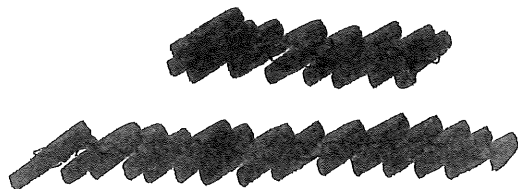
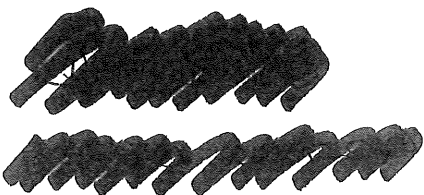
We are writing to object, in the strongest possible terms, to the above Planning Application by Lidl to build a new supermarket on the Cirencester Road.

This would be a disaster for all those local, independent shops which have served the community so heroically during the past difficult year. These businesses have worked so hard and been a lifeline for their community.

A new store would create an enormous increase in traffic, pollution, noise and congestion and would surely put all local businesses in an unsustainable position.

Please refuse this planning application.
Thank you for your consideration.

Yours sincerely,



8 Glenure Court,
168 Cirencester Rd,
Charlton Kings,
Cheltenham

Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham.

Attn: Planning Dept.

7 April 2021

Dear Sirs,

Planning Application for Lidl

I am writing to support the planning application, made by Lidl, to open a store in Charlton Kings on Cirencester Road.

Speaking personally, I would find this store very useful to me, being within easy walking distance.


There is a small supermarket, also nearby, which I use, Sainsbury Local. But from my knowledge of Lidl stores, I would expect choice of foods and household items to be considerably larger.

As far as I recall, the nearest equivalent would be the main Sainsbury store on the Oakley site, much further away from me.

Yours,

A large, irregular black redaction mark covering the signature area.

Lilleybrook Lawn
Cirencester Road
Charlton Kings
Cheltenham
Glos. GL53 8ED



Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham.

Attn: Planning Dept.

6 April 2021

Dear Sirs,

Re: Planning Application
Messrs Lidl & Co
Old Charlton Kings Rly Stn site

I write in support of the current application, made by Messrs Lidl, to open a store in Charlton Kings.

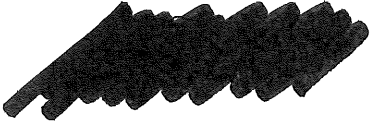
There is not a store of similar size, and potential range of goods, located in the suburban area of South Cheltenham, which includes not only Charlton Kings, but Leckhampton as well.

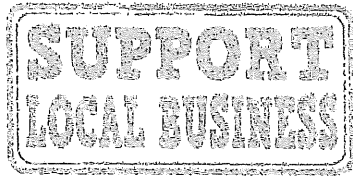
There are no doubt objections, on grounds of traffic, and of risk to livelihood of smaller shops, which provide some of the similar goods Lidl will no doubt offer.

The potential alternative use to replace the 4 factories, is, no doubt residential housing. However, for example, a development of say 15 houses would incur an extra 30-45 cars.

Regarding the local stores, I suppose competition always has to be fostered, in the interests of the wider community.

Yours faithfully,





SEAN O'SULLIVAN
4, CASTLEFIELD RD
CHARLTON KINGS
CHERT GL52 6YW

Dear Residents of Charlton Kings,

For over a century, there has been stores on the Lyefield Road providing essential services to the Charlton Kings community. We, the business owners of Lyefield Road West – Smith & Mann, the Coffee Bean, Make Their Day Florist and Charlton Pharmacy – take great pride in our standing as independents and of the personal relationships we've built with our customers, friends and neighbours in Charlton Kings.



However, we're now facing an existential threat to our business and we need your help!

I object

Lidl, a large, multinational chain store, has put in a planning application to build a store on Cirencester Road. This new store, less than a ten-minute drive away from another Lidl, has been opposed by the Charlton Kings Parish Council, local MP Alex Chalk, and the community's largest employer, Spirax Sarco. We strongly object also and can say with certainty that should this new store open it would impact our businesses so severely, we would have to shut our doors.

Collectively, the main objections to this proposed store are –

- While it would create 30 jobs at Lidl, it would result in the loss of the same number of jobs across our independent shops when we close.
- It would cause excessive noise and traffic pollution.
- It would come with over 80 car parking spaces and Charlton Kings does not have sufficient road infrastructure to deal with this large influx of traffic.
- Residents from Cirencester and the surrounding countryside of Cheltenham would no doubt use the already congested roads of our village as a cut through to the new development. This poses a significant danger to pedestrians in the village including our school children, the elderly and vulnerable.

We're asking the local community to come together to object to their planning application, and protect our local businesses, jobs and unique village culture.

You can send in your objection to Lidl's planning application via email to planning@cheltenham.gov.uk or by post to Cheltenham Borough Council, Municipal Offices, Promenade, Cheltenham GL50 9SA . Please ensure to quote the reference number 20/02089/FUL. You can also object online, by going to www.cheltenham.gov.uk/publicaccess and typing '20/02089/FUL' into the 'Application Quick Search' box.

Thank you In advance for your support. We are a strong and united community and we hope that we can continue to serve and work alongside you for many years to come.

Colm McAlary

Tracy McAlary

Smith & Mann

The Coffee Bean

James Payne

Ismene Reeves

Charlton Pharmacy

Make their Day Florist

For more information, please visit stopthelidl.co.uk

10, BUCKLEHAYEN ALMSHOUSES,
STOCKTON CLOSE,
CHARLTON KINGS,
CHELTENHAM,
GL53.9JR.

20.4.21

REF NO 20/02089/FUL

Dear MS PAYNE,

I agree about a LIDL store
in Charlton Kings, we need more
diversity in the area.

Yours truly

A large, dark, irregular redaction mark covering the signature area.

19/4/21

15 Gilbert Ward Court
Croft Road
Charlton Kings
Cheltenham GL53 8ND

Dear Madam,

I would like to register my
support for the new Lidl store for
Charlton Kings ref. 20/02089/Ful.
I think it would be a great advantage to
Charlton Kings as I have no transport
and Lidl would have many of the things
I need at a reasonable price. I am elderly
and find getting into town very difficult.

Yours sincerely



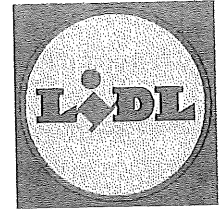
6 Wistley Road,
Charlton Kings
Cheltenham
GL53 8NW

Dear Michelle Payne

I am writing to you to support Liddle opening a store in Charlton Kings. I use the one in town as I have no car I use the bus and then walk. Hoping permission is granted it will be a 10 minute walk for me then as ~~now~~ now it would be great to have Liddle here

Yours Faithfully

~~Michelle Payne~~



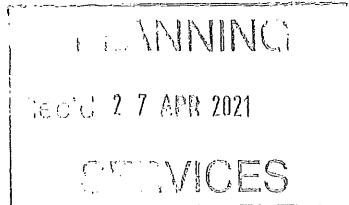
Lidl Great Britain Limited

Central Park
Severn Beach
Bristol
BS35 4DF

www.lidl.co.uk

[REDACTED]
Balcarras Farm Cottage
Cheltenham
GL52 6UT

15 April 2021



Still time to register your support for our new Lidl store for Charlton Kings (Ref: 20/02089/FUL)

I am writing to update you on Lidl's proposals to bring a new store to Charlton Kings. The planning application has been moving forward and we expect that Cheltenham Borough Council will make a decision on the planning application soon.

A modern Lidl store on the former Charlton Kings Industrial Estate will provide a spacious and attractive shopping environment, delivering a great range of Lidl's high quality and affordable produce. The selective range within the store will complement local traders within Charlton Kings, ensuring residents can meet most of their weekly grocery shopping needs locally, without the need to travel out of the area to larger supermarkets. It also provides a conveniently-located new local foodstore for those who do not have access to a car.

We have had a really positive response locally, with around 85% of consultation respondents supporting a new Lidl for Charlton Kings. However, this level of support is not presently reflected in the comments sent directly to Cheltenham Borough Council who have to date received 317 comments from residents in support of our application and 330 comments from those who object to our plans. It is therefore extremely important, should you wish to see this Lidl store developed in Charlton Kings, to submit your feedback directly to Cheltenham Borough Council.

If you have already written to or emailed the Council, then thank you. It really does make a difference. If you haven't yet had the opportunity to do so, there is still time to have your say before this application is determined. You can do this by:

Email – You can email your support to the planning department at planning@cheltenham.gov.uk quoting the reference number **20/02089/FUL**.

Post – You can post your comments to – **Michelle Payne, Planning, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 9SA** and quoting the reference number **20/02089/FUL**.

As a reminder, the proposals include:

- A bespoke and sympathetically designed new Lidl food store, with associated landscaping and parking
- 79 customer parking spaces, including accessible and parent & child spaces, along with two Electric Vehicle rapid charging spaces and cycle storage
- Regeneration of a vacant brownfield site, which is a current eyesore for the community
- Creating up to 30 new full and part time job opportunities for the local community.

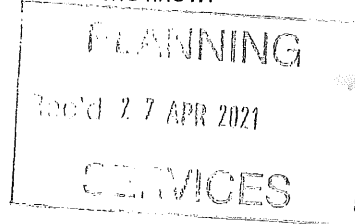
You can still view the plans at www.charltonkings.lidl.co.uk.

Thank you for your support. If you have any questions about the proposals, please contact us on 0117 4280 395 or by email at avonmouth.property@lidl.co.uk. If you do not wish to receive further updates regarding these proposals or would like your details removed from our project database, please do let me know.

Yours sincerely



Sarah Rees-Davies - Senior Consultant - Acquisitions



REF. No. 20/020 89/FUL

Dear Michelle Payne

I give my full support to all the

proposals listed.

It will be a pleasure to be able to shop in a local Lidl as opposed to having to travel into town where two stores are located several miles apart.

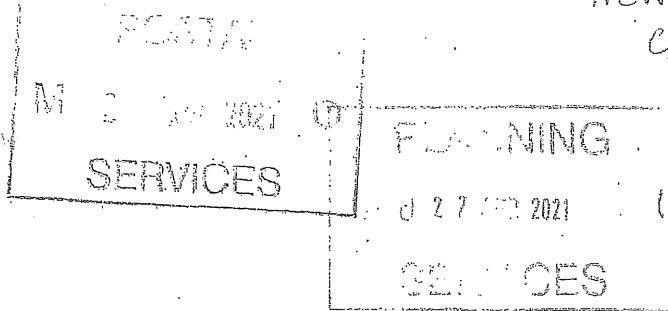
Yours sincerely



Ref no. 20/02089/FUL

Pippins

Newcourt Road
Charlton Kings
Cheltenham
GL53 9AZ



17th April 2021

Dear Sirs,

I strongly object to Lidl's planning application in Cirencester Road Charlton Kings. Sainsbury's already have a nearby store plus ample car parking space. Car drivers use Morrisons so are unlikely to change.

The proposed site is well beyond the B bus route nearest stop to go to Lidl's proposed site - therefore a walking distance for shoppers needing to walk therefor and worse, returning to the bus stop carrying goods. The Swindon bus route is infrequent.

There are excellent shops in Lyfield Road one of which has banking facilities attached,

Yours sincerely

SUPPORT YOUR LOCAL



41 Lyefield Road West
Charlton Kings
Cheltenham
GL53 8EZ

www.stophelidl.co.uk

Dear Residents of Charlton Kings,

THERE'S STILL TIME TO REGISTER YOUR OBJECTION TO THE PROPOSED CHARLTON KINGS LIDL (Ref 20/02089/FUL)

We're reaching out to the local community to update you on Lidl's plans for a new superstore in Charlton Kings – we are only weeks away from Cheltenham Borough Council making a decision on their planning application.

A Lidl superstore in Charlton Kings would cause more congestion, take jobs out of the community and force local independent businesses to shut their doors. With nearly 80 parking spaces, the proposed Lidl would increase congestion in an area already served by five grocery stores. Local traders have already voiced their opposition to the planned superstore, and despite a request from Cheltenham Borough Council, Lidl have **REFUSED to do a Retail Impact Statement**. This means that Lidl's claims about the proposed store not being a threat to local business still has not been supported by independent experts. This would strongly suggest that it most certainly is!

Hundreds of residents have already written to the council expressing their objections and concerns to Lidl's planning application. We are sincerely thankful for all your support. However, if you have not had the chance to put in your objection yet and would like to be heard, then there's still time to do so!

You can email your objection to the planning department at planning@cheltenham.gov.uk or post your objection to the Michelle Payne, Planning, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 9SA. Please remember to quote the reference number 20/02089/FUL.

Why object to the Lidl?

- Local traders say the Lidl will cause the lose of more jobs than it creates – closing the only Post Office in the village in the process which is located inside our grocery store.
- The Parish Council objected to the proposals, along with the community's largest employer Spirax Sarco and our local MP, Alex Chalk, citing increased noise from traffic and increased flood risk among other reasons.
- Charlton Kings is less than a ten-minute drive away from another Lidl, and less than a five- minute drive away from other chain stores - including Sainsburys, who now price match Lidl on hundreds of products.

You can find out more about Lidl's proposed Charlton Kings superstore by going www.stophelidl.co.uk, which features a letter from the community's small businesses outlining their opposition to the plans. If you have any further questions about opposing the Lidl, feel free to pop into Smith and Mann and ask for the manager.

Best Wishes,

Colm & Tracy and all the team at Smith & Mann

Regarding proposed Lidl store in Charlton Kings.
Ref 20/02089/FUL.

10 Beeches Road
Cheltenham
GL53 8NQ

10 May 2021

I feel there is no requirement for a Lidl Superstore in Charlton Kings.

We are well served with grocery stores including a Sainsbury's in this area and a further store could well cause the smaller business to close causing job losses.

If Smith and Mann was put out of business it would affect the Post Office sited within the building which serves the village and surrounding area and always seems busy.

A large store on Cirencester road would add to the congestion with more shoppers coming into this area causing cars to pile up waiting for traffic coming in the opposite direction to pass so that they can access the new store.

The roads in Charlton Kings are already busy, extra Vehicles in the general area could cause an increase in accidents to school children and other pedestrians, and further pollution.

Yours sincerely,

[Redacted signature]

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POSTAL
M 7 MAY 2021
SERVICES

010 Stockton Close,
Charlton Kings,
Cheltenham,
GL53 9HZ

Cheltenham,
Borough Council,
Ref No. 20/02089/FUL

PLANNING
Rec'd 7 - MAY 2021
SERVICES

Dear Sir / Madam

I would like to express my objection to the opening of another Lidl store in the Cirencester Road.

I object mainly on the grounds of Climate Change. It will promote more traffic and pollution, both with providing goods for sale and then selling them on.

I also feel its important to

encourage local stores in the centres of population so that shoppers do not need to use cars in the same way.

This store, I am sure will also cause the closure of local shops.

Yours Sincerely

A large, dark, scribbled-out area that completely obscures the signature of the sender.

Our Ref: 2995/MR/LT20210615

15th June 2021

Ms T Crews
Director of Planning
Planning Department
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

MRPP

**MARTIN ROBESON
PLANNING PRACTICE**

*Town Planning Consultants
Development Advocacy*

21 BUCKINGHAM STREET
LONDON WC2N 6EF
TELEPHONE: 020 7930 0007
FACSIMILE: 020 7930 4049

Via Email: tracey.crews@cheltenham.gov.uk

Dear Ms Crews

**PROPOSED LIDL FOODSTORE, CHARLTON KINGS BUSINESS PARK,
CIRENCESTER ROAD, CHARLTON KINGS, CHELTENHAM – APPLICATION REF:
20/02089/FUL**

We act on behalf of Tesco Stores Ltd and make objection to the above proposal. Our client trades from its Collets Drive superstore in the heart of the town. It also provides several Express stores across the town, including within the town centre. Tesco vacated its long serving 233-235 High Street Metro supermarket to make way for the Brewery Development Phase II. Tesco has invested significantly in the town and continues to do so. It will, in late June, open a new Express in the town centre at 111 High Street.

We raise four fundamental concerns:

- a flawed and unsatisfactory sequential assessment of more appropriate alternative opportunities;
- the lack of any retail impact assessment that addresses the successive cumulative impacts on the town from Aldi and Lidl's recent developments;
- the need for thorough scrutiny of amenity and environmental issues not least because of the site's juxtaposition with the Cotswold AONB, and;
- the inappropriateness of seeking to rely on a wholly unviable and unrealistic 'fall back' position based on the lawful re-use of the existing premises.

Thus, justifiably assert that planning permission should be refused.

A Fundamentally Flawed Sequential Assessment

Relevant development plan policy is either non-existent or out-of-date. We have therefore relied on the NPPF. It provides that, *"When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored"* (paragraph 87) (our emphasis).

Format and scale are examples of issues where flexibility can be applied by applicants and local planning authorities. They are not exclusive. Flexibility over the extent of the catchment that would serve the proposed development must reasonably be a matter that is caught by this requirement. It would make no sense whatsoever for town centre or edge of centre sites not to be 'fully explored', for example, as here, because potential opportunities may fall beyond an otherwise self-serving catchment area. Indeed, the NPPG confirms it to be a consideration that "*should be taken in account in determining whether a proposal complies with the sequential test*" in that it questions whether, "*with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered?*".

This issue is particularly relevant to the application proposal. The Planning and Retail Statement describes the applicant's format as one that "*...rarely provide a one-stop shopping experience and, as such, customers also tend to use other shops and facilities in the locality to supplement their deep discount shop*" (paragraph 2.17). This is because as the Statement makes clear, "*The Lidl format differs from that of many other supermarket traders, primarily through the heavily discounted pricing structure and the very limited range of goods on offer. At around 2,500 product lines per store, the range of goods is significantly smaller than those offered by other leading retailers. For example, most modern superstores will offer well in excess of 20,000 product lines*" (paragraph 2.14).

On the basis of that dual trips take place with an associated and inevitably larger supermarket or superstore, the catchment area identified for sequential assessment should relate to the likely combination of such locations that shoppers will seek to visit to carry out their food shopping. The nearest larger supermarkets are the Sainsbury's at Priory Road and the Waitrose at Honeybourne Way. On the basis that the combined shopping trip equates to a much broader and wider ranging activity, then the catchment needs to reflect this and be more widely drawn. Here that would then include the town centre or Central Shopping Area of Cheltenham. That is supported by the commentary in Aldergate¹ by Ouseley J as to "*...the inevitably precisely drawn line to represent the inherently imprecise and debatable five-minute off-peak drive time*" (paragraph 46).

It would be perverse for there to be no town centre from which to commence sequential testing. Cheltenham town centre must therefore be the starting point for the sequential assessment of potential opportunities.

Instead, the applicant's search is unrealistically restricted by such a five-minute drive time from the site alone. It is then limited to four 'neighbourhood centres' at London Road, Lyefield Road, Church Street and Croft Road. The Council define neighbourhood centres as "*small groups of shops selling mainly convenience goods and providing local services for the surrounding residential town*" (within the reasoned justification for Policy RT4 (saved beyond the adoption of the JCS/Cheltenham Plan)). This is consistent with the NPPF's definition in its Glossary which states, "*References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance*" (*our emphasis*). The identified centres are not therefore to be treated as 'town centres' for the purpose of assessing potential opportunities within them.

¹ Aldergate Properties Ltd v Mansfield District Council and another [2016] EWHC 1670 (Admin).

The approach undertaken by DPP (who have considerable expertise in retail assessment matters) in their assessment of the Aldi store at Grovefield Way, Cheltenham started by considering potential opportunities in the Cheltenham Central Shopping Area (see paragraphs 7.13 to 7.19 of their Retail and Planning Statement (May 2018)). The reference to this proposal on behalf of the present applicant (see Statement at paragraph 5.25) misrepresents the situation. Whilst permission was refused for the wider scheme, there were no reasons advanced relating to sequential testing and the lack of dispute on retail issues was common ground at the subsequent inquiry.

A Requirement for Retail Impact Assessment

The proposed development, with its gross floorspace of 1840m², sits a little below the NPPF's 2,500m² default threshold beyond which retail impact assessment becomes a "requirement". However, the NPPF addresses only individual applications. It does not consider risks from cumulative or successive developments. In Cheltenham there has been a succession of discounter schemes permitted over the last few years.

The Council will be aware, for example from the impact assessment that was carried out in respect of the (less than threshold scale) Grovefield Way, Aldi proposals, that cumulative impacts were already then being assessed. That proposal was permitted. Table 5 to the DPP Retail and Planning Statement (May 2018) helpfully sets out the earlier succession of cumulative impacts arising from the combination of an extension to an Aldi with a new Lidl then compounded by the Grovefield Way Aldi. Adding a further Lidl discounter to the cumulative situation poses the real risk that unacceptable impacts could arise. Whilst solus impacts might not be harmful, the cumulative effects sit outside the concept of the NPPF's threshold. Even if that were not accepted, it is entirely reasonable for the local planning authority to request the type of impact assessment that was undertaken in respect of support for the Aldi development at Grovefield Way.

The Adjacent AONB Exacerbates Environmental Impacts

The proposed development will be located close to residential premises to the north and east. It is admitted (on behalf of the applicant) that the store format and layout will give rise to the need for very early, very late or overnight deliveries, (paragraph 4.10 of the Statement) each of which will take up to 60 minutes to unload (paragraph 2.20). The store will trade for 15 hours per day (excluding Sundays). The car park will accommodate over 80 vehicles with an expected stay of 30 minutes each (paragraph 2.22). Thus, the applicant's agent admits that *"The proposal has potential, in principle, to impact on the amenity of neighbouring residential occupiers as a result of noise and disturbance generated by customers and the delivery process, the operation of the external plant and use of external lighting..."* (paragraph 4.30).

No doubt, the Council will rigorously assess these environmental challenges posed by the proposal. The bar is, however, set high by the site immediately adjoining the Cotswolds AONB. Policy SD7 of the Joint Core Strategy (JCS) (2017) requires that 'proposals affecting the setting of the AONB are required to preserve and where appropriate enhance its special and other qualities'. Paragraph 4.8.3 of the JCS draws attention to the risks from new developments close to the AONB's boundary. We trust that the Council will apply all relevant policy criteria with appropriate rigour.

An Unjustified Fallback Position

No weight (let alone significant weight) as is asserted on behalf of the applicant can be placed on the prospect of a lawful re-use of the existing application site premises being achievable for retail purposes (see the Statement at 4.5 and 5.27 to 5.29). The Commercial Viability Report accompanying the application provides adequate evidence on the condition of the existing accommodation for the Statement to confirm that "... substantial works would be required in order to bring the existing building back in employment use" and that "...there is no prospect of their reoccupation without significant investment". It would therefore seem that the existing premises are not 'suitable' to accommodate the proposed development and it is notable that the applicant's Commercial Viability Report did not even seek to test, and therefore justify, such a scenario.

Conclusions

We have demonstrated that:

1. The sequential assessment of the application proposal is fundamentally flawed. It fails to have regard to the applicant's own acknowledgement of the additional and/or linked trips that arise as part of the shopping activity from the use of its own stores. This is relevant in setting an appropriate catchment area. Without an appropriate assessment, ie, including Cheltenham Town Centre, the application fails to satisfy the sequential test and should be refused.
2. It is necessary to assess the cumulative retail impact effects that would arise should a further Lidl store be permitted. The NPPF threshold cannot apply to the assessment of cumulative effects and without an appropriate assessment permission should be refused.
3. The environmental and amenity effects that arise from the various sources of noise, overnight deliveries, traffic generation and visual impacts need to be rigorously assessed. This is a critical issue given the site immediately adjoins the Cotswolds AONB, a nationally designated asset of landscape importance. If the relevant standards are not met planning permission should be refused and;
4. No weight can be given to the assertion that the existing premises can provide a lawful re-use for retail purposes. The findings of the applicant's own Commercial Viability Report demonstrates that it would be unlikely to be suitable or appropriate and it is notable that this option has not even been tested. The existing premises therefore fail to provide a 'fall-back' position.

Planning permission should therefore be refused.

Yours sincerely,



Martin Robeson

martinrobeson@mrpp.co.uk

Cc: Case officer – Michelle Payne michelle.payne@cheltenham.gov.uk

Michelle Payne
Planning Committee,
Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham,
GL50 9SA

Smith & Mann,
41 Lyefield Road,
Charlton Kings,
Cheltenham,
GL53 8 EZ

21st June 2021

To Cheltenham Planning Committee,

FAO Michelle Payne: Proposed Lidl development in Charlton Kings - 20/02089/FUL

As the owners of Smith & Mann in Charlton Kings, I would like to submit this letter as well as the attached letter from my accountant as part of my objection of the proposed Lidl development on the Cirencester Road.

Smith & Mann has been part of the community as a grocery store since 1901 and has been in my hands for the past 30 years. It is family run store that is well established and known within the community. As has been highlighted in many of the objections submitted by residents, the opening of a Lidl Store would have an impact on the trade of many smaller business within the area, increase traffic and congestion in the area and potentially result in a net loss of jobs for the area should smaller business be forced to close.

Lidl have refused to submit a retail impact statement and maintain that the proposed store would not detrimentally impact the trade of the surrounding businesses, such as mine. This is on the grounds that their store will only offer a limited product range of circa 2500 lines and offer different products to other local retailers, which is not the case. Smith & Mann only carries a product range of circa 2000 lines and there is a large overlap between what our store and Lidl would offer. The common products between the stores include (but aren't limited to) daily newspapers, chocolate/confectionary, fresh fruit and vegetables, fresh meat and fish, milk, ambient cupboard essentials, such as tinned goods, rice and pasta, and wine and spirits. The opening of a store that offers essentially the same product ranges within such a close proximity would certainly have a sizeable, detrimental impact on the business of Smith & Mann, as well as other local retailers.

The attached letter from my accountant shows the impact of the opening of the last chain store, Sainsbury local, had on my business. The opening of this store on the Cirencester Road also put the Nisa local adjacent to it completely out of business, and undoubtedly impacted the two Co-op's in the area. The opening of a Lidl store would impact our businesses again in a similar, if not more serious, way. As can be seen in the objection submitted by Tesco, it would also have a much more far-reaching approach on other food retailers across the area.

Outside of its food offering, Smith & Mann also operates the only Post Office within the area which is an essential part of the community. It offers all the services of the Royal Mail across extended hours 6am-8pm daily. Examples of the core, and most used, facilities by residents are to obtain their

pension, do banking without having to visit the town centre, buy foreign currency, travel insurance, home insurance, posting mail and parcels, obtaining tv licenses, car tax, and paying their bills. The Post Office is a service that is provided by the owners of Smith & Mann, and which they took on when the previous owners of the Post Office in Charlton Kings retired. It involved them making a large initial investment in set up costs, relaying the shop to make this possible, however they felt it was far more important that the local area not lose its Post Office. It is not a very profitable part of their business, but it has a large customer base and is an important service. If Smith & Mann ceases to be viable as a business, then the Post Office will equally not be viable to continue and will close alongside the store.

Thank you for taking the time to consider this new information that I am submitting.

Kind regards,

Colm and Tracy McAlary

(Owners of Smith & Mann)

Andrew R. Cook
Chartered Accountants



Northfield House
Shurdington Road
Bentham
Cheltenham
GL51 4UA

FAO Michelle Payne
Planning Officer
Cheltenham Borough Council

1st June 2021

Dear Ms Payne

Smith & Mann Limited

We act as accountants on behalf of the above company that operates as a convenience store and post office at 41 Lyefield road, Charlton Kings, Cheltenham.

Our client has informed us that you are currently considering a planning application from Lidl Supermarkets which, if approved will be in the immediate vicinity of our clients existing store.

We would draw your attention to very similar circumstances that impacted on our clients store when Sainsburys Supermarkets opened their store in Cirencester road, Cheltenham in November 2015. I list below our clients accounts turnover for the two years before Sainsburys opened and for the two years after Sainsburys opened :-

Year ended	31/10/2014	31/10/2015	31/10/2016	31/10/2017
Accounts turnover	[REDACTED]			

You will see from the above that our clients turnover dropped by 21% following the opening of the Sainsburys store. Should the opening of the proposed Lidl Supermarket have the same detrimental impact on our clients business, then the business would be forced to close, and the area would also lose the post office.

Our client believes that the planning committee need to be aware of these facts in order that they can make an informed decision.

Yours sincerely

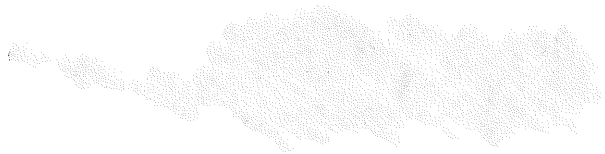
[REDACTED SIGNATURE]

A R Cook. ACA



Registered to carry out audit work in the
UK & Ireland by the Institute of Chartered
Accountants in England & Wales

Email: andrew@arcaccountants.co.uk
Mobile: 07774 150000
Office: 01242 863500
VAT Reg No. 655 4955 85



Dear Michelle Payne.

Local traders in Charlton Kings are worried
over a new Lidl store,
Smith & Man & Coop & Sainsburys are higher priced
but, parking at Smith & Man & Sainsburys are not
good. I would walk to a new ~~new~~ Lidl,
as I walk to the Co-op. But I do use the post office
all the best. O.A.P.

~~XXXXXXXXXX~~

Page 2927 Hartlebury Way
Charlton Kings'

Cheltenham.
GL52 6TB.

11 May 2021

Ref 20/02089/FUL
For the attention of Michelle Payne

Dear Madam

Re. New Lidl Store in Charlton Kings

We wish to add our names to the list of
Charlton Kings residents who are objecting to
plans for a new Lidl store off the Cirencester Road.

We have plenty of grocery stores in Charlton
Kings, and this planning proposal could lead to
closures and loss of jobs.

The additional traffic caused by customers
not living in Charlton Kings will cause problems
along this busy residential road.

We think that this brownfield site could
be better used for social housing, which would
be more beneficial to Charlton Kings.

Yours faithfully





~~XXXXXXXXXX~~
24 London Road
Cheltenham
GL52 6DX

Dear Residents of Charlton Kings,

For over a century, there has been stores on the Lyefield Road providing essential services to the Charlton Kings community. We, the business owners of Lyefield Road West – Smith & Mann, the Coffee Bean, Make Their Day Florist and Charlton Pharmacy – take great pride in our standing as independents and of the personal relationships we've built with our customers, friends and neighbours in Charlton Kings.

However, we're now facing an existential threat to our business and we need your help!

OBJECT

Lidl, a large, multinational chain store, has put in a planning application to build a store on Cirencester Road. This new store, less than a ten-minute drive away from another Lidl, has been opposed by the Charlton Kings Parish Council, local MP Alex Chalk, and the community's largest employer, Spirax Sarco. We strongly object also and can say with certainty that should this new store open it would impact our businesses so severely, we would have to shut our doors.

Collectively, the main objections to this proposed store are –

- While it would create 30 jobs at Lidl, it would result in the loss of the same number of jobs across our independent shops when we close.
- It would cause excessive noise and traffic pollution.
- It would come with over 80 car parking spaces and Charlton Kings does not have sufficient road infrastructure to deal with this large influx of traffic.
- Residents from Cirencester and the surrounding countryside of Cheltenham would no doubt use the already congested roads of our village as a cut through to the new development. This poses a significant danger to pedestrians in the village including our school children, the elderly and vulnerable.

We're asking the local community to come together to object to their planning application, and protect our local businesses, jobs and unique village culture.

You can send in your objection to Lidl's planning application via email to planning@cheltenham.gov.uk or by post to Cheltenham Borough Council, Municipal Offices, Promenade, Cheltenham GL50 9SA. Please ensure to quote the reference number 20/02089/FUL. You can also object online, by going to www.cheltenham.gov.uk/publicaccess and typing '20/02089/FUL' into the 'Application Quick Search' box.

Thank you in advance for your support. We are a strong and united community and we hope that we can continue to serve and work alongside you for many years to come.

Colm McAlary

Smith & Mann

James Poy

Charlton Pharmacy

Tracy McAlary

The Coffee Bean

Ismene Reeves

Make their Day Florist

For more information, please visit stopthelidl.co.uk

27 Willow Road
Charlton Kings
Cheltenham

GL53 8PQ

9/5/2021

PLANNING

Rec'd 10 MAY 2021

SERVICES

Your ref 20/02089/FUL

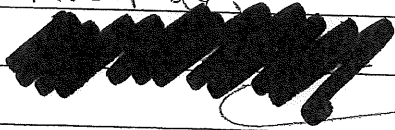
Dear Madam,

I wish to object to the proposed
Lidi Supermarket in Charlton Kings.

It would mean the closure of our
Post Office and local shops could also close.

Also the location would mean
traffic in a dangerous location due to the
hump back bridge.

Yours faithfully,



Michelle Payne
Planning
Municipal Offices
Promenade
Cheltenham
GL50 95A

~~XXXXXXXXXX~~
4 East End Road
Chelton Kings
Cheltenham
GL53 8QD

19th April, 2021

Dear Madam

Your Ref No: 20/0289/FUL

To support the proposal,
My comments are as below.

- 1 We only have convenience stores in this locality.
- 2 We need a larger store for all round choice.
- 3 It will create jobs in the area.
- 4 No need to travel several miles by car to reach nearest large store.
- 5 The current vacant site is an eyesore. A new store in a low position would be more positive. Ample hidden parking.

Yours faithfully

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~
16, LITTLE PHEASANTS,
POMPHREYS ROAD,
CHARLTON KINGS,
CHELTENHAM, GLOS.
GL53 8ET

PLANNING
Rec'd 29 JUN 2021
SERVICES

MICHELLE PALINE,
PLANNING,
MUNICIPAL OFFICES,
PROMENADE,
CHELTENHAM, GLOS
GL50 9SA.

28th JUNE, 2021.

Dear Michelle,

Re: PROPOSED LIDL, CHARLTON KINGS. (REF: 20/02089/FOL)

I am writing to let you know that I totally support the proposal for a new Lidl store in Charlton Kings.

I have lived in the village for over 20 years and can honestly say that I have never been able to buy a weeks worth of shopping from any of the shops we already have here. Smith & Mann, Co-op and Sainsbury are all very expensive and I only tend to buy milk, bread or essentials.

A new local Lidl would be in-valuable for not only me but a large number of people in the area. I have limited mobility and find it difficult to go to town each week. The Lidl in town is brilliant but a bit out of the way for me so a local one would make my life a lot easier.

Thank you for your time reading this letter,

Yours faithfully

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

PLANNING
Rec'd 16 JUL 2021
SERVICES

9 CHARLTON KINGS
CHALTON KINGS
CHELTENHAM
GL53 8LT
11th July 2021

To: Ms Michelle Payne
Planning,
Municipal offices
Promenade
Cheltenham
GL50 9SA

PLANNING APPLICATION - OBJECTION

20/02089/FUL | Erection of a Class E retail store, car parking and servicing areas, access, landscaping and associated works following demolition of existing buildings | Unit 1 Charlton Kings Business Park Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DZ

Dear Ms Payne - and all those to whom this needs to be forwarded - the Planning Committee

I wish to register my objection to the proposed Lidl store referred to in the above application.

As a long-standing resident of Charlton Kings, I have seen the facilities diminish over several decades, and fear that a 'superstore' so close to what remains of our village will be the final nail in the coffin for local services.

We already have several good local (and not that small) supermarkets and general stores - all of whom manage to co-exist happily and which all help to keep local residents supplied with essentials. They are within walking distance for many.

The only way all but a few would be able to access the proposed Lidl would be by car, increasing traffic flow n the already busy A435, and in the process potentially reducing trade for the other community shops. In addition, there are already established 'Superstores' only a short distance away by car - and indeed another Lidl only about 10 minutes away!

I understand Charlton Kings Parish Council, and our MP Alex Chalk, along with many others, have already registered objections. As stated, I wish to add my own.

In particular I find it very troubling, and suspicious, that Lidl have REFUSED to do a Retail Impact Statement. I suspect they know what it would show up, and are therefore burying their heads in the sand.

As a Planning Committee I sincerely hope you will take all these objections into account, and at the very least, INSIST on a Retail Impact Statement before their application can even be considered.

Thanking you in anticipation

Yours sincerely

9 Chatscombe Close

Charlton Kings

Cheltenham

GL53 8LT

26/7/2021

For the attention of:

Ms Michelle Payne
Planning,
Municipal offices
Promenade
Cheltenham
GL50 9SA

PLANNING APPLICATION – OBJECTION

20/02089/FUL | Erection of a Class E retail store, car parking and servicing areas, access, landscaping and associated works following demolition of existing buildings | Unit 1 Charlton Kings Business Park Cirencester Road Charlton Kings Cheltenham Gloucestershire GL53 8DZ

Dear Ms Payne – and all those to whom this needs to be forwarded – the Planning Committee

I wish to register my objection to the proposed Lidl store referred to above.

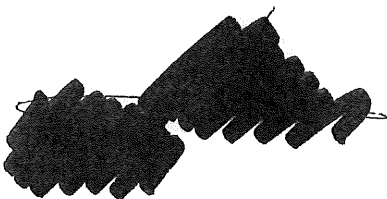
As a long-standing resident of Charlton Kings, I am concerned that the proposed store will dilute the business share of the current mix of good local stores. In particular I do not want see our last remaining Post Office put at risk of closure.

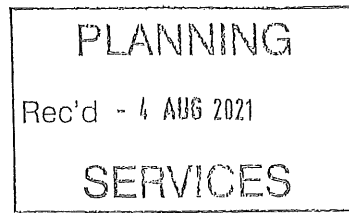
I understand that Lidl have refused to conduct a Retail Impact Statement, presumably because they know it **will** dilute the business share of the current mix of local stores, which could possibly result in closure of the last remaining Post Office.

While modern superstores have their place, to *unnecessarily* infiltrate an established village community like Charlton Kings is ruthless commercial opportunism. The physical location of the proposed store would significantly increase the traffic flow in an already potentially dangerous part of the A435 near the bridge – with it's poor visibility.

I would be grateful if the Planning Committee would note the grounds of my objection.

Yours sincerely

A large black rectangular redaction box covering the signature area.



Michelle Payne,
Planning,
Municipal Offices
Promenade,
Cheltenham, Glos
GL50 9SA

31st July 2021

Dear Madam

reference 20/02089/FUL

I am writing to express my support for the proposed development of a Lidl's supermarket on Cirencester Road, Charlton Kings. I feel this would be an asset to the area as there is no supermarket of a larger size on this side of Cheltenham.
As a non driver I feel it would be of particular benefit to people in the same situation as myself.

Yours sincerely,

A large, irregular black scribble redacting the signature and name of the sender.

Store near John Lewis and
opened one at Babylon - this
in addition to other stores
elsewhere.

Enough is enough of LIDL

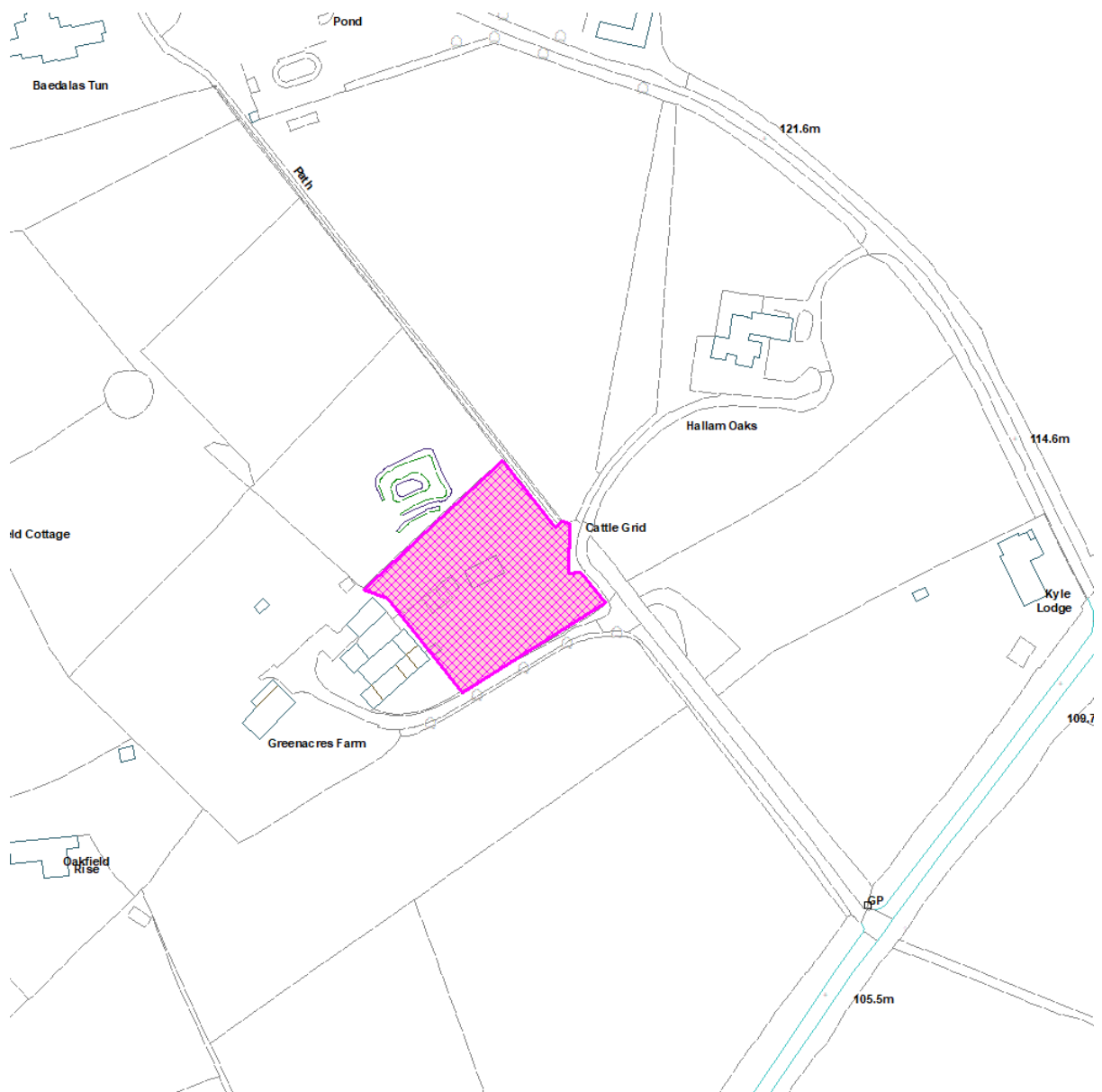
Yours Truly

~~[Redacted signature]~~

~~[Redacted text]~~

APPLICATION NO: 21/01270/FUL		OFFICER: Mr Ben Warren
DATE REGISTERED: 15th June 2021		DATE OF EXPIRY: 10th August 2021
DATE VALIDATED: 15th June 2021		DATE OF SITE VISIT:
WARD: Battledown		PARISH: Charlton Kings
APPLICANT:	Mr John Everitt	
AGENT:	Coombes Everitt Architects Limited	
LOCATION:	Oakfield House Stables, Oakfield House, Greenway Lane	
PROPOSAL:	Erection of new stable block and riding manege	

RECOMMENDATION: Permit



This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to an area of land associated with Oakfield House on Greenway Lane, the land previously accommodated two single storey storage/stable buildings, which have recently been demolished. The application site is located outside of the Principle Urban Area (PUA) and is within the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 1.2 The applicant is seeking planning permission for the erection of a new stable block and riding manege.
- 1.3 The application is at planning committee at the request of Councillor McCloskey due to the sites sensitive location within the AONB and previous applications that went to appeal.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Parish Boundary
Principal Urban Area
Residents Associations
Area of Outstanding Natural Beauty

Relevant Planning History:

19/01252/FUL 23rd October 2019 REF

Erection of a single self-build dwelling following the demolition of existing stables.

20/00154/FUL 8th April 2020 REF

Erection of a single self-build dwelling following the demolition of existing stables (revised scheme)

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment

Adopted Cheltenham Plan Policies

D1 Design
L1 Landscape and Setting
SL1 Safe and Sustainable Living
GI2 Protection and replacement of trees
GI3 Trees and Development

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD6 Landscape
SD7 The Cotswolds Area of Outstanding Natural Beauty
SD9 Biodiversity and Geodiversity
SD14 Health and Environmental Quality
INF1 Transport Network

INF2 Flood Risk Management

Other

Cotswold AONB Management Plan 2018-23

4. CONSULTATIONS

Building Control

18th June 2021

No comments to be made.

Parish Council

8th June 2021

No objection

Parish Council

10th August 2021

No Objection

GCC Highways Planning Liaison Office

15th June 2021

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions.

The justification for this decision is provided below.

The proposal seeks the replacement of former outbuildings, erection of new link and addition of new stable block at Oakfield House Stables Oakfield House Greenway Lane Charlton Kings Cheltenham.

The proposal is not perceived to be conducive to a detrimental impact on the safety and operation of the adjacent network when compared to the lawful use of the site. On this basis, the Highway Authority would not wish to object to the proposal subject to a number of conditions. It is necessary to condition the proposed gates be setback 10m from the edge of the carriageway in order to ensure agricultural machinery and vehicles with horse trailers are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic. It is also necessary to condition the first 10m of the proposed access be surfaced in bound material in the interest of highway safety.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

The Development hereby approved shall not be occupied until the proposed access gates have been set back 10 metres from the adjoining carriageway edge, and made to open inwards only.

Reason: In the interest of highway and pedestrian safety, and to ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic.

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed with the area of driveway within at least 10 metres of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: In the interest of highway safety.

GCC Highways Planning Liaison Office

5th October 2021

The revised details won't require the amendment of our initial recommendation.

Gloucestershire Centre For Environmental Records

15th June 2021

Biodiversity report available to view.

Cheltenham Civic Society

24th June 2021

OBJECT

This is a significant area as it denotes how the town relates to its surrounding countryside. The materials proposed for the new stable block are unsympathetic and do not reflect the character of the area. These are industrial style buildings, and are not 'Living with Beauty'. Local materials, with a pitched stone roof (ideally providing a much needed bat habitat) would be much more suitable.

The existing buildings follow the contours. The proposed stables do not, so they are likely to necessitate additional excavations in the root zone of the oak tree. Rebuilding could have been an opportunity to relocate the buildings away from the tree canopy and the overhead electric wire. The proposed screening trees are thin Lombardy poplars, so the buildings would still be visible from the road - not that planting should be used to disguise poor design.

A lighting scheme should be included in the plans to ensure light pollution is kept to a minimum.

We have concerns about the drainage work which has already been carried out, increasing the net flow off site, and increasing the risk of flooding locally. This should be addressed, e.g. by the introduction of a balancing pond, which would also be a positive feature for supporting wildlife diversity.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 9 letters were sent to neighbouring properties on three separate occasions, a site notice was also displayed. Representations have been received from 4 neighbouring land users, three of which object to the application, whilst one is in support.

5.2 The concerns raised in these representations have been summarised but are not limited to the following:

- Flood risk / water run off / SUDs
- Design
- Light pollution
- Access and highways issues
- Impact on the AONB

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of this application are principle, design, impact on neighbouring amenity, impact on the AONB, impact on existing trees, highway safety, drainage, impact on wildlife.

6.3 The site and its context

6.4 The application site is an area of land which is associated with Oakfield House which is located on Ashley Road, however, the site has its own vehicular access from Greenway Lane. The site previously consisted of two relatively dilapidated storage/stable buildings, however these have recently been demolished. The site is located outside of Cheltenham's PUA and is wholly within the Cotswolds AONB.

6.5 Directly adjacent to the application site is the neighbouring site occupied by 'Greenacres Farm', but generally the immediate locality is open land with dispersed settlements which are generally large detached dwellings sat within generous plots.

6.6 Planning History

6.7 The application site has been the subject of two recent planning applications 19/01252/FUL and 20/00154/FUL, these applications sought consent for the erection of a new dwelling on the site, both applications were refused at committee due to harm to the AONB, and subsequent appeals were also dismissed.

6.8 The proposal

6.9 The original submission within this application sought consent for a replacement stable building, however officers considered the scale of the proposed new stable building to be excessive and would have an urbanising effect upon the appearance of the site. The proposal was considered to be much more visible than the previous stable buildings that were on the site and therefore would be more prominent in the plot. It was the opinion of officers that this initial proposal would have resulted in harm to the character and appearance of the area, would fail to conserve or enhance the scenic beauty of the AONB, and was therefore considered to be in conflict with adopted JCS policy SD7.

6.10 Following negotiations with the applicant a revised scheme has been submitted for consideration. The applicant is now seeking consent for the erection of a more modest replacement stable building and an associated riding Manage. The applicant has confirmed that the facilities will be for private use and will accommodate their own horses which are currently being kept in nearby stables.

6.11 The comments below relate to the revised scheme submitted within this application.

6.12 **Principle, design and impact on AONB.**

6.13 Policy SD7 of the JCS states:

'All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.'

Paragraph 172 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding natural Beauty, which have the highest status of protection in relation to these issues.'

6.14 The previous refusal reason on this site was:

'the development would not conserve nor enhance the Cotswold AONB and would lead to both adverse landscape and visual change in the local area, including negative impacts on the Public Right of Way (PROW) to the immediate east of the site and would alter the existing rural character of the site and surroundings. The development would therefore be contrary to the NPPF (para 172), Joint Core Strategy policy SD7, the Cotswold AONB Management Plan 2018-23 and the relevant saved policies of the Local Plan.'

6.15 The appeal inspectors comments stated that the main issue of development on this site is the effect of the proposal on the character and appearance of the area, including the Cotswold AONB and the adjacent public right of way. The inspector identified that the key characteristic of the site is 'open sloping pastoral landscape' which would be 'clearly sensitive to change'.

6.16 The application proposes the erection of a stable block and an associated riding manege, officers are of the opinion that the location of the application site is conducive to accommodating a replacement stable block and associated facilities, and consider that this type of facility and use is what you would expect to see in this rural location. This is also noted in the appeal inspector's comments on the previous applications whereby they state 'Arguably re-construction as stables or demolition and return of the yard to a grass field or paddock would conserve and enhance the AONB Landscape'.

Officers therefore consider the principle of a stable block and riding mange in this location to be acceptable. Having said that, officers feel that these facilities should only be for private use of the applicant, and should not be used for any commercial or business opportunity, as any significant increase in users, including trips to and from the site could have a negative impact on the tranquil nature of its location within the AONB. The applicant has confirmed that the facilities are only for private use and therefore an appropriate condition has been attached.

6.17 The proposed stable block is a single storey timber structure with a black corrugated roofing material. Officers consider the overall scale, form and design of the new stable block to be appropriate for the site and for this form of development.

6.18 The proposed riding manege is to be located to the north of the stable building. Details of the surface construction have been provided. Whilst officers note that this facility has a generous overall footprint, the visual impact of this facility is relatively minor. In addition, the enclosure of this area is to be a simple post and rail fence which is considered to be appropriate in this location.

- 6.19 Comments from the Civic Society have been duly noted and have been addressed in the form of the revised plans.
- 6.20 Having secured a revised scheme which shows a significant reduction in built form, the proposed new stable building and associated manege is not considered to result in any adverse landscape or visual change in the local area, and is not considered to negatively affect the Public Right of Way which runs to the east of the site.

Officers are therefore of the opinion that the application is in accordance with Cheltenham Plan policy D1, JCS policy SD4 and SD7, the Cotswold AONB Management Plan 2018 - 23.

- 6.21 A number of conditions are considered necessary in order to ensure the works do not cause harm to the character of the area, these include:

- Restriction on external lighting
- Construction of the manege in accordance with the submitted details
- Manege enclosure to be 'post and rail fence'

6.22 **Impact on neighbouring property**

- 6.23 Due to the scale of the proposed development, its position within the plot and the relationship with neighbouring land users, the proposal is not considered to result in any unacceptable impact on neighbouring amenity. The proposal is therefore considered to be compliant with Cheltenham Plan policy SL1 and Adopted JCS policy SD14.

6.24 **Access and highway issues**

- 6.25 Gloucestershire Highways have reviewed the details of the application and have provided their detailed comments, which can be read above. No objection has been raised, the proposal is not considered to result in any unacceptable access or highway safety implications.

- 6.26 Two conditions have been suggested which relate to the location of the access gates and the driveway material. The applicant has submitted a revised plan to address the position of the gates, which is now acceptable. Two conditions are still considered necessary and have been attached. With these conditions attached the proposal is considered to be compliant with JCS policy INF1.

6.27 **Drainage**

- 6.28 Concerns have been raised by local residents regarding drainage issues and surface water run-off. Officers are aware that some engineering works have already taken place on the land in order to resolve some surface water and drainage issues. However, these works took place prior to the submission of this application and do not appear to relate to the application that is now being considered.

- 6.29 Due to the sloping nature of the land, officers acknowledge that the surface water run-off is a valid concern for this proposed development. Further details regarding the construction and makeup of the riding manege's surface and further drainage solutions were requested.

- 6.30 The applicant has provided a document which provides the construction information for the surface of the riding Manege (document number 01270.01), this document also includes detailed information regarding the drainage solutions for this development. Furthermore, the revised site layout drawing PL004 A, indicates the provision of drainage

gullies which are to be directed towards a soakaway for the proposed area of hardstanding. Officers consider this provision is appropriate and will ensure there are no unacceptable surface water implications as a result of the proposed development.

6.31 Conditions 7 and 11 will ensure that these measures are included in the development prior to the beneficial use of the site. With these conditions attached the proposal is considered to be compliant with JCS policy INF2.

6.32 **Trees / landscaping**

6.33 A number of trees are proposed to be removed within this application, the council's tree officer has therefore been consulted and has provided detailed comments.

6.34 No objection has been raised by the tree officer, however mitigation tree planting and tree protection measures were requested by the tree officer. It was also considered that further planting/landscaping was necessary in order to achieve a successful scheme.

6.35 The applicant has provided a landscaping plan PL006 A which shows the proposal of 3 new Holm Oak trees and a substantial amount of new mixed hedgerow along the south and western boundaries of the site. Officers consider the provision of tree planting to be sufficient to mitigate the loss of the existing trees. The proposed new hedgerow provides a softer boundary to the site and will break up the otherwise blank rear elevation of the stable building.

6.36 Whilst the tree officer accepts the proposal of 'holm oaks' to be acceptable, further tree size information and pit details are considered necessary, therefore a condition has been attached. Furthermore, a tree protection plan is still considered necessary and therefore a further condition has been attached.

6.37 Having secured a suitable landscaping plan, officers consider the proposal to be compliant with Cheltenham Plan Policies GI2 and GI3.

6.38 **Impact on protected species**

6.39 Records identify that important species have been sighted near the application site in the past and in particular various species of bats were recorded in 2017, the sightings were recorded as 210 metres from the site. In addition badgers have been recorded in 2017, also 210m from the site.

6.40 During the previous application on the site (20/00154/FUL) an ecological assessment was provided which concluded that there was an 'occasional pipistrelle night roost used by a small number of individual bats located within the existing stable building', which would have required suitable mitigation measures. As the original stable buildings have now been demolished this roost no longer exists, however officers consider it is necessary that any new building on the site should provide provision of bat roosting facilities. Therefore, a condition has been attached which requires the provision of a bat box to be attached to the new stable building.

6.41 It is important to note that all bat species, their breeding sites and resting places are protected by law as they are European Protected Species.

6.42 With regard to badgers, the GCER report acknowledges the presence of Badgers in the local area, however there is no information or evidence to suggest that there are any setts on the application site.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Having secured revised plans and additional information, and having considered the conclusions for each of the topic areas above, which include principle, design, impact on the AONB, impact on neighbouring amenity, highway safety and access, impact on trees and wildlife, the revised proposal is not considered to result in any unacceptable harm to AONB and is considered to appropriately conserve its scenic beauty.
- 7.2 Officer recommendation is therefore to permit the application, subject to the conditions set out below:

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of development (including demolition and site clearance), a Tree Protection Plan (TPP) to BS5837:2012 (or any standard that reproduces or replaces this standard) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall include the methods of tree and /or hedge protection, the position and specifications for the erection of tree protective fencing, and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details, and the protective measures specified within the TPP shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to policies GI2 and GI3 of the Cheltenham Plan 2020. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 4 Prior to the implementation of the landscaping as shown on drawing number PL006 received on 1st October 2021, full details of the tree sizes and pit details shall be submitted to and approved in writing by the Local Planning Authority.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first beneficial use of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details [delete if not appropriate].

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, GI2 and GI3 of the Cheltenham Plan (2020), and adopted policies

SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 5 The facilities hereby granted shall only be for the benefit of residents of Oakfield House Stables and shall not be used for any commercial or business activities.

Reason: Increased use or use by others outside of the application site will require further consideration with specific regard to impact on the AONB, on neighbouring amenity and highway safety, having regard to the provisions of the Cheltenham Plan (2020) and the Joint Core Strategy (2017).

- 6 Prior to the installation of any external lighting (other than down lighting within the soffits of the stable building), details of the lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, and impact on neighbouring amenity, with regard to Cheltenham Plan policies D1, L1 and SL1, adopted JCS policies SD6, SD7, SD9 and SD14, and the Cotswold AONB Management Plan 2018-23.

- 7 The manege shall be constructed in accordance with the construction details included in document number 01270.01, received on 10th September 2021.

Reason: In the interests of the character and appearance of the area and to ensure the proper provision for surface water drainage with regard to Cheltenham Plan policies D1 and L1, adopted JCS policies SD6, SD7 and INF2 Flood Risk Management, and the Cotswold AONB Management Plan 2018-23.

- 8 The manege enclosure shall be of a post and rail fence construction, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area with regard to Cheltenham Plan policies D1 and L1, adopted JCS policies SD6, SD7, SD9 and the Cotswold AONB Management Plan 2018-23.

- 9 The access gates as identified on drawing PL004 Rev A received on 4th October 2021, shall be set back 10 metres from the adjoining carriageway edge, made to open inwards only and shall be maintained as such thereafter.

Reason: In the interest of highway and pedestrian safety, and to ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 10 Prior to the first beneficial use of the development hereby permitted, the vehicular access shall be laid out and constructed with the area of driveway within at least 10 metres of the carriageway edge of the public road surfaced in bound material, and shall be maintained as such thereafter.

Reason: In the interest of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 11 Prior to the first beneficial use of the site, the drainage measures which include drainage gullies and a soakaway to the proposed area of hardstanding shall be installed in accordance with drawing number PL004 A received on 4th October 2021.

Reason: To ensure the proper provision for surface water drainage in accordance with adopted JCS policy INF2.

- 12 Prior to the first beneficial use of the site, a bat roosting box shall be installed onto the stable building and shall be maintained as such thereafter.

Reason: To ensure that adequate provision is made in order to safeguard protected species in accordance with adopted JCS policy SD9 and paragraph 175 of the NPPF.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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 scale, form and layout;

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

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APPLICATION NO: 21/01270/FUL		OFFICER: Mr Ben Warren	
DATE REGISTERED: 15th June 2021		DATE OF EXPIRY : 10th August 2021	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Mr John Everitt		
LOCATION:	Oakfield House Stables, Oakfield House, Greenway Lane		
PROPOSAL:	Erection of new stable block and riding manege		

REPRESENTATIONS

Number of contributors	5
Number of objections	3
Number of representations	1
Number of supporting	1

Kyle Lodge
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 9th June 2021

I support this revised application to replace to two derelict delapidated stables with an attractive modern dwelling. I fail to see how the Council planning committee have supported the 8 dwellings at Cromwell Court, a property no more than 500 metres from this proposal, yet the same committee have repeatedly turned down development on the Oakfield House stables site. It seems an inconsistent approach that we have also been victims of with our failed planning application and subsequent appeal at Kyle Lodge.

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 8th July 2021

Letter attached.

Comments: 19th August 2021

Letter attached.

Greenacres Farm
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 1st July 2021

Letter attached.

Cherry Court
Ashley Road
Cheltenham
Gloucestershire
GL52 6PJ

Comments: 9th July 2021

On face value this seems a welcome change as the previous application was for a new house in AONB. So a replacement stable is welcome in terms of land use. However, the applicant has already undertaken works to drain the site by installing a large land drain that changes the nature of the margins of the land which used to be wet and boggy to now one of drained pasture. This has increased net flow off site and will increase the risk of flooding.

So whilst welcoming the recognition by the applicant that the land should be used for pasture rather than becoming domesticated and applauding the planting of the mixed English hedgerow to the boundary, the drainage as installed should be altered to include for a balancing storm retention pond that will incidentally be a positive feature for any disturb amphibian and reptile wild life that used to enjoy the boggy land.

It is annoying that the applicant has presumed consent to develop in an AONB and undertaken these enabling works along with demolition of the old barn, which sat quietly in the landscape without first gaining permission.

The new stable is not only larger than the old buildings but also unimaginative in design and use of materials. The proposal would benefit from the use of more local material to reflect the standing of the land along with the styling of the principal dwelling to which the land belongs. The inclusion of a pitched stone roof would enhance and may be designed to provide a roosting site for the local bat population which is increasingly under threat by development and land clearance in the locality. Equally a lighting scheme should be presented to ensure reduced light pollution to the same affect

The scheme seems to breach planning rules in:

1. Starting on work prior to gaining permission.
2. Not adopting sustainable urban drainage principles by the inclusion of a pond to take the surcharge that now collects and concentrates natural spring water from the fields that sit above the site.
3. Disturbance of protected species. Grass snakes used to hunt along the wet margins of the field and it is likely that bats roosted in the old buildings. Was a bat survey undertaken prior to demolition.
4. Not in accordance with building with nature being a harsh industrial type structure rather than from local materials.

Baedalas Tun
Ashley Road
Cheltenham
Gloucestershire
GL52 6PJ

Comments: 8th July 2021
Letter attached.

Comments: 20th August 2021
Letter and attachments attached.

Delivered by hand
on 06.07.2021

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
GL52 6PN

M. Holmes, Esq.,
Interim Head of Planning,
Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham
GL50 9SA



5th July, 2021

Dear Mr Holmes,

**Re: Planning Application Ref: 21/01270/FUL
Area of Outstanding Natural Beauty**

Since 27th June 2019 differing planning applications have been received in respect of the phantom stables at the above named site on Ref Numbers 19/01252/FUL, 20/00154/FUL, followed by Appeal Ref APP/B1605/W/20/3255479 (refused) and now the above. My letters concerning this site, dated 31st July.2019, 12th October 2019 and 17th February 2020 (all 13 points contained therein) remain relevant now. My letter in respect of the Appeal (10th August .2020) also holds. Hopefully, this avoids some needless repetition.

The one Site Notice on Greenway Lane, only read with difficulty being wrapped around the post of the PROW footpath sign, was placed on 17th June 2021. Therefore, I understand that 7th July.2021 is the deadline date for replies and not 18th June.2021 and 28th June 2021 as stated in previous letters.

Moving forward to today, one would think that horses grazing on agriculture/pasture land would be an idyllic dream. The truth is not so simple and not a given right as, I understand, the laws governing such issues are complex.

- The Applicant's application appears to have overlooked the fact that this an AONB and, as such, has recently been accorded further protection under current legislation.
- An application (ref 20/01163/CLPUD) for a large agriculture storage barn, on the opposite side of Greenway Lane, was refused on 14th October 2020, only a few months ago.
- Ref Applicant's Cover letter: There are no existing stables on this site – never have been, as stated before. The two outbuildings (plus one very small shed on the west side of the boundary) were raised to the ground with heavy machinery many months back. Therefore, there is nothing left to repair or extend. In my view, this would be a complete NEW re-build (photos enclosed).
- This demolition took place in conjunction with dubious and inadequate water drainage pipe laying in the field behind the proposed site and alongside the farm track. One of the results of which has increased the water/spring volume over Hallam Oaks' land and into the cattle grid causing overflow and silting.
- It is difficult to ascertain the exact measurements of this proposed Application as only INTERNAL measurements seem to have been supplied. The EXTERNAL ones could be considerably more. But it would appear that the area proposed is in the region of, at least, a third in excess of the existing footprint. Neither does the proposed footprint follow the original, nor the contours of the land. Also, what are the exact height measurements of these proposed stable buildings? What will be the view from the PROW when the trees are leafless during the long winter months?

- The Applicant may think, mistakenly, that this project would blend in with the existing barns on Greenacres Farm. Those barns, though not beautiful, are full of country character, were built at least 70 years ago (before the AONB 1966 ruling), patched up 'on and off', and are a wonderful example of true SELF BUILD.
- I find it strange that these proposed stables are not constructed entirely of wood (as are most) as a) they would blend more aesthetically into nature's natural environment and b) even more important, this makes for a much healthier environment for the horses. Also, the proposed rendered blockwork would do nothing to enhance or conserve the area – the mantra of the AONB.
- Although convenient bathroom facilities are shown, I see no lighting plans – either inside or out. What is proposed - floodlights to upset the precious wildlife even further?
- Of major concern: How is the waste product of the animals to be disposed – both from the stable site itself and the fouling on the PROW? Unless hygienically maintained the stench could be considerable and obnoxious. The Applicant's property is situated a fair way up the slope and would not be disturbed by such problems.
- I note, with concern, that once again the Applicant has shown TWO access rights on the proposed plan when there is only ONE access associated with Oakfield House and all its land – the existing one. As I understand it, the access rights are granted solely through the Deeds belonging to Greenacres Farm that owns all the land appertaining to the farm track in this area. Why, too, is the Battledown Manor access, onto the same farm track, not clearly shown on this application?
- I find the GCC report puzzling as I understand the farm track is not an 'adopted highway'. Also, the GCC says that one of the conditions is that, 'the proposed gates be set back 10m from the end of the carriageway (open inwards only) to avoid becoming an obstruction to oncoming traffic'. Either way (private land/adopted highway), I would welcome this Condition. However, I fail to see how that would prevent blocking or congestion as virtually no consideration has been shown from that quarter, in this respect, during the last year. There is no turning area on the farm track. There have been frequent blockages, despite polite requests to keep entrances and the farm track clear at all times.
- A further health and safety concern (by association with this application) is that many families, with young children, dogs, etc., use this PROW. Horses are beautiful creatures but can also be dangerous. I witnessed this recently in the meadow over the road, when a foolish Walker, and her ill-trained dog, greatly disturbed two such creatures. The horses angrily guarded the gate to the meadow for over an hour. - no passing through there. So much so, that I and a three year old had to take the long walk home for safety. If such an event occurred on this relatively narrow PROW – it is not a Bridle path, it could result in dire physical consequences.
- Finally, how many horses are to be stabled in this proposed livery, how many horse boxes, delivery vans, etc., would potentially be blocking the farm track, how much heavy agricultural machinery would be wending its way to storage on the Oakfield House land?

Until all of the above important issues are addressed, with legal and total accountability, and safety, I have to OBJECT to this application. I feel that it would be no less of a scar on this AONB than its predecessors and I fully endorse the Cheltenham Civic Society report.

Yours sincerely

[Redacted signature block]

S.ucs.



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Delivered By Hand
on 18th August 2021

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
GL52 6PN

D Oakhill Esq.
Head of Planning
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 1PP



17th August 2021

Dear Mr Oakhill,

Re: Planning Application Ref: 21/01270/FUL
Erection of New Stable Block and Riding Manège
at Oakfield House Stables Oakfield House Greenway Lane

Area of Outstanding Natural Beauty

Yet another application for the above site. I am not repeating comments made previously, but I am enclosing a copy of my letter dated 5th July 2021 as I adjoin it to this current one. I endorse all the points therein with the only adjustments being:

- a) at point 5, deleting the sentence, 'But it would appear that the area proposed is in the region of, at least, a third in excess of the existing footprint'.
- b) at point 10, TWO access rights have now been reduced to the statutory ONE.

This time I have to object to the application for two straightforward reasons:

- This is nothing less than a NEW build (be it Stables or a House) far removed from the original footprint of the two larger sheds (not a Barn as is labelled on the diagram and the Outbuilding is incorrectly sited – the sheds followed each other in a virtually straight line).
- The siting now proposed for the slightly smaller Stable Block makes for an ugly blot on this AONB landscape, being considerably forward of the existing Greenacres Farm barns and bungalow. The boundary/building line was established at least 60 – 70 years ago in order to protect any views from Battledown Manor and a potential, then, new build for Greenacres Farm (later to become Hallam Oaks). This Stable Block would be an eyesore from ALL compass points, blocking much of the views to the hills, particularly from the PROW. This latter important point could not have been spelt out more clearly by The Planning Appeal Inspector – also reiterated in respect of the Kyle Lodge Appeal.

Further points:

- Although a Stable Brochure is shown in the document file, I find this to be something of a red herring, as there is no indication by the applicant that any of those designs would in fact be used.
- Yet again, I feel that the application is short on detail in respect of construction materials and measurements – particularly with regard to roofing and height – and difficult to establish with accuracy.
- I also find the somewhat 'overblown' trees (one tree missing to the north of the manège?) and the Greenacres Farm barns somewhat exaggerated in proportion to the new Stable Block and the 'dinky' car on the plans. Also, in my ignorance, I do not know what the red-coloured A, (plus red arrow) by the one north tree, signifies. Neither can I find any explanation.

The Manège

- I understand that a Manège is a school for training horses. Is this, then, to be a commercial venture? Horses need daily attendance and care. How many horses, people, vehicles would be travelling on a daily basis on Greenacres Farm private drive? Lighting? Floodlighting at night? How much noise and disturbance? How much public safety, health and security would be involved in this quiet corner of the AONB?
- I assume, maybe wrongly, that this application is for an outdoor Manège – once more, there are no details. It could, of course, be developed into a covered riding area or, at the very worst scenario, one of an indoor variety/or a further application to convert to a house, in due course. Should roofing become involved then this would be yet another complete eyesore from all areas of the PROW/AONB compass points.

Finally, but by no means of least importance:

1. 'A Manège should not be built on land that's been artificially built up'. This proposed land has been so infilled, built up, water-logged over the years, that the present day facts and conditions speak for themselves.
2. 'It should be flat, well-drained land.' The referred to area sits on top of an old, large moat. In recent times, since the insertion of a drain (including broken down rocks) across the large north/west field, there has been an increased water flow across the land, even filling our cattle grid.
3. 'The surface must be safe and there should be no rocks in it.' Even the applicant's plan details 'rocks'.

These quotes come from Equestrian manual guidelines/regulations as a means to maintaining healthy horses.

As my many concerns, in both letters, remain unaddressed, I can only repeat my OBJECTION to this latest application, particularly as it does nothing to conserve and enhance the AONB.

Yours sincerely

[Redacted signature block]

Copy

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
GL52 6PN

M. Holmes, Esq.,
Interim Head of Planning,
Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham
GL50 9SA

5th July, 2021

Dear Mr Holmes,

**Re: Planning Application Ref: 21/01270/FUL
Area of Outstanding Natural Beauty**

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- This demolition took place in conjunction with dubious and inadequate water drainage pipe laying in the field behind the proposed site and alongside the farm track. One of the results of which has increased the water/spring volume over Hallam Oaks' land and into the cattle grid causing overflow and silting.
- 5. • It is difficult to ascertain the exact measurements of this proposed Application as only INTERNAL measurements seem to have been supplied. The EXTERNAL ones could be considerably more. ~~But it would appear that the area proposed is in the region of, at least, a third in excess of the existing footprint.~~ Neither does the proposed footprint follow the original, nor the contours of the land. Also, what are the exact height measurements of these proposed stable buildings? What will be the view from the PROW when the trees are leafless during the long winter months?

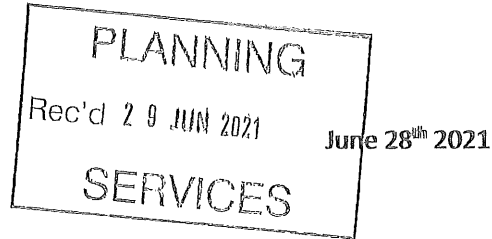
- The Applicant may think, mistakenly, that this project would blend in with the existing barns on Greenacres Farm. Those barns, though not beautiful, are full of country character, were built at least 70 years ago (before the AONB 1966 ruling), patched up 'on and off', and are a wonderful example of true SELF BUILD.
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- 10. • I note, with concern, that once again the Applicant has shown ~~TWO access rights~~ on the proposed plan when there is only ONE access associated with Oakfield House and all its land – the existing one. As I understand it, the access rights are granted solely through the Deeds belonging to Greenacres Farm that owns all the land appertaining to the farm track in this area. Why, too, is the Battledown Manor access, onto the same farm track, not clearly shown on this application?
- I find the GCC report puzzling as I understand the farm track is not an 'adopted highway'. Also, the GCC says that one of the conditions is that, 'the proposed gates be set back 10m from the end of the carriageway (open inwards only) to avoid becoming an obstruction to oncoming traffic'. Either way (private land/adopted highway), I would welcome this Condition. However, I fail to see how that would prevent blocking or congestion as virtually no consideration has been shown from that quarter, in this respect, during the last year. There is no turning area on the farm track. There have been frequent blockages, despite polite requests to keep entrances and the farm track clear at all times.
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- Finally, how many horses are to be stabled in this proposed livery, how many horse boxes, delivery vans, etc., would potentially be blocking the farm track, how much heavy agricultural machinery would be wending its way to storage on the Oakfield House land?

Until all of the above important issues are addressed, with legal and total accountability, and safety, I have to OBJECT to this application. I feel that it would be no less of a scar on this AONB than its predecessors and I fully endorse the Cheltenham Civic Society report.

Yours sincerely




Greenacres Farm
Greenway Lane
Cheltenham GL52 6PN



For attention of Mr David Oakhill Ref 21/01270/FUL

Dear Mr Oakhill,

- 1. I am concerned over the long-standing water and run-off issues with this site.

Many years ago, a substantial moat was constructed, some 30x20 metres, just above the proposed site, in order to collect and release run-off and address the rising spring issues along it's northern boundary. Over recent years the moat has been filled in. A lot of excavated clay from the construction of Oakfield Cottage was placed in this area. Consequently, there is no containment of water in periods of prolonged and heavy rainfall.

Since the inception of the drainage works the run off has been exacerbated, due to a drain depth of one metre and in heavy clay, which has been backfilled mostly with the excavated clay.

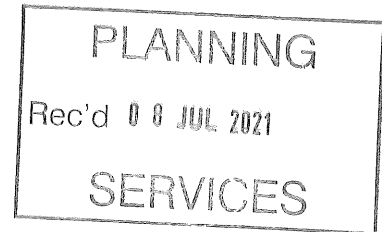
Virtually no surface water can enter the system.

All the remaining excavated spoil, mostly clay, has been spread over a large area above the site making the surface almost impermeable, which in turn has caused flooding on our property.

- 2. I recently had a meeting at this site with a long-standing drainage company who stated that this site is in dire need of an attenuation system to control the water problem.
- 3. I am bemused by the comments of the GCC highways planning officer. The proposed site is 120 Metres from the adopted highway, the site is almost landlocked apart from it's access rights to pass and repass over the private driveway wholly owned by Greenacres Farm. There is also a public footpath which takes the line of the driveway adjoining the adopted highway (Greenway Lane)
- 4. As an additional point, has consideration been made to deal with the storage and disposal and seepage of stable waste. Also, I feel the soakaway would not function because of the heavy clay soil in this area

I feel strongly that these issues must be addressed before any permissions are granted.

Yours sincerely



21/01270/FUL

I have several reasons for concern regarding this latest application; the proposed development is clearly a group of buildings with plumbing and full vehicular access which has to beg the question about future intentions, particularly as the three previous applications were all to build a house, and they were all refused.

- There's a lack of detail on the submitted plans - certainly no easy way to determine the actual size of the proposed buildings. Why would one omit the measurements - such a crucial detail - if this is to be judged fairly?
- Even for stables, we are still talking about a very sensitive site which is outside the PUA - so not part of the Town Plan - and it is well within the AONB. So it does seem a little presumptuous to have demolished the 'no longer existing' ramshackle sheds - to call them barns or stables would be a huge exaggeration - before gaining permission to replace them with something considerably larger.
- We are told that the applicants are now keen to build stables for their horses. If this is their honest intention and not a back door way of obtaining permission for a house in the future, why is there the need to create a secondary entrance next to the current one as 'access' to the 'second' field? Would this even be permitted on a single track lane which is owned by someone else, over which they have right of way? It is already extremely restricted for space as there is no turning area here and it is also the continuation of a public footpath. If it were to be permitted, then the proposed block plan is misleading and inaccurate as it is showing several trees which would presumably have to be removed to enable this, which in turn would make the site completely visible to all who pass by.
- Historically, Greenacres Farm owned the field - this explains their continued ownership of the private drive which leads to both the field and the public footpath. The applicants have a right of way via this to access the field. With Hallam Oaks opposite and no turning area, any development here needs to be extremely carefully considered.
- Even if it is truly their intention to retain the stables just as stables going forwards into the future, there will still be an impact on the immediate neighbours who have already had to deal with a huge amount of disruption this past year.
- How would the waste be dealt with and disposed of so that it does not cause an environmental hazard?
- I am no expert, but the recent attempt to ameliorate the longstanding water and run-off issues on this site by installing a drainage system seems to have caused 'more' water to pool than before down on the proposed site and onto the neighbour's land. Taking into consideration the other comments regarding this, it does seem to be very much a problem which perhaps ought to have been resolved before submitting a further application to develop here.

- I am also bemused by the GCC Highways comments. It seems they don't realise that the driveway is privately owned by Greenacres Farm and that the field in question is 120 meters from the adopted highway.
- I have talked about the abundance of wildlife in this field in my comments on the previous applications. It is teeming with all sorts of creatures, some of whom are protected species, and light pollution should be avoided here, or at least kept to an absolute minimum were permission to be granted, as rules require in areas of AONB such as this.

I remain unconvinced that this proposed development would either 'conserve' or 'enhance' the AONB or sit nicely in its surroundings, thus conflicting with JCS Policy SD7. It looks to me more like a house masquerading as stables, rather than a traditional Cotswold farm building.

Baedala's Tun
Ashley Road
GL52 6PJ



21/01270/FUL

Please do refer also to my previous comments to this application, most of which still apply to the 'revised' version.

The revised plan is a little vague particularly when a new use is being proposed, and one which involves engineering works (a manège), in the corner of a lovely protected AONB field which runs alongside a very well trod PROW. The previous tumbledown sheds, still being described as 'existing', were dismantled some time ago and their footprint was quite a lot smaller and in a different location to the new proposed stable. According to the Planning Department the size proposed is :

- Height : 2.9 metres
- Length : 21 metres
- Width : 4.745 metres

No measurements are given for the manège, although it seems they are usually 40 X 20 metres, which appears to fit the plan. This is a very large area and it would have been helpful to have had more information about it. What will the appearance and colour be? The plan shows gates opening into the manège, so is it to be surrounded by wooden fencing or railings; if so, what type? Hopefully lighting would be minimal and not left on at night - there are lots of creatures that would be disturbed by this. These are important factors to be considered for such a sensitive area in which their application for a domestic dwelling has been turned down three times.

The plan shows there to be only one oak tree north of the manège, when there are actually two fine oak trees there.

As was the case previously, there is no provision on the plan as to how they will deal with waste and the subsequent associated smells. Situated adjacent to and sandwiched between Greenacres Farm and the PROW, this is a hugely important consideration.

It appears that good drainage is essential in constructing a manège; one site says 'don't go trying to stick it in the bottom of a muddy gully'. The proposed site is below where there used to be an ancient moat. Is it a good idea to put it on land which, in spite of efforts to control the excess spring water, appears to be prone to flooding in very wet weather?

As previously stated this land is outside of the PUA and within the AONB. The Government has just launched a new initiative - Defra's Farming in Protected Landscapes programme recognises that our National Parks and Areas of Outstanding Natural Beauty are special places endowed with a huge range of habitats and as such they deserve particular support. The Cotswolds is one of many areas which have been given a pot of money to award grants to people who come up with innovative ideas which will maintain and enhance the natural beauty of these protected habitats.

Although this proposal might seem preferable to a contemporary new house, I still think that a very large arena, coupled with extensive modern stables, will still have an 'adverse' effect on the nature of the AONB here and I don't think it will 'enhance' it, thereby contravening JCS Policy SD7. It will be entirely visible to the many users of the PROW. And in addition perhaps the elevation as seen from Greenway Lane might be jarring if juxtaposed to the old farm buildings next door.

I am incredibly fortunate to have lived in this area for most of my life so that it feels like it is a part of me - which is why I care so deeply about it remaining peaceful and unspoilt.

Baedala's Tun
Ashley Road
GL52 6PJ

21/01270/FUL

I have several reasons for concern regarding this latest application; the proposed development is clearly a group of buildings with plumbing and full vehicular access which has to beg the question about future intentions, particularly as the three previous applications were all to build a house, and they were all refused.

- There's a lack of detail on the submitted plans - certainly no easy way to determine the actual size of the proposed buildings. Why would one omit the measurements - such a crucial detail - if this is to be judged fairly?
- Even for stables, we are still talking about a very sensitive site which is outside the PUA - so not part of the Town Plan - and it is well within the AONB. So it does seem a little presumptuous to have demolished the 'no longer existing' ramshackle sheds - to call them barns or stables would be a huge exaggeration - before gaining permission to replace them with something considerably larger.
- We are told that the applicants are now keen to build stables for their horses. If this is their honest intention and not a back door way of obtaining permission for a house in the future, why is there the need to create a secondary entrance next to the current one as 'access' to the 'second' field? Would this even be permitted on a single track lane which is owned by someone else, over which they have right of way? It is already extremely restricted for space as there is no turning area here and it is also the continuation of a public footpath. If it were to be permitted, then the proposed block plan is misleading and inaccurate as it is showing several trees which would presumably have to be removed to enable this, which in turn would make the site completely visible to all who pass by.
- Historically, Greenacres Farm owned the field - this explains their continued ownership of the private drive which leads to both the field and the public footpath. The applicants have a right of way via this to access the field. With Hallam Oaks opposite and no turning area, any development here needs to be extremely carefully considered.
- Even if it is truly their intention to retain the stables just as stables going forwards into the future, there will still be an impact on the immediate neighbours who have already had to deal with a huge amount of disruption this past year.
- How would the waste be dealt with and disposed of so that it does not cause an environmental hazard?
- I am no expert, but the recent attempt to ameliorate the longstanding water and run-off issues on this site by installing a drainage system seems to have caused 'more' water to pool than before down on the proposed site and onto the neighbour's land. Taking into consideration the other comments regarding this, it does seem to be very much a problem which perhaps ought to have been resolved before submitting a further application to develop here.

- I am also bemused by the GCC Highways comments. It seems they don't realise that the driveway is privately owned by Greenacres Farm and that the field in question is 120 meters from the adopted highway.
- I have talked about the abundance of wildlife in this field in my comments on the previous applications. It is teeming with all sorts of creatures, some of whom are protected species, and light pollution should be avoided here, or at least kept to an absolute minimum were permission to be granted, as rules require in areas of AONB such as this.

I remain unconvinced that this proposed development would either 'conserve' or 'enhance' the AONB or sit nicely in its surroundings, thus conflicting with JCS Policy SD7. It looks to me more like a house masquerading as stables, rather than a traditional Cotswold farm building.

Baedala's Tun
Ashley Road
GL52 6PJ

Appeal Decision

Site visit made on 22 October 2020

by **S Shapland BSc (Hons) MSc CMILT MCIHT**

an Inspector appointed by the Secretary of State

Decision date: 16 December 2020

Appeal Ref: APP/B1605/W/20/3255479

Oakfield House Stables, Greenway Lane, Cheltenham GL52 6NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Newbay Consulting Ltd against the decision of Cheltenham Borough Council.
 - The application Ref 20/00154/FUL, dated 27 January 2020, was refused by notice dated 8 April 2020.
 - The development proposed is erection of a single self-build dwelling following the demolition of existing stables (revised scheme).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including the Cotswolds Area of Outstanding Natural Beauty.

Reasons

3. The appeal site is located outside of the principal urban area of Cheltenham and is within the Cotswolds Area of Outstanding Natural Beauty (AONB). Although the site is next to Greenacres Farm, it is separated from built development in the settlement of Battledown by fields and is therefore within the rural area.
4. As the appeal site is located within the AONB, Section 85 of the Countryside and Rights of Way Act 2000 requires that I have regard to the purpose of conserving and enhancing the natural beauty of AONB's. Furthermore, Paragraph 172 of the National Planning Policy Framework (the Framework) specifies that great weight must be given to conserving and enhancing landscape and scenic beauty of these areas.
5. The Cotswolds AONB Management plan 2018-2023 (CAMP) identifies special qualities of the AONB. They include, amongst other things, the tranquillity of the area away from major sources of development and visual clutter. The site lies within National Character Area 106 Severn and Avon Vales, and within the Coopers Hill to Winchcombe Character Type within the Escarpment landscape type identified within the CAMP.
6. The Cheltenham Borough Council Landscape Character and Sensitivity Assessment (CLCSA) of the Cotswolds AONB provides a more detailed

assessment of the landscape in which the appeal site is located. This identifies the appeal site as being located within the Battledown Settled Lowland Landscape Character Area within the Settled Lowlands Landscape Character Type. This assessment identifies the area as being one of an open, sloping and undulating pastoral landscape with well-defined boundaries formed principally by post and rail fencing and hedgerows.

7. I note the appellant's comments made that the landscape characteristics of the appeal site as identified within the CLCSA do not necessarily correlate with the key features of the wider Escarpment landscape type as identified within the CAMP. However, the CLCSA is clear that a key characteristic of the appeal site is one of open sloping pastoral landscape. It is clearly sensitive to change.
8. Key visual receptors identified in the CLCSA include footpath users throughout the area, residents of properties along Ashley Road and road users along Greenway South. The Landscape Value derives principally from the filtered views to the east, looking towards the elevated Escarpment slopes associated with Ham Hill North. The assessment concludes that the appeal site is located in an area with high visual sensitivity, high landscape character sensitivity, with an overall landscape sensitivity of high. The landscape value is identified as high, with the overall landscape constraint being major overall.
9. The proposal would be of a single storey height with a green roof, and would replace dilapidated stables on what the appellant considers to be previously developed land. However, the site is mostly open containing little built development. The proposal would introduce a substantial amount of additional built form into the site which would have an urbanising effect upon its appearance.
10. The submitted landscape visual impact assessment¹ (LVIA) identifies one of the key visual receptors of the site are users of the Public Right of Way (PROW) which is adjacent to the site. The LVIA indicates that the effect on this receptor would not be significant.
11. However, I feel that this does not adequately consider the extent of the importance of views from the appeal site towards the wider AONB and the effect the proposal would have on these. Viewpoint 5 of the LVIA has been taken looking from the PROW towards the appeal site. It appears to show the site being well screened behind mature vegetation, however based on my observations from the site visit the site was much more prominent than indicated by this viewpoint and the LVIA. Whilst I acknowledge that the existing stables are clearly visible, the introduction of additional built form as part of the appeal proposal would be even more visible and prominent in this location.
12. It was also evident that from this location the Escarpment in the direction of Ham Hill is clearly visible in the distance. By introducing a new dwelling in this location, users from this PROW who were to look out towards the Escarpment would be presented with a large dwelling which would be prominent in the foreground.
13. A comprehensive planting schedule is shown on the boundary treatments. However, given the close proximity of the adjacent PROW, and the topography

¹ Landscape and Visual Impact assessment prepared by MHP chartered landscape architects

of the land which slopes upwards away from the appeal site, the proposed dwelling would be evident even with the amount of landscaping proposed. In addition, any landscaping scheme would take several years to reach full maturity.

14. The appellant has drawn my attention to a recent appeal decision² in which the inspector accepted that whilst the Framework indicates that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB's, that does not rule out sensitively designed schemes being brought forward. However, that decision related to a different site within Winchcombe, which is not in the locality of the appeal site. I have considered this appeal against its own site specific context.
15. Consequently, I find that the proposal would harm the character and appearance of the area, and would fail to conserve or enhance the scenic beauty of the AONB. It therefore conflicts with policy SD7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, which seeks, amongst other things that development conserves and where appropriate enhances the landscape and scenic beauty of AONB's. There would be conflict with the aims of the CAMP, which seeks, amongst other things that development within AONB's are compatible with and reinforce the landscape character of the location. The proposal would be contrary to paragraph 172 of the framework which seeks, amongst other things that great weight is given to conserving and enhancing the scenic beauty of AONB's.

Other Matters

16. The Council acknowledges that it is unable to identify a five year supply of housing. Paragraph 11 and Footnote 7 of the Framework states that relevant policies for the supply of housing should not be considered up to date where a five year housing land supply cannot be demonstrated. Where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
17. The appellant contends that the relevant development plan policies should be considered out of date, and therefore a presumption in favour of sustainable development applies. However, paragraph 11 d)i of the Framework states that the presumption in favour of sustainable development does not apply where the application of policies that protect areas or assets of particular importance provides a clear reason for refusal. Footnote 6 of this paragraph includes land designated as an AONB. I have found significant harm to the character and appearance of the area, and have identified that the harm to the AONB provides a clear reason for refusal. Consequently, the presumption in favour of sustainable development is not triggered in this instance.
18. The appeal proposal is for a self-build dwelling, and the appellant has drawn my attention to a recent Government announcement³ which reinforces their commitment towards the importance of self-build housing. Several appeal decisions⁴ have also been cited where the Inspectors have given varying degrees of weight to the importance of developments which are self-build

² APP/G1630/W/19/3228967

³ Press release from Robert Jenrick MP, Secretary of State for Housing Communities and Local Government published 30.10.20.

⁴ APP/W0340/W/15/3051146, APP/Y3940/W/16/3150774, APP/H1840/W/19/3241879, APP/Y3940/W/20/3255756

housing. I have not been presented with the full details of those cases, and thus cannot be certain of the circumstances which led to them being found acceptable. Notwithstanding this, in this instance I have no mechanism to secure the proposal as a self-build property.

19. I note the appellant's arguments that the proposal would add a dwelling to the local housing supply and that it would provide minor economic benefits in terms of its construction. The appellant also contends that new residents would provide support to the existing facilities in the area. However, as the proposal is for one house, these benefits would be very limited and they would not outweigh the significant harm to the AONB I have identified.

Conclusions

20. For the reasons given above the appeal is dismissed.

S Shapland

INSPECTOR

Oakfield House Stables

Planning Inspectorate Reference: APP/B1605/W/20/3255479

The decision-making process for the above revised application was for the first time undertaken in a different way to usual as the meeting of the Planning Committee due to go ahead on the 19th March had to be cancelled in view of the imminent lockdown and the decision to refuse it was made by the David Oakhill, Head of Planning in Cheltenham, after carefully reviewing all documents representing each side and taking into account the views of all the councillors who would normally have been able to vote for or against.

It is my sincere hope that you will find his decision a just one. The site is not part of the Town Plan; it is on AONB. To build this house here would contravene very robust and persuasive national and local policies. It would also be very out of keeping with the more traditional dwellings which you will find in this semi-rural location.

It has been incredibly hard for me to stand up and speak out against this application as it has been made by friends and neighbours of mine. But it is because I, like many people who have lived in this location for many years, passionately believe in maintaining the integrity of this beautiful part of Cheltenham and in protecting its very special AONB status.

I quote from the observations of Councillor Baker who is Vice Chairman of the Planning Committee:

"Greenway Lane is a very special road, driving or walking along it you enjoy unspoilt views to the east and the gently wooded slopes to the west with the occasional traditionally built dwelling, it is unquestionably rural, infilling such as this will change the look and feel of this precious landscape forever."

"Cheltenham was recently voted the best place to live in the south west, no doubt for a variety of reasons. Our approach to planning and preserving the very best of our town is crucial to that award, important to why we love our town."

The pandemic and consequent lockdown have made these comments even more pertinent as hordes of runners, cyclists, horse-riders, families and children with dogs in tow have taken to these roads - and also to the footpath in question - like never before. There are very few roads which lead up to the very popular beauty spot of Cleeve Hill and this is one of them. The PROW which passes the site has lovely views of the field and is extremely well-frequented at all times of the year. A brand new modern house such as this would detract from the semi-rural nature of this lovely AONB field and their views into it.

With so many shops closing down due to the economic fallout from the pandemic Cheltenham's lure as a thriving shopping centre will in the future become less and less important, whereas the

natural beauty of its surroundings and its designation as 'The Heart of The Cotswolds' will become ever more relevant.

Indeed the latest government proposals regarding planning and development make it clear that AONB will be classified as protected and as such will not be made available for development in order to prioritise building on brownfield sites which will be more readily available and less likely to cause controversy.

There were no letters of support for this application either from neighbours or professional bodies. Great weight should be given to the views of the following:

The Cotswold Conservation Board

'We are concerned about the ongoing (sub)urbanisation of the Cotswolds AONB around the east side of Battledown along Greenway Lane and it's environs.'

Cheltenham Civic Society

'Would adversely affect the AONB and be contrary to the AONB Management Plan, the NPF, JCS and the Local Plan.'

The Campaign to Protect Rural England

'The box-like design of the proposed dwelling remains significantly out of keeping with its environment.'

I urge you to refer to the excellent detailed report submitted for the original application by the specialist Landscape Consultant Stuart Ryder in consideration of this appeal. It was commissioned on behalf of the Planning Department and the majority of its observations still apply to this revised application.

To quote Councillor Baker again :

"This application will not in any way enhance or conserve this highly sensitive and valued landscape We should also not be persuaded that this well-designed house, albeit in the wrong location, is better than the eyesore of the so-called 'stables' so rewarding an applicant, indeed any applicant, to allow their AONB land to become an eyesore. . . . Clearing away the dilapidated buildings and restoring the field would do that."

For your information in case you do not know this area well the two houses to the north and those bordering the field opposite the PROW are part of the Battledown Estate, which is a historically unique estate created over 150 years ago. It is not part of the AONB and is therefore not bound by its rules. Instead residents abide by their own regulations overseen by the Trustees. For non-residents the core of the estate is only accessed via Battledown Approach which is off Hales Road on the other side of the hill and there are three other gated access

roads for residents only. There is a definite disconnect between these two areas and they are very different in character.

The more rural AONB side of this hill, in particular the field in front of me of which the site is a part, is teeming with wildlife and all manner of birds and wild animals are a common sight in broad daylight as they go about their daily business. I recently saw an interesting Countryfile programme about an initiative in a particularly beautiful part of Shropshire, together with the cooperation of local farmers, to create 'wildlife corridors' or 'pathways' across tracts of land to enable wildlife to move around unrestricted. It made me reflect upon the site and how if a house were to be built there it would effectively 'close off' what is currently already a natural pathway for the local wildlife.

Another final matter of concern is that the only public access to the site is along a single lane farm-track with no turning area for construction vehicles, delivery vans and more importantly emergency vehicles. Backing out onto Greenway Lane would be extremely dangerous and if vehicles were parked outside the proposed site the opposite neighbour's exit would be obstructed.

Thank you so much for your consideration of this application - I hope that I haven't been overly repetitive in my attempt to support the decision made by David Oakhill in March.

Baedala's Tun
Ashley Road
Cheltenham
GL52 6PJ

APPLICATION NO: 21/01464/LBC	OFFICER: Mr Nikita Hooper
DATE REGISTERED: 3rd August 2021	DATE OF EXPIRY: 21 st October 2021
DATE VALIDATED: 3rd August 2021	DATE OF SITE VISIT: N/A
WARD: Warden Hill	PARISH: Leckhampton With Warden Hill
APPLICANT:	Cllr Martin Horwood
AGENT:	
LOCATION:	Hampton House, Shurdington Road, Cheltenham
PROPOSAL:	Replace three lost windows and lost stable doors, replace lost floor, replace front door

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The subject building (the stable) is located to the north-west of Hampton House.
- 1.2 The scheme relates to the stable only and proposes to “replace three lost windows and lost stable doors, replace lost floor, replace front door”.
- 1.3 For clarity, contrary to the labelling of some drawings planning permission is not being sought, the application is for listed building consent only.
- 1.4 The application is before committee as the applicant is Cllr Martin Horwood.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Listed Buildings Grade 2
Parish Boundary
Principal Urban Area

Relevant Planning History:

20/00105/PREAPP 4th February 2020 CLO
Refurbishment

04/01783/LBC 9th December 2004 GRANT
Carry out essential repairs to the render of the south west elevation

79/00681/PF 6th November 1979 REF
Retention of existing vehicular access

20/01415/LBC 23rd April 2021 GRANT
Erection of railings to the existing veranda

20/01415/FUL 23rd April 2021 PER
Erection of railings to the existing veranda

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 16 Conserving and enhancing the historic environment

Adopted Joint Core Strategy Policies

SD8 Historic Environment

4. CONSULTATIONS

Parish Council

26th August 2021

The Parish Council has no objection to this application

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	13
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

5.1 A site notice was displayed and the application listed in the Gloucestershire Echo.

6. OFFICER COMMENTS

- 6.1 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant listed building consent to “have special regard to the desirability of preserving the building...or any features of special architectural or historic interest which it possesses.”
- 6.2 Paragraph 189 of the National Planning Policy Framework (MHCLG: 2021) (NPPF) states that “Heritage assets...are an irreplaceable resource, and should be conserved in a manner appropriate to their significance”.
- 6.3 Paragraph 197 of the NPPF states that “In determining applications, local planning authorities should take account of...the desirability of sustaining and enhancing the significance of heritage assets”.
- 6.4 Vision Theme C of the Cheltenham Plan (July 2020) includes objective a), to “Conserve and enhance Cheltenham’s architectural, townscape and landscape heritage both within and out of the town’s conservation areas” (p. 7).
- 6.5 Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017) (JCS) states that “Designated...heritage assets and their settings will be conserved and enhanced as appropriate to their significance.”
- 6.6 The consideration of the scheme is undertaken as a desk based assessment.
- 6.7 Hampton House was constructed as a farmhouse in the early nineteenth century. Listed on 22 October 1987 (Grade II). List entry number: 1152862. Previously known as Hampton Farm Villa and prior to that as Leys Farm. Croome’s 1835 survey of Leckhampton identifies ‘Leys Farm house, yard and buildings’.
- 6.8 A building occupying the same location as the existing (stable) is shown on the 1st edition Ordnance Survey (OS) map (1888). It is depicted as roofless on the 2nd edition (1903) and is whole on the 3rd edition (1923).
- 6.9 The stable is considered to be curtilage listed. “The law provides that buildings and other structures that pre-date July 1948 and are within the curtilage of a listed building are to be treated as part of the listed building” (Listed Buildings and Curtilage, Historic England Advice Note 10: February 2018, un-numbered page (i) (summary)).
- 6.10 “A building within the curtilage may have its own special architectural or historic interest or may contribute to the special interest in the principal building as part of the group” (Listed Buildings and Curtilage, Historic England Advice Note 10: February 2018).
- 6.11 The significance of the stable lies in its historic form and materials, its use as a former ancillary building and in its functional relationship with Hampton House.

- 6.12** The works proposed to the interior of the building comprise a replacement floor at first floor level (one room only) and the enlargement of a ladder/loft access from the ground floor to first floor. Work to the eastern (principal) elevation include a new door, three new windows and new stable doors. The windows are proposed to be double-glazed.
- 6.13** The interior works, the replacement door and replacement stable doors are acceptable in principle, as they will not detract from the significance of the building, and the style of the windows is acceptable in principle.
- 6.14** The principal elevation has 1no. casement window in situ, taken to be single glazed (dated to possibly c.1970s). The windows openings all appear to be historic given their respective forms: casements to the first floor and a sash to the ground floor.
- 6.15** The use of double-glazing typically requires joinery that is bulkier than that of traditional historic windows, it has a particular reflective quality (double image) and therefore the resultant window does not match the historic approach. This would be particularly noticeable in a context where single glazing (or a window designed to take single glazing) already exists.
- 6.16** The proposed windows with glazing bars wider and bulkier than the traditional historic forms, and the reflective qualities of double-glazing, will fail to maintain the simple historic design of this functional building. The installation of windows will enhance the significance of the building, particularly given its present condition; however, the proposed double glazed windows will not sustain its significance.
- 6.17** It is currently estimated that double glazed units have a lifespan of 15-25 years. They are problematic to repair and much more difficult to recycle than standard glass “discarded double-glazed windows have become a major contributor to landfill. The energy required in manufacturing and transportation can also be significant in the overall equation” (Traditional Windows, their care, repair and upgrading, Historic England: 2017, pp.53-54).
- 6.18** The application (see Design and Access – additional) states that “Double-glazing is a major contribution of the conservation of energy in buildings. The Cheltenham Plan’s Theme C objectives include a commitment (d) to “address the challenge of climate change, ensuring that development meets high design and sustainability standards and is built to be adaptable over the long term”. Reference is also made to the council declaring a climate emergency on 18 February 2019.
- 6.19** The energy efficiency of a building is a priority for their owners and for all in the face of the climate emergency; however, though the subject of this application, this issue should not solely focus on windows, and a whole-building approach should be adopted, such as draught proofing and the efficiency of heating systems. With regard to windows, secondary glazing is often an acceptable approach in listed buildings (subject to consent). It should also be borne in mind that this is an ancillary, non-residential building, and therefore it will not be necessary to maintain it at a similar interior temperature to a dwelling.
- 6.20** The stable building has no built in central heating, is non-residential, and the how the building as a whole performs in terms of energy efficiency is unknown.
- 6.21** The NPPF at paragraph 199 requires Local Planning Authorities when considering the impact of a proposed development on the significance of a designated heritage asset, to give great weight to the conservation of the asset; and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm equates to substantial harm, total loss or less than substantial harm to its significance.

- 6.22** Paragraph 202 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal.
- 6.23** Due to the unacceptable aspects of the scheme, it is considered that the proposal will be detrimental to the importance of the listed building; the degree of harm is considered to be less than substantial. When balancing the harm against the public benefits of the proposal the NPPF requires great weight to be given to the conservation of the heritage assets (paragraph 199).
- 6.24** The NPPF as above refers to the “desirability of sustaining and enhancing the significance of heritage assets”, the JCS, also as above, states that ““Designated...heritage assets...will be conserved and enhanced as appropriate to their significance” and the Cheltenham Plan, as above, aims to “Conserve and enhance Cheltenham’s architectural...landscape heritage”. The re-introduction of suitably designed windows will enhance the significance; however, the proposed use of double-glazing will fail to conserve/sustain the significance. Both the NPPF, the JCS and the Cheltenham Plan are clear that enhancement and conservation/sustaining are both aims and not one at the exclusion of the other.

7. Public Sector Equalities Duty (PSED)

- 7.1** As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
 - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.
- 7.2** Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this application the planning authority has taken into consideration the requirements of the PSED.
- 7.3** In the context of the above PSED duties, this proposal is considered to be acceptable.

8. CONCLUSION(S) AND RECOMMENDATION(S)

- 8.1** Many aspects of the scheme are acceptable in principle; however, the use of double-glazing would detract from the significance of the listed building. If the decision makers conclude that the scheme will lead to less than substantial harm to the significance of the listed building then they will need to carry out the prescribed balancing exercise as per the NPPF (see above).

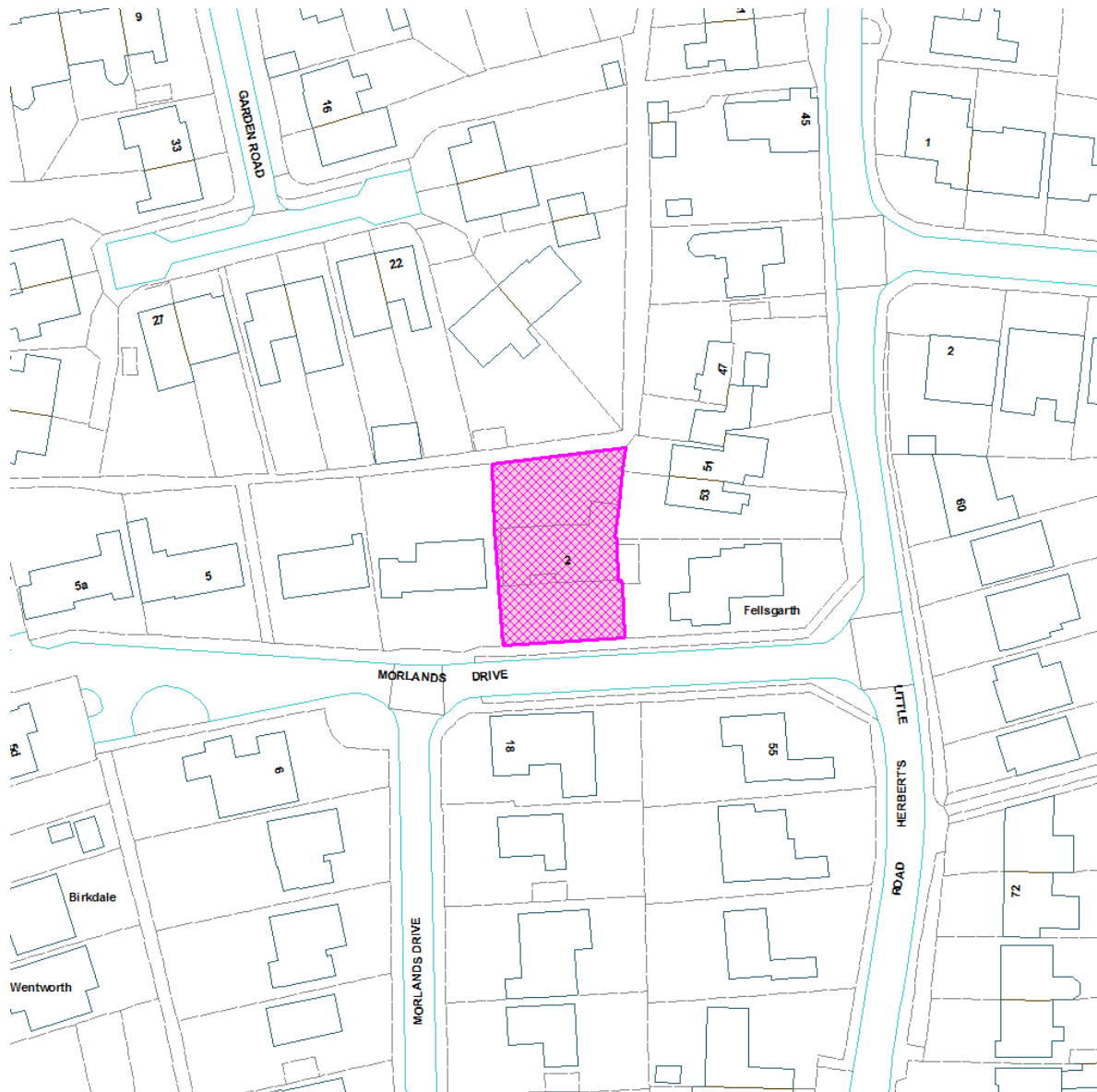
9. REFUSAL REASON

- 1 The application would lead to less than substantial harm to the significance of the listed building by detracting from its architectural/aesthetic value through the use of inappropriate double-glazed windows. This harm is not outweighed by any substantiated public benefit.

The scheme is contrary to Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework (2021) and Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017).

APPLICATION NO: 21/01475/FUL		OFFICER: Mr Ben Warren
DATE REGISTERED: 23rd June 2021		DATE OF EXPIRY: 18th August 2021
DATE VALIDATED: 23rd June 2021		DATE OF SITE VISIT:
WARD: Charlton Kings		PARISH: Charlton Kings
APPLICANT:	Mr & Mrs Bullock	
AGENT:	A1 Architecture Ltd	
LOCATION:	2 Morlands Drive, Charlton Kings, Cheltenham	
PROPOSAL:	Extensions, alterations and remodelling works to form new dwelling	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached bungalow located within a residential area on Morlands Drive in Charlton Kings.
- 1.2 The applicant is seeking planning permission for extensions, alterations and remodelling works to form a new two storey dwelling.
- 1.3 The application is at planning committee at the request of Councillor McCloskey due to the level of concerns raised by local residents, specifically relating to design, over development and loss of amenity.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Parish Boundary
Principal Urban Area
Smoke Control Order

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 4 Decision-making
Section 12 Achieving well-designed places

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

4. CONSULTATIONS

Parish Council

14th July 2021

Objection:

The Committee has no objection to concept of re-developing this property. In the right situation, this design would be appropriate and acceptable.

However, the existing street-scene is comprised of well-spaced, brick-built dwellings with pitched roofs, predominately dating from the 60's or 70's, with a few newer dwellings that

follow the same material palette and form. This design of render and parapet walled flat roof has no connection to the other dwellings and so 'sticks out like a sore thumb'. This failure to even echo the existing vernacular represents a degradation of the street-scene and is therefore a poor design in this context.

Parish Council

14th September 2021

No objection

Architects Panel

6th July 2021

Design Concept

The panel had no objection to the principle of having a two storey dwelling on this site but felt this design was totally inappropriate in this location, being out of scale and character with neighbouring properties.

The style of this building is more reminiscent of a 1930s commercial building than a Charlton Kings residential dwelling - aesthetically unsatisfactory, incorrect fenestration proportions, and a choice of materials not in keeping with the character of the area.

Design Detail

The layout of the house is not convincing - there is no side access to the rear garden and it is questionable if the building is too close to the site boundaries.

Elevations to show the scheme in context are not provided. If they had been it would have been evident how inappropriate this design really is.

Recommendation

Not supported.

Gloucestershire Centre For Environmental Records

5th July 2021

Biodiversity report available to view.

5. PUBLICITY AND REPRESENTATIONS

5.1 9 letters were sent to neighbouring properties on 3 separate occasions, further letters were also sent to any local resident who had commented on the application when each set of revised plans was received. A total of 18 letters of representation have been received, the concerns raised have been summarised but are not limited to the following:

- Loss of light
- Loss of privacy
- Design and impact on street scene
- Scale and massing
- Materials

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations of this application are design, impact on neighbouring amenity and impact on the character of the area.
- 6.3 The local area has been visited to understand the context of the site and its surroundings; the application site has also been viewed from the rear/side garden of number 3 Morlands Drive to consider impact on amenity.
- 6.4 **The site and its context**
- 6.5 The existing building is a detached, brick-built bungalow with a pitched roof and is the first property/plot when entering Morlands Drive.
- 6.6 The adjacent property at number 3 Morlands Drive to the west, is a two storey pitched roof dwelling with its frontage on to Morlands Drive. To the east of the site is a bungalow located on the corner of Morlands Drive and Little Herbert's Road, and two storey semi-detached properties that have their frontages on to Little Herberts Road, all of which have rear gardens that abut the side boundary of the application site.
- 6.7 The properties in Morlands Drive are a mix of bungalows and two storey dwellings, typically the two storey dwellings have a similar scale, form and design. Although the area has seen recent redevelopment of properties, including the redevelopment of a bungalow at number 6 Morlands Drive, which is now a contemporary two storey dwelling.
- 6.8 **Design and impact on street scene**
- 6.9 Section 12 of the NPPF refers to achieving well designed spaces and states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 6.10 Adopted Cheltenham Plan Policy D1 requires extensions and alterations of existing buildings to avoid causing harm to the architectural integrity of the building or group of buildings. Furthermore, JCS policy SD4 relates to design, and identifies considerations to include context and character, legibility and identity, amenity and space.
- 6.11 The original submission within this application proposed extensions and alterations to the existing dwelling to create a contemporary two storey flat roof dwelling. Officers considered the design and form to be wholly at odds with the design and character of the area. In addition both the Parish Council and Architects Panel objected to this scheme, and numerous objections were received from local residents. Revised plans were therefore requested. A number of revised schemes have been submitted for consideration, the officer comments below relate to the latest set of plans received on 3rd September 2021.
- 6.12 The latest plans show significant changes from that originally submitted, the proposal is now for a two storey pitched roof dwelling that matches the general scale and form of the adjacent two storey properties in Morlands Drive. Officers duly note that the building is deeper than that of the adjacent dwelling, however a cat slide roof detail is proposed to the rear to ensure the ridge and eaves height of the dwelling reflect that of the adjacent properties in Morlands Drive. Whilst matching the general form and scale, the proposal is for a more contemporary design, including a rendered façade, brick tile detail, and grey UPVC windows and doors. This significant change in proposal supports the intentions of paragraph 132 of the NPPF, which identifies the importance of applicants engaging with the views of the LPA and the local community regarding design and design quality.
- 6.13 The proposed design and appearance of the remodelled dwelling is significantly different from the design of the existing dwelling and differs from that of the properties immediately either side of it. However, a contemporary design approach that differs from its immediate surroundings does not necessarily result in harm. The existing building is of no real

architectural merit and recent works already carried out in the local area have established modern extensions, alterations and replacement dwellings to be acceptable in this area, most notably the redevelopment of an existing bungalow at number 6 Morlands Drive into a contemporary two storey dwelling.

- 6.14 Officers consider that the extended and remodelled property would sit comfortably within its plot and will reflect the general plot size and layout of other properties in Morlands Drive. Officers consider that a contemporary design approach can be achieved on this site without resulting in any significant harm to the character of the area or any unacceptable harm to the street scene. The Parish Council raise no objection to this revised scheme.
- 6.15 Whilst acknowledging that the design is not directly in keeping with its immediate neighbours, officers consider the proposal represents an acceptable modern and high quality design that will not result in any unacceptable harm to the design or character of its surroundings. Therefore, on balance, the application is considered to be compliant with adopted Cheltenham Plan Policy D1 and adopted JCS policy SD4.
- 6.16 A condition requiring the submission material details has been suggested.

6.17 **Impact on neighbouring property**

- 6.18 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.
- 6.19 The proposed works introduce an additional floor to the site; it is acknowledged that this will result in the proposed dwelling being more visible from neighbouring sites.

The rear elevation and garden of the bungalow to the east (Fellsgarth) would face towards the side of this new development, a distance of approximately 14.5 metres would exist between the rear elevation of this property and the new two storey side elevation of the proposed dwelling, this exceeds the 12 metres that is considered to be acceptable.

In terms of the impact on number 3 Morlands Drive, the proposed dwelling generally sits in line with this property, although it projects slightly further into the rear garden, this greater depth will not result in any loss of light to any habitable room, and is not considered to result in any overbearing impact, the relationship of this new proposal with number 3 Morlands Drive is similar to the relationship of many other neighbouring properties in this road.

Due to its position within the plot and relationship with neighbouring land users; it is not considered that the development will result in any unacceptable loss of light or overbearing impact to any neighbouring land user.

- 6.20 Concerns have been raised locally regarding a potential loss of privacy as a result of new first floor rear elevation windows. All of the first floor rear elevation windows achieve in excess of 12.5 metres to the rear boundary of number 21 Garden Road; this exceeds the minimum of 10.5 metres which is considered to be acceptable. The new upper floor side elevation window serves an en-suite bathroom and it is reasonable to assume that this will be obscurely glazed, but a condition to this effect has also been suggested.
- 6.21 The extended and remodelled dwelling is not considered to result in any unacceptable loss of light, loss of privacy or overbearing impact and is therefore considered to be compliant with adopted Cheltenham Plan policy SL1 and adopted JCS policy SD14 in terms of protecting neighbouring amenity.

6.22 To ensure further development does not result in any unacceptable amenity issues, a condition has been suggested which would remove permitted development rights for extensions to the property and alterations to the roof. Therefore, any further extensions would require a further planning application to be made.

6.23 Other considerations

Public Sector Equalities Duty (PSED)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 Having considered all of the above, and having negotiated a revised scheme, officer recommendation is to permit the application, subject to the conditions set out below:

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No external facing materials shall be applied unless in accordance with:
 - a) a written specification of the materials; and
 - b) photos or physical sample(s) of the materials.The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the upper floor side elevation window serving the en-suite shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

Reason: To safeguard the amenities of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 5 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions to the building or alterations to the roof hereby permitted shall be constructed without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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 has sought revisions to the scale, form and general design;

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

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APPLICATION NO: 21/01475/FUL		OFFICER: Mr Ben Warren	
DATE REGISTERED: 23rd June 2021		DATE OF EXPIRY : 18th August 2021	
WARD: Charlton Kings		PARISH: CHARLK	
APPLICANT:	Mr & Mrs Bullock		
LOCATION:	2 Morlands Drive, Charlton Kings, Cheltenham		
PROPOSAL:	Extensions, alterations and remodelling works to form new dwelling		

REPRESENTATIONS

Number of contributors	18
Number of objections	17
Number of representations	1
Number of supporting	0

51 Little Herberts Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LL

Comments: 6th September 2021

I do have a few concerns about the proposal in relation to our small property. In our back garden we have a small bit of decking 4.5m x 4.2m and then our shed 8ftx6ft . At the end is a small fence which belongs to 2 Morlands Drive and a huge hedge which is (height wise) in line with our second floor. Probably about 15 feet. We have been here since 1998 and although been told by various people the hedge is 'illegal' it has remained. At the moment for 10 months of the year the decking on the one side remains wet as the sun doesn't get to it and is very slippery. The hedge is the main reason we don't get the necessary light and needs to be reduced to an acceptable height. I would presume if a two storey extension is granted the chances are the hedge will go up, not down, to prevent looking into Garden Road, so again unacceptable for all. To the left of the hedge is the only bit of light we get for a few afternoon hours. This is where I believe the proposed 2 storey building will be seen by us, so preventing the only light we get, and also looking into our tiny spot. I do not believe a 2 storey property is acceptable for us or Garden Road. It doesn't look in character to the cottages of the area as well. If an extension is needed why not extend out the back on the one level? We had 6 people living in our cottage at one point (4 children) and the only extension we were allowed was a bit of land out the front to the side - up until the building line - to create another room. So I imagine this wouldn't be an issue for anyone if built in the back of number 2?

21 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 14th July 2021

My family and I have lived behind 2 Morlands Drive for well over 12 years and have enjoyed the privacy that our surrounding neighbours' property allow. We are exceedingly concerned that if the

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proposed extension/ remodelling were to go ahead then our privacy would be severely impacted and as a result we wish to object to any alterations that would add height to the building.
Thank you

3 Morlands Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LP

Comments: 2nd July 2021

We have lived happily in Morlands Drive for over 25 years. In that time 2 new dwellings have been built in the road & numerous alterations & extensions have been carried out accordingly.

We have personally never felt the need to object to any of the above proposals as generally they have been visually reasonable in their planning & implementation.

Can I make it clear from the start - we are not objecting to a dwelling being built on the plot for a family home

However To use words out of the Charlton Kings own Policy Document "Housing development should be sympathetic to the existing street scene"

Unfortunately This proposed new re-development of No 2 Morlands Drive is 100% not in keeping with the road both visually or architecturally.

If a street scene of the proposal to take in all the neighbouring properties was raised by the applicants this would very clearly be seen by all.

(On a side issue - do the local council have an architectural body that looks at all planned constructions & give their independent advice to the council - If so can I ask what were their findings for this application, if available)

We also believe that the currently submitted information is misleading with the drawings offering little information visually or otherwise. This if it were more open would enable us to see the full impact this proposed dwelling would have on the surrounding area & the local community.

A quick couple of examples are the parapet roof structure, which is totally out of keeping with all the neighbouring properties - Not only in the road itself but also in the general locality, where it is predominantly pitched roof structure of varying designs
Also the scale of the dwelling, given that it does not have a pitched roof is very unclear.

To finish on a couple of personal notes.

We understand that a re-development will eventually be done upon the plot. To which if the design & structure are in keeping with the locality, they will have our support.

I also noticed on the planning application - section 6 - Regarding the trees & foliage. The applicants ticked that no trees, bushes, foliage will be removed in order to carry out any of their proposed works.

I take it from their own submission that this will remain.

Many thanks for taking time to read the above

Comments: 6th September 2021

The new proposal for 2 Morlands Drive has still not dealt with the issue of massing on the plot. Primarily from the depth & width perspectives.

From a depth point of view, the proposed dwelling will stand out at the rear of the adjoining properties by approximately 2 to 2.5 meters. This will not only leave the adjoining properties with a view of a solid white wall of immense proportions, but will also take out virtually all sunlight from the garden at number three for a couple of hours in the morning, whilst doing the reverse to number one in the late afternoon.

If a sun path analysis could be carried out, this would show you the effect that this proposal would have on the neighbouring properties.

From a width perspective, given the close proximity to the dwellings to the left & right. It is undeniably going to overshadow & dwarf the buildings, whilst potentially being unbuildable due to the very close proximity of both neighbouring boundaries.

There are other issues which are fairly obvious like privacy & materials that are unsympathetic to the area, but i think they have been mentioned in previous comments.

Can i request that the architects acting on behalf of the owners & the planners have a conversation and hopefully address these issues. (Remember hands are not tied)

There are obvious solutions that can not only address the needs of the new owners, but can also address the needs & way of life of the local community.

10 Detmore Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QP

Comments: 3rd July 2021

The design of the proposed development is totally out of keeping with the local designs and builds. The construction of a flat roof property does not reflect the the neighbouring properties or of the surrounding area and I believe that the property if built would not be in keeping with the local area

Comments: 3rd July 2021

The design and build is not in keeping with the local architecture, I feel this design is not sympathetic to the local designs and features of all the surrounding properties and the local area.

The main objection is the construction of a flat roof, and the rendered walls. If this design were of a pitched roof and brick facade then it would be in keeping with the local area.

I have no objections to the renovation and building of 2 storey dwelling in the road but of a suitable design to keep in with the local designs and features

55 Little Herberts Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LL

Comments: 8th September 2021

If the proposed development proceeds we will lose the privacy we have enjoyed for over 30 years. Our garden, conservatory and other rooms will be directly overlooked.

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When this area was built in the early 1960s the siting of bungalows at number 1, 2 and 18 were so placed that adjoining houses were not overlooked.

The proposed development is out of place as it does not fit in with the appearance of adjoining properties which are primarily yellow brick with brown tiled roofs and have a mellow matching appearance.

A grey and white finish would stick out like the proverbial sore thumb.

The final point is that there are precious few bungalows to meet the demand from an aging population and if this planning application succeeds there would be one bungalow fewer. Bungalows are rarely built nowadays because of the proportionately larger plot sizes involved and developers tend to want to maximize the number of dwellings on a given parcel of land.

20 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 30th August 2021

We are very concerned that the 3 gable windows will overlook our house and garden and unreasonably reduce our privacy. We have also very strong reservations that the height of the house will negatively impact on the light in our garden.

16 Morlands Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LR

Comments: 14th July 2021

While on a personal level I like the look of the modern structure proposed, I do feel it is not in keeping with the current aesthetics of the drive. Whilst it does not directly effect us, I do sympathise with the immediate neighbours and how this could impact their view and lighting.

48 Little Herberts Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LU

Comments: 10th July 2021

Having looked at the proposed building I must say that it seems totally out of character for the area. Having lived in Charlton Kings for 40 years this sort of development would be more suited on an industrial estate. It is too blocky and with a strong commercial feel to it it is not really suitable for a mature residential street which comprises a mix of houses and bungalows. Which having no objection in principle to a new dwelling there, it should be more in keeping with the existing properties. We are on the edge of an AONB and this definitely would not fit in with that ethos

12 Morlands Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LR

Comments: 16th July 2021

I wish to object to the plans put forward for 2 Morlands Drive, Charlton Kings, GL53 8LP.

The house design OK but a flat roof not acceptable.

It would not be in keeping with existing homes in Morlands drive.

Comments: 7th September 2021

Letter attached.

8 Morlands Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LR

Comments: 1st July 2021

I feel that the proposed structure is very different from near by existing properties and that it will spoil the feel and character of the road. In particular the proposed flat roof will not blend in with the other houses and bungalows which all have tiled pitched roofs. Also the other properties are predominantly faced with brick where as the proposed property will be completely rendered. Until now all property upgrades in the road have been sympathetically designed to fit with their surroundings.

15 Morlands Drive
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LR

Comments: 1st July 2021

The proposed plan is not sympathetic to the street aesthetic:

Namely:

- no roof
- no exposed brickwork / the facade appears to be fully rendered
- oversized in proportion to plot

We don't object to the demolition / rebuild or indeed a second story residence but feel this sits at odds with the feel of the cul de sac.

30 Campion Park
Up Hatherley
Cheltenham
Gloucestershire
GL51 3WA

Comments: 1st July 2021

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Having been raised in Morlands Drive, this application is of great concern. Having been supportive of recent construction in the area, this proposal is totally out of keeping with neighbouring properties in the location, as illustrated below:-

The current submission indicates a parapet roof structure; this is out of keeping with existing neighbouring properties not only within Morlands Drive, but the locality in general where pitched roof structure of varying pitch and design are prevalent,, especially where the road-facing elevation sits so close to the footpath.

The current proposal also incorporates large glazed elements and weir details into collector units and associated downpipes (material and colour not indicated in either submitted forms or elevations) which are not reflected elsewhere within the local area. We would not consider the general design, materials and detailing to be suited to the location.

The scale of the proposed building to other neighbouring properties, in particular the massing of the two storey element in relation to the boundary is not reflected elsewhere on Morlands Drive. It should be noted that where properties along Morlands Drive have structure located near the boundary, these are exclusively single storey.

We believe that the scheme currently submitted with the two storey structure so close to the boundary will over shadow neighbouring properties; as such we would request a sun path analysis be undertaken to indicate this will not be the case?

We believe the currently submitted information is misleading, with the drawings offering little information visually or otherwise on the existing materials and how these will be considered in the proposal. We would request a street scene of the proposal, to take in the neighbouring properties along Morlands Drive to help illustrate how the current proposal will sit within the existing context of the road.

Comments: 3rd September 2021

While we welcome the revised information uploaded to the public access dated 3rd September for the proposed extension at 2 Morlands Drive, we still hold concerns, namely (and as listed under heading 2.1 5 Basic Design Principles in the Cheltenham SPD);

Maintaining character - the window design and fenestration pattern do not follow any of the neighbouring properties.

Maintaining spaces between buildings - as indicated in the SPD, the spaces between buildings will be maintained by the Council in an attempt to prevent a terracing effect; the submitted plans are in clear opposition to this statement with construction being borderline un-buildable due to boundary proximity .

Ensure adequate daylight - the revised plans still indicate the rear of the house projecting beyond all neighbouring properties. While welcoming the reduction in roof pitch to this rear portion of the building, this would still result in a significant reduction in daylight to neighbouring properties.

In summary, the general massing, depth, and character of the extensions is still in clear opposition to the Council's own guidance, and as such should be refused until the elements highlighted are revised in order to maintain the integrity of architecture in Morlands Drive, Charlton Kings and Cheltenham in general.

34 Hillary Road
Cheltenham
Gloucestershire
GL53 9LD

Comments: 4th July 2021

On behalf of the owner of 1 Morlands Drive:

- The scale and style of the proposed building will have an overwhelming visual impact. The design has made no attempt to be consistent with any existing architectural elements in the area. It is an oversized, flat roofed block that will clash with the design of all other properties in the cul de sac, which are brick with tiled, pitched roofs.
- It will overshadow the the conservatory, kitchen and side garden of the bungalow at 1 Morlands Drive and block out afternoon sun.
- whatever proposal is eventually allowed it is essential that specific conditions are attached to recognise that this is a quiet, narrow street with older residents and family properties needing access. Work on site must not start too early or extend into the evening; this restriction must apply to deliveries. The road must not be blocked by lorries and the grass verges/trees & pavements must not be damaged.

Nappings Paddock
5C Morlands Drive
Charlton Kings Cheltenham
Gloucestershire
GL53 8LP

Comments: 3rd July 2021

We have no problem with the demolition of the existing bungalow and the redevelopment of the plot for a family sized house.

However, we feel that the proposed design is out of keeping with the neighbouring houses in Morlands Drive.

49 Little Herberts Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LL

Comments: 27th August 2021

The proposed building is oversized in relation to the other nearby buildings. In particular the roof line is higher than the adjacent building, and other buildings in line with it. A two-storey development on the 'footprint' of the present bungalow, with a roofline that complements others in the street, would be more suitable. The protruding dormer windows at the rear of the current proposal are obtrusive, especially in relation to the gardens of houses at 47,49,51,53 Little Herberts Road.

Comments: 7th September 2021

In the light of the revised presentation of 3 September 2021:

the height of the proposed building is now in line with nearby buildings, and the removal of dormer windows from the rear of the property is definitely to be preferred. Personally I should prefer that the building should not be changed from bungalow height, but I am prepared to recognise that this straightforward two-storey proposal is an improvement on the previous presentation.

21 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 29th August 2021

I have looked at the plans, and my objection is to the height and the style of the building. I brought my house 13 years ago and one of the main attractions was that the rear garden was not overlooked by many properties, however with this building the occupants will be able to see not only my garden but into the upstairs bedrooms. I consider this as a breach of my privacy for me and my family.

Another point is that this is out of character for the area, the new occupant has only just moved to the area with the view of turning a bungalow into a three story house if this was the intention then why not buy a three story house in the beginning? The house is of a modern design and would not blend in or complement the houses surrounding the area. I would also be concerned that such a house would affect the re-sale price of my property as it will affect the privacy of my rear garden.

70 Little Herberts Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LN

Comments: 30th July 2021

The proposed building is out of keeping with the surrounding area. It is very close to several small, old cottages of historic importance which would be overshadowed by this development. I feel the area it adjoins in Little Herberts Road should be a conservation area and that any development should be looked at with care for the surrounding buildings. A more traditional design should be approved.

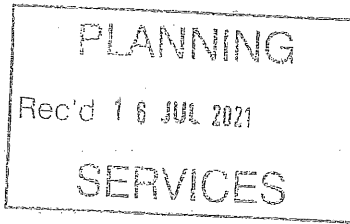
Comments: 8th September 2021

The house is still out of proportion to the others in the area and does not fit in with the character of them either. A single storey extension would be more in keeping with the location (the corner) and would lessen the impact on the neighbouring properties.

27 Highland Road
Cheltenham
Gloucestershire
GL53 9LU

Comments: 30th July 2021

The design, finish and flat roof are totally out of keeping with the adjacent and surrounding properties. It is not appropriate to replace a bungalow with a two storey dwelling in this location and the application should be refused.



12 Morlands Drive
Charlton Kings
Cheltenham
GLOS GL53 8LR

Tel: [REDACTED]

Dear Planning Dept.

I wish to object to the plans put forward for 2 Morlands Drive, Charlton Kings GL53 8LP.

The house design O'K but a flat roof not acceptable. It would not be in keeping with existing homes in Morlands Drive.

Thank you

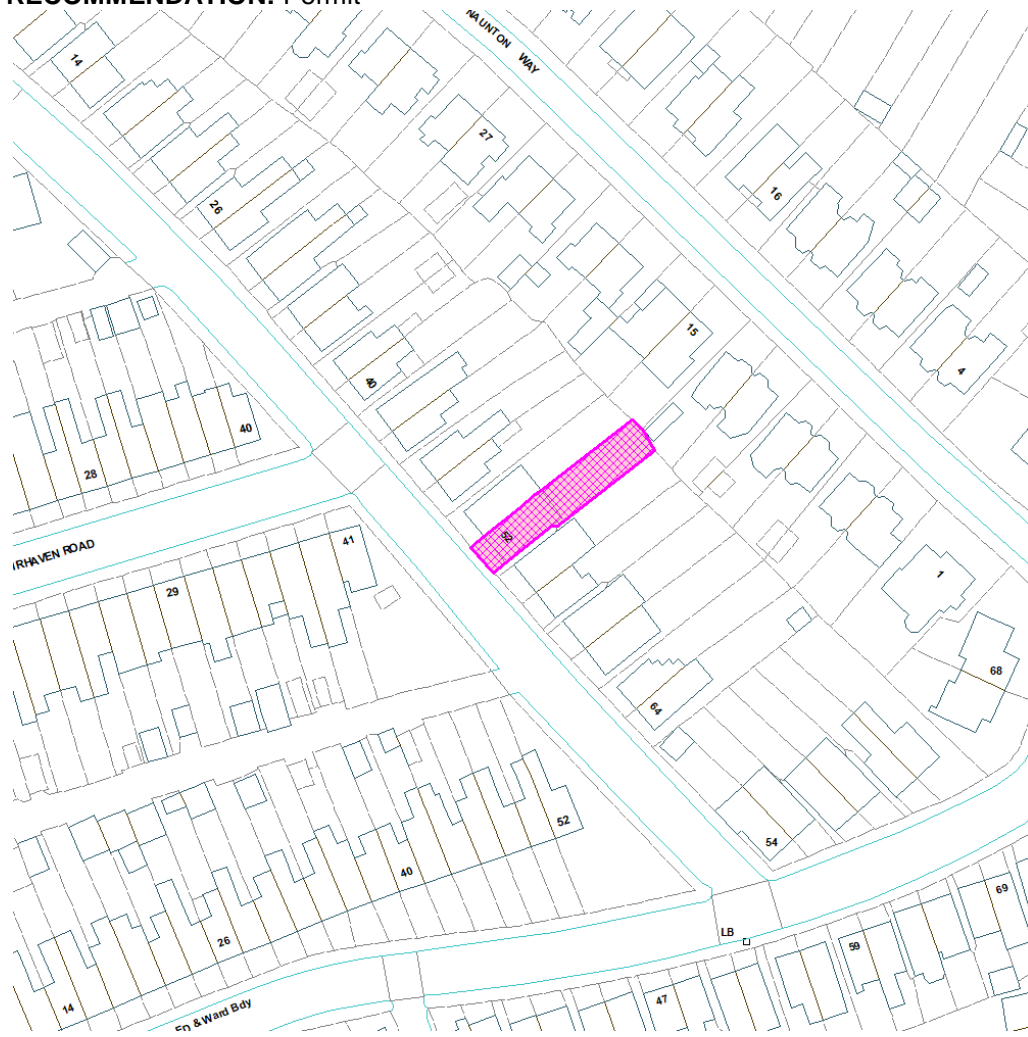
[REDACTED]

Drawing number A3 21-17-13



APPLICATION NO: 21/01591/FUL	OFFICER: Miss Claire Donnelly
DATE REGISTERED: 10th July 2021	DATE OF EXPIRY: 4th September 2021
DATE VALIDATED: 10th July 2021	DATE OF SITE VISIT:
WARD: College	PARISH: n/a
APPLICANT: Mr M Rayner	
AGENT: Stanley Partnership	
LOCATION: 52 Fairfield Parade, Cheltenham, Gloucestershire	
PROPOSAL: Rear extensions and internal alterations	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 52 Fairfield Parade; a two storey, semi-detached, residential dwelling located in a wholly residential area. The site is within the College ward and is not in a Conservation Area.
- 1.2 The applicant is seeking planning permission for rear extensions and internal alterations that comprises single storey and first floor rear extensions, and a rear dormer to facilitate a loft conversion.
- 1.3 The application has been revised throughout the course of the application; the changes include:
 - Reduction of the height of the single storey rear extension by approximately 350mm to overcome concerns relating to a loss of light to the neighbouring property,
 - Alteration to the design of the proposed dormer to address design concerns.
- 1.4 The application is at planning committee at the request of Councillor Maughfling due to the design, impact on neighbouring amenity, and impact on the character of the area.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Smoke Control Order

Relevant Planning History:

There is no planning history for this application site.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD14 Health and Environmental Quality

Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

26th July 2021

Report available to view.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	4
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1 Letters have been sent to four neighbouring properties; one response has been received from the adjoining neighbour, objecting to the proposal.
- 5.2 Letters have been sent to neighbours on two occasions, firstly after the initial submission, and again after the submission of revised plans. The objecting neighbouring resident objected on both occasions.
- 5.3 The main concerns raised as a result of the initial consultation period include the following:
- No objection to the principle of extending the property,
 - Three storey conversion would be dominant and out of character with the surroundings,
 - Extension longer than other extensions in Fairfield Parade,
 - Decking and external decking area would experience a loss of light,
 - Loss of light to kitchen,
 - Loss of value to property,
 - Loss of privacy from first floor extension,
 - Unacceptable erosion of open space.
- 5.4 The main concerns raised as a result of the submission of revised plans include the following:
- Acknowledge and welcome the modest changes but still have concerns,
 - Extensions a dominant feature that is out of place,
 - Extensions no proportionate to the original building,
 - Out of character, scale and context,
 - Extension longer than neighbouring extensions.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The application proposes a single storey rear extension, first floor rear extension and rear dormer to a residential property; the key considerations are therefore the design and impact on neighbouring amenity.

6.3 Design and layout

- 6.4 Policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that responds positively to and respects the character of the site and its surroundings. This draws from paragraph 130 of the NPPF which seeks development to be visually attractive and sympathetic to local character.
- 6.5 The Council's Supplementary Planning Document: Residential Alterations and Extensions set out five basic design principles; maintain character, subservience, ensure adequate daylight, maintain space between buildings and maintain privacy. The document emphasises the importance of later additions achieving subservience in relation to the parent dwelling setting out an extension should not dominate or detract from the original building, but play a supporting role. The document also provides specific guidance for dormer windows, setting out that a dormer should be set within the original roof and should not have the appearance of an additional storey.
- 6.6 As set out above, the proposal has been amended throughout the application to overcome design concerns and an unacceptable impact on neighbouring amenity.
- 6.7 The application site has an existing single storey rear extension; existing extension is to be extended in depth to create a larger kitchen, dining room and an existing lean-to roof is proposed to be amended so the existing and proposed extensions are a complete flat roof. The proposed single storey rear extension would extend 2.335 metres beyond the existing extension and is considered to be small in scale and form and sit comfortably within the plot, therefore achieving an acceptable level of subservience. The objecting adjoining neighbour (at no. 50 Fairfield Parade) has raised concerns with the design of the proposed single storey rear extension, setting out that the extension would project beyond the extension at no. 50 and further than neighbouring properties. Whilst these comments have been noted, there is no set building lines to the rear of the application property or wider area, and there is evidence along Fairfield Parade, namely the other neighbouring property no. 54 Fairfield Parade, of larger single storey rear extensions. It is therefore considered that the scale of the proposed single storey rear extension is acceptable and there would be no harm to the character of the area given that the extension is to the rear of the property with minimal views to the public realm.
- 6.8 The proposed first floor extension would be approximately 2/3 of the width of the original dwelling, as such the original building would still be read and would not be completely dominated by the extension. The scale and form of the extension is considered to be appropriate. The objecting neighbour's comments also refer to the first floor extension being greater in depth than neighbouring extensions, however officers have come to the same outcome when considering the single storey extension above. As such, it is considered that the extension sits comfortably within the plot and is of an appropriate design, complying with the relevant design guidance and would not result in harm to the character of the area.
- 6.9 The proposed dormer initially sat above the proposed first floor extension and was of a design that resulted in the appearance of an additional storey; contrary to the aforementioned SPD guidance. As such, the initial design was not considered to be acceptable and therefore revisions were sought. The dormer has been amended to a modest box dormer set well within the roof which is considered to be more appropriate in terms of design.
- 6.10 It is considered that the proposed extensions in their revised form are considered to be appropriate in terms of scale, form and design and would comply with the relevant planning policies and guidance in terms of achieving an acceptable standard of design.
- 6.11 Impact on neighbouring property**
- 6.12 Policy SD14 of the JCS and policy SL1 of the Cheltenham Plan require development not to cause unacceptable harm to the amenity of adjoining land users; this echoes section 12 of the NPPF which requires development to be of a high standard of amenity for existing and

future users. The key considerations for this type of proposed development, in terms of amenity, is a loss of light and loss of privacy.

- 6.13 As a result of the public consultation, the adjoining neighbouring resident at no. 50 Fairfield Parade is the only resident who has made comments in objection to the proposal; a summary of the comments received are set out in paragraph 5.3 and 5.4.
- 6.14 The initial scheme raised concerns with officers in regards to an impact on neighbouring amenity in terms of a loss of light. The single storey rear extension was considered to result in an unacceptable loss of light to the adjoining property; no. 50. As such, the proposal was amended and the height of the extension was reduced by 350mm. The proposal, in its revised form passes the relevant 45 degree light test, and therefore the impact on the availability of light to the neighbouring property is not considered to be unacceptable. The neighbouring resident has concerns in regards to a loss of light, despite the changes made; officers appreciate that the extension will be noticed by the residents at no. 50 and would likely result in a loss of light, however the loss is not considered to be to an unacceptable level when assessed against relevant planning policy. There are no concerns relating to a loss of light as a result of the first floor extension or dormer window.
- 6.15 In regards to privacy, a first floor side facing window is proposed in the west facing elevation towards the adjoining property. This window would face the blank wall of no. 50 Fairfield Parade's first floor rear extension, however a condition to ensure the window is obscure glazed and high level opening has been added to ensure privacy is maintained. The dormer window, whilst at second floor would not result in a loss of privacy as would face down the garden of the application site. It is also worth bearing in mind that a larger dormer window could be built in this location without the need for planning permission. The single storey extension would not result in a loss of privacy given it is single storey and does not include any side facing windows.
- 6.16 As such, whilst neighbours comments have been duly noted, it is considered that the changes made as part of the application overcome the concerns in regards to a loss of amenity. It is therefore considered that the proposal in its revised form would comply with the relevant planning policies and guidance in terms of protecting the existing amenity of adjoining land users.

6.17 **Other considerations**

6.18 Environmental impact

Records show important species or habitats have been sighted near to the application site in the past, it is not considered that the scale, form and siting of the proposed development would have a harmful impact on these species.

6.19 Public Sector Equalities Duty (PSED)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have "regard to" and remove OR minimise disadvantage and in considering the merits of

this planning application the planning authority has taken into consideration the requirements of the PSED.

In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Taking all of the above into consideration, the proposed extensions in their revised form are appropriate in their scale and form and therefore achieve an appropriate standard of design that complies with the relevant planning policies and guidance. It is also considered that as a result of the scale and siting of the proposed extensions, there would be no undue harm caused to adjoining land users; with the proposed extensions complying with the relevant planning policies in terms of protecting neighbouring amenity.
- 7.2 As such, the recommendation is to therefore permit this application subject to the suggested conditions set out below.

8. SUGGESTED CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the new first floor side (west) elevation window serving the bathroom; shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

Reason: To safeguard the amenities of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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 scheme to overcome concerns in regards to design and unacceptable impact on neighbouring amenity.

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

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APPLICATION NO: 21/01591/FUL		OFFICER: Miss Claire Donnelly
DATE REGISTERED: 10th July 2021		DATE OF EXPIRY : 4th September 2021
WARD: College		PARISH:
APPLICANT:	Mr M Rayner	
LOCATION:	52 Fairfield Parade, Cheltenham, Gloucestershire	
PROPOSAL:	Rear extensions and internal alterations	

REPRESENTATIONS

Number of contributors	1
Number of objections	1
Number of representations	0
Number of supporting	0

50 Fairfield Parade
Cheltenham
Gloucestershire
GL53 7PJ

Comments: 26th July 2021

Thank you for allowing us to make comments on the above planning application. We find ourselves in a difficult position in that we certainly don't want to object to the principle of the owners extending their property, for their enjoyment. Afterall, we have benefited from an extension ourselves when we purchased no.50. But equally, we have some genuine concerns which we would be grateful if you would take into account when considering the application. Our hope is that the plans can be amended accordingly, so that we can all continue to mutually enjoy living in this locality.

Our current position is that we don't object in principle to an extension at no.52, but we would like to place on record that we object to the current plans submitted. My comments are submitted through observations but equally in relation to the Local Development Framework (LDF) - SPD Residential Extensions and Alterations, adopted by the council in February 2008.

From the outset, I would like to state that the current proposed plans have not considered the impactful harm that will be created on the existing surrounding properties. This 3-storey conversion will become a dominant feature, which I would suggest is out of place in relation to the other houses, detracting from the character and good design currently in evidence across the boundaries of Fairfield Parade. Moreover, the protruding elevation is much longer than the other rear elevations in this neighbourhood. The design rather than being mindful of "good design" principles outlined in the LDF, contrasts with the surrounding properties in this historic part of Cheltenham. Put simply, the proposal is on a significant scale, squeezed in a protruding space to maximise the square footage for no.52. The plans appear to be principled on how much maximum space can be achieved, irrelevant on the harmful and visual impact, privacy, and amenity of other local houses but in particular, no. 50 whose partitioning boundary is a feature of these current designs.

I recognise although not the originator of our rear extension we do benefit from the additional space this provides at the rear of the house. However, the aesthetics of the extension reflects the character of an historical Edwardian house. In other words, our extension is in keeping with the character of our house and is sympathetic to the character of the surrounding properties. It

complements and respects neighbouring development and the character of the other local properties. This is in complete contrast to the current proposals for no. 52. The proposal will without doubt alter and impact on the character of the immediate surroundings. The surrounding houses all have 1 or 2 storey extensions with loft conversions. I cannot identify a property out of character with the others including the existing elevation for no.52 which includes a kitchen extension and loft conversion. There is an established pattern of good design that is evidently a feature of previous planning applications. This plan is in complete contrast in design and scale to any extension that have previously been undertaken in nearby properties.

We have made alterations to the rear of the house including a raised decking that extends the kitchen via bi—folding doors to create an additional "room" adjoining the kitchen. The proposal for no.52, will protrude so far along the boundary between both properties that the current decking will be excluded from light and the outdoor dining area will be dominated by a 7ft wall significantly altering the open space we currently enjoy. Moreover, the rear of the house is North facing. We accepted this when purchasing the house as the current natural light is adequate and does not affect the kitchen, albeit less so in the autumn and winter. Natural light as a consequent of these current designs will be reduced significantly and will alter the amount of light in the rear kitchen immeasurably for all seasons. I believe this will be potentially a consideration for future purchasers of no. 50 and consequently may impact on the value of our property. The decking is a feature of the house that we use in all seasons and will become an area we no longer will be able to enjoy. This is also an unacceptable erosion of the open space around the existing building as set out in the LDF, 02/08 on p.2.

I am unable to view one of the current elevations on the west side based on the plans submitted to Cheltenham Borough Council. The west side will dominate our view from the rear of the garden where the garden design has a seated area looking towards no.52. I question why such important visual evidence has not been included and formally request that the current planning application is suspended until those designs are submitted in the application. There is a gap between our boundary and the proposed second storey which would suggest a further loss of privacy. The west elevation may include windows but currently we are unable to identify and comment on this. I would argue that there would be due prejudice to give these plans the go ahead with crucial missing information.

In summary the current design of the proposed extension particularly the extended rear boundary is simply too large for the site and will deprive no.50 and 54 of significant daylight and is an unacceptable erosion of the open space around the existing building. The designs are out of character with neighbouring development and will alter the character of the locality. The plans will significantly alter the character of no.50. As referenced in the LDF as best practice, I would query the extent that the architect has stood back to look at the plans in relation to no.50 and how these alterations will be viewed by ourselves. The LDF outlines this as an important feature for attached neighbours.

Our request of Cheltenham Borough Council is as follows:

- I. The design of the extension be in keeping with the surrounding properties, respecting the scale and massing. At present we would suggest this isn't achieved.
- II. Any extension does not extend beyond our own, respecting the uniformity of the locality, and is set back from the boundary so the footings do not need to go on our land. To do so would need a party wall agreement and cause damage to our decking which I am sure you would appreciate, we would not find acceptable.

We hope that after reading this letter you understand that our concerns are based on the rationale, the principles and spirit set out in the LDF "good design and good community spirit."

Finally, I would be grateful if you could advise us of the date of the committee meeting as it would be helpful if we are able to address the planning committee directly.

Comments: 10th September 2021

Thank you for allowing us to make further comments on the above revised planning application. Although we acknowledge and welcome the modest changes to these revised plans, we continue to find ourselves in opposition not to the principle of the extension, but in our view, the proposals continue to have a negative impact on the surrounding area and significantly on No. 50, our home. For the benefit of all, could we please ask that further, modest changes be made as detailed below.

Having read the Local Development Framework (LDF) - SPD Residential Extensions and Alterations, adopted by the Council in February 2008 again, I would respectfully ask the Officers and Members whether the revised proposals are a significant enough alteration in the spirit of the principles set out in the LDF?

I would like to state that the revised plans do not address the impactful harm that will be created on the existing surrounding properties. Although I welcome the change from a 3 to 2 storey conversion, this remains a dominant feature, which I assert is out of place in relation to the other houses, detracting from the character and good design currently in evidence across the boundaries of Fairfield Parade. The scale of the extension in our view is not proportionate in relation to modest scale of the original building. In essence, the current plans would nearly double the living space and is not in keeping with similar extensions in the locality of Fairfield Parade. As I view the neighbouring houses to the left and right, this proposal remains out of character in terms of scale and design. The extension remains out of context, is too great in scale and would not add to the beautiful townscape that is Cheltenham.

Moreover, the protruding elevation remains much longer than the other rear elevations in this neighbourhood. The proposal remains on a significant scale, squeezed in a protruding space to maximise the square footage for no.52. Our main concern is that no.50 whose partitioning boundary is a feature of these current designs will be dominated by these plans that remain in place. The second storey protrudes 0.6m beyond our rear boundary and will therefore impact significantly on the amount of light available in the garden during the day.

We stated in our previous objection how we have made alterations to the rear of the house including a raised decking that extends the kitchen via bi—folding doors to create an additional "room" adjoining the kitchen. Again, I welcome the reduction in height by 350mm of the single storey extension. However, the revised proposal for no.52, will continue to protrude over 2.3 metres along the boundary between both properties (over 3 metres when the bi—folding doors in this plan are retracted) so that the current decking will be excluded from substantial light and the outdoor dining area will be dominated by the 2.64m wall significantly altering the open space we currently enjoy. I have attached 3 photographs to illustrate the significant change in our living arrangements because of the revised plan. One photograph illustrates how the right hand bifold door will be excluded from significant light and create a permanent light exclusion on the right panel. In addition, this will further impact on the quality of light in our kitchen space, and open plan downstairs living area.

Although I recognise that a 45-degree light test has been employed this is a formula that doesn't involve any physical observation from the rear of no.50. I believe that if Officers or Members can view the attached photographs and therefore place themselves at the rear of the property then they will understand that despite the amendments, the impact of this extension remains significant. I would like to convey that the outdoor living space is frequently used in all seasons. Therefore, I would like to implore both Officers and Members that a further revised plan is considered that is in parallel to the rear of no.50. I feel that this is a modest request that will have an immense positive impact on our wellbeing. I believe this will allow our neighbours to maintain a significant floor space for their extension. I do recognise that wellbeing is not a planning consideration, but there is a human side to development, and I do believe that this discreet

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change will not only meet technical requirements, not be of detriment to the applicant and have major positive benefits to our family and our enjoyment of our home.

Please note that I continue to be unable to view one of the current elevations on the west side based on the plans submitted to Cheltenham Borough Council. I remain concerned that there are unexplained plans in relation to this proposal and I would respectfully request a rationale for why this is not a requirement. Moreover, the revised plans do not show a site plan with bird's eye view. I remain concerned why such important visual evidence has not been included and therefore gives only a partial understanding of the plans provided, leaving us uniformed and at a disadvantage.

Our modest and limited request of Cheltenham Borough Council is as follows:

I. The design of the extension be altered further in keeping with the surrounding properties, respecting the scale and massing. At present we would suggest this has not been achieved.

II. As a minimum, the extension does not extend beyond our own, respecting the uniformity of the locality, and is set back from the boundary so the footings do not need to go on our land. This would cause significant and unnecessary disruption. We would like to reiterate that we view this as a modest request that will have an immeasurable positive benefit on aesthetics, our home and consequently our wellbeing. It will also allow our neighbours to benefit from an extension.

Finally, I look forward to the planning committee meeting on the 16 September where we would very much like to make further representations in person. Please can you clarify the time.

Comments: 10th September 2021
Photographs attached.

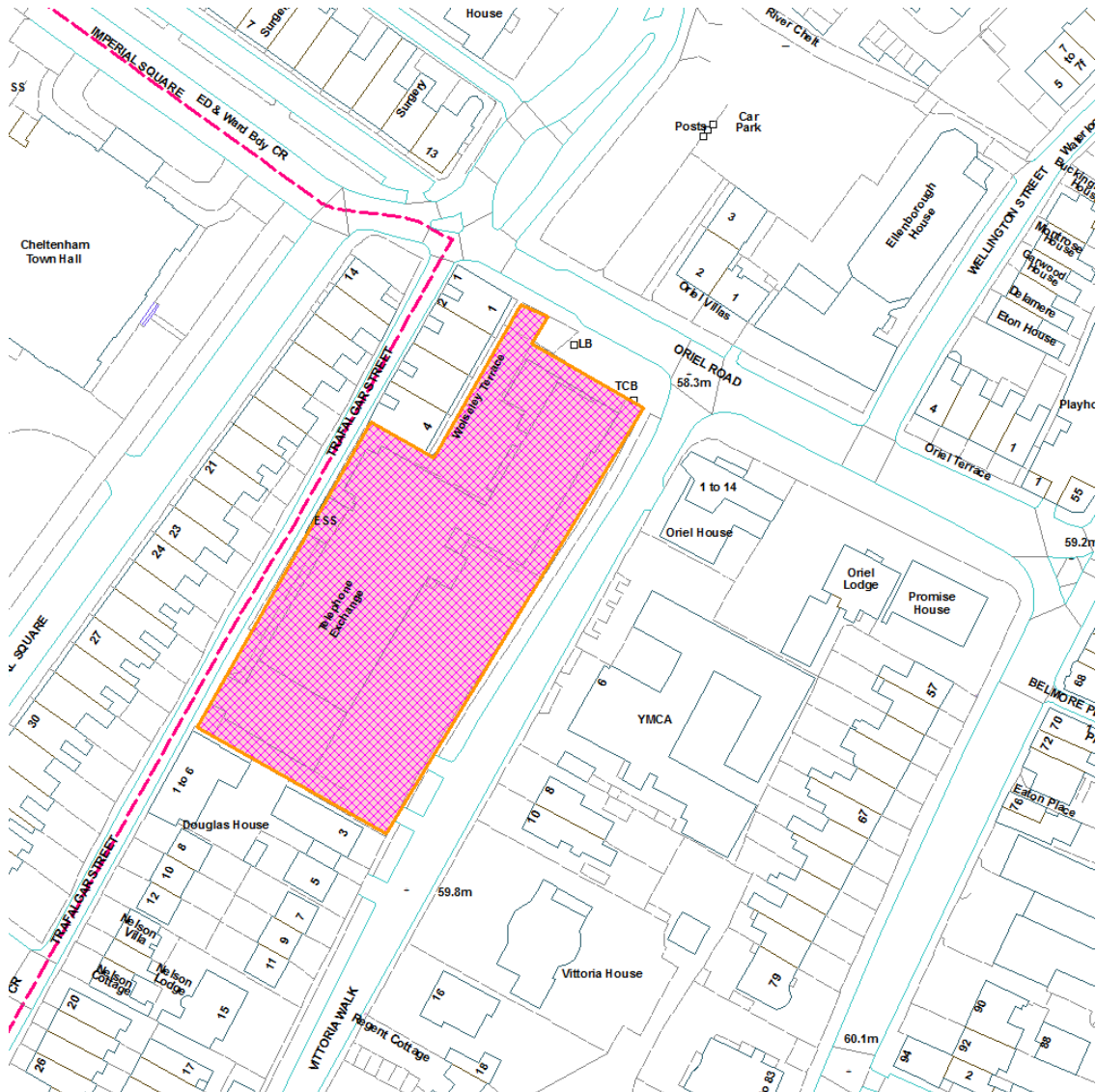






APPLICATION NO: 21/01776/FUL		OFFICER: Mr Daniel O Neill
DATE REGISTERED: 5th August 2021		DATE OF EXPIRY: 30th September 2021 (EOT: 18.10.2021)
DATE VALIDATED: 5th August 2021		DATE OF SITE VISIT:
WARD: College		PARISH:
APPLICANT:	British Telecom PLC	
AGENT:	CBRE	
LOCATION:	British Telecom, Oriel Road, Cheltenham	
PROPOSAL:	The perimeter boundary of the site is to be enhanced by placing a metal railings topping on the existing brick wall on both Oriel Road and Vittoria Road (revised scheme ref. 20/01680/FUL)	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site, known as British Telecom building, is a large office commercial building at the corner of Oriel Road and Vittoria Walk. The main access to the site is from Oriel Road with additional access from Vittoria Walk. The site is located within the Montpelier Character Area of the Central Conservation Area.
- 1.2 The applicant is seeking planning permission for the perimeter boundary of the site is to be enhanced by placing a metal railings topping on the existing brick wall on both Oriel Road and Vittoria Road (revised scheme ref. 20/01680/FUL)
- 1.3 The application is at the request of planning committee by Cllr McCloskey due to the impact on the historic environment. This a new and revised application to a scheme withdrawn (ref. 20/01680/FUL)

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Core Commercial Area
Flood Zone 2
Principal Urban Area
Smoke Control Order

Relevant Planning History:

00/01146/GDO28 WDN

Installation of mast, antenna, equipment cabin and development ancillary thereto (Formally British Telecom)

00/01322/FUL 29th January 2001 PER

Installation of telecommunications base station at roof level (Formally British Telecom)

00/01339/FUL 29th December 2000 PER

To form a new enclosure within the existing building and addition of a 5.0 metre mast for CCTV camera (Revised Plans) (Formally British Telecom)

01/00676/FUL 27th June 2001 PER

Alteration of existing elevation to provide new doors and ventilation louvre

01/01154/FUL 17th December 2001 PER

Construction of telecommunications base station at roof level. Installation of 3 no. antennae and 3 no. dishes and equipment cabin (Revised)

04/00390/FUL 20th April 2004 PER

Installation of 3 pole mounted antennas on two poles, 1 face mounted antenna and 1 pole mounted dish antenna, 6 pack equipment cabinets, cabling and other ancillary works. Re-positioning of existing telecommunications pole and antenna

05/01329/FUL 14th October 2005 PER

Replace three windows with air inlet louvres to Vittoria Walk elevation

12/00880/FUL 6th August 2012 PER

Proposed installation of a ventilation louvre on the ground floor, to replace existing glazing

13/00637/FUL 23rd August 2013 PER

Installation of 6no. air conditioning units on roof

77/00664/PF 11th August 1977 PER
New boundary walls and barrier

77/00665/PF 7th September 1977 PER
Alteration to gates and fence

84/01365/LA 26th January 1984 GRANT
Demolition of unused telephone exchange

13/01492/DISCON 26th September 2013 DISCHA
Discharge of conditions on planning permission ref: 13/00637/FUL - Condition 2) Colour finishes of the equipment

20/01680/FUL 16th July 2021 WDN
New sliding vehicle access gate to Oriel Road, replacement of existing gate to Vittoria Walk and new metal railings on top of existing low level brick wall to achieve an overall height of 1.6m, as well as 1.2m railings opposite Wolseley Terrace

21/01783/CLPUD PCO
Erection of a 1m high decorative metal fence and pedestrian gate painted black

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 8 Promoting healthy and safe communities

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Central conservation area: Montpellier Character Area and Management Plan (Feb 2007)

4. CONSULTATIONS

Heritage And Conservation

20th August 2021

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant planning permission, to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant planning permission with respect to any building or land in a conservation area, to pay special attention 'to the desirability of preserving or enhancing the character or appearance of that area.'

Paragraph 189 of the National Planning Policy Framework (MHCLG: 2021) (NPPF) states that 'Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance'.

Paragraph 197 of the NPPF states that 'In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets'.

Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017) (JCS) states that 'Designated heritage assets and their settings will be conserved and enhanced as appropriate to their significance.'

The consideration of the scheme is undertaken as a desk based assessment.

The proposal site is situated in the Central Conservation Area (Montpellier Character Area); a designated heritage asset (the Conservation Area was designated by Gloucestershire County Council on 28 May 1973 and its boundary extended by Cheltenham Borough Council on 14 August 1987).

A number of listed buildings are located in the immediate vicinity of the site, including immediately to the north-west Wolseley Terrace (incorporating Wolseley House), Oriel Villas to the north-east and the YMCA building to the south-east.

The Central Conservation Area, Montpellier Character and Area Appraisal and Management Plan, was adopted by Cheltenham Borough Council as a Supplementary Planning Document (SPD) on 23 February 2007 and is a material planning consideration in the determination of planning applications.

The SPD provides a townscape analysis map (p.54) which identifies a "key view/vista" from south-east to north-west along Oriel Road.

The proposal site contains a building that is stylistically of the latter half of the twentieth century (c.1960s) and reads as having a commercial use rather than residential. The immediate vicinity is dominated by the highway known as Oriel Road (A46) and contains buildings of various periods. Boundary treatments in the vicinity are varied.

The NPPF defines the setting of a heritage asset as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral" (Annex 2: Glossary).

The proposed works to the boundary of the proposal site will be in keeping with the twentieth century building and metal railings are to be found in the vicinity; therefore the scheme will not appear incongruous in the street scene.

Given the form of the proposed installations, general views along Oriel Road and Vittoria Walk will not be hindered.

As the proposed boundary works are in keeping with the building on the site and given the form of the work it will not impact on how listed buildings in the immediate vicinity are experienced and therefore their significance will be maintained.

In conclusion, the scheme will not detract from the character and appearance of the conservation area or the setting of listed buildings in the immediate vicinity and therefore the significance of the respective designated heritage assets will be maintained.

Note that the comments as above do not include a full consideration of the proposed fencing within the site. Drawing 01776.03 (Local Planning Authority (LPA) reference number) includes the text 'Fence to run from wall to building preventing access to front door from car park area'. This structure is also referred to at notes 1 and 5 (revised application notes). The specific design of the fence appears to be absent from drawings 01776.03, 01776.04 and 01776.05 (LPA reference numbers). The siting and extent is depicted in the document revised application notes. If the design of the fence is metal railings on a brick wall as per that proposed to the boundary of the site then this is likely to be acceptable.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	74
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations when determining this application are design, impact on the historic environment and street scene, impact on neighbouring properties and highways safety.

6.3 The site and its context

6.4 The property known as British Telecom is located at the corner of Oriel Road and Vittoria Walk. To the side facing west is a row of Grade II listed terraced properties known as Wolseley Terrace, where the application site and these properties are separated by a footpath.

6.5 The application site front boundary presently consists of a low level brick wall and automated barrier facing Oriel Road. This low level brick wall also acts as part of the side boundary facing Vittoria Walk and is attached to a 1.7m high brick wall with automate sliding gate for additional vehicular access. Both boundary treatments are visible from the public realm.

6.6 Design, layout and impact on historic environment

6.7 In context of this application, the historic environment relates to how the application site is located within a conservation area. The Councils conservation officer has been consulted as part of this application to assess the impact of the works on the conservation area and the significance of the adjacent listed buildings.

6.8 The application proposes to add new railings above the existing low level brick wall with two pedestrian gates facing Oriel Road and Vittoria Walk. One pedestrian gate will be proposed with access onto Oriel Road and the second pedestrian gate will be attached to the existing high level brick wall for access on Vittoria Walk.

- 6.9** The height of the railings atop of the existing brick wall and the two pedestrian gates will be approximately 1.6m in height. These railings will denote connotations of historic railings found within the town centre. A key element to the appearance of historic railings from the Regency period is the spacing between bars, usually 140mm apart, and decorative finials atop the individual railing bars. The proposed works will incorporate these elements and a condition has been attached requiring further details to ensure a satisfactory design.
- 6.10** Officers consider that on balance the proposed development is appropriate and will not cause detriment to the wider historic environment. The conservation officer has raised no objections to the work. It is considered that the proposed design will be in-keeping with other boundary railings sited in the vicinity and these railings will not hinder any views or vistas. The Montpellier character appraisal identifies an important view or vista along Oriol Road facing west towards the Promenade but given the 10m setback from the edge carriageway this element will not detract from this view. For this reason, officers are satisfied that the proposal will not appear as an incongruous feature along the street scene or cause harm to the wider conservation area.
- 6.11** With regard to the impact on the setting and subsequent significance of Wolseley Terrace, a Grade II listed building, the conservation officer raises no concern with the proposed works. The setting of this building has somewhat been compromised by the establishment of the telephone exchange within the latter half of the 20th century. Given how the proposed boundary works are in keeping with the site, the surrounding vicinity and the form of these railings; it is considered that this will not impact on how the listed buildings in the immediate vicinity are experienced and therefore their significance will be maintained.
- 6.12 Impact on neighbouring property**
- 6.13** There are no significant amenity concerns as a result of the proposed development and the works are to an existing established boundary line. Officers consider that the proposed works will not harm the amenity of the surrounding properties in respect to outlook, privacy and light.
- 6.14** Any issues regarding access to and from the site following these works are not a material planning consideration. This is a civil matter between occupiers of the site and the surrounding neighbours.
- 6.15 Other considerations**
- 6.16** Certificate of Lawfulness for Proposed Development
- 6.17** An application for a certificate of lawfulness for proposed development of 1m high railings and gate to the site adjacent to Wolseley Terrace has been submitted. This is to confirm whether these works fall within permitted development and do not require formal planning permission. This is separate application and cannot be considered or assessed as part of this application.
- 6.18** Flood Risk
- 6.19** Part of the application site lies within Flood Zone 2, including the subject area of the proposed development and existing boundary line. These works are considered minor development and would comply with the standard advice for development within a flood zone. As such, it would not be reasonable to request any further flood risk assessment given the how the works meet the standing advice and will not increase any square footage or land levels.
- 6.20** Public Sector Equalities

6.21 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

In the context of the above PSED duties this proposal complies with the three main aims set out.

7. CONCLUSION AND RECOMMENDATION

7.1 In light of the above, the proposed development will not detract from the character and appearance of the conservation area or the setting of listed buildings in the immediate vicinity. On balance, it is considered that the works on balance will maintain the significance of the historic environment and designated heritage assets, and for this reason it would be unreasonable to refuse the application.

7.2 Officer recommendation therefore is to permit this application subject to the conditions set out below:

8. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the submitted details, the following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority:

- a) Wall capping (if any): (physical sample(s) and specific product details).
- b) Railings and gates (including finials): (physical sample/swatch of paint colour to include manufactures name and specific product details, and method of construction)

The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

INFORMATIVES

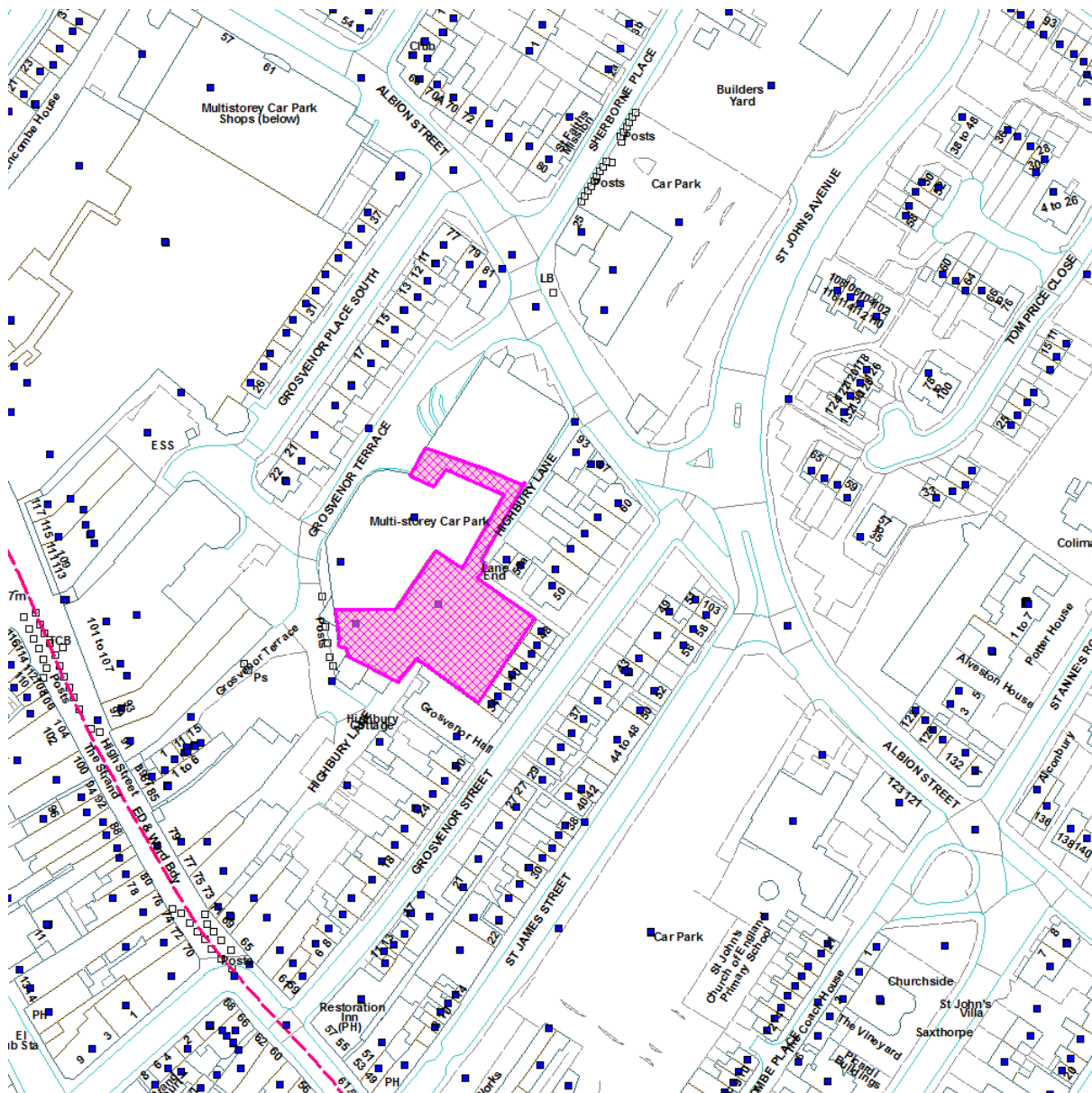
- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions 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.

APPLICATION NO: 21/01815/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 12th August 2021		DATE OF EXPIRY: 11th November 2021
DATE VALIDATED: 12th August 2021		DATE OF SITE VISIT:
WARD: All Saints		PARISH:
APPLICANT:	Away Cheltenham Ltd	
AGENT:	Mcbethdesign Ltd	
LOCATION:	Lidl Food Store, Grosvenor Terrace, Cheltenham	
PROPOSAL:	Change of use of existing supermarket (Use class E(a)) to a self storage business use (class B8) and new shipping container office	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a large ground floor vacant supermarket with a large loading dock to the side. There is an occupied gym to the side and multi-storey car park above the site. The site is located within the Central Conservation Area and Core Commercial Area.
- 1.2 The applicant is proposing the change of use of the existing supermarket (Use class E(a)) to a self storage business use (class B8). A new shipping container office is also proposed within the existing loading bay area.
- 1.3 The application is at committee at the request of Councillor Barbara Clark for the following reason:

The local residents are fearful that the noise and disruption caused by continuous deliveries and unloading will result in loss of amenity. They have suggested that a more suitable use should be found for a building in the centre of town, especially as storage facilities can be easily accommodated in the outskirts of town where residents will not be disturbed.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Business Improvement District
Conservation Area
Core Commercial Area
Principal Urban Area
Central Shopping Area
Smoke Control Order

Relevant Planning History:

21/01320/PREAPP 7th July 2021 CLO

Change of use of ground and first floors from Class E(a) and E(d) to Class E(g)(i) and Class B8 (self-storage) uses and associated external alterations

01/01157/COU 18th October 2001 PER

Change of use to health and fitness club, external and internal alterations including provision of mezzanine floor

79/00632/PO 13th February 1980 WDN

Land At Grosvenor Terrace Cheltenham Gloucestershire - Development Of A 500 Space Multi Storey Car Park Over A Retail Shop Unit.

80/00109/PO 12th May 1980 PER

Land At Grosvenor Terrace Cheltenham Gloucestershire – Erection of 9 Level Multi Storey Car Park And Ground Floor Retail Unit

80/00171/PF 18th April 1980 PER

Land At Grosvenor Terrace Cheltenham Gloucestershire - Erection Of Multi Storey Car Park, Retail Unit And Residential Accommodation.

80/00343/PF 27th August 1980 PER

Land At Grosvenor Terrace Cheltenham Gloucestershire - Formation Of Temporary Access Yard.

80/00363/PF 5th March 1981 PER

Land At Grosvenor Terrace Cheltenham Gloucestershire - Demolition Of Existing Buildings And Erection of A Multi Storey Car Park, Ground Floor Retail Unit And 8 Units Of Residential Accommodation.

80/00537/PF 14th January 1981 REF

Land At Grosvenor Terrace Cheltenham Gloucestershire - Alteration To Fire Escape And Access Route From Multi-Storey Car Park To Highbury Lane And Not Grosvenor Street As Previously Approved.

81/00195/PF 28th May 1981 PER

Land At Grosvenor Terrace Cheltenham Gloucestershire - Revision To Front Car Park Elevation.

81/00376/PF 24th September 1981 PER

Land At Grosvenor Terrace Cheltenham Gloucestershire - Proposed Shop Front To Retail Unit.

82/00130/PF 29th April 1982 PER

Repositioning Entrance To Yard Including Demolition Of Existing Garages To Form Lorry Turning Space.

84/00743/PF 22nd November 1984 PER

Presto Foodmarket Cheltenham Gloucestershire - Installation Of Security Gates To Unloading Area

94/00848/PF 20th October 1994 PER

Installation Of A 1.2m Wall Mounted Satellite Antenna For The Purposes Of Two Way Data Communications (Formally Known As Safeway Store)

99/50131/ADV 4th October 1999 SPLIT

1 Illuminated fascia sign
1 Illuminated wall mounted sign
1 Illuminated single sided sign
1 Non-illuminated double sided projecting sign
1 Single sided parking directional sign
(Revised plans received 10.09.99 (part retrospective))

99/50498/ADV 26th April 2000 GRANT

Display of non-illuminated advertisement sign

19/01200/CONDIT 18th October 2019 PER

Temporary consent to vary condition 9 of planning permission 80/00363/PF- to extend the delivery hours

20/00590/CONDIT 30th April 2020 PER

Variation of condition 9 on planning permission ref. 80/00363/PF - permanent extension of delivery hours

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 6 Building a strong, competitive economy
Section 7 Ensuring the vitality of town centres

Section 8 Promoting healthy and safe communities
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

EM1 Employment Land and Buildings
D1 Design
HE1 Buildings of Local Importance and Non-Designated Heritage Assets
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD1 Employment - Except Retail Development
SD2 Retail and City / Town Centres
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Central conservation area: Old Town Character Area and Management Plan (Feb 2007)

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

7th September 2021

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection.

The justification for this decision is provided below.

The proposal is not perceived to arise a detrimental impact on the operation and safety of the adjacent network, nor be conducive to a severe impact on the road network.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

The Highway Authority therefore submits a response of no objection.

Environmental Health

24th September 2021

The principle issues of concern with the proposed use would be noise to nearby residential property from:-

- vehicular movements at the site late in the evening and at night;
- potential activity associated with storage in external areas, which may be permitted under the general B8 use class.

Should external storage be prohibited by condition (bullet 2, above), I can advise that, as the applicant indicates in their Planning application Statement, both the operating times and times for deliveries and collections should be restricted to the times currently applicable to the site: 07:00 - 21:00hrs M-Sat; 08:00 and 20:00hrs on Sundays.

Thank you for the consultation. Please come back to me should further clarification or advice be required.

Heritage And Conservation

28th September 2021

It is important to consider the policy context in which the proposal needs to be determined. The cornerstone of heritage legislation is the Planning (Listed buildings and Conservation Area) Act 1990, Section 16(2), which requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. A core principle of the National Planning Policy Framework 2019 (NPPF) is heritage assets be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 199-208 set out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations in these paragraphs, including paragraph 197 of the NPPF, which requires the significance of heritage assets to be sustained and enhanced, with paragraph 199 requiring great weight be given to the asset's conservation.

The site is comprised of the former Lidl Food Store, Grosvenor Terrace, attached to a multi-storey car park. It is a modern, largely four storey brick and concrete structure occupying the whole of the street frontage. Grosvenor Terrace mainly functions as a service road for the site, the multi-storey car park, the rear vehicle parking areas and service yards to the rear of the High Street. Grosvenor Terrace accesses Highbury Lane, off which are the rear gardens and parking areas for the residential properties facing Grosvenor Street. Grosvenor Terrace connects to the southern end of Grosvenor Place South, a residential street the rear of which abuts Grosvenor Terrace with tall brick wall. The southernmost section of Grosvenor Terrace is a pedestrianised access to the High Street.

Concerning the heritage assets that need to be taken into consideration, it is noted the site is located within the Central Conservation Area and is adjacent to the rear of 12- 22 Grosvenor Place South, a terrace of 11 houses dated circa 1820-50, which are grade II listed. The site does not make a positive contribution to the conservation area and is visually separated from the setting of the rear of the listed buildings by a modern tall brick wall, which runs the length of the terrace, punctured by small setbacks and opening for pedestrian and garage doors accessing rear gardens.

The proposed works are for a change of use of existing supermarket (Use class E(a)) to a self-storage business use (class B8) and new shipping container office. No objection is raised to the principle of the change of use of the building from a supermarket to a self-storage business, which is considered more a planning matter. The following advice relates to the visual aspects of the proposal, which is comprised of the new shipping container office.

It is considered as a result of the existing buildings lack of positive contribution to the conservation area, its separation from the rear of the listed buildings located on Grosvenor Place South by a tall brick wall and the otherwise functional appearance of Grosvenor Street, the proposed works do not adversely affect the significance of the mentioned heritage assets. Furthermore, the proposed shipping container office is discreetly located in

an existing recessed loading bay, is under the projection floor levels above and is flush behind the established building line with the result the proposal is visually contained within by the existing building envelope, minimising its visual presence on Grosvenor Street and obscuring wider views of it from Albion Street.

The impact of the proposed works on the significance of the conservation area and the setting of the adjacent listed buildings is not considered out of keeping with the established form of development within the immediate and wider setting. The proposed works are considered to sustain the designated heritage assets and comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	83
Total comments received	6
Number of objections	6
Number of supporting	0
General comment	0

- 5.1** Letters of notification were sent out to 83 neighbouring properties, 3 site notices were displayed and an advert was published in the Gloucestershire Echo. The comments are available to view on the Documents tab, but in brief, the comments relate to; better uses for the overall site, vandalism & criminal activities within the carpark & surrounding area, high levels of vehicle use, noise, design and harm to conservation area.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The key issues in considering a scheme of this nature are (i) the principle, (ii) design and layout, (iii) neighbour amenity and (iv) highways and access.

6.3 Principle

- 6.4** The application site is located within the Town Centre wherein adopted JCS policy SD2 supports a range of uses, including office development and community facilities that contribute to the vitality and viability of the centre. Although the site is located within the Core Commercial Area and Central Shopping Centre, it is located outside of the defined Primary Shopping Frontages and as such the existing E(a) retail use class is not afforded any protection by retail policies within the existing Cheltenham Plan.

- 6.5** The preamble to the policy, at paragraph 4.2.2 of the JCS, highlights that the nature of town centres is changing and emphasizes the importance of policies that are flexible enough to allow the town centre to diversify and to support competitiveness. It goes on to address the significant weight that the NPPF places on the importance of designated town centres, and the recognition that centres need a range of complimentary uses to attract visitors, and to prosper.

- 6.6** As such, the principle of the change of use to self-storage (Class B8) is supported in policy terms.

6.7 Design and conservation area

- 6.8** Section 12 of the NPPF emphasises the importance of achieving well designed places that are visually attractive and sympathetic to local character and setting. In addition, policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that positively responds to and respects the site and its surroundings.
- 6.9** No external alterations are proposed to the existing building and no signs are proposed at this stage.
- 6.10** A new shipping container office is proposed within the existing loading bay. The loading bay is located next to the entrance of the multi-storey car park and along Grosvenor Terrace. The shipping container is single storey, located within and to the side of the loading bay and will not extend beyond the building line. It will not be an overly prominent addition within the street scene, will not dominate the existing building and given the scale and design of the existing building will not necessarily look out of place within the context of the site.
- 6.11** The site is located within the conservation area and therefore the conservation officer has been consulted. The Officer does not object to the proposal and considers *“as a result of the existing buildings lack of positive contribution to the conservation area, its separation from the rear of the listed buildings located on Grosvenor Place South by a tall brick wall and the otherwise functional appearance of Grosvenor Street, the proposed works do not adversely affect the significance of the mentioned heritage assets. Furthermore, the proposed shipping container office is discreetly located in an existing recessed loading bay, is under the projection floor levels above and is flush behind the established building line with the result the proposal is visually contained within by the existing building envelope, minimising its visual presence on Grosvenor Street and obscuring wider views of it from Albion Street.”*
- 6.12** It is considered that the proposed development complies with the relevant policies and guidance, it achieves an acceptable design and the impact of the proposed works on the significance of the conservation area and the setting of the adjacent listed buildings is not considered out of keeping with the established form of development within the immediate and wider setting.
- 6.13 Impact on neighbouring property**
- 6.14** Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users.
- 6.15** Cheltenham Plan policy SL1 set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. Paragraph 14.4 to this policy sets out that in assessing impact, consideration will be given to matters including, but not limited to, disturbance from noise, hours of operation and traffic. The policy is consistent with adopted JCS policy SD14.
- 6.16** As previously noted, the site is located within the Core Commercial Area and Central Shopping Centre; however, it is also acknowledged that there are residential properties in the locality. The existing delivery bay is located in Grosvenor Terrace, in close proximity to the rear boundaries of neighbouring properties along Grosvenor Place South.
- 6.17** The existing retail units on/off loading is currently conditioned, so deliveries can only be between the hours of 7am and 9pm Monday to Saturdays and 8am to 8pm on Sundays. The Planning Statement and application form confirms that the operating, deliveries and collection time will remain as existing.
- 6.18** The Planning Statement confirms that the proposed self storage will not entail a high frequency of vehicle movements with around 10-15 a day and most vehicles are either

cars or small vans not HGVs. A booking system will be in place to ensure the number and time of visits by vehicles are controlled, which will manage the number of vehicle movements along Grosvenor Terrace, but will also manage movements during busy periods.

6.19 Objections have been raised by the occupiers of Grosvenor Place South. The objectors are concerned about potential noise and disturbance around the existing delivery bay.

6.20 The Council's Environmental Health officer (EHO) has considered the application and raises no objection to the new self storage business use (class B8) subject to conditions safeguarding the amenities of the adjacent properties.

6.21 The first condition proposed removes permitted development for external storage and therefore this removes the potential activity associated with storage in the external areas. The second condition proposed restricts the operating, deliveries and collection time so that it is in line with the existing retail unit, which will ensure that there is not vehicular movements at the site late in the evening and at night.

6.22 Subject to the below conditions, the proposal is considered to comply with the relevant policies in terms of protecting neighbouring amenity.

6.23 Access and highway issues

6.24 Adopted JCS policy INF1 advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs. The policy identifies that planning permission should be granted where the highway impacts of the development would not be severe.

6.25 The site is sustainably located within the town centre, with good pedestrian and cycle links, public transport services and two public car parks within walking distance.

6.26 The Gloucestershire County Council (GCC) Highways Officer has been consulted and does not object to the application.

6.27 For these reasons, the proposal is considered to be in accordance with Joint Core Strategy policy INF1 Transport Network, and advice contained in the National Planning Policy Framework.

6.28 Other considerations

6.29 Residents have suggested that there are more suitable uses for the site as a whole and a more comprehensive plan would be more appropriate. This may be the case, however that in itself is not reason to withhold planning permission.

6.30 Public Sector Equalities Duty (PSED)

6.31 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

6.32 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.33 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 Therefore, with all of the above in mind, the proposals are considered to be in accordance with relevant national and local planning policy and the recommendation is to grant planning permission subject to the following conditions.

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no external storage or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 4 The operating, deliveries and collections to the self storage unit shall only take place between the hours of 7am to 9pm Monday to Saturday and 8am to 8pm Sundays and Bank Holidays.

Reason: To safeguard the amenities of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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.

APPLICATION NO: 21/01815/FUL		OFFICER: Mrs Victoria Harris	
DATE REGISTERED: 12th August 2021		DATE OF EXPIRY : 11th November 2021	
WARD: All Saints		PARISH:	
APPLICANT:	Away Cheltenham Ltd		
LOCATION:	Lidl Food Store, Grosvenor Terrace, Cheltenham		
PROPOSAL:	Change of use of existing supermarket (Use class E(a)) to a self storage business use (class B8) and new shipping container office		

REPRESENTATIONS

Number of contributors	6
Number of objections	6
Number of representations	0
Number of supporting	0

31A Upper Park Street
Cheltenham
Gloucestershire
GL52 6SB

Comments: 27th August 2021

I object because we have climate change targets, and we should use every opportunity we have to build houses in town and reduce car use. I don't think this use of the land is the best use.

16 Grosvenor Place South
Cheltenham
Gloucestershire
GL52 2RX

Comments: 21st September 2021

In August we received notification of an application for use for the Lidl site from Retail (Class E(a)) to self-storage business use (class B8 storage or distribution). The applicant makes a case for saying that such a facility will be of benefit to city centre residents, local business and tradespeople but my concerns against their claims are as follows:

1. Bringing more vehicles into town centre and increase in traffic movements in a conservation area

The significant majority of users of self storage will travel to the facility by car / van (hired or owned) as currently happens to access similar out of town sites. So this site will be bringing additional traffic into the town centre. Access by foot / public transport to retrieve items mid contract will be minimal as they are usually larger / bulky items which have been stored there due to lack of space. It is therefore inevitable that users will come to retrieve and deposit items in the facility by car, van or taxi.

2. Operating times are proposed between the hours of 7am and 9pm on Monday to Saturdays (including bank holidays) and between 8am and 8pm on Sundays.

If it is to be used by local businesses and tradespeople it is possible that demand will be greatest early morning and for city dwellers at evening and weekends - times which will impact on the

residents most. While the Lidl HGVs were larger and noisier there were typically only 2/3 deliveries a day.

3. For retailers in particular inner city self storage is also increasingly forming part of the 'last mile' logistics distribution process.

My concern is that again this will increase the number of traffic movements at the site. Would it not be more beneficial to the high street to see retailers being encouraged to relocate to the empty units with suitable storage in the high street and shopping arcades?

Also planning guidance suggests that 'Use Class B8 can benefit from permitted development opportunities to change use without requiring a full planning application' so in the future could the site operator / leaseholder change it into a distribution centre without requiring planning?

4. No pre-application submission has been made before other than conversations with Simon Hodges the Council Senior Asset Surveyor at CBC who are the freeholder of the property . He considered the use as a self storage business is appropriate in the long term .

I understand why Cheltenham Borough Council, as the freeholder would want to see an empty site occupied but do not think that Class B8 self-storage or distribution is suitable for a city centre site in a conservation area

5. Will see a vacant building brought back into beneficial use whilst preserving the existing character of the conservation area.

I have spoken to many people, none of who have described the Town Centre East Car park site which incorporates Lidl and Welcome Gym as part of the character of the Conservation area and the addition of a shipping container to the site will not improve this- I think everyone ones sees it as an eyesore that is looking more out of place as the area is once more becoming more residential - providing essential housing in the area.

I presume that the current issues with Town Centre East Car park are unlikely to be taken into consideration in relation to this application but I would urge the Council to consider other opportunities for the site at this juncture. The level of use of the car park has been significantly lower since Covid - on average there can't be more that 50 cars a day. We as a group of residents have been working together to keep the Council, Community offers and Police informed of the constant anti-social behaviour and the current closure and work on the car park should surely make the Council review its operation as parking fees cannot be covering operational cost.

18 Grosvenor Place South
Cheltenham
Gloucestershire
GL52 2RX

Comments: 15th August 2021

I am in receipt of a copy of the Proposal: 'Change of use of existing supermarket at Lidl's Food Store. Grosvenor Terrace. Cheltenham' dated today 12 August 2021.

Only I & one other neighbour I believe have received this letter!! I have been in touch with a few but it's not my job to circulate your correspondence about matters of such importance.

Why has it not been sent to every resident in this street and the whole neighbourhood please? It impacts every single one of us particularly after the years of serious problems we have had and in fact are still having with the building as a whole. This area is a tinder box at the moment so what happens here is of very major importance.

Page 401

I would appreciate knowing your reasons plus will you please ensure everyone receives a copy? We are planning a meeting within the next week for which I think everyone should have a letter.

Comments: 24th September 2021

I am writing to object to the Planning Application for change of use from Retail (E) (a) to a far more flexible Storage (B8) whereby future uses can be sought without Planning Application approval. To a Self Storage business - formally a supermarket. Just a few of my concerns & objections are as below.

1. The hours of business. They are totally unsociable for residents who live adjacent & in very close proximity to this potential business idea. 7-21 x 6 days & 8-20 x 1 = every single day of every week! Potential noise of metal cages/ trolleys, vans/cars to & fro, disruption & toxic petrol fumes will make it unbearable to even sit in our gardens! Might the "signs & hoardings" etc be illuminated with bright toxic lighting? Most of our bedrooms are literally on the opposite side of the very narrow street & directly face the property. Is this a responsible move at a time when we should be protecting ourselves against all matters toxic for our health?
2. "Viable alternatives to car travel" "Easily accessed on foot". The train station is beyond walking distance therefore taxis / transport will definitely be needed. Or are you expecting people to transport their belongings on foot in cardboard boxes one by one? Vans & cars of all sizes will be the essential mode of transport back & forth! The frequency of cars & vans might therefore be very often & at all hours making it a very busy road indeed. Access via a road that was only ever meant to be a light access road. If users need to store their belongings and will need to use a vehicle then it is just as easy to go the extra mile to premises away from being tightly packed in to a residential area in a town centre.
3. A huge 40' shipping container! This constitutes an enormous metal box. In a Conservation area? I can't quite believe this would be permitted.
4. Storage? Metal containers &/or metal cages? Major NOISE! From 7am?? Are you planning to totally clad & soundproof the entire building? One Tesco lorry a day with their metal trollies is more than enough! Will there be lifts to - to an upper mezzanine floor?
5. Do you know of a similar Self Storage company in a city centre that we can contact? I think this is imperative before going any further with this idea.

Please note that I am writing also in support of my neighbours who have also written to you opposing the application. Please refer to their emails. I also write on behalf of my many neighbours & residents in the immediate area.

I won't repeat what they written. Suffice to say I agree with everything they say. We have all discussed this matter & the Car Park as a whole at considerable length for the last few years as that is how long we have had to put up with the very many problems relating to that building. I have liaised with various members of the Council & the Police for years. However I am like adding a few words regarding this recent Planning Application for Self Storage facilities & change of use to B8.

The proposal of what I consider is the division of the entire property by creating a separate Class B8 section within the whole is - in my opinion - tantamount to merely the application of a temporary sticking plaster & might well result in more problems associated with this building in the future. Would it not be far wiser to consider the car park as a whole before making a decision which might well make it more difficult to deal with at a possible later date if you so choose. Surely there is a golden opportunity right now to put the building to far better use before it's divided up. Not only is it a very ugly eyesore it is also dangerous for those tempted to use it as a 'playground'. Whatever you try to do to it there is an accident waiting to happen for the trouble makers who abuse it. They won't care if they are not meant to be in there & unfortunately will simply ignore any PSPO signs you care to stick on it!

I appreciate Lidl is desperate to sell their part to anyone without any consideration or interest whatsoever for the residents or the area. I think the Council too want to have someone / anyone in there without giving any care or thought for us who have to suffer the consequences! It is a Conservation area & a Residential area not an Industrial or Light Industrial area! An area which now has rapidly gone downhill since I moved here over 20 years ago. It now looks neglected & forgotten! An area which has become a threatening & a very unpleasant place to live. Note the barbed wire now being put on boundary walls! I won't go out @ night which is not how it was.

Surely it should be put to far better - & safer use. An attractive block of flats &/or much needed houses with trees & gardens (with much needed under ground car parking) which would enhance the area instead of destroying & neglecting it. Many nearby houses in Albion St are being restored. There are the very attractive new houses too. We have John Lewis which has improved this part of town. The property must be extremely valuable now as there is such a shortage of homes.

Upgrade the area rather than downgrade it which is exactly what is happening if this ugly building is allowed to stand. The design is neither practical or attractive. Friends I've spoken to rarely park their cars there as it's too intimidating. It is rarely used by anyone in fact yet the lights remain on round the clock!

For a considerable time we have suffered greatly the vandalism & criminal activities within the car park & surrounding area. Activities that not even the Police can stop. I now watch daily the repairs being done at very great expense to us - the tax payers - & hold my hands up in disbelief. I understand you want to open up the car park as quickly as possible but is this the best use for it? I can assure you the vandals will simply return whatever you do. I spoke to the maintenance crew just last week & they told me that despite all the repairs the youths have already returned & again set fire to a door to the upper level. This is the second arson attempt in recent weeks!

I cannot write only about a change of use as I consider it is a part of the whole.

My neighbours have explained in their emails to you the reasons why we all object to the unsuitable Self Storage idea. As long as this building stands as it is - looking like a filthy neglected prison - an ugly threatening property - it will continue to attract the criminal element & vandals that have been abusing the area for so long - with their drugs, arson & other criminal activities. Upgrade the whole building & they would no longer be interested

I will also mention two recent incidents I witnessed very recently which supports my opinion that the traffic would increase not only in Grosvenor Terrace but in adjacent Grosvenor Place South. During the night of 8 Sept I was wakened by a huge HGV lorry driving down the narrow cul de sac of Grosvenor Place South - arriving & stopping momentarily at the bollards @ the end denoting the no through road! Did he reverse? No. He revved his engine & drove straight across the road hump crunching & scraping @ great noise the bottom of his lorry as he went over it! Then simply drove off!. This is the second time in a week making me think that with more traffic using a Self Storage facility the chances are that more mistakes such as this will occur resulting in an increase of traffic in the narrow cul-de-sac of Grosvenor Place South too.

19 Grosvenor Place South
Cheltenham
Gloucestershire
GL52 2RX

Comments: 17th September 2021

Like many of the residents whose houses back on to the site of this proposed development, I am deeply concerned about the impact the change of use application will have on our daily lives. Though we are very central, this is still a residential area and the impact of a business which

requires constant access and high levels of vehicle use from early in the morning (7am) to later in the evening (9pm) will be considerable.

Since the closure of the LIDL store last year, we have had to contend with many issues of petty vandalism in the empty multi-storey car park above and behind this site, and we are all anxious that the site is occupied meaningfully going forward, but we do not believe that this change of use and extension of business hours is an appropriate solution without a broader plan for the maintenance and development of the site as a whole.

32 Grosvenor Place South
Cheltenham
Gloucestershire
GL52 2RX

Comments: 24th September 2021

I am writing this email to object and voice my concerns against the new proposed planning application for change of use from Retail (E) to flexible storage (B8) for the old Lidl's building and the multistory car park.

I have owned a property here for year and would hate to see the demise of the area from it becoming more industrial. A storage unit is not the best use of that area at all. I, and all the other residents in the close area are strongly against the idea. In fact due to the neglect of the multi story car park for so many years and the problems it has caused residents.....I cannot believe you have not spoken to a single local resident about what they would like to see built there. Really poor show by the council and the businessmen running this project.

1. The hours of business. They are totally unsociable for residents who live adjacent & in very close proximity to this potential business idea. Potential noise of metal cages/ trolleys, vans/cars to & fro, disruption & toxic petrol fumes will make it unbearable to even sit in our gardens! Might the "signs & hoardings" etc be illuminated with bright toxic lighting? Most of our bedrooms are literally on the opposite side of the very narrow street & directly face the property. Is this a responsible move at a time when we should be protecting ourselves against all matters toxic for our health?
2. "Viable alternatives to car travel" "Easily accessed on foot". The train station is beyond walking distance therefore taxis / transport will definitely be needed. Or are you expecting people to transport their belongings on foot in cardboard boxes one by one? Vans & cars of all sizes will be the essential mode of transport back & forth! The frequency of cars & vans might therefore be very often & at all hours making it a very busy road indeed. Access via a road that was only ever meant to be a light access road. If users need to store their belongings and will need to use a vehicle then it is just as easy to go the extra mile to premises away from being tightly packed in to a residential area in a town centre.
3. A huge 40' shipping container! This constitutes an enormous metal box. In a Conservation area? I can't quite believe this would be permitted.
4. Storage? Metal containers &/or metal cages? Major NOISE! From 7am?? Are you planning to totally clad & soundproof the entire building? One Tesco lorry a day with their metal trollies is more than enough! Will there be lifts to - to an upper mezzanine floor?
5. Do you know of a similar Self Storage company in a city centre that we can contact? I think this is imperative before going any further with this idea.

I am writing this on behalf of all the local distraught residents, who I know have also emailed.

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My neighbours have explained in their emails to you the reasons why we all object to the unsuitable Self Storage idea. As long as this building stands as it is - looking like a filthy neglected prison - an ugly threatening property - it will continue to attract the criminal element & vandals that have been abusing the area for so long - with their drugs, arson & other criminal activities. Upgrade the whole building & they would no longer be interested

Why not organise a local council meeting?

33 Grosvenor Place South
Cheltenham
Gloucestershire
GL52 2RX

Comments: 24th September 2021

I am writing to you to object to the Planning Application of the ex-Lidl shop to a Self-Storage unit.

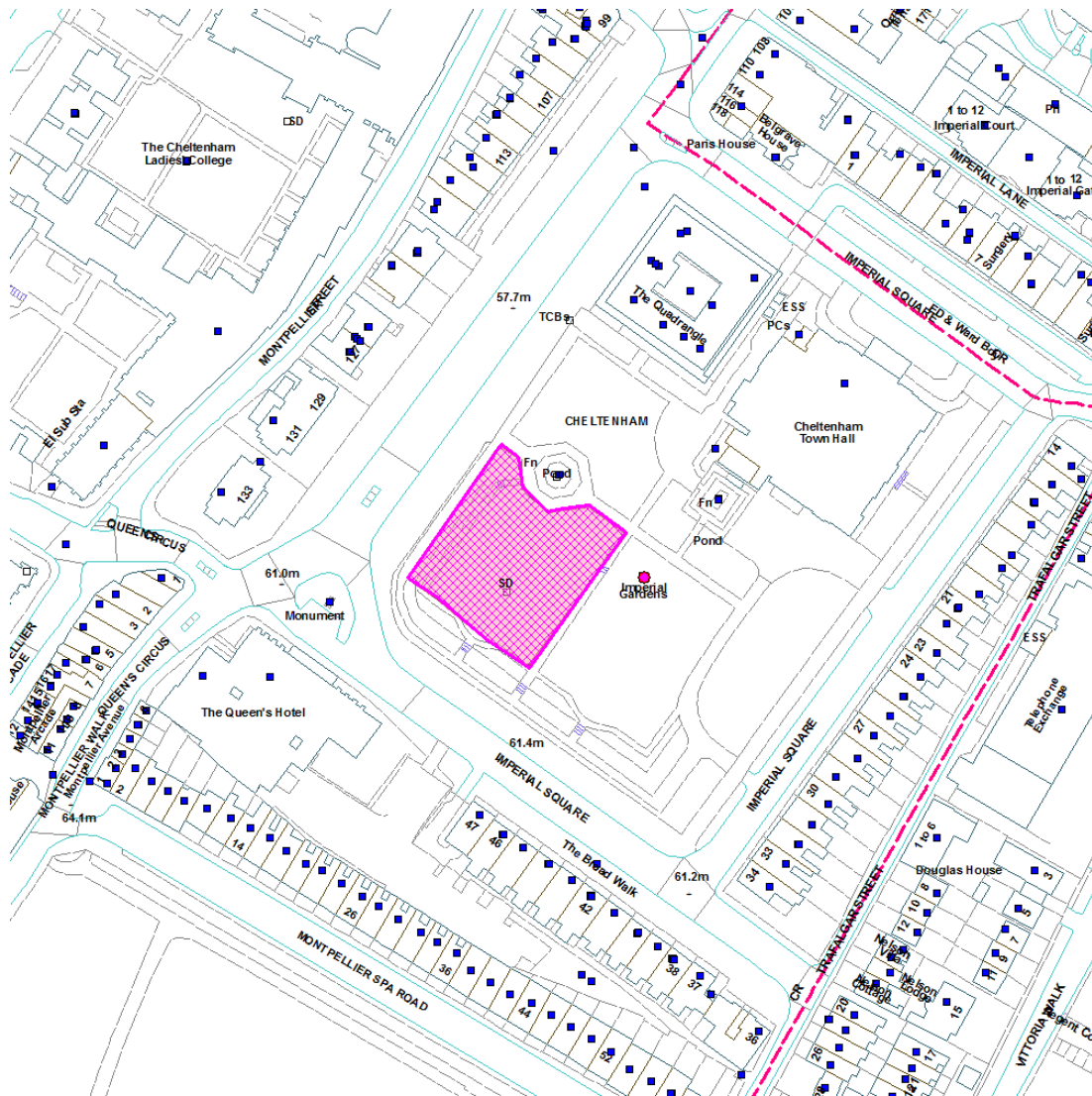
As planned, being opened 7 days a week, this Storage place will increase the traffic and noise in our streets, as people will be using cars or vans and probably trolleys/metal cages to bring their belongings to the storage unit. Nobody will bring big and heavy things by foot crossing high street, therefore transportation will be needed. Early September this year, a big lorry drove down my street, which is a cul de sac (Grosvenor Place South), making a lot of noise by reversing to get off the street. It took ages for this lorry to leave, and it did wake up everyone in the street. For sure, many other cars or vans will make the same mistake at some point by trying to get to the Self-Storage place and use our street by mistake.

I understand that there will be a big 40' shipping container... in a Conservation area, really? I am sorry but one must not mix a Conservative area and an Industrial area!

A beautiful block of flats or news houses would be much better here, in the center of Cheltenham, than a storage place, especially with a range of good shops at the end of our streets like John Lewis. That would be a good upgrade! Who would like to live by a storage place in the center of a posh town like Cheltenham?

APPLICATION NO: 21/01856/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 17th August 2021		DATE OF EXPIRY:
DATE VALIDATED: 17th August 2021		DATE OF SITE VISIT:
WARD: Lansdown		PARISH:
APPLICANT:	Marketing Cheltenham (CBC)	
AGENT:	n/a	
LOCATION:	Imperial Garden Promenade Cheltenham	
PROPOSAL:	Erection of temporary structures in connection with festivals and special events including an ice rink in Imperial Gardens for a maximum of 75 days for one period being 2020/2021 (November 2021-January 2022) inclusive of rig and de-rig. This is in addition to the current planning permissions for festivals and special events on Montpellier Gardens and Imperial Gardens	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application, made by Cheltenham Borough Council, seeks planning permission for the use of Imperial Gardens for the erection of temporary structures including an ice rink in connection with festivals and special events for a maximum of 75 days, for 1 period being 2021/2022 (November 2021 - January 2022) inclusive of rig and de-rig. This will be in addition to the current planning permission 12/01843/FUL of 70 days for festivals and special events within Montpellier Gardens and Imperial Gardens.
- 1.2 The ice rink proposal is an amendment to 19/01370/FUL permitted by Committee on November 2019. As detailed for the period of November 2021 to January 2021 the redevelopment of the Quadrangle Plaza and installation of a new orangery at the Cheltenham Trust Garden Bar will unfortunately make it impossible to accommodate the location of the ice rink as approved. Therefore for 1 period November 2021 - January 2022 the location of the ice rink is proposed to the southwest quadrant of Imperial Gardens.
- 1.3 The ice rink proposal is also identical to 20/00369/FUL permitted by Committee which approved the relocation to the southwest quadrant of Imperial Gardens for 1 period November 2020 - January 2021.
- 1.4 As identified within the submitted Planning, Heritage and Design and Access statement, the temporary structures would comprise mainly of an outdoor covered ice rink, supporting marquees for skate hire, to a lesser degree temporary office and other such structures normally associated with events. The design of the ice rink and temporary structures are unknown at this stage but a layout plan has been submitted.
- 1.5 As identified in the supporting information the Ice Rink will be located in the South West quadrant of the gardens. The remaining Imperial Gardens will be unused by the event and will remain open to the public.
- 1.6 The number of days being applied for includes the time taken for the construction and dismantling of the temporary structures as well as the time the structures are in place for the events themselves. The number of days does not include the time taken for re-instatement works.
- 1.7 The application is before the Planning Committee because the Council is the applicant and own Imperial Gardens.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Core Commercial Area
Principal Urban Area
Public Green Space (GE36)
Smoke Control Order

Relevant Planning History:

87/01253/AN 17th December 1987 REF

External Bar Wall Cheltenham Gloucestershire - Display Of Non Illuminated Advertisement

87/01254/AN 17th December 1987 REF

Imperial Gardens Cheltenham Gloucestershire - Display Of Non Illuminated Advertisement

07/00740/FUL 20th July 2007 PER
Erection of Holst memorial statue within gardens

07/00741/CAC 29th May 2007 NOTREQ
Remove outer bed

11/01290/FUL 21st November 2011 PER
Formation of new gateway to Skillicorne Gardens and alterations to plinth in SE corner of Imperial Square garden to accommodate new pedestrian access

11/01292/LBC 21st November 2011 GRANT
Works to provide new entrance to Skillicorne Gardens and alterations to stone plinths forming boundary to Imperial Square gardens.

11/01807/FUL 27th January 2012 PER
Erection of temporary structures in Montpellier Gardens and Imperial Gardens in connection with festivals and special events for a maximum of 75 days in each garden

12/00099/FUL 23rd March 2012 PER
Reinstatement of railings to the perimeter of Imperial Gardens, including refurbishment of original railings adjacent to the town hall and repair and re-use of existing original plinth stones where possible

12/00099/LBC 23rd March 2012 GRANT
Reinstatement of railings to the perimeter of imperial gardens, including refurbishment of the remaining original railings adjacent to the front of the town hall and the repair and retention of existing of existing original plinth stones wherever possible

12/01843/FUL 18th January 2013 PER
Erection of temporary structures in Montpellier Gardens and Imperial Gardens in connection with festivals and special events for a maximum of 75 days in each garden in 2013 and a maximum of 70 days in each garden in each calendar year thereafter

13/00195/AMEND 26th February 2013 NOT
Non-material admendment to planning ref: 12/00099/FUL and associated Listed Building Consent ref: 12/00099/LBC to reinstate railings to the perimeter of Imperial Gardens, including refurbishment of original railings adjacent to the town hall and repair and re-use of existing original plinth stones where possible

13/00301/AMEND 24th May 2013 PAMEND
Non material amendment to planning permission 12/00099/FUL to reduce the height of the new railings from 1.8m to 1.5m, including corresponding adjustments to the sizings of the railing components

13/00302/LBC 24th May 2013 GRANT
Reinstatement of railings to the perimeter of Imperial Gardens, including refurbishment of the remaining original railings adjacent to the front of the Town Hall and the repair and retention of existing original plinth stones wherever possible (Revised scheme for 12/00099/LBC - to reduce height of railings)

15/01515/DISCON 9th April 2018 DISCHA
Discharge of conditions 4 - railing section, 8 - scheme for the treatment of the north east corner of the gardens on planning permission 13/00302/LBC

18/00473/AMEND 12th March 2018 PAMEND

Non-material amendment to planning permission ref. 12/00099/FUL to reduce width of G4 South-East Gateway from 5 metres to 2.5 metres, centred on adjacent Gardens pathway

19/01370/FUL 26th November 2019 PER

Erection of temporary structures including ice rink in Imperial Gardens in connection with festivals and special events for a maximum of 75 days, inclusive of rig and de-rig for 2 periods being 2020/21 (November 2020 - January 2021) and 2021/22 (November 2021 - January 2022). In addition to the current planning permission for festivals and special events on Montpellier Gardens and Imperial Gardens

20/00369/FUL 1st June 2020 PER

Erection of temporary structures in connection with festivals and special events including ice rink in Imperial Gardens for a maximum of 75 days for one period being 2020/2021 (November 2020 - January 2021) inclusive of rig and de-rig and Christmas Markets on the Promenade for a maximum of 41 days, inclusive of rig and de-rig for a period of 2 periods being 2020 (November - December 2020) and 2021 (November - December 2021) in addition to the current planning permissions for festivals and special events on Montpellier Gardens and Imperial Gardens

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 6 Building a strong, competitive economy

Section 7 Ensuring the vitality of town centres

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

HE1 Buildings of Local Importance and Non-Designated Heritage Assets

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

Adopted Joint Core Strategy Policies

SD2 Retail and City / Town Centres

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

INF1 Transport Network

Supplementary Planning Guidance/Documents

Central conservation area: Montpellier Character Area and Management Plan (Feb 2007)

4. CONSULTATIONS

Tree Officer

9th September 2021

The Trees Section have no major objections to the proposal. However, a method statement should be submitted prior to determination, detailing how to install and remove the site structures without damaging any trees. Particular attention should be taken to root protection areas of trees - in winter conditions, the ground can become compacted more easily from footfall and vehicles. The method statement should also detail how to protect trees and their roots from footfall of visitors to the site, particularly in high use areas (entrances and exits are near two pear trees) e.g. with matting.

Environmental Health

21st September 2021

I don't think the info you have provided satisfies my concerns over the potential noise issues we may face. Noise in Imperial Gardens is a hot topic for us given the troubles we had over the screen during the last couple of months. From my experience of dealing with diesel generators powering the ice rink in Gloucester Quays prior to moving across to Cheltenham I certainly can't support the statement claiming they will sound like a car engine.

There are proposed to be 2 diesel generators and so immediately the noise level you are quoting below is likely to be higher. Two generators running at 98dB will combine and actually run at more like 101dB and that doesn't even consider the frequency level of the noise. Diesel generators tend to run at low frequencies which have longer wavelengths and carry for substantial distances.

I would suggest hiring low noise diesel generators or look at hiring an acoustic consultant to provide some advice on what needs to be done to ensure no local residents or the Queens hotel for that matter are unduly disturbed bearing in mind that these generators will likely need to run 24/7 to keep the ice, ice.

I am less concerned about music noise, it should be background noise and if needed an EP can set a level if we receive complaints.

Cheltenham Civic society

1st October 2021

SUPPORT-The Civic Society Planning Forum supports this application but it will be important to monitor adherence to the conditions. Longer term, there needs to be a strategy for holding events such as this in the town which does not depend so heavily on using parks and green spaces and brings more benefit to the town centre's retail and hospitality businesses.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	122
Total comments received	5
Number of objections	5
Number of supporting	0
General comment	0

- 5.1** Letters of notification were sent out to 122 neighbouring properties, site notices were displayed and an advert was published in the Gloucestershire Echo. The comments are available to view on the Documents tab, but in brief, the comments relate to loss of amenity, noise, lack of detailed information, antisocial behaviour and over use of Imperial Gardens.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The key issues to consider in the determination of this proposal are the impact on neighbouring amenity, the impact on the conservation area and also the benefits that the festivals and other events are said to bring to the town.

6.3 Impact on neighbouring property

- 6.4** Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Cheltenham Plan SL1, which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.

- 6.5** The objections from residents raised concerns with the noise generated by the proposed use, and the use of generators.

- 6.6** Every event organiser including the proposed ice rink needs to sign up to a Land Use Agreement (LUA) which controls noise from construction and dismantling works, noise during the events themselves and fumes from generators.

- 6.7** The Planning, Heritage, Design and Access Statement confirms that Cheltenham Borough Council as landowner of the Gardens enters into Land Use Agreements with the event organisers. The agreements seek to ensure that the event organiser is responsible, amongst many other things, for the protection of the park during the event, and meeting the costs associated with re-instating damage to council property caused by the event including damage to the grass.

- 6.8** The agreements will detail the specific dates that event organisers can construct, operate and dismantle, the times on these dates within which they can construct, operate and dismantle, and the times on these days within which they can construct and fit out temporary structures.

- 6.9** If planning permission were to be granted for the additional use of the Gardens for the Ice Rink, the Borough Council will continue to apply control over these events through these Land Use Agreements, informed by its experience of the use of the gardens.

- 6.10** In addition, all licensable activities associated with special events such as outdoor regulated entertainment and the sale of alcohol can only be carried out under conditions of the premises licences; a licence exists for Imperial Gardens. It contains conditions governing how the event is organised in relation to nuisance and noise, and the event organiser is required to satisfy the Council's Public Protection Division that satisfactory measures are in place to manage and monitor these issues. It is anticipated that a new licence will be required for the ice rink as the Council cannot take enforcement action against itself in the event of a breach of licencing conditions.

6.11 The LUA listed a number of conditions which represent a comprehensive set of restrictions that will help to ensure the event proceeds with limited impact on neighbouring amenity.

6.12 The Environmental Health Officer (EHO) has raised concerns relating to the use of the proposed generators. Following negotiation with the applicant and EHO, the applicant has confirmed the below;

In response to concerns around noise levels from the generators required for the planned Christmas ice rink installation, Cheltenham Borough Council will address these concerns through the following means:

- *Engagement of a qualified acoustic consultant from the Institute of Acoustics register to conduct a noise impact assessment which will cover:*
- *Prediction of a source noise level – by reviewing technical submissions of the planned generators and production of a 3D model of the site and its surrounds using noise modelling software to estimate the level of sound reaching the nearest properties.*

Based on the predictions and a survey of the current sound levels, recommendations will be made in accordance with BS4142, which will be assessed and implemented where reasonably practicable by the contractors.

Promote the installation of Echo Barriers as standard around all generator enclosures which both reduce and absorb noise.

6.13 The EHO has confirmed he is happy with the above and the concerns with the generators could be addressed through a planning condition and therefore condition 3 is proposed.

6.14 Officers consider that the noise and disruption could be adequately controlled through appropriate restrictions in any land use agreements and the proposed noise mitigation condition, and therefore planning permission could not be reasonably withheld due to impact on neighbouring amenity.

6.15 Conservation area

6.16 The Council's senior Conservation Officer has considered very carefully the impact on the surrounding listed buildings, the impact on Imperial Garden and Central Conservation Area: Montpellier Character Area and has no objection to the application.

6.17 Saved Local Plan Policy GE1 states that 'The development of areas identified as 'Public Green Space' or 'Proposed Public Green Space' will not be permitted'

6.18 Imperial Garden is designated as a public green space but it is important to be mindful of what is being proposed as part of this application. The proposal seeks a temporary planning permission for the erection of temporary structures in only part of the garden.

6.19 The Council recognises the importance of public green space and whilst the proposed structures associated with special events do affect the gardens, it is not true to say they will result in the permanent loss or erosion of the green space. The application is for a temporary use which goes beyond that which is Permitted Development; officers cannot therefore agree that the proposal fails to comply with policy GE1. Indeed, there is an argument to be made that the proposal brings with it visual, environmental and recreational value but in a way that differs from the tranquil environment that the gardens benefit from at other points throughout the year.

6.20 Whilst the application may appear short of information in terms of design and scale of the ice rink and structures, this is the nature of the proposal. The applicant seeks the use of

Imperial Gardens for a period of 75 days for 1 period being 2021/22. The application cannot include specific details as this is unknown, instead the Local Planning Authority should take this opportunity of influencing the relevant land use agreements with each venue operator by stipulating what they expect to see within such agreements.

6.21 Benefits

- 6.22 The Planning, Heritage, Design and Access Statement details the economic benefits of the proposed development. It states;

The use of the gardens has a significant positive economic impact on the local economy. Comments from previous planning applications for special events in Imperial Gardens have suggested that festivals and events are part of Cheltenham's unique appeal in increasing and enhancing its regional, national and international profile and adding to the vibrancy, excitement and attractiveness of the town centre to visitors.

Cheltenham already has existing Christmas activities that support the economy in the town including The Christmas Light Switch On and Christmas Market. There has been a significant increase in activity linked to the switch on in recent years which has resulted in increases in footfall into and around the town centre.

A visitor survey ("the survey") was conducted in December 2018 to assess the impact of Christmas Markets on Cheltenham. Over half of the respondents were visiting the town to visit the Christmas Markets, with 70% coming from outside of Gloucestershire.

The survey identified that the majority of visitors to Cheltenham spend between £50-£200 per visit directly into the local economy. Families were most likely to spend £76 to £100 per visit and would form a core audience for the ice rink.

The Christmas Market and festive atmosphere is currently the biggest draw to Cheltenham during the festive period.

Though not taking place during the Christmas period, the Big Wheel as part of Light Up Cheltenham could be considered as a similar attraction as the ice rink.

In previous years, the Big Wheel has received 10,000 visitors during its 3 weeks in situ, with an increased town footfall of 3.8%. The event had no negative impact on residents of Imperial Square.

It is anticipated that the ice rink will attract in the region of 30,000 people to skate over its period of operation. The likelihood is that a not insignificant proportion of these will visit the town centre as a direct consequence of the ice rink.

The presence of an ice rink would increase Cheltenham's festive offering. It is evident that additional attractions to the town increases new and repeat visitors for the period they are in situ. However it is also felt that having attracted new visitors to Cheltenham, attractions help increase repeat visitors in the following months as well.

6.23 Land use agreements

- 6.24 The Council owns the garden to which this application part relates and therefore has complete control over how the gardens are used and by whom. This can be managed through a Land Use Agreement (LUAs) with the user of the garden. The application has been submitted with a document that summarises what a LUA actually is, within this document it is stated that;

"Land Use Agreements (LUA) are used where a person or organisation wants to hold events in the Council's parks and gardens. The LUA is also known as a licence to occupy

land and it is prepared by One Legal upon instructions from the relevant Council department. The contents of the LUA are then agreed with and signed by the event organisers (the licensees)."

6.25 The document goes on to state that the *LUAs contain the terms and conditions upon which the licensee is permitted to use the gardens. If the terms of the LUA are not complied with the council has the options set out below. Advice should be sought from One Legal before the council decides what action to take:*

- Ask the licensee to put right the breach of the LUA. For example, if a marquee is erected in the wrong position, the council can ask for it to be dismantled and erected in the correct position.
- Terminate the LUA early which means the licensee no longer has the permission from the council to use the gardens for the event.
- If the council has suffered financial losses as a consequence of the non-compliance with the LUA, it can seek a payment to compensate it for that loss.

6.26 The content of the LUA shapes how the gardens are used in a way that a planning permission could never do. For example, it can require bonds in case of damage and can include specific penalties if the agreement is breached in any way. The LUA can also specify in detailed terms the requirements of the Council's Environmental Protection team. Most importantly however, the LUA enables the Council to be proactive in what it deems to be an acceptable use of the gardens.

6.27 A number of issues need to be carefully managed if the gardens are to be used successfully. These include matters relating to neighbouring amenity, the setting of listed buildings, the impact on the wider conservation area, the impact on important trees and highway safety; all of these and more can be referenced within LUAs and officers consider that this is a robust mechanism to manage successfully the use of the gardens.

6.28 Access and highway issues

6.29 Adopted JCS policy INF1 advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs. The policy identifies that planning permission should be granted where the highway impacts of the development would not be severe.

6.30 The local highway authority, in this case is Gloucestershire County Council (GCC), were previously consulted for 19/01370/FUL and 20/00369/FUL.

6.31 GCC did not object to the proposal, therefore it is considered to be acceptable from a highway safety standpoint.

6.32 Public Sector Equalities Duty (PSED)

6.33 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

- 6.34** Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.
- 6.35** In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1** In conclusion, it is apparent that the use of Imperial Gardens for an additional 75 days for a temporary period on top of the existing 70 day planning permission for festivals and special events has generated some objections.
- 7.2** Officers are certainly sympathetic to the views of local residents in terms of the impact to amenity in terms of noise and disruption and the increase in use of the garden and Promenade for special events. Notwithstanding this concern, on balance it is considered given the temporary nature of the proposal which will only use part of Imperial Gardens and considering what the special event will bring to the town the proposal is supported. The recommendation is to permit the application.

8. CONDITIONS / INFORMATIVES

- 1 The use of temporary structures including the ice rink in Imperial Gardens in connection with festivals and special events as identified in appendix B Ice Rink location shall be for a maximum of 75 days, inclusive of rig and de-rig for 1 period being 2021/22 (November 2021 - January 2022).

Reason: The use Imperial Gardens for festivals and special events may detract from the amenity of the locality and impact on neighbouring amenity. The Local Planning Authority wishes to monitor and review these impacts before considering any further applications for a longer period of time.

- 2 The permission hereby granted shall be implemented in accordance with the Land Use Agreement Summary.

Reason: To ensure the successful implementation of this planning permission and therefore ongoing compliance with Cheltenham plan policy SL1 relating to neighbouring amenity.

- 3 Prior to installation of the external generators, the noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved noise mitigation measures shall be implemented prior to first beneficial use of the generators, and shall be retained as such thereafter.

Reason: To safeguard the amenities of adjacent properties, having regard to Cheltenham plan policy SL1 and Joint Core Strategy policy SD14.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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.

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APPLICATION NO: 21/01856/FUL		OFFICER: Mrs Victoria Harris	
DATE REGISTERED: 17th August 2021		DATE OF EXPIRY :	
WARD: Lansdown		PARISH:	
APPLICANT:	Marketing Cheltenham (CBC)		
LOCATION:	Imperial Garden Promenade Cheltenham		
PROPOSAL:	Erection of temporary structures in connection with festivals and special events including an ice rink in Imperial Gardens for a maximum of 75 days for one period being 2020/2021 (November 2021 January 2022) inclusive of rig and de rig. This is in addition to the current planning permissions for festivals and special events on Montpellier Gardens and Imperial Gardens		

REPRESENTATIONS

Number of contributors	5
Number of objections	5
Number of representations	0
Number of supporting	0

47 The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 25th August 2021

Please kindly consider my comment in ref 21/01856/FUL.

I am the owner and resident of apt. 47, The Broadwalk, Imperial Square, Cheltenham, GL50 1QG. I believe that temporary structures in connection with festivals and special events during 75 days badly affect our safety, privacy, comfort and amenity, as it will attract a lot of people to the place of our residence.

I am very concerned that a lot of people will walk around my residence and look at my windows, as my apt 47 is located at the ground floor, and looks directly at the Imperial Gardens. All the Broadwalk apartments, including my apt 47, have single glazed windows (which we are not allowed to change to double glazed due to the conservation area), therefore I am very concerned that the noise will affect us for 75 days. Please, kindly consider my concern before making a decision in reference to the above, as 75 days is a very long period for living next to a public construction, which is proposed to be used by a lot of people, so will increase the number of cars, which they will park in front of our residence.

I already had a few unpleasant incidents, which mostly happened during festivals and special events, when strange people were sitting with alcohol on my stairs and making a mess at front of my entrance door.

37B The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 2nd September 2021

I wish to register an objection to this proposal, unless certain conditions are met:

1. Noise levels have the potential to be a nuisance to nearby residents, especially to those resident's homes at The Promenade end of The Broad Walk.

1a) To minimise sound disturbance from both skaters and pre recorded music, the canopy should remain in place at all times. Side screens to the southern and eastern sides of the structure should be fully in place at all times. Only northern and western side screens should be removed when required.

1b) Music emanating from the rink should additionally be at levels low enough to avoid nuisance to residents.

1c) Rigging and de-rigging should take place during normal working hours.

1d) Generators should be shielded by full height sound barriers to minimise noise travelling beyond the generator site.

2. Gardens should be reinstated to their original condition following removal of the rink, ancillary structures and equipment.

3. The promoter of the event should provide a telephone point of contact covering both the rink's operational hours and the rig/de-rig periods.

36E The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 24th August 2021

I wish to make the following points concerning the changed location of the proposed ice rink:

1. Residents have been given no information about the rink other than it is to be located opposite the Queen's Hotel. As I was not living on The Broad Walk at the time of the approved application (19/01370/FUL) I have read the documents relating to the decision of 21 November 2019. These too provide very little information on the technical aspects of the project, yet these will have a considerable impact on us, the residents, and on Imperial Gardens and the mature trees along Imperial Square.

2. From the 2019 documents I see that the rink is to be of frozen water kept refrigerated by chemicals enclosed in pipes beneath the ice. The generators for this are shown on the plan but I cannot find what fuel is to be used. Please clarify this, I do not want a winter of diesel fuel belching out along The Broad Walk.

3. Although the project is called Christmas Ice Rink, 75 days seems excessive: I gather that it will be operational for 46 days and the rest is for installation/demolition. It is a long period to have the customary loud music and voluble drunks outside our apartments. Could you please state the operating hours of the skating rink?

4. It is not at all clear why the rink needs to be situated in Imperial Gardens. The 2019 document states that "...whilst not inconsequential, the temporary adverse impacts adverse impacts of the user of Imperial Gardens are not substantial and are outweighed by the clear public benefits arising..."

Why not share the joy with other suitable sites? I suggest the tennis courts in Montpellier Gardens would be much more appropriate:

- there are no immediate residents;
- it would be cheaper to replace the tarmac than trying to make good the soggy land of Imperial Gardens (which, it should be remembered, was a marsh until its development by solicitor Thomas Henney, who opened the Imperial, Spa in 1817-18). Montpellier is higher - the clue is in the name.
- the very nice café there would benefit.

5. From the 2019 documents I note the number of objections from residents, all ignored by the planning committee. I look for responses to my questions above and would hope they will be free of the buzz words/clichés which appear in every planning paper: vibrant and community.

27 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 14th September 2021
Letter and two appendices attached.

Comments: 30th September 2021
Letter attached.

18 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 24th August 2021
My wife and I would like to comment on the above proposed planning application in response to your notification and invitation to do so of 19th August 2021.

We should like to register three points:-

First, in view of the appalling and unacceptable noise levels experienced at times by residents and businesses in Imperial Square during this summer from the 'Big Screen' stationed near the Quadrangle and live amplified music from the Garden Bar, the noise levels from the proposed ice rink, particularly amplified music, must be kept to the level which does not adversely effect the residents. Acceptable levels must be agreed with the residents before this temporary development is permitted to operate. It must be pointed out that the proposed location in the SW quadrant of the Gardens is nearer to residences at that end of the Broadwalk than the original proposed site alongside the Quadrangle.

Second, the temporary development will undoubtedly cause serious damage and compaction - ie completely trash the existing lawns and flower beds in the SW quadrant, and therefore it is absolutely essential that strong conditions are placed on any approval that these lawns, beds and other damaged features are fully restored immediately after the de rig.

Third, an adequate level of security must be provided 24/7, to ensure that there is no anti-social behaviour associated with this temporary development.

Previous assurances regarding noise levels for the above mentioned events have not been adequately respected and therefore we want the Council's assurance that these will be better monitored, and correctly enforced should the Council have a mind to approve the application for this temporary development.



9th September 2021

Our Ref: DJD.LPC.4693

Mrs Victoria Harris
Planning Officer
Cheltenham Borough Council
Municipal Offices
The Promenade
Cheltenham
GL50 1PP

Dear Mrs Harris

21/01856/FUL Erection of temporary structures in connection with festivals and special events including an ice rink in Imperial Gardens for a maximum of 75 days for one period being 2020/2021 (November 2021 January 2022) inclusive of rig and de rig. This is in addition to the current planning permissions for festivals and special events on Montpellier Gardens and Imperial Gardens Imperial Garden Promenade Cheltenham Gloucestershire

I am instructed on behalf of the owners of number 27 Imperial Square, Cheltenham in response to the above planning application. We have previously submitted objections to this proposal under application references 19/01370/FUL and 20/00369/FUL and we continue to strongly object to the above proposals. This latest application appears to be the same as 20/00369/FUL, apart from the Christmas market stalls to be sited along both sides of the Promenade, immediately adjacent to the Imperial Gardens for a maximum of 41 days.

Within the Gardens it is proposed to erect temporary structures, including the ice rink, in connection with festivals and special events. As previously highlighted in our objection to previous applications, the site lies very close to several listed buildings and lies within the Conservation Area. Furthermore, there continues to be a lack of detailed information submitted with this application. No elevations of the structures are provided and there are no technical details or specifications of the associated plant or machinery. No details are provided regarding the size, appearance and layout of the ice rink and the structures associated with this.

LPC (Trull) Ltd
Trull Tetbury
Gloucestershire
GL8 8SQ
Tel: 01285 841433
Fax: 01285 841489
www.lpcetrull.com

In fact, this latest application 21/01856/FUL only provides the most basic of information comprising the application form, and two appended documents (Appendix A and B). In this case, no Planning Heritage Design and Access Statement has been provided. Given the site lies within the setting of a number of Listed Buildings, and within a Conservation Area it is considered appropriate that a Design & Access Statement should have been submitted with this application as a minimum.

Public Trust

In recent years the residents of Imperial Square have been subjected to a significant amount of festivals and events taking place at the Gardens. This originally began with the festivals, and the understanding was that these would run for a maximum of 70 days. Whilst these do present an upheaval to residents, they at least bring with them a cultural and educational benefit. However, since the grant of the temporary planning permission for the festivals under reference 12/01843/FUL, other events have been introduced including the Big Wheel, and now the grant of the ice rink permission for another 75 days of activity on the garden under references 19/01370/FUL and 20/00369/FUL.

This all represents use of the Gardens for festivals and other events for up to half of the year. It is now increasingly unreasonable to expect local residents to accept any further activity and disturbance. This is even more relevant in this situation where the Council are the landowners and therefore cannot take enforcement action against themselves. It is therefore legitimate for residents to be increasingly concerned about the protection of their amenities including parking, traffic congestion, noise, odour, littering, anti-social behaviour, and the general over-intensification of use.

Overview and Scrutiny (O&S) Committee Meeting February 24th 2020

Given the concerns raised above, the Council has now set up a Scrutiny Task Group Review into the following: -

- the Council's approach to managing events in our parks and gardens within the context of the commercialisation agenda;
- the approval process for events across the borough, and
- how events are managed once approval is given.

I have attached a copy of this report as **Appendix 1** of this letter. The findings and recommendations of this report have subsequently been presented to the Cabint at the Meeting on 3rd March 2020 and have been endorsed.

With regard to the findings of the Scrutiny Task Group, one of its main conclusions was that the proposed Events Strategy must consider options for

spreading the impact of events across wider venues, to recognise the potential of commercial opportunities together with reducing the impact on current “honeypot” sites such as Montpellier and Imperial Gardens

There is therefore a clear recognition that the Imperial Gardens are becoming over-used. And until the Council have fully prepared an Events Strategy it is not possible for the Local Planning Authority to make a fully informed assessment of this application. Consequently, the applicant should be withdrawn or it should be refused for failure to take account of the findings of the Scrutiny Task Group.

Planning Committee Meeting – November 21st 2019

The previous application (reference 19/01370/FUL) was considered at the Planning Committee Meeting on 21 November 2019. At that meeting my client spoke in objection to the application, and the issue of residents trust in the democratic process was raised by Councillor Chris Mason in his address. I attach a copy of the Printed Minutes of the meeting at **Appendix 2** of this letter.

Councillor Mason, amongst other Members, also referred to the O&S Events Strategy for Parks and Gardens and it was mentioned whether the decision on the application should be deferred. This suggestion was not followed up at that time, however, following the publication of the O&S committee report (as above) this application should be withdrawn or refused. Clearly, the decision on the previous application was very marginal with 6 members voting to defer the application, and 3 Members voting against the application with 4 abstentions. This demonstrates that several of the Committee were unconvinced by the application. The same issues will arise with this application and we urge Members to vote against the proposals on this occasion.

One of the Members main concerns was the use of generators for the ice rink, which would create a noise and pollution disturbance to local residents (including my client’s property). And if diesel powered would in turn be contrary to the Council’s environmental protection policies. The revised siting of the ice rink, which is now proposed further to the south west beyond the pond, will significantly increase the risk to residents on this site of the gardens, where the majority of residential properties are located. This new location is now situated from away from any mains electrical power supply, therefore it assumed that diesel powered generators will be employed.

I contend that Members’ concerns with the previous application were only overcome by the fact that the ice rink would be situated in the far north-western corner of the gardens, well away from Imperial Square. The fact that it is now to be relocated closer to residential properties is significant. No further information has been submitted with this application to address these concerns, and consequently the application should be refused due a lack of information.

Land Use Agreement (LUA)

During the previous Committee Meeting it was clear that Members were concerned with the lack of information provided with the application, and the

level of noise that would be emitted from generators. The Officer's response to these concerns was that the detail would be provided in the Land Use Agreement (LUA) and that this would regulate the whole operation to ensure it would not result in the loss of amenity to neighbouring residents.

However, as part of application 19/01370/FUL only a summary of the LUA has been provided, with no technical details of plant and machinery to be used. The Summary LUA states that it will contain "terms and conditions" but the detail and content of these has not been made publicly available. This is concerning given the issues of public trust that have been raised above regarding the over intensive use of the Gardens for festivals and other public gatherings.

Furthermore, no revised or updated LUA or summary LUA has been provided for this application. This is very concerning given that the ice rink will now be moved closer to residential properties. There are clearly environmental and amenity concerns that have not been addressed, and given that the Council is the landowner, there needs to be full transparency and accountability regarding the LUA, which at the present time is not forthcoming.

Conclusions and Summary of Issues Previously Raised

This application is the third of its kind in recent months which is, once again, strongly opposed by my clients. Public trust is now eroding fast due to the growing number of days each year that the Imperial Gardens are in use. The O&S Committee are currently evaluating the Council's approach to its use of its Parks and Gardens, and it has been recognised that the Imperial Gardens are increasingly being seen as a "honey pot" for economic revenue generating purposes, which was never their originally intended purpose. This must be controlled, and we advise Members of the Planning Committee to refuse this application.

The re-siting of the ice rink further to the south west of the Gardens will now have a greater impact on my clients amenity, with the increased prospect of generator usage. This was already a concern of Members at the Planning Committee Meeting on 21st November 2019 and Officers specifically stated that this would not be an issue. These assurances are now null and void due to the re-siting.

The addition of this application would result in another 75 days usage which taken together with all the other events would result in the Gardens being used for six months of the year. That is clearly unacceptable and unmanageable.

At the same time, this application contains a lack of information and no revised LUA summary. Furthermore, the full LUA remains unavailable for public comment. This leaves my clients concerns over noise, parking, littering, anti-social behaviour unanswered and unaddressed.

Yours Sincerely

[Redacted Signature]

[Redacted Name]

**Associate Planner
LPC Ltd**

cc **[Redacted Name]**





**TASK GROUP
EVENTS
AUGUST 2019**



Scrutiny Task Group – Events – Final Report

EXECUTIVE SUMMARY

A review of event management was initiated by the Overview and Scrutiny Committee in August 2019. A Scrutiny Task Group was set up to look at the following areas:

- the Council's approach to managing events in our parks and gardens within the context of the commercialisation agenda;
- the approval process for events across the borough
- how events are managed once approval is given.

The Task Group engaged with a number of key stakeholders, including event organisers and local residents' groups.

The desired outcome outlined by the Overview and Scrutiny Committee's One Page Strategy (Appendix 2) was for the Task Group to identify strengths and weaknesses of the increased commercialisation strategy, and to identify possible improvements to the process of events application, approval and management.

The Task Group recommends a total of 19 recommendations presented under the following key themes;

1. Engagement/Community
2. Process
3. Event Strategy
4. Commercial
5. Enforcement

The details of the recommendations are set out in section 4 of this report.

Photos on covering page courtesy of Marketing Cheltenham

1. INTRODUCTION

- 1.1. A review of events management was initiated by the Overview and Scrutiny Committee in 2019, in view of the strategy to increase commercialisation of the parks and gardens.
- 1.2. This report sets out the findings and recommendations arising from the Scrutiny Task Group.

2. MEMBERSHIP AND TERMS OF REFERENCE

2.1. Membership of the Task Group:

- Councillor Dennis Parsons (Chair)
- Councillor Chris Mason
- Councillor Diggory Seacome
- Councillor Garth Barnes

Councillors Paul Baker and Klara Sudbury were initially on the group but stood down due to work commitments. Councillor Sudbury was replaced by Councillor Barnes.

2.2. Key officers:

- Tracey Crews, Director of Planning and Sponsoring Officer (TC)
- Jess Goodwin, Events Manager at Marketing Cheltenham/Cheltenham BID (JG)
- Louis Krog, Licensing (LK)
- Adam Reynolds, Green Space Development (AR)
- David Oakhill, Head of Planning (DO)
- David Jackson, Manager of Marketing Cheltenham (DJ)
- Andrew Knott, Accountant and Deputy Section 151 Officer (AK)
- Gareth Jones, Senior Environmental Health Officer (GJ)
- Sarah Clark, Public and Environmental Health Officer (SC)
- Jane Stovell, Project Manager (JS)

2.3. Ambitions agreed by the O&S committee:

1. Understand the strategy for increased commercialisation of the parks and gardens
2. Develop knowledge of the events application/approval process
3. Gain understanding of the council's procedures for managing an event (including enforcement if necessary)
4. Understand the impact of not increasing commercialisation

Outcomes desired by the O&S Committee:

1. Identify strengths and weaknesses of the strategy for increased commercialisation of the parks and gardens
2. Identify any improvements/changes to the events application/approval process

3. Identify possible improvements to the council's procedures for managing events (including enforcement)

3. METHOD OF APPROACH

- 3.1. The Task Group met on six occasions. The meetings took place on the following dates: 10th October 2019, 4th November 2019, 27th November 2019, 6th December 2019, 13th January 2020 and 30th January 2020.
- 3.2. The first meeting on 10th October 2019 sought to establish a strategy for the Task Group process. It was agreed that due to the complexity of the subject it would be prudent to split the future meetings into the following topics: strategy, process, previous events, enforcement and a 'mop up' session to determine the final recommendations.
- 3.3. This section of the report will outline the process chronologically, demonstrating how each recommendation was reached. Each meeting is discussed at the following points:
 - strategy (3.5 – 3.13)
 - process (3.14 – 3.29)
 - lessons learned from previous events through engagement with key stakeholders (3.30 – 3.47)
 - enforcement (3.48 – 3.60)
 - 'mopping up' outstanding issues and deciding on final recommendations (3.61 – 3.74)
- 3.4. At the first meeting, the Chair sought to focus on the question of engagement with elected Members and members of the community in making decisions around the hosting of events. It was agreed that a wide variety of interests needed to be taken into account, and Members suggested various groups and individuals to contact, from council officers with relevant areas of expertise to residents' groups and event organisers.
- 3.5. At the strategy meeting on 4th November 2019, AK informed Members about the council's overall commercial strategy, which seeks to make better use of council assets and improve their commercial potential.
- 3.6. He reported that officers look at assets through the lens of commercial activity to generate income, reviewing commercial rates in order to produce the most reasonable figures. Different rents are offered depending on the nature of the event that is proposed to be held there: commercial, charity or community. Members emphasised that if the goal is to make as much money as possible from the parks, then the public should be aware of it. Members also emphasised that a balance must be struck between generating profit and enabling free access for residents and visitors. It was resolved that the rates charged by CBC assets should be reviewed in the context of the events strategy.
- 3.7. DJ outlined the council's five year marketing strategy, which is aimed at increasing the value of tourism in Cheltenham from £150m to £170-180m, and to a total of 20% of all Gloucestershire tourism, across a five year period.
- 3.8. Members discussed the merits of different event strategies considering the seasonality of the events calendar, and agreed that the priority should be to improve the troughs in the event

season rather than stretch the peak season. It was noted that some parks are used more heavily due to their proximity to the town centre, and Members agreed the strategy should focus on improving venues across the board and increasing demand for smaller venues across the town. Members agreed that the wider effect of events on the local economy (e.g. the effect on business for local restaurants) must be taken into account.

- 3.9. JG informed Members about the general principles of the emerging events strategy. These are based around increasing tourism, economic impact, cultural opportunities and promoting Cheltenham. Social value is a key thread of the emerging strategy. Prospective events are assessed not only according to commercial value but also in terms of the broader benefit they can bring to the town. She emphasised that any events strategy must take into account the interests of the whole town rather than just the council, and must complement the cultural strategy currently being developed.
- 3.10. To ensure the events strategy is fully reflective of the cultural strategy, it was agreed that the events strategy should be interim and reviewed again when the cultural strategy is approved.
- 3.11. A tier system for events was proposed, with the top tier being for high-profile events bringing national and international visitors, second tier events bringing national and regional attention, and the bottom tier being for bespoke, Cheltenham-centric, community-led events.
- 3.12. Members suggested that there is a real difference between events that allow non-attendees to walk around experience the event (e.g. the Literature Festival) and those that put up fences and exclude them entirely unless they have paid the entrance fee. The current approach applied by officers in considering the use of parks and gardens for events includes openness and accessibility as key criteria. The Task Group agreed that this needs to be preserved.
- 3.13. Members discussed the wider purpose of the emerging events strategy. TC clarified that the existing approaches are not borough-wide, and now that Cheltenham is being promoted as a The Festival Town, a more rounded approach was needed. An events strategy will provide a clear structure within which to consider and promote events.
- 3.14. The 27th November meeting focused on process, and broke down the current process into its key elements: Events Consultative Groups (ECGs), Safety Advisory Groups (SAGs) licensing, planning and land use agreements.
- 3.15. LK explained that ECGs offer an opportunity for Members to sit down with prospective organisers and discuss their aims and various other issues. It is particularly helpful for less experienced organisers, who can consult the relevant officers and Members with significant experience of Cheltenham events. Members reported that they had had positive experiences with ECGs in the past, and found them a useful and informative part of the process.
- 3.16. LK further explained that events tend to be referred to a SAG, which has blue light services as its core membership in addition to officers from licensing, environmental health, building control and planning. Though the SAG has no statutory powers and cannot veto events, it can compile technical advice on safety issues like noise mitigation and environmental concerns, and feed it back to the relevant individuals.

- 3.17. The SAG can also recommend the imposition of conditions of required formal consents such as licensing or planning consents. The council would not enter into a land use agreement with an organiser that was ignoring clear SAG advice.
- 3.18. There was detailed debate around communication, especially the question of whether Members should be part of SAG. It was agreed that SAG was a technical forum with the focus on the safety of events. It was agreed that it was not appropriate for Members to be part of this group. It was agreed that ECG was the appropriate vehicle for member engagement and that Members should continue to act as the conduit with the local community. There was discussion around a committee should be established for events akin to that of licensing committee. It was agreed by the Task Group that this would add unnecessary administrative burden into the events process and slow down decision making.
- 3.19. Members were also informed of the situation regarding licences, the most important of which relate to entertainment and alcohol, but which are also required to play commercial music, collect for charities and many other things. In the past, the council allowed some events to use its licences, but this is no longer the case. Some smaller events are still allowed to use the council's licences, but Cheltenham Festivals (as an example of a large provider) now has its own premises licences. Most licences last for 12 months, though alcohol licences are granted in perpetuity for an annual fee.
- 3.20. DO outlined the implications of planning consent for events, explaining that the General Permitted Development Order (GPDO) generally allows venues in Cheltenham to be used for events for 28 days each calendar year without planning permission. Montpellier and Imperial Gardens are the exceptions, benefitting from planning permission to use up to 70 days per year.
- 3.21. The level of restriction depends on the kind of activity taking place on the land: motor racing, for example, is much more tightly restricted than other events. It was emphasised that each event is assessed according to the specific licences and legal permissions required, and that it is important for planning to be seen as an enabler rather than a blocker.
- 3.22. AR informed Members about land use agreements, which are brought in after the consultative scrutiny stage (ECG/SAG), when the event has been greenlit and the relevant licences procured. The land use agreement covers the specific land to be used, fees and charges, health and safety requirements, ground protection measures, procedures for dealing with noise and nuisances, and more.
- 3.23. Land use agreements for smaller events tend to mostly follow an established template, while larger events require a bespoke agreement tailored by One Legal for a fee of £150. This legal cost lies with the Finance and Assets division.
- 3.24. Members questioned the lack of public involvement in the land use agreement stage. It was clarified that public and member consultation has already happened at the ECG stage, before the land use agreement is formulated.
- 3.25. JS outlined the current process of how events are booked, emphasising that it is highly complex and requires a large amount of officer time, but is in the process of being modernised. Streamlining the process will save money and improve the experience of event organisers, who often find themselves waiting for responses. Members agreed that it would

be beneficial to centralise the process, so that officers and organisers can access the information they need in one place.

- 3.26. LK added that the lack of a specific events officer at the council means that responsibility is naturally more stratified and decisions take longer to make. JS suggested that the council's case management system, which uses software called IDOX Uniform, ensures that event organisers know who to contact. Members asked whether the council had investigated what other authorities and whether Cheltenham could do better. JG responded that she was in the process of examining alternative options, such as the Apply4 system used by Bristol City Council, and whether greater value for money could be achieved elsewhere.
- 3.27. Members asked whether the complexity of the planning process dissuades smaller event organisers from applying. LK that as long as events are organised and run properly, with the correct licences, then the council's role is relatively minor. Particularly small events do not need to go through the full process: for example, ECGs are only required when the event is expected to attract more than 500 visitors. It was acknowledged that this was an imperfect threshold, since even the smallest event can cause problems if inadequately overseen.
- 3.28. Members asked whether a greater amount of information could be included in member briefings on events. TC suggested that briefings, which are publicly available should residents wish to read them, should be published in one easily accessible place. LK clarified that every event has its details logged on the IDOX Uniform system, and the majority of regulatory information is in the public domain already.
- 3.29. It was suggested that it might be wise for Members to receive updates on all events and choose who to inform of this on their own initiative. It was agreed that this is the point of councillors, to represent the public and report directly back to their constituents. It was agreed that the possibility of new member training be explored, to clarify what Members can and should relate directly to constituents.
- 3.30. The 6th December meeting, relating to previous events, sought to assess the strengths and weaknesses of the events process from a wider set of perspectives. In order to achieve this, invitations were circulated to various stakeholders, including residents' groups and event organisers, outlining the purpose of the meeting as follows:

The purpose of the meeting you have been invited to is to hear your thoughts and reflections on the processes adopted by the borough council in supporting events across the town, lessons we can take forward when developing our event strategy, how we strike a balance between commercial interests and residents' interests, and how to ensure that every event has a positive impact on the wider community.

- 3.31. The meeting was based around the following questions:
- *In your experience, how effective do you feel the process is for the consideration and booking and managing of events?*
 - *In your experience, how effective do you think the consultation process is between the event organiser, elected Members, CBC officers and the wider community?*
 - *How do you think CBC can improve its approach to booking and managing events on its land through the events booking process or events strategy to better support events in Cheltenham?*

- 3.32. A total 13 representatives attended the meeting, representing groups including Friends of Sandford Park, Friends of Imperial Square Gardens, Friends of Montpellier Bandstand and Gardens, the Paint Festival, the Lido, Cheltenham Festivals, the Fiesta, Triathlons and Cyclo-cross, and written feedback was received from those unable to attend.
- 3.33. Attendees relayed their positive and negative experiences of the events process and discussed what could be done better. Members were able to discuss the reality of the events system directly with those affected by it, and demonstrated a willingness to engage directly with organisers and residents to improve the process.
- 3.34. A number of attendees described their frustration with what they saw as an unnecessarily complicated application process. The representative for the Paint Festival reported that they were asked numerous questions throughout the process that could have been answered in one go at the very start, had the process been more coherent. They criticised a lack of joined-up thinking, and suggested that the number of different permissions required made it difficult to plan ahead.
- 3.35. Those representing events that took place in different locations indicated that they felt this was not adequately taken into account during the application process. The Paint Festival, for example, had over 15,000 visitors in total in 2019, but only a maximum of 20 in each location at any one time. The council's questions were ambiguous as to which figure was needed in particular cases.
- 3.36. Organisers agreed that there needed to be a clearer idea of the council's requirements of them, and a more focused and less stratified system of information and decision making. TC noted that recent business work carried out on the events process had indicated that the process was more complicated than it needed to be. Attendees and Members agreed that when an organiser fills out an online form, they should be given direct contact details for the officer who can grant them the particular permission they need.
- 3.37. The representative of Cheltenham Festivals indicated that the process had improved considerably in the twenty years they had worked with the council. Cheltenham Festivals tends to organise events several years in advance, so has a different experience of the events process to someone seeking to organise something at short notice. The representative of Cyclo-cross, a relatively small event, reported that they have good communication from officers and a clear idea of what is expected from them. The representative of Tri in the Park agreed that the consultation process had been good for them, responding to their time-critical needs in a proactive way.
- 3.38. Representatives of residents' groups also outlined their experience of the planning process. The representative of Friends of Pittville suggested that residents' feedback is not adequately taken into account, while the representative of Friends of Sandford Park cited the Cheese and Chilli Festival as a particular example of the lack of contact with the local community. They claimed that there had been no communication whatsoever from the council or the event organiser before the festival took place, only marketing leaflets. Residents did not feel as though the concerns they had voiced a year earlier about the effect of increased noise had been taken seriously. Members agreed that the organisers should have informed the local community, and that residents should always be notified of events in their area and have a chance to respond.

- 3.39. Written feedback submitted by the Cheese and Chilli Festival organisers indicated that they would no longer be looking to hold the event in Cheltenham due to the high volume of complaints received from residents in 2019.
- 3.40. The Chair agreed that the consultation process needs to be looked at more closely. Members acknowledged that the theme of residents not being properly consulted has persisted for a long time. Representatives of residents' groups agreed that from their point of view, it is about feeling like their concerns are being taken seriously.
- 3.41. The representative of the Fiesta agreed that public notification was essential, adding that when her organisation holds events in Winston Churchill Gardens, they put leaflets through every resident's door. This is not a legal requirement, but she suggested that something similar should be. The representative of the Paint Festival suggested that some leeway should be offered to events that take place across the whole town, as it would not be feasible to inform every resident who might be affected by their event.
- 3.42. The Chair suggested that a key complaint had been the lack of a single point of contact. He suggested that all event details should be accessible in one place, with a single officer responsible for oversight. Members agreed that the best way to achieve this would be to move to an entirely electronic system, which all officers could access rather than having to wait on each other for responses. JG reported that she was in the early stages of talks with a company offering web-based planning applications, which allows all departments and SAG members to view and comment on applications as they progress. An electronic system could allow organisers of annual events to carry over the same preferences year-on-year rather than having to fill out the same information each time they apply.
- 3.43. Representatives of smaller events indicated that they were concerned about the implications of the council's commercial strategy. If they are asked to pay to use assets that they currently use for free, then their events may become difficult to continue. JG reassured them that there are different tiers of rent, with charities (for example) charged significantly less than general commercial providers. Various criteria are considered when deciding which events to approve, including community benefit and physical and financial accessibility.
- 3.44. TC reminded the group that not everyone will be supportive of all events, but the events strategy must intend to facilitate a wide variety of events in the context of supporting the visitor economy, contributing to the local economy and offering a range of cultural and event experiences.
- 3.45. Members discussed the Gardens Forum and expressed scepticism about its value. AR reported that some organisers no longer come to it due to heated exchanges with residents in the past. TC suggested that it does not inform decision making, and Members agreed that its remit needs to be reconsidered.
- 3.46. TC summarised the key points raised in the public meeting as follows: the need for a single point of contact, up-front guidelines about what is required of organisers, flexibility in consultation, and the importance of working relationships and public engagement.
- 3.47. Members of the Task Group would like to thank everyone who attended the previous events meeting and contributed to the review of the event process.

- 3.48. The 13th January meeting sought to explore the issue of enforcement, especially with regard to the question of public and environmental health.
- 3.49. LK explained that while the council endeavours to take a proactive approach to licensing, informing organisers about what is required of them at the earliest possible time, enforcement is more reactive (i.e. responding to a breach of licence).
- 3.50. The issues encountered can differ greatly depending on the size of the event. Smaller events are more likely to undergo sudden changes late in the process that require a new or amended licence, or to not realise that they need a particular licence, while larger providers tend to be more experienced.
- 3.51. SC outlined issues relating to environmental health, explaining that the aim is to facilitate safe and sustainable events through proactive regulation. A good example of this is food safety: the event organiser is advised to check vendors' registration, food hygiene ratings are fully checked, regulatory advice is given in advance and spot checks are carried out.
- 3.52. A proportionate approach is taken to site inspections, based on risk. Major events are checked for noise, and some events are checked for health and safety and food safety, though the key risks are identified and mitigated before the event begins. Key concerns can also include crowd safety, the safe separation of pedestrians and vehicles, and animal safety (e.g. animal welfare and infection control). Advice is given on priority topics from the Health and Safety Executive (HSE), such as recent warnings about inflatables after serious accidents elsewhere in the country.
- 3.53. SC explained that this proactive approach, based on providing solid advice up front, reduces the likelihood that enforcement action is needed afterwards. It is up to the event organiser to demonstrate that they have planned a safe event and take remedial action if not.
- 3.54. Members asked about how enforcement works regarding antisocial behaviour and crime at events, such as violence or drug use. SC clarified that these are police matters and not for the council to enforce, but the council does what it can to help – for example, it works with the police and racecourse in relation to ticket touting at racing events.
- 3.55. She suggested that the environmental health service must balance the needs of event organisers, eventgoers and residents, and advised that the council looks at making events more cost neutral in terms of regulation in the future.
- 3.56. Members discussed questions of liability in the case of injuries at events. Officers clarified that liability generally lies with organisers unless there is a specific defect with council-owned land. Any serious incidents are fully investigated, taking into account all decisions made by the council in allowing the event and formulating the land use agreement. LK stated that although the land use agreement seeks to limit the risk that the council takes on, any agreement carries an element of liability.
- 3.57. Members outlined concerns that event providers will deliberately push the boundaries of what is allowed if breaches are not punished. GJ responded that there are a number of possible sanctions, but treating providers too harshly would discourage others from using Cheltenham venues. LK added that persistent failure to fulfil the requirements of licences can be addressed through the Licensing Committee or by way of prosecution.

- 3.58. Members discussed specific aspects of land use agreements such as cut-off times, which might be restricted in order to reassure residents and reduce inconvenience. GJ noted that most events end well before the cut-off time established in the land use agreement.
- 3.59. LK suggested that any consultation creates an expectation that the process or outcome will be influenced. If an application has gone through the proper channels, acquired the correct licences and is following all the relevant safety requirements, there is no legal scope for withdrawing that licence to due residents' complaints. The council must be clear about the point of the consultation, that residents cannot necessarily influence the holding of an event. Members agreed that consultation should be referred to as 'engagement' instead, as this does not create a false expectation that it is guaranteed to influence the process.
- 3.60. AR suggested that over time in the events process, the same issues continually crop up and have a significant cumulative effect – for example, the poor enforcement of parking rules. He also suggested that a stronger relationship ought to be built between residents and event organisers, improving scrutiny and accountability while also helping residents understand the work that goes into putting on events. JG suggested that access to a 'how to' pack could help organisers understand the requirements of their role before they start their application. Members agreed that this would be beneficial.
- 3.61. The final meeting of the Task Group took place on 30th January 2020 and sought to mop up outstanding issues and decide on the final recommendations.
- 3.62. Members were presented with a total of 20 draft recommendations, split into five categories: engagement and community, process, strategy, commercial and enforcement. The recommendations were discussed in detail, and most were amended in some way.
- 3.63. The first four recommendations relate to the question of engagement and community. Members insisted that the phrase 'minimum standard of engagement' be amended to read 'agreed standard of engagement', deeming the latter to be too little. The group also clarified that officers would be tasked with engaging with the Gardens Forum and Friends Of groups in order to develop this agreed standard.
- 3.64. The Chair indicated that he felt Members are marginalised in the events process, as they are unable to prevent events taking place when there is no licensing issue, but are seen as responsible for unsuccessful events by residents. Members discussed the ways in which they are able to influence the planning process, including the ability to raise serious issues to Cabinet and engage with officers about areas of concern.
- 3.65. TC advised that the Task Group had already discussed this, and that there was consensus that adding committee-based decision-making would delay the delivery of events and add questionable value. She stressed that the process does not seek to disengage members.
- 3.66. The Chair stated his intention to produce a minority report, dissenting on the level of member involvement in the process. The minority report is attached to the covering report as Appendix 3.
- 3.67. Members agreed that the second recommendation should say 'engaged' rather than 'informed', offering members a more clearly defined role in the process. They also agreed that due to the overlap between two recommendations regarding public information, they should be merged into one (recommendation 3).

- 3.68. The prospect of an events website, as proposed in recommendation 3, was discussed in detail. Members noted the potential for misinterpretation, so it was amended to clarify that it would be a broad events platform with information about every event, rather than a specific website for each individual event. Members also agreed that it should be made clearer that they are the primary point of contact by email.
- 3.69. Members asked about the breadth of the review planned in recommendation 4. TC clarified that the parameters have not been defined yet. Members agreed to expand the recommendation to include a geographical review of the Gardens Forum's remit.
- 3.70. Members then discussed the recommendations pertaining to process, questioning the need for additional member training when relatively few members represent wards containing a large amount of public space where events occur. TC reminded members that it might not be relevant to all members now, but could easily be in the future. The recommendation was not amended.
- 3.71. Members moved on to discussing the recommendations listed under Event Strategy. JG reported that the emerging events strategy takes into account four tiers rather than three: headline events, feature events, town events and community events. Members agreed that this offered greater clarity and that recommendation 10 should be amended accordingly.
- 3.72. Members agreed that recommendation 11 should make reference to the commercial strategy. It was also agreed that the word 'capital' be added to recommendation 12 to aid understanding. These were both amended accordingly.
- 3.73. The final group of recommendations, listed under Commercial, were also discussed. TC clarified that none of the charges to be reviewed in recommendation 13 had yet been determined. Members discussed anomalies in the system that could be ironed out. DS indicated his willingness to assist in any review of rates.
- 3.74. It was agreed that recommendation 16 be amended to refer to 'all non-community events' rather than 'all large events', as the latter was too ambiguous. CM suggested that recommendation 18 commit to considering a more robust approach to enforcing noise limits. This was also agreed.
- 3.75. Members of the Task Group would like to thank everyone who attended their meetings and contributed to the review, and also to thank those officers who supported to the work of the group.

4. Recommendations

4.1 A total of 20 recommendations have been agreed by the Scrutiny Events Task Group.

No	Recommendation
Engagement/Community	
1	An agreed standard of public engagement be established as part of the event consultative process, which all event organisers will be expected to achieve. Officers to be tasked with engaging on developing the agreed standard with the Gardens Forum and Friends Of groups.
2	The engagement protocol between Events Consultative Groups (ECG) and Members be reviewed, to ensure that Members are as engaged as possible about events in their ward.
3	Investment be made in an event website to create a forum that connects event organisers, resident and wider stakeholders with a clear point of contact, with the key outcome being to provide clear information regarding events for communities in their ward, providing live updates on events and stages within the sign off process. Members to act as the primary point of email contact.
4	The remit of the Gardens Forum be re-evaluated to include a review of sites covered.
Process	
5	The objectives of the events process align not only with the goals of the commercial strategy, but also those of the cultural strategy and the social value policy.
6	The event process: <ul style="list-style-type: none"> • be digital wherever possible to aid event organisers and enable back office systems between parks, licensing, planning, event management to be joined up • be clearly set out on Council website • clearly provide a single point of contact • demonstrate the benefits to the wider community as part of the events process
7	A 'how to' pack be compiled and published on the events website in order to help event organisers understand the licensing, enforcement and environmental health requirements of the events process and enforcement.
8	Member training be put in place to support Members in their roles and responsibilities within the events process.
Event strategy	
9	The event strategy be interim, to ensure it can be reviewed to be fully reflective of the cultural strategy once it is approved.
10	The events strategy incorporate a tier system, classifying events as follows: <ul style="list-style-type: none"> • headline events: a small number of big impact, annual, cultural and sporting highlights which showcase the town • feature events: established, growing or one-off events that contribute to the vibrancy, profile and tourism appeal of the town • town events: events delivered at a town level that, although of a recognised quality, are predominantly aimed at residents • community events: small scale community or community of interest organised festivals and events taking place across the town, with a capacity of 499 or less

11	The events strategy considers options of spreading the impact of events across wider venues, to recognise the potential of commercial opportunities together with reducing the impact on current honeypot sites such as Montpellier and Imperial Gardens.
12	The events strategy considers the infrastructure required to support recommendation 12 and present a business case to Cabinet as appropriate outlining capital investment required. In addition, the strategy should ensure that any new event sites consider infrastructure in the context of the climate emergency.
Commercial	
13	The rates charged by CBC on the assets of parks and gardens be reviewed in the context of the council's commercialisation strategy.
14	The events strategy look at opportunities of improving troughs in the events calendar, to further develop commercial opportunities, whilst recognising the impact of stretching the peak season on heavily used parks and gardens.
15	Officers investigate the commercial opportunities of providing hands-on guidance for event providers.
Enforcement	
16	All non-community events be required to attain their own licence to aid any enforcement measures undertaken by the council.
17	The Land Use Agreement template be reviewed to ensure conditions are sufficiently robust to support enforcement actions where required.
18	A review of noise levels be applied to events once national guidance has been published (anticipated in 2020), and a review of enforcement to follow to ensure the robustness of procedures.
19	An enforcement guidance paper be prepared and published online, clearly articulating the actions the Council may take with non-compliance with Land Use Agreements.

5. PROGRESSING THE SCRUTINY RECOMMENDATIONS

- 5.1 In respect of the terms of reference set for us by the Overview and Scrutiny (O&S) committee, we feel confident that these have been met.

Planning Committee

Thursday, 21st November, 2019

6.00pm

Attendees	
Councillors:	Councillor Tony Oliver, Councillor Roger Whyborn (Reserve), Councillor Wendy Flynn (Reserve), Councillor Garth Barnes (Chair), Councillor Stephen Cooke, Councillor Diggory Seacome, Councillor Victoria Atherstone, Councillor Bernard Fisher, Councillor Dilys Barrell, Councillor Mike Collins, Councillor Simon Wheeler, Councillor John Payne and Councillor Rowena Hay
Officers in Attendance:	David Oakhill (Head of Planning), Michelle Payne (Senior Planning Officer), Victoria Harris (Planning Officer), Chris Mead (Senior Highways Officer), Nick Jonathan (Legal Officer)

21. Apologies

Councillors Baker and McCloskey.

22. Declarations of interest

There were none.

23. Declarations of independent site visits

Councillor Collins – 18 Hatherley Lane.

24. Public questions

There were none.

25. Minutes of last meeting

These were approved and signed as a true record of the meeting, without amendments.

26. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications

27. 19/01370/FUL Imperial Garden

Officer Introduction

DO introduced the application for an ice rink and ancillary uses over two years at Imperial Gardens, in addition to the existing planning permission for the Gardens to be used for 70 days every calendar year. It is at Committee because the application site is CBC-owned land, and Councillor Mason has requested a Committee decision. The proposed ice rink will operate in the winters of 2020-21 and 2021-22, and take up a quarter of Imperial Gardens. The original application site included the pond and footpath, but this was subsequently amended to allow better pedestrian access. The applicant's position is that the proposal will be a good thing for town, with broad benefits. As elsewhere in the country, the town centre is struggling to compete, and there is evidence that the Christmas lights turn-on, the big wheel and other events in Imperial Gardens increased footfall to the Cheltenham, bringing benefits to the town centre as a whole. Residents are concerned about additional use of the Gardens, the effect on residential amenity, highways safety, traffic, impact on the heritage asset and trees, but no objections have been raised by consultees on these issues

Public Speaking

Jake Ford, neighbour, in objection

The three objections raised this evening are detailed in the letter submitted on 13th August. First, the impact on neighbouring residents. Residents in Imperial and Montpellier Square are reliant on on-street parking, with each house allowed two permits per annum. As things currently stand, residents are constantly competing for spaces during any town hall or festival event, of which there are now five a year. It is almost impossible to find a free space until after 9.00pm. There is not enough parking in town to support these events. Set-up and take-down of event structures sees the suspension of several parking bays. As a paying resident with a permit, it seems mad that he cannot park on his street, and adding a further 75 days of this is unacceptable. There is potential for an increase in anti-social behaviour. Over four years, has been victim of five separate incidents, including burglary and car vandalism, all at night and two during festivals. The rise in footfall, mainly in the evenings, may lead to a rise in antisocial behaviour, as well as an increase in noise pollution and litter.

The second objection relates to the impact of the ice rink on the sensitive central conservative area, and the listed buildings in Imperial Square that define Cheltenham's regency heritage. The ice rink will be completely alien to these surroundings, in contrast to the festivals which add to the community and bring a more cultural and educational appeal.

The third objection relates to the use of public green space for business. Cheltenham's parks are widely used all year round, especially Imperial Square due to its central location and flower displays. Policy is in place to protect these spaces, and the ice rink installation for 75 days goes completely against these. If an ice rink is needed in Cheltenham, an alternative site such as a car park or pedestrianised area should be considered over green land. There is no need for an artificial ice rink that puts business first and green space second.

Kevan Blackadder, Director of Cheltenham BID (applicant), in support
Cheltenham BID has been operating for over three years now, with the aim of attracting people to town and encouraging them to stay longer. One way this has been done successfully is by holding new events in the town centre, to attract local and regional audience, such as Light-Up Cheltenham and the Observation Wheel in Imperial Gardens. An ice rink would be a major additional attraction and significantly improve Cheltenham's Christmas offering, drawing in new and repeat visitors to skate and also to visit shops, bars and restaurants. Town centres can no longer rely on traditional retail to thrive and the BID endeavouring to improve the mix of activities in the town centre. The ice rink in Gloucester Quays attracts between 35,000 and 37,000 skaters each Christmas season, around 60 per cent of which are pre-booked, so a town centre ice rink would bring many thousands of people to Cheltenham who potentially would not come otherwise.

Imperial Gardens is the most appropriate location for the ice rink because of its proximity to town centre businesses and car parks, chosen to allow the town centre to benefit; it is the most logical place to achieve that. Other events that take place in the Gardens, including those run by Cheltenham Festivals, take up most of the available space, but the ice rink would use just 13 per cent of the space, leaving 87 per cent free. The chosen area is as far away as possible from where most of the residents live and is closest to the existing main areas of activity on the Promenade. The main footpaths would not be obstructed and the hope is to use mains power for the rink, both to minimise the noise and to be environmentally friendly. However, if that isn't possible, super-silent generators will be used, and will be sited away from the residents.

Prior to making the application, the BID consulted with the Friends of Imperial Gardens and amended its proposals in the light of their comments. Cheltenham Trust is keen to be involved, providing food and drink from the existing bar in the Gardens, which would mean there would be no need to use external operators. The BID believes the ice rink would bring huge benefits to Cheltenham, its economy and its businesses. With its small footprint at Imperial Gardens, it could operate without having any significant impact on local residents or on the town's open spaces.

Councillor Mason, ward councillor

Is present to represent local residents, having worked closely with them and at one to endorse the all the points raised by the resident speaker. Would like to concentrate first on the issue of residents' trust with the Council. Some years ago, the Council negotiated a 70-day land use agreement with residents – to which they reluctantly agreed – and since then, new residents buying or leasing their properties in the area do so in the knowledge that the parks will be used for 70 days a year for commercial purposes. This application is for an additional 75 days – adding up to 40% of the year – and runs a coach and horse through the earlier agreement. Residents are not against the ice rink itself, but it should be included in the existing 70 days' LUA, to not break their trust.

Turning to the issue of well-being, councillors have spoken many times about improving the well-being of the town, and its green space is traditionally used for relaxation, allowing people to enjoy their surroundings. They cannot do this when looking at commercial ice rink with all the noise it brings. Rejects the idea that there are no better alternative sites in Cheltenham. The ice rink at Gloucester works well because it is in the Quays, but Cheltenham has won awards for its gardens, and commercialising them in this manner will go against that. This is a conservation officer, and this is creep – officers will confirm whether this can be taken into consideration, but with a little bit here and a little bit there, four years down the line we could have events on 200 days a year.

In addition, the Overview and Scrutiny working task group is looking at CBC's policies on how to best use its parks, including Imperial Gardens, and considering the issue of commercialisation; the report is due out to go to Cabinet hopefully in January, looking at how to use all parks in town, including Imperial Gardens, and if the ice rink application isn't rejected tonight, Members may at least consider deferring their decision till January; otherwise the Council end up going against its own policy.

Finally, residents are not NIMBYs; they know that the festivals are important to the town, but just request that the use of the Gardens is limited to 70 days, bearing in mind why the parks were originally put there – not for ice rinks.

Member debate

DB: the idea of an ice rink is wonderful and will bring a lot of people into the town, but is concerned about 75 days – it seems a very long time to be adding to use of the park for commercial purposes. Is wondering about the grass recovery after being covered for 75 days – it will require a lot of rejuvenating; is there any advice about this? Also would like to know whether any decisions about opening hours has been made? If it operates late at night, it will be disruptive for residents.

BF: will support the application. Imperial Gardens is in the centre of the town, and for years its history – as the Winter Gardens, for dances, roller skating, aircraft manufacture during the

war etc – has been as a place of entertainment. This is no change – it is just the type of entertainment that has changed. The ice rink will be situated right next door to the Quadrangle, with its new roof-top restaurant and commercial premises on ground floor, so as far as possible from residential properties.

Supports FISG and Imperial Gardens - it is a fantastic facility in the centre of town. The officer said footfall in Cheltenham has increased, and shops and restaurants are not suffering as badly as elsewhere in the country but this is not reason to be complacent. The BID director says the ice rink will pull people in and benefit the town. We need to change the way we view our town centres; to survive we have got to adapt, and this will be part of it. There will be other things which have to change. Hopefully car parking will be improved, with an increase in park and ride, so people coming for evening's entertainment won't drive home and can enjoy a glass of mulled wine. Supports whole-heartedly.

JP: not for first time, is confused by this application. It is a full application – and if it was for a house, we would turn down for lack of information. We don't know how big the ice rink will be, its opening hours, its power supply – so many unknowns. It is unacceptable to grant full planning permission for a set-up for which we don't know the basic details. Will it be covered or open? What will the retail outlets around it be? Until we know, Members can't form a sound judgement on how it will fit into Imperial Gardens. Is also concerned about residents' views; they currently tolerate five festivals a year, squeezed into 70 days, yet this application for an ice rink requires 75 days, which includes 28 days for rigging and de-rigging, and must be quite an extensive operation. Is concerned with not knowing what power supply is; if it's not mains, it will rely on generators, which is not good for Cheltenham's green credentials. Cannot support the application without more details.

MC: in principle, this is a great idea, and it has to be in the town centre to maximise the effect. Both the daytime and night-time economies will benefit, and as a family activity, it will encourage people to come out together and to keep fit. Is not convinced about the location, but this is the application before us, and is minded to support

RW: on the face of it, this a wonderful idea – the additional amenity and increase in footfall is not in doubt. Has concerns however. The current 70 days' usage wasn't chosen by accident, but was hard fought over, taking account of the effect on the Gardens and on the turf. Notes a lot of people have been consulted but not the parks and gardens officer – he should have been, as it is certain that if the ice rink is in place for 75 days, in winter, it will wreck the turf underneath, and for a number of weeks after the event – this is a loss of amenity, although at least it isn't proposed to be situated in the flower bed area. To support the proposal, would want to have reassurance about reinstatement of the ground afterwards.

DS: shares a lot of JP's concerns; there are too many unknowns. Is concerned for the grass, having seen what happens with the other festivals – with replanting and re-turfing, it takes 2-3 months to recover. Can actually remember playing lawn tennis on the grass at Montpellier Gardens but certainly couldn't do this now. Is also worried about food and alcohol – there are enough outlets around the centre of town, and we don't need more. The generators aspect is also worrying, as is the possibility of loud pop music going on to 11.00pm, which won't please the residents. Cannot support the proposal.

DO, in response:

- If the application is permitted, it allow for 75 additional days for fixed 2-year period, including set-up and take-down time; the ice rink itself will not operate for 75 days. The consent will then end after two years;
- Recollects from pre-app discussions that the rink would operate from the turn-on of the Christmas lights (end November) to the first weekend in January;
- A land use agreement has been submitted with the planning application, as required for any activity. The current permission allows 70 days' use a year, and there is a LUA attached to any use within the parks. Consent doesn't include details on types of structures etc; the LUA requires the applicant to provide information and detail within a specified time, before the event takes place. This is consistent with the way all events in parks operate;
- grass and other reinstatement work is covered in the LUA, with repairs required within a certain time space, and a charge imposed if not completed. The grass will be repaired and re-seeded, with the licensee required to bring it back up to standard;
- the Parks department was engaged in pre-app discussions, and is in agreement and satisfied that the LUA does/would cover any concerns, including hours of operation and noise control.

SC: can see in principle that an ice rink will be good for the town - an attractive feature, good for bringing people in and for leisure – but has a problem with where it is. The harm to the grass is a significant issue and will last for some time, and 75 days is a very long time. To keep the ice rink open, significant energy input will be needed, and the carbon costs will be considerable. If generators are used, they will be on the go all the time, and if they are diesel-powered, will create a lot of pollutants and particulate, which is bad for residents. If not, and mains power is used, this is also unacceptable. It would be better if it could be placed elsewhere on a solid surface, and there must be other options, but the main issue is the potential diesel generator running day after day. To add another 75 days to the current 70 days seems a bit harsh on local residents.

WF: would like to know the reasoning behind the 28 days to set up and take down. Festivals get all done within 70 days, and this amount of time seems excessive. What is reason for this?

DB: as Councillor Mason said, Members might want to look at the report of the O&S committee before making decision on this; it would be helpful to know how things will pan out.

DS: it hasn't been mentioned yet, but there are two manhole covers in the proposed area, which could need to be accessed and could therefore be problematic.

JP: to respond to MC, is not opposed to the ice rink and actually thinks the work of BID bringing additional attractions to Cheltenham to be extremely beneficial, but has a problem with this application and the lack of information on size, space requirement, power, etc. If Members had some idea of these issues, they could maybe have suggested alternative locations.

GB: would remind Members that it is not our role to suggest alternative locations.

DO, in response:

- to reiterate, permission was granted in 2012 granted perm permission for 70 days a year, with LUAs to define size, location, space etc, building in flexibility as events and festivals change;
- the O&S report is presumably concerned with the medium- to long-term future, but this application is only for two years. It is up to Members to decide whether it is beneficial to know the outcome of the O&S report before they make a decision;
- regarding the days to set up and take down, presumes the 28 days will be half at the beginning and half at the end;
- regarding a possible diesel generator, understands BID is in negotiation with the Trust to secure the electrical supply from the town hall. If that is not possible, another source of power will be required. Noise would be controlled through LUA.

VA: thinks the concept is brilliant, bringing young children and families together in the town centre, providing exercise, and with benefits to local economy which cannot be ignored, but has concerns about it coming to Committee now, lacking critical information to make an informed decision Without knowing the scale which still need to be planned out, or about the power supply, and with the concerns of local residents, it feels premature to be here already.

GB: those issues will be taken up with the LUA. Is not sure we can do more at this stage.

BF: Councillor Mason mentioned the O&S report about use of open spaces and commercialisation, but a lot of our open spaces have been used for commercial events since they were built – people used to be charged to go into Pittville Park! How relevant is the O&S report to this application? If it says this application isn't valid, we would have to think again, but doesn't think it will. The O&S report is something we cannot consider until we see it. Still supports application. It will help the town, which is already one of the finest shopping and entertainment towns in the country. We need to keep improving – is in favour of that.

SC: for him, the deal breaker is the generator – the noise and pollution it would create would be most unpleasant for local residents and shoppers. Is it possible to have a condition that the ice rink can go ahead with mains electricity but if this isn't possible, if can't?

DO, in response:

- this would risk holding the applicant to ransom, as there is only one available power supply. The applicant needs to negotiate with the Trust to see if the town hall system can be used, but doesn't know if it will be possible or will overload supply at a busy time of year;
- the two issues with generators are noise and emissions. There is room for negotiation here, and if critical, could be agreed with the chair and vice-chair following the decision. The applicant doesn't know who the operator is, and until this is settled, doesn't know what power source will be used, what the fit-out will be like etc. It is a chicken and egg situation, and that is the challenge of every application like this. The system allows flexibility on purpose. On the issue of the generator, it will put the applicant in a very difficult position for if they can't secure power supply; would require further discussion.

BF: is not an electrical engineer, but has worked with refrigerated plants – power will be needed to bring the ice down to the required temperature, and then cut in and out as and when needed, as with a fridge freezer – it will not be running 24/7. Some Members have talked about re-siting the ice rink, but if a generator is needed, it will be the same argument

wherever it goes – the same particulates and pollutants. The ice rink won't need a lot of power once it's been brought down to the correct temperature; the operator won't want to waste money unnecessarily on electricity, and it won't run it at night.

GB: these are technical details which Members are not competent to consider.

SW: agrees with DO – we can't hold the applicants to ransom, and say if they can't get power from the national grid, the proposal will be refused; this is blackmail. A condition to control the noise levels of generators is not unreasonable, however, and an easy compromise between no generators at all and keeping the disruption to a reasonable level.

GB: all these issues will be dealt with under the LUA and officers' jurisdiction, looking at air quality and noise pollution. Can see that the applicant would like to give some answers to Members' questions, but protocol does allow any public participation in debates. Would like to move to the vote. If Members want to include a condition about power, it might be acceptable to do that rather than take a decision which we will have difficulty with afterwards.

SW: as said, if this is already in the LUA, is happy with that. Couldn't support a proposal to allow the ice rink only if the national grid is used to power it.

WF: another option is to defer – wait for the O&S report in January when we will have more information, talk with the applicant about possible solutions re. power supply. Is nervous to agree to this without knowing the details.

DO, in response :

- if Members vote to defer, there is a limited amount of information to find out, as no operator will be found until the permission is in place. However, deferral is better than refusal;
- also, if they defer to wait for the O&S report, they should remember that CBC owns the land – it is in our gift. The application would probably be back at Committee in December, before the O&S report is published. However, Members have the option to defer if that is what they prefer.

GB: deferral doesn't help in every situation, but has to be proposed before a vote can be taken.

RH: DB suggested this at the beginning of the debate.

GB: nobody actually proposed it until now.

Vote on WF's move to defer

6 in support
7 in objection

Not Carried

Vote on officer recommendation to permit

6 in support
3 in objection
4 abstentions

PERMIT

28. 19/01822/FUL West Lodge, Cold Pool Lane

Officer introduction:

VH explained that the application site relates to land associated with West Lodge on Cold Pool Lane, currently occupied by a large single-storey outbuilding used for MOTs and car repairs. The site is outside the PUA, in the greenbelt. The proposal is to replace the single-storey outbuilding with a single-storey dwelling and the recommendation is to approve, subject to conditions. There have been some neighbour concerns about notification of the application - the two adjacent landowners were informed by letter and a site notice was placed on Cold Pool Lane as this is the address to which application is registered. It is at committee at the request of Cllr McKinlay.

Public Speaking:

Sarah Bamford, neighbour, in objection

Is Chair of Up Hatherley Parish Council, and at the meeting to represent the residents of Sunnyfield Lane who are shocked and concerned about the application and the lack of consultation. Strongly urges the committee to reject the application. Sunnyfield Lane is narrow and quiet, surrounded by farmland, with properties intermittently fronting the lane. It is in the greenbelt, and infill will have a massive effect, dramatically changing its character. No new houses have been built for 60 years, and several applications have been refused, one of which went to appeal where the inspector determined that in-fill would effectively turn a rural setting to a suburban one.

The officer report focuses on West Lodge and its neighbours on Cold Pool Lane, neglecting its impact on Sunnyfield Lane, where the proposed dwelling will be located. The report states this is a brownfield site, but it is clearly greenbelt. The applicant put up two large sheds without planning permission, and a high fence so nothing could be seen from the lane. When the Parish Council objected, they were told no action would be taken provided the sheds were for personal use. The applicant has never sought permission to run a business here and many residents of the lane are unaware of the activity behind the gates.

The JCS recently re-affirmed that the lane and surrounding fields are a particularly sensitive area of the greenbelt, directing development to more appropriate areas. The proposed development is right on a blind bend which unexpectedly narrows, regularly forcing vehicles onto the pavement to avoid a collision. It is unclear how construction vehicles would manoeuvre in and out of the site without causing a significant problem for motorists and pedestrians.

The proposed development will have a serious impact on the local community, and there are other options available to the applicant that would have much less severe impact on the local environment. Urges Members to reject the application as currently proposed.

Becky Brown, agent, in support

The proposal has generated a lot of interest from local residents and Parish Council representatives. The applicant would have liked to attend the meeting but is unable to do so; she sends her apologies. She has confirmed that both the dropped kerb and existing buildings were installed in 2004 on the understanding that planning permission wasn't required. The council's enforcement officer at the time confirmed this following a site visit, reported back to the Parish Council, and closed the enforcement case. Due to the length of time that has passed since, the buildings have now become lawful, as has their use as a car

repair business. The site is therefore classed as brownfield, albeit in the greenbelt. Is surprised to hear that neighbours didn't know what was going on behind the gates, as some local residents and Parish Council members have used the services of RAS Motors.

The Parish Council and residents are concerned that a precedent will be set for further development in the greenbelt, but the specifics of this case are unique, and any other sites would only be policy-compliant if they are also on previously developed land. The scheme complies with national and local greenbelt policy, because it comprises redevelopment of previously developed land, and would not have a greater impact on the openness of the greenbelt than the existing development. Is not suggesting it complies with infill policy.

The proposed dwelling is single storey and modest in size, so as to have no additional impact on the openness of the greenbelt compared to the existing development on the site. The design and materials are unassuming and appropriate for the site and vicinity. Apart from a large ash, all the existing trees on the site are to be retained, and the trees officer is happy with the scheme. The new dwelling will utilise the existing site access, currently used for the vehicle repair business, resulting in fewer trips. Gloucestershire Highways are happy with the scheme. Being single storey and some distance from neighbouring properties, there are no loss of amenity issues. The proposal complies with the development plan and, with no material considerations to suggest otherwise, planning permission should be granted.

Cllr McKinlay, in objection

Called this application in to Committee firstly due to concerns from local residents and the Parish Council – its concerns are outlined in the Parish Council submission in Section 4 of the officer report, eloquently outlining their concerns. Wearing his cabinet member hat, has other concerns with the basis on which officers have recommended the proposal for approval. The report, from 6.8 onwards, puts forward an argument that the proposal is acceptable despite not being in line with JCS because the council does not have a five-year housing land supply – the argument put by this developer and every developer in every case. At 6.10, it refers to NPPF Paragraph 11, which states that there is a presumption favour of sustainable development where there are no relevant development plan policies or the council cannot demonstrate a five-year supply of deliverable housing sites, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. However, the report doesn't quote from Paragraph 12 of the NPPF which goes on to say something rather different: that the presumption in favour of sustainable development doesn't change the statutory status of the development plan, and if a planning application conflicts with an up-to-date development plan, permission should not usually be granted.

Officers already stated at Paragraph 6.9 of the report that this application is in conflict and contrary to the development plan - JCS Policy SD10, and Local Plan Policies GB1 and GB2. The idea that we should wave it through on the grounds that we have no five-year housing land supply because we haven't got a plan is nonsense. We do have a plan, and if the argument is that because we don't have a five-year land supply we should wave through anything that comes forward, we won't have a policy, we won't have a greenbelt protection policy or infill policy, we won't have any sort of policy. According to the report, not having a five-year land supply trumps everything else – this is not true. Members shouldn't make a decision tonight based on Paragraph 11 of the NPPF – this would be the same as saying we have no functioning planning policy and could get the council into some considerable difficulties later on.

Turning to the application itself, it is an interesting proposal, sold as being obvious, compliant, and fitting in well. Having looked at the drawings, it looks like a large cattle shed with bedrooms in it. The dimensions are interesting - approximately 24m by 7m. This is a huge building, and whether it is appropriate or not, the applicant is trying to pull a fast one in claiming this dwelling on the site of temporary structures without planning permission is somehow approved in planning regulations - it isn't. This is a false argument.

Member debate

RW: had looked at the officer report and at the objections, but Councillor McKinlay's speech has taken the wind out of his sails with a comprehensive demolition of the proposal and a lot of valid points he had not thought of. One thing Members should be mindful of is that whilst they may understand that the question of the five-year land supply puts certain obligations on us, they shouldn't be panicked by it or compelled to make wrong decision. We are talking about one property off the five-year land supply, and JCS proposals have been designed to provide all the housing requirement we need. Housing may not be coming forward as fast as we like, but Members shouldn't be panicked into making decision.

This is about protecting JCS proposals and the greenbelt, and whether Members are serious about it or just wanting to put it in their election leaflets – this is fundamental. In this area of greenbelt, there is a clear defining boundary along distributor road; this application is an infill and could be followed by another and another along Sunnyfield Lane. There are a number of roads where infill is acceptable in the greenbelt, but Sunnyfield Lane is not such a road.

The question of development on brownfield sites is important; understands that every application is considered on its merits, but are we saying it is OK to put up a few sheds, leave them there for years, then put up a house on the same site? Even if the footprint is the same as the original sheds, it is an insult to suggest the impact of the sheds is the same as a house in constant use. Can see no reason to support this application.

BF: has read the letters of objection, listened to Councillor McKinlay, the parish councillor and officers. The buildings on this site have been there for at least ten years with or without planning permission - and have therefore acquired the right to be there, and the site has consequently become a brownfield site. Yes, it's in the greenbelt, but we know as a council that some building takes place in greenbelt; it is not sacrosanct. This application is replacing a commercial building with a residential home. Didn't like it being compared to a cow shed; it's true that it would be classed as a big house in the centre of town, but this isn't the centre of town. On the principle of developing in the greenbelt, CBC has just acquired a lot of greenbelt land to develop; it will be necessary in the future, and cannot help but think there will be major overhaul of planning laws at some stage. We must consider every application on its merits. Prefers a 3-bed house to a garage at this location, and will support the application. We need housing, and can't be hypocritical about the greenbelt.

MC: this is the application before us. Doesn't like the design. Will vote against.

DB: would like one or two clarifications. To the highways officer, a number of neighbours say this is a dangerous bend, but there is no highways objection? Also, one letter mentioned a 160-year-old tree with roots which might be affected by the building, although it is located in the neighbour's garden. Would the tree be taken into consideration? There is also a query about drainage and flooding; would appreciate some more thoughts about that.

SC: doesn't object to the house – it is replacing a shed, and is inclined to agree with BF, but RW and Councillor McKinlay have put forward well-made arguments, and it seems that the applicant is taking advantage of process a little bit - erecting a shed in the hope that no-one notices and then the site becoming a brownfield site. Would welcome further information about the points made in the letters concerning insufficient notification of neighbours. What are the rules? The issue of precedent has also been raised; what are the rules here?

VH, in response:

- on the issue of drainage, this would be covered by building control if permitted; there are no details in the application as it stands;
- regarding trees, the trees officer visited the site and considers the application acceptable, with suggested conditions;
- regarding precedent, each application is taken on its own merits; if further applications are submitted, they will be considered accordingly. This application is a bit different, as it is a replacement of an existing building, but any future applications would be assessed at the time;
- to SC, on the subject of notification of neighbours, the statutory requirement is to notify anyone whose property is adjacent to the site, in this case two landowners, who each received a letter. A site notice is not a statutory requirement, but the case officer decided to put one up on Cold Pool Lane – the address at which the site is registered.

CM, in response:

- regarding access, the point was made by the planning officer, that there is an existing access, which generates an existing number of trips. The new use will generate fewer trips, and we cannot infer that it would be less safe, using common sense and pragmatism;
- If there is an existing access, and the intention to generate fewer trips as the result of a planning decision, highways officers will deem it as safe, even if it is currently sub-standard in some capacity. Because it has operated safely for extended period of time without accidents – a simple way to ensure everyone's access to properties with substandard access continues in a safe and suitable way - this is a considered administration. If a new access will generate more trips, it will need to come up to standard – we cannot take risk that more trips can be sustained by a sub-standard junction. This is how highways officers make decisions;
- This access will be the first off Sunnyfield Lane; all other properties and static home parks generate traffic beyond this access, away from the junction. Any new trips generated by the proposal will go in and out of the first access on the road. Highways officers are satisfied access is suitable.

SW: this is another case where CBC has been caught out, having missed the sheds being put up and the business operating without permission – we need more officers and manpower, and the public should bear in mind that if they see things that 'aren't right', they need to tell the council quickly. Much like RW, felt the rug pulled from under him when AM spoke. Originally thought that as that the site was already occupied by ramshackle sheds and the owner running a garage of sorts, it was not a particularly nice situation but one that has been going on for some years and we can't do anything about it. If we could say this is misuse of land in the greenbelt and require the applicant to stop, would go with that - but we can't. The choice is to accept what is being proposed – which is not beautiful – or to allow

what is currently going on at the site to continue - which gives more cause for concern. We shouldn't just say this is better than what is there now. Has not decided yet.

Regarding neighbour notification, CBC seems to have missed a trick here too. If they are selected by simply looking at addresses, this isn't good enough. Officers should look at a map, draw a circle round the application site to ascertain who might be affected. Cold Pool Lane will not be not affected by this application, but Sunnyfield Lane will. This isn't the first time this issue has been reported – where the people most affected have not been notified. We should get to grips with this in future

BF: regarding notification, is not a parish councillor but goes to parish council meetings, and understands that they are notified of every planning application in the parish. Maybe they could have talked to their parishioners more.

Vote on officer recommendation to permit

6 in support

5 in objection

1 abstention

PERMIT

29. 19/01956/FUL 18 Hatherley Lane

Officer introduction

MP introduced the application, sited on the south side of Hatherley Lane, within the PUA. The proposal is an extension and sub-division of 18 and 20 Hatherley Lane, to create four dwellings, each with two car-parking spaces. It is at Committee at the request of Councillor Britter, due to concerns from local residents. The recommendation is to grant permission subject to the conditions set out in the update report.

Public Speaking

Rosemary Dillworth, on behalf of neighbours, in objection

Residents acknowledge that many of their concerns have been addressed, following the third revision of the plan and the officer's report. However, some objections remain. First, residents dispute that the unauthorised use of the property has been going on for over 10 years. The current low budget hotel came into use about three years ago, and prior to this, was advertised as a lodging house, with long-term residents owning few cars. The planning application shouldn't condone or enable continuation of unauthorised use.

Second, the new fourth dwelling includes a two-storey extension only 4m from the boundary of 14 Faringdon Road; 7m seems to be the distance supported by other councils, to avoid overbearing. The outdoor space for the new property is insufficient and would lack privacy, being overlooked by at least four properties, and will exacerbate an already over-developed site only ever intended for two properties, and create an unwelcome terrace effect out of character with the area. The additional dwelling will increase the number of vehicles reversing onto the busy road near a blind bend, with bus routes and heavily-used pedestrian access to two local primary schools. A similar proposal was refused on 2000 on all these grounds and the issues are still valid today, with no change other than higher volume of traffic.

Third, if the application is approved, which neighbours strongly oppose, there must be a condition stating that before the first occupation of any of the dwellings, the existing use should cease in its entirety. This would avoid approving uses that may lead to claims of statutory nuisance if the existing use continues in part, and to protect future residents of the dwellings.

Councillor Britter, in objection

Residents who live adjacent to the site have given factual and personal reasons why the application should not be permitted. Some more elderly residents have asked for their concerns to be made known. There is widespread concern that the answers given in the application form are not correct, particularly its description as two semi-detached houses – it has been a lodging house or hotel for many years and should be treated as such. A previous application in 2000 was refused on the grounds of over-development, lack of amenity space, and not being in the interest of highways safety. Local residents are asking what has changed. New proposal does nothing to address concerns raised by the original refusal.

The proposed two-storey extension by its size and position represents an unneighbourly form of development and will harm the amenity of neighbours, particularly in Faringdon Road. It will be overbearing. This is an established neighbourhood, where gardens are important in promoting the health and well-being of the residents, but this proposal will harm that amenity, and aggravate an already overdeveloped site, designed for two dwellings, not four. The proposal doesn't respect local context or street scene, creating a big, unwelcome terrace effect, out of character with the neighbourhood. Planning policy states that good design should contribute positively in making an area better for people, and should improve the character and quality of area; if it fails to do this, it shouldn't be accepted.

Local Plan Policy CP4 requires new development to avoid causing unacceptable harm to amenity of adjacent land users and locality. This application is contrary to Section 7 of the NPPF – it does not contribute positively to making the area better for people; in fact it adds to the strain on transport infrastructure, drainage infrastructure, and the health of residents through noise intrusion etc. There are concerns about car parking – cars should not project or interfere with use of the road or pavement, and vehicles parked on or straddling the pavement will cause dangerous obstruction, inhibiting the independence of many vulnerable local people and children on their way to and from school. Vehicle access and egress close to a blind bend will increase the potential hazards on this busy road.

Although the site is not in a recognised flood risk area, residents confirm that surface flooding occurs in heavy rain. National and local planning policy require that any improvements do not to increase risk of flooding against this, and state the need to incorporate substantial and sustainable drainage systems.

The owners of the property have not engaged with the community, and while residents acknowledge that some of their concerns have been addressed in the third revision of the plan, the proposal will still have a profound, detrimental and devastating effect. There are also concerns about increasing the number of letting rooms available to the hotel – which is why the additional condition has been suggested to help overcome this fear.

In conclusion, a similar application was refused in 2000, and all the refusal reasons are still relevant. The proposal fails to meet JCS policies SD4 and SD14, Local Plan policies CP4

and CP7, and paragraphs 12 , 127 and 130 of the NPPF. The local community has spoken; they should be listened to, and the application should be refused.

Member debate

MC: it is nice to hear objectors making well-reasoned objections. The description of the site is that it is currently three dwellings and a fourth is being proposed; there could be an argument that this is over-development of site. Is surprised by the highways report – a previous application on this site was refused on highways grounds. Nothing has changed and, if anything, the traffic situation has got worse over the years, so why have no objections been raised by County Highways? Is appalled by the land drainage report within the officer report. This road floods on a regular basis, and cars often have to be driven through the flooded road. This is not mentioned, and Nos. 23, 25 and 27, 29, 31 Hatherley Lane are substantially lower than the road, often ending up with water in their front gardens; nothing is brought up about this, yet the application could exacerbate the situation and it should be looked at carefully. Has seen the effects of water here – some residents have created their own flood defence systems – and it would be irresponsible to allow an application to go ahead in the area which may make it worse.

Regarding the time the building has been used as hotel, the report says 10 years but residents say it is a lot less. How long is the owner allowed to illegally breach the use of building until it becomes immune from enforcement action? If the public is to have faith in planning system, they need to see people brought to book for breaches of planning system. Has anything been done in the past? What would we do in future to stop it having a detrimental effect on the property? Is this application a way to increase the number of rooms for short-term lets? The objector talked about a condition if permission is granted, requiring the existing unauthorised use to cease in its entirety. As things are, is not happy, and would like to refuse the application on the grounds of over-development – four properties on a plot intended for two – creating a terrace effect, exacerbating existing flood issues, and also on highways ground – though knows we have to be careful here.

RW: on planning view, thought this looked OK, but it is actually not. One of concerns raised by residents is the proposal's overbearing effect and overlooking for No 14. Actually, and with due respect to residents, this isn't where focus should be – the new dwelling is still quite a long way from the neighbour, and the facing wall is blank with no window. Looking at this as the main objection misses the bigger picture – that the site is now heading for over development – four dwellings on a site intended for two. The second issue is that it will alter the street scene, creating the only terrace in the area. Highway safety is dealt with too lightly – this is a busy, narrow piece of road, with a bridge close by; also pedestrian safety has to be considered. The car parking spaces provided are tight, and a long vehicle, or badly parked one, will create an obstruction for pedestrians. It is a narrow pavement as is, for parents struggling along both sides of street with small children and push chairs; there are a lot of children in the area, who walk past on their way to the schools in the area.

Has real concerns about highway safety and parking, over development and the poor street scene. Understands the multiple occupancy situation and that on the face of it this will get better if houses are created, but if the owners continue to use the houses as HMOs, they can put in a large number of people without planning permission. The main issues are over-development, poor streetscene, significant highways and parking issues, and obstruction of the pavement and carriageway.

BF: has a question for officers: was told on planning view that the number of bedrooms will be reduced from what is existing – which would mean a reduction in the number of people living there now if it was to be fully let in the future. A lot has been said about over-development, but the NPPF mentions nothing about over-development and there is no rule. Is concerned that the existing situation isn't good, but this application gets rid of it and turns the properties back to houses, as originally intended. They will be separate houses, hopefully occupied by families and adding to the housing stock, and are therefore an improvement. Regarding overlooking, the one window at the back has opaque glass, and there are no windows in the side wall. There could be a reduction in the number of cars, in reducing the number of bedrooms from 14 to 10. Is not qualified to speak on flooding and highways issues, but feels that overall this will improve the situation, and put the site back to where it was. Also asked the officer on planning view about the issue of AirBnB, but was told there are no regulations of government control to stop this. This property is currently a mess, and the proposal will put back good and substantial family homes for people who need them. Will vote in support.

MP, in response:

- regarding flooding, advice from the land drainage officer is included in the report. The footprint of the dwelling is not altered in any way – the only extension is above the garage – so there should be no impact on surface water flooding. The scheme will introduce soft landscaping and residential gardens which will be a betterment regarding surface water, and cause no additional flood risk;
- the existing use is to some extent irrelevant. The authorised use is as two semi-detached dwellings. A use needs to be in existence for more than 10 years to be immune from enforcement action. The enforcement officer was aware of the issue, sent a planning contravention notice to the applicant, met with him, and was provided with sufficient evidence to reach decision that the existing use was immune from enforcement action. That is view of enforcement officer, but largely irrelevant to what Members are considering today;
- the residents' suggested condition cannot reasonably be attached, as the application is seeking permission for straightforward C3 residential use; if it is approved and the existing use continues within the building as extended, enforcement action can be taken;
- on the question of over-development, the application amounts to just an extension above the existing garage – a common extension on a chalet-style dwelling, with many examples around the town. On the other side, a similar extension got permission – officers don't feel over-development;
- to BF, there are 17 letting rooms at the moment; the proposed use would result in fewer bedrooms;
- regarding AirBnB, this can be carried out anywhere; there are no restrictions.

CM, in response:

- can see why Members find it tricky to comprehend the different highways position in 2000 and 2019. It is a fair question, and the answer is the NPPF. This changes the way officers administer discretion – what is proposed must be significantly worse in capacity terms or have an unacceptable impact on highway safety to warrant a refusal. In balance, in this case, we have 13 vehicles currently doing the same as this application proposes eight will do, going forward – so there will be a reduction of the current impact. There is nothing on record that the current behaviour at this site is unacceptable. Any new planning permission will need to be formalised with modern

technical standards, and the access will still be subject to more technical approval from GCC if planning permission is granted, for drop kerbs etc. It is all a case of balance against NPPF since 2012; in 2000, officers could say 'that looks dangerous, let's say no' but planning has moved forwards, and how highways officers make recommendations has changed.

JP: is at a loss to understand why proposed development of this site could be seen to exacerbate flooding issues; would think the opposite is the case, with the introduction of soft landscaping. Doesn't see how it will detract from the streetscene – if anything, it will improve it - and the footprint will remain the same. On planning view, saw two properties in desperate need of renovation – as they currently are cannot be for betterment of the area. Hopes that the developers will develop the site with a view to rent or sell; it will have to be more attractive than what is currently there, and to advantage of local area.

RW: challenges assumptions upon which CM has reached his conclusions. The logic is flawless and in line with the NPPF, based on less vehicle usage in future, but there will be more cars on site – passes every day and rarely sees more than 2-3 vehicles on the forecourt, and although the current forecourt is not elegant, it allows driving on and off. With eight car-parking spaces, using good practice people will have to reverse onto the forecourt in order to drive off forwards; the other way round will be worse. There will be a lot more vehicular traffic on and off, as there is so little now by nature of the current occupancy.

CM, in response:

- regarding HMOs, has discussed the levels of car ownership previously, the different work patterns with more comings and goings at different times of day from a traditional family, higher number of vans etc. We cannot say residential properties won't have vans, but this is a residential application and it provides residential-style parking – instead of expansive frontage to be parked on as one might see fit, with no specific design, this is clearly eight well-articulated spaces for the proposed houses, two per dwelling. Last month, with the Monkscroft application, there were no concerns about this level of parking provision. This is a repetition of same highways principles;
- regarding road safety, one accident has been recorded in the area in the last five years ago – a shunt – but none on Hatherley Lane, despite all the properties with a similar style of access arrangement to what is proposed here.

SW: as an observation, would like to see this returned to a pair of semis and not what is in front of us, though many of the objections from residents have been caused by historic problems, which should now be eased. On the question of the suggested condition to stop the dwellings being used as they currently are before starting work, the officer has said that this is what will happen, in effect – if permission is granted, it will be back to square one – the current use would be unlawful and subject to enforcement action. Regarding parking, agrees with RW's view of usage – has walked past many times and not seen many vehicles, but has had complaints that the green land at the end is used for parking vehicles, and been asked to use his local money to get bollards put up – which suggests that that piece of land being used because residents can't park currently. Four dwellings with two car-parking spaces per dwellings is OK – better than the old requirement of PPG17 for 1.5 space per unit. This is two spaces per dwelling, so marginally better. Doesn't like the proposal, and agrees with the neighbours' concerns, but we should consider it a lot better than what is currently there.

SC: doesn't particularly like this proposal – it is over-development , making two three-bed houses into four dwellings – with 10 bedrooms upstairs and potentially another five downstairs which could be used for bedrooms. The officer has said if the owners use it for AirBnB, we can't do anything about it – and there will be 15 bedrooms altogether. Notes that 18A also has no bathroom upstairs. Regarding notes that on 22.10, highways officers recommended the application be refused on highways grounds, and on the same date, after additional comments, recommended no objection be raised. It seems odd to include both with the same date.

CM, in response:

- the original layout plan had two clusters of four perpendicular parking spaces, with cars parked parallel to road – they would have had to come in tight, manoeuvre in and turn, and officers' principle concern was the safety of other road users and pedestrians. Not enough space was provided, the arrangement was too complicated and frustrating, and would lead to conflict. Officers suggested an alternative layout for parking, but issued the refusal to show they were serious about not liking the first layout, and adopting the refusal position to make the applicants seek a change. This change position was accepted

Vote on officer recommendation to permit

11 in support

1 in objection

PERMIT

30. 19/01890/FUL Hearne Brook Flood Relief

Officer introduction

MP introduced the application for on flood relief alleviation scheme on land south of Beech Road, and seeks to address fluvial and overland flooding of residential property. The proposed works are approved and funded by the Environment Agency. Access is via Balcarras Road onto an existing track. The application is at Committee as the applicant is CBC. The recommendation is to permit, subject to the amended conditions.

Member debate

JP: has no objection to flood alleviation schemes – they are essential - but has a question for officers. These works are being managed by the Environment Agency, which is perfectly sound, but in Prestbury, where a flood storage area is managed by the Environment Agency, is that in recent heavy rain, the scheme didn't work, because the Environment Agency hasn't managed it properly. The issue in this proposal is whether the water courses that the scheme empties into are close to the properties, and do the boundaries on properties incorporate any part of watercourses with riparian rights. The Environment Agency is now saying in Prestbury that the watercourses are the responsibility of residents , not of the Environment Agency, which is potentially a huge burden. Could a similar situation occur here?

DB: for clarification, can the officer comment on the situation around 75 Beeches Road, where the resident believes the flood alleviation works will cause flooding in his garden?

MP, in response:

- the works are approved by and funded by the Environment Agency, with the local planning authority responsible for management and maintenance of surface water work.

The Environment Agency won't be managing the scheme; it is part of a wider package of flood relief work;

- on the plan, it's possible to see the properties in Beeches Road; they have long gardens abutting the site, with an existing ditch across the back, just within the boundaries. Doesn't know about any rights but at the moment, the land drainage officer says water running down off the hill should go into the ditch but doesn't – it goes over the ditch, This is an exercise to catch it, slow it down and direct it into the ditch. It is fairly simple work.

JP: this is almost an exact image of what happens in Prestbury. The Environment Agency still apparently manages the scheme, but in heavy rain the overflow flood storage area filled up to 1.5m deep and nothing was done to control the outflow, resulting in flooded of the watercourses. The Environment Agency says management of watercourses is residents' responsibility; this is not right. We will have to wait and see what happens there .

MP, in response:

- discussed the resident's concerns with the applicant, who has been out to speak to the residents following their objection. Even if permission is granted, it is still private land, and any works in the garden will have to be agreed between the applicant and the resident. The applicant is in conversation with resident regarding the design of the headwall in his garden, so the resident will have some control over how it is designed and what it will look like.

Vote on officer recommendation to permit

10 in support

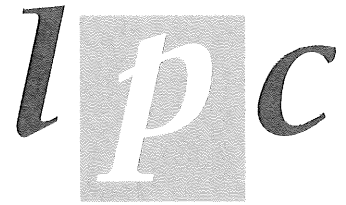
1 abstention

PERMIT

31. Appeal updates

32. Any other items the Chairman determines urgent and requires a decision

Chairman



TOWN AND
COUNTRY
PLANNING
DEVELOPMENT
CONSULTANTS



30th September 2021

Our Ref: DJD.LPC.4693

Mrs Victoria Harris
Planning Officer
Cheltenham Borough Council
Municipal Offices
The Promenade
Cheltenham
GL50 1PP

Dear Mrs Harris

21/01856/FUL Erection of temporary structures in connection with festivals and special events including an ice rink in Imperial Gardens for a maximum of 75 days for one period being 2020/2021 (November 2021 January 2022) inclusive of rig and de rig. This is in addition to the current planning permissions for festivals and special events on Montpellier Gardens and Imperial Gardens At Imperial Garden Promenade Cheltenham Gloucestershire

In response to the extended consultation period, and additional information provided by the applicant, the owners of number 27 Imperial Square, maintain their objection to this application. In particular, we note the current objection from the Environmental Health Officer regarding noise and the use of diesel generators. These were concerns previously raised by members of the Planning Committee in 2019, where the use of generators was viewed as incompatible with Cheltenham's green credentials.

The Environmental Health Officer is correct to raise concerns regarding noise in Imperial Gardens, and seems to have direct experience of dealing with diesel generators powering the ice rink in Gloucester Quays, and is therefore well placed to comment. The Officer goes on to suggest that the applicant should take advice from an acoustic consultant on what needs to be done to ensure no local residents or the Queens hotel are unduly disturbed, bearing in mind that one will be running permanently.

However, it seems to me that the applicant's response to the above concerns is inadequate and contains little in the way of technical information. No manufacturer's details of the generators is provided, and therefore it is not possible to cross reference the sound pressure levels mentioned. Furthermore, it does not appear that an acoustic consultant has been involved, as recommended by the Environmental Health Officer. On this basis, it is considered that officers cannot make an informed judgement on this application, given this is a sensitive location close to the houses along Imperial Square and the Queens Hotel.

LPC (Trull) Ltd
Trull Tetbury
Gloucestershire
GL8 8SQ
Tel: 01285 841433
Fax: 01285 841489
www.lpc-trull.com

Yours Sincerely



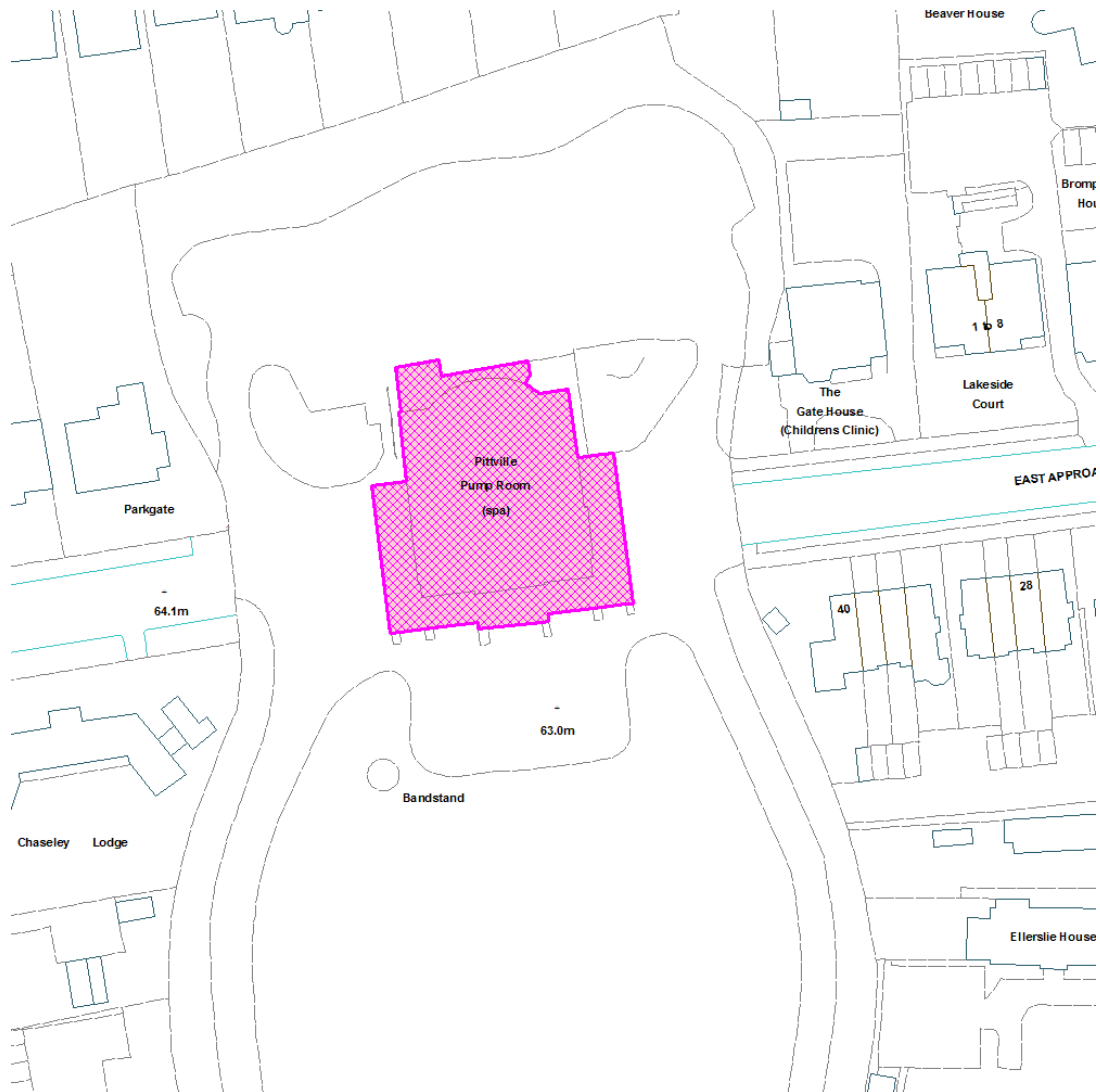
 BSc Hons MA MRTPI
Associate Planner
LPC Ltd

cc



APPLICATION NO: 21/01874/LBC	OFFICER: Mr Chris Morris
DATE REGISTERED: 19th September 2021	DATE OF EXPIRY: 14th November 2021
DATE VALIDATED: 19th September 2021	DATE OF SITE VISIT:
WARD: Pittville	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Cheltenham Borough Council
LOCATION:	Pittville Pump Room, East Approach Drive, Cheltenham
PROPOSAL:	Removal of defective insulation and roof covering on the balcony, timber repairs, repointing of stone steps, addition of rodding point

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application needs to be determined by Planning Committee. Pittville Pump Room is a Council owned building and as such falls outside the scheme of delegation.
- 1.2 Pittville Pump Room is a grade II* listed building within Pittville Park, a grade II listed Park and Garden. It is also within the Central Conservation Area: Pittville Park Character Area.
- 1.3 The proposed works are for the removal of defective insulation and roof covering on the balcony, timber repairs, repointing of stone steps and addition of rodding point to downpipe.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Principal Urban Area

Relevant Planning History:

03/00867/LBC 1st October 2003 GRANT

Installation of lightning conductor system to BS 6515:1999

03/01162/LBC 21st October 2003 WDN

Refurbishment to box office in foyer. Internal work

03/01163/LBC 21st October 2003 WDN

Installation of modern catering kitchen, re-plastering throughout (no alteration to vent or water routing/waste)

04/00117/LBC 6th April 2004 GRANT

Installation of modern catering kitchen, repairs to plaster. New extract vent at roof level no alteration to water routing/waste

04/00118/LBC 6th April 2004 GRANT

Refurbishment to box office in foyer (all internal work)

85/00064/LS 27th June 1985 PER

Pittville Pump Room Car Park Cheltenham Gloucestershire - Erection Of 6 Light Standards

87/00218/LS 26th March 1987 PER

Pittville Pump Room Cheltenham Gloucestershire - Alteration To Widen Existing Pair Of Doors Serving Chair Store

87/01249/AN 17th December 1987 REF

Pittville Pump Rooms Cheltenham Gloucestershire - Display Of Non Illuminated Advertisement

96/01060/LA 20th February 1997 WDN

Attachment Of Brackets Supporting Cameras To First Floor Window Ledge At Rear Of Building To Increase Security Of Public Car Parking Area

98/01136/LA 11th February 1999 WDN

Repainting Of Interior Of The Oval Room

04/00719/LBC 3rd August 2004 GRANT

Installation of a new lift and associated internal alterations

04/00926/LBC 1st July 2004 PGOSW

Replacement of failed render with stone above lead flashing detail on south elevation at first floor level

05/00938/FUL 21st July 2005 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park

05/00939/LBC 18th July 2005 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park .

05/01664/FUL 27th June 2006 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Room and Park

05/01665/LBC 27th June 2006 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park.

06/00700/LBC 22nd June 2006 WDN

Automation of principal entrance doors to improve disabled access including installation of external barriers

07/00361/FUL 25th May 2007 PER

New gates and railings at East Approach entrance and West Approach entrance to Pittville Pump Rooms and park

07/00362/LBC 25th May 2007 GRANT

New gates and railings at East Approach entrance and West approach entrance to Pittville Pump Rooms and park

07/01529/LBC 22nd January 2008 GRANT

Removal of maple boarding on battens laid over original pine boarding and replacement with oak boarding on plywood underlayment over pine boarding, with reinstatement of existing heating system to Main Hall and Spa Room and addition of solar panel assembly mounted on external parapetted flat roof over Oval Room

08/01485/LBC 12th January 2009 GRANT

Internal redecoration of the first floor rooms, the ground floor entrance foyer and the second staircase together with minor building works, and reinstatement of fittings relevant to the rooms being decorated

10/00064/LBC 13th April 2010 GRANT

Relocation of partition wall within rear chair store and modifications to chair store entrance

83/01243/LA 26th January 1984 GRANT

Internal alterations to partition off female WC and provision of separate uni-sex disabled WC

82/01181/LA 29th April 1982 GRANT

Alterations comprising 2 decorative gates to East and West balconies, a partition to the head of the West stair and a partition beneath secondary staircase at first floor level

16/01291/LBC 23rd September 2016 GRANT

Replace internal door at Pittville Pump Room

16/01590/CLBW 22nd September 2016 CERTPU

Replacement doors to gas meter cupboard

17/00183/CLBW 20th February 2017 CERTPU

Upgrade existing doors to fire doors

18/02136/LBC 21st December 2018 GRANT

Replacement of third decayed timber to dome at top of building with new.

19/00485/LBC 4th June 2019 GRANT

To remove asbestos cement promenade tiles from the flat roof to the rear of the Pittville Pump Rooms 1960 extension, repair existing asphalt covering and overlay with liquid applied waterproof membrane colour to match existing, renew 10 nr circular skylights using white GPP to match existing profiles, with triple skin polycarbonate skin to adjacent existing leads and copper flashings to suit

20/01702/LBC 21st December 2020 GRANT

Investigate survey to open up three sections of the balcony

20/01899/LBC 29th April 2021 DISPOS

Installation of 8no. speakers located under the colonnade to supply music and announcements to the colonnade area of the Pump Rooms.

21/00579/LBC 21st May 2021 GRANT

To replace six cracked and unsafe slabs like for like

21/01391/DISCON 23rd June 2021 DISCHA

Discharge of conditions 3 (Details of materials) of planning permission 21/00579/LBC to replace 6 cracked slabs

21/01687/LBC 17th September 2021 GRANT

Installation of new gates and railings at East and West Approach Drives and associated alterations, and restoration of c19th steps to the front of the Pump Rooms

21/01687/FUL 17th September 2021 PER

Installation of new gates and railings at East and West Approach Drives and associated alterations, and restoration of c19th steps to the front of the Pump Rooms

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 16 Conserving and enhancing the historic environment

Adopted Joint Core Strategy Policies

SD8 Historic Environment

4. CONSULTATIONS

None received.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	1
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 An advertisement was placed in the Gloucestershire Echo and a site notice was erected in close proximity to the site.
- 5.2 No comments were received.

6. OFFICER COMMENTS

- 6.1 It is important to consider the policy context in which the proposal needs to be determined. The cornerstone of heritage legislation is the Planning (Listed buildings and Conservation Area) Act 1990, Section 16(2), which requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. A core principle of the National Planning Policy Framework 2019 (NPPF) is heritage assets be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 199-208 set out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations in these paragraphs, including paragraph 197 of the NPPF, which requires the significance of heritage assets to be sustained and enhanced, with paragraph 199 requiring great weight be given to the asset's conservation.
- 6.2 The proposed works are to remove defective insulation on the balcony and its replacement with new insulation and roof covering, timber repairs to the underside of the balcony, repointing of stone steps with lime mortar and addition of rodding point to the east downpipe.
- 6.3 The works relate to maintenance and repair of the building. They are considered necessary for the wellbeing of the heritage asset and sensitively undertaken to respect the existing historic fabric.
- 6.4 The general approaches to the repair of the timbers to the underside of the balcony are in principle acceptable as they are conservation-led but a specific understanding of the works to each timber is considered necessary. This can be dealt with by condition.
- 6.5 The proposed works are considered to sustain the designated heritage assets and comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.

7. CONCLUSION AND RECOMMENDATION

- 7.1 It is recommended the application be granted with conditions.

8. CONDITIONS / INFORMATIVES

- 1 The listed building consent hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The listed building consent hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Detailed information and plans regarding the repair and maintenance works, to include: specific works to the timber and associated fabric to the underside of the balcony and appearance and location of rodding point to the downpipe, shall be submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

- 4 Notwithstanding the submitted details, no external roofing materials shall be applied to the balcony unless in accordance with further details to include a plan and cross section of the works and a written specification of the materials. The details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy SD8 of the Joint Core Strategy 2017 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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.

APPLICATION NO: 21/01940/LBC	OFFICER: Mr Nikita Hooper
DATE REGISTERED: 28th August 2021	DATE OF EXPIRY: 23rd October 2021
DATE VALIDATED: 28th August 2021	DATE OF SITE VISIT: N/A
WARD: Pittville	PARISH:
APPLICANT:	Cheltenham Borough Homes
AGENT:	Kendall Kingscott
LOCATION:	Belmont Lodge, Belmont Road, Cheltenham
PROPOSAL:	Replacement of single glazed aluminium window to the front elevation using painted timber casement window to match remaining windows. Replacement of defective mineral felt covering to front elevation pitched roof structure using natural slate to match remaining roof areas.

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Belmont Lodge is located at the eastern end of Belmont Road. Its front elevation faces south-west.
- 1.2 "Flats 1-2 Belmont Lodge (the original [and subject] building) have been vacant for over 4 years. Flats 3-5 and the surrounding buildings are all currently retirement properties forming a larger complex which share a number of facilities" (Combined Design, Access and Heritage Statement (the D&A) (para. 2.01).
- 1.3 Replacement of single glazed aluminium window to the front elevation using painted timber casement window [single glazed] to match remaining windows. Replacement of defective mineral felt covering to front elevation pitched roof structure using natural slate to match remaining roof areas.
- 1.4 The scheme is before committee as the property is owned by the Cheltenham Borough Council (the applicant is Cheltenham Borough Homes).
- 1.5 In consultation with a Planning Officer, it was concluded that planning permission was not required for the proposed work.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Listed Buildings Grade 2
Principal Urban Area
Residents Associations
Smoke Control Order

Relevant Planning History:

18/01244/PREAPP 9th October 2018 CLO
Converting two units/dwellings into four dwellings

01/00365/LBC 20th April 2001 GRANT
Installation of a sky satellite dish

84/00214/PF 11th July 1984 PER
Belmont Road Cheltenham Gloucestershire - Highway Improvement And Widening

85/00091/PF 25th April 1985 PER
Land Off Belmont Road Cheltenham Gloucestershire - Residential Housing For The Elderly (17 Flats) In Accordance With The Revised Plans Received On 10th April 1985

85/00761/LA 22nd August 1985 PER
Belmont Lodge Cheltenham Gloucestershire - Erection Of Block Of 3 Flats Against South East Elevation Of Belmont Lodge Including A Parapet Onto Existing Gable Wall

12/00168/FUL 23rd March 2012 PER
Erection of a GRP scooter store to accommodate up to six mobility scooters to the rear of block 3 - 5 Belmont Lodge

19/01554/FUL 14th October 2019 PER

External and internal repairs & reconfiguration to convert the existing 2No. 2 bedroom flats of 1&2 Belmont Lodge into 4No. self contained 1 bedroom flats specifically for the over 55's.

19/01554/LBC 14th October 2019 GRANT

External and internal repairs & reconfiguration to convert the existing 2No. 2 bedroom flats of 1&2 Belmont Lodge into 4No. self contained 1 bedroom flats specifically for the over 55's.

21/01002/DISCON 14th September 2021 DISCHA

Discharge of condition 6 (schedule of Repairs) of granted permission 19/01554/LBC

21/01941/DISCON PCO

Discharge of conditions 5 (Minor ancillary associated works) of listed building consent 19/01554/LBC

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 16 Conserving and enhancing the historic environment

Adopted Joint Core Strategy Policies

SD8 Historic Environment

4. PUBLICITY AND REPRESENTATIONS

Number of letters sent	27
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

4.1 A site notice was displayed and the application listed in the Gloucestershire Echo.

5. OFFICER COMMENTS

5.1 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) requires the local planning authority when considering whether to grant listed building consent to “have special regard to the desirability of preserving the building...or any features of special architectural or historic interest which it possesses.”

5.2 Paragraph 189 of the National Planning Policy Framework (MHCLG: 2021) (the framework) states that “Heritage assets...are an irreplaceable resource, and should be conserved in a manner appropriate to their significance”.

5.3 Paragraph 197 of the framework states that “In determining applications, local planning authorities should take account of...the desirability of sustaining and enhancing the significance of heritage assets”.

5.4 Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017) (the JCS) states that

“Designated...heritage assets and their settings will be conserved and enhanced as appropriate to their significance.”

- 5.5** Belmont Lodge was constructed as a villa c.1820-1830 and has been subject to alteration. Listed (Grade II) on 14 December 1983. List entry number: 1386744.
- 5.6** The consideration of the scheme is undertaken as a desk based assessment.
- 5.7** The significance of the historic section of the building is principally founded upon its architectural and evidential value as a villa built in the polite Regency style (the range or wing to the right of the front of the building when viewed in elevation appears to date from c. 1985).
- 5.8** The sections of the building subject to the application appear to date from the latter half of the nineteenth century.
- 5.9** The proposed use of timber and slate will be in keeping with the typical historic materials of the period used within the town and the basic appearance of the window is as per the existing, this will not detract from the significance of the building, subject to conditions.

6. Public Sector Equalities Duty (PSED)

- 6.1** As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
 - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.
- 6.2** Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this application the planning authority has taken into consideration the requirements of the PSED.
- 6.3** In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATIONS

- 7.1** The scheme will not be detrimental to the significance of the listed building and is in line with the provisions of the 1990 Act, the framework and policy SD8 of the JCS; therefore, it is recommended that consent is given.

8. CONDITIONS / INFORMATIVES

- 1 The listed building consent hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The listed building consent hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the submitted details, the following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority:

a) Window: to include but not limited to - elevation drawing(s) at a scale of 1:10 or a similar standard scale, section drawing(s) at a scale of 1:2 or a similar standard scale, an indication of material(s) and specific details of any external finishes/colour(s) (product name/reference, physical samples/swatches may be required).

b) Roofing material(s): to include but not limited to - specific product details and images of the slate.

The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 4 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

INFORMATIVES

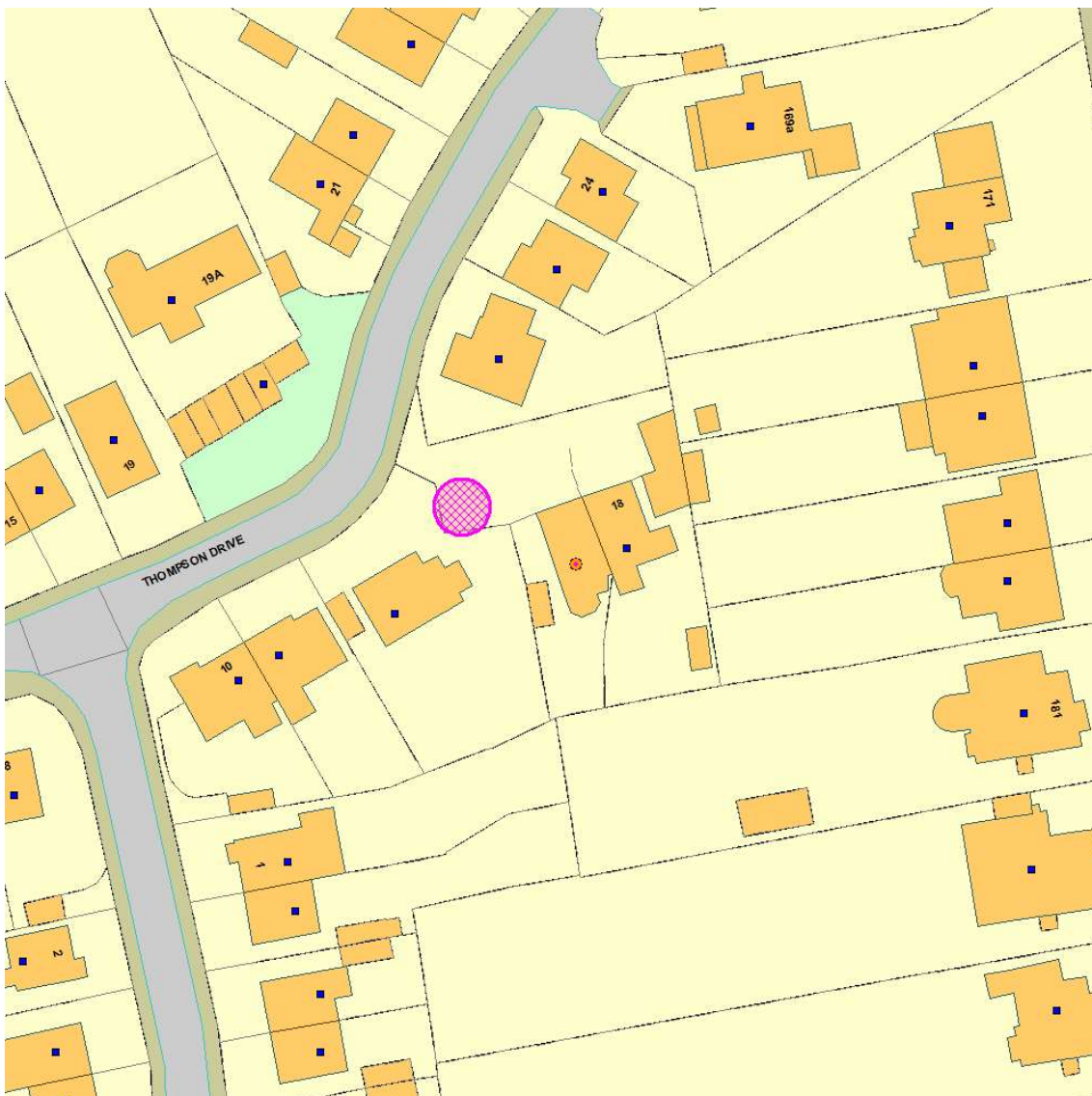
- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions 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.

APPLICATION NO: 21/02201/CONF	OFFICER: Mr Sam Reader
DATE REGISTERED: 8 th Sept 2021	DATE OF EXPIRY: 8 th March 2022
DATE VALIDATED:	DATE OF SITE VISIT:
WARD: Leckhampton	PARISH: Leckhampton With Warden Hill
APPLICANT: n/a	
AGENT: n/a	
LOCATION: 16 Thompson Drive, Cheltenham, Gloucestershire	
PROPOSAL: To confirm TPO no 781	

RECOMMENDATION: TPO is confirmed



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 To confirm TPO 781 of copper beech tree at 16 Thompson Drive

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area

3. POLICIES AND GUIDANCE

Local Plan Policy GI2 Protection and Replacement of Trees:

The Borough Council will resist the unnecessary felling of trees on private land, and will make Tree Preservation Orders in appropriate cases.

In cases where trees are not protected by a Tree Preservation Order or by being within a Conservation Area, but contribute to the townscape and character of the town, the Council will consider including such trees in a Tree Preservation Order.

4. CONSULTATIONS

Two Site Notices were displayed adjacent to the tree.

Leckhampton Parish Council and local ward Councillors were informed by letter, and the tree owner and adjacent neighbour (who has a right to prune the tree where it traverses the property boundary) were served copies of the TPO.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	2
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1 The adjacent neighbour at 14 Thompson Drive has objected to the TPO based on the stress it induces as a result of the nuisance it causes to his property:

- a) Falling branches onto parked cars in driveway,
- b) Tree debris blocking gutters,
- c) Tree blocks light into house,
- d) Roots damaging fence and driveway,
- e) Concerns over possibility of subsidence to property as a result of tree root activity,
- f) Tree extracts water from soil which impacts health of grass and plants,

- g) Tree crown is unbalanced which reduces visual amenity and will cause a future safety risk.

5.2 Comments Received

Comment from local ward Councillor Emma Nelson suggests it is the wrong species of tree for this location. Cllr Nelson is to submit further comment.

6. OFFICER COMMENTS

6.1 Determining Issues

This mature tree has a significant amenity value in the immediate environment. The tree is in good structural and biological condition for a tree of its maturity. The tree is not fully grown and has been previously significantly pruned where it traverses the property boundary by the neighbour at 14 Thompson Drive. If left, the tree will regrow. Previous pruning has left the crown unbalanced but this is an aesthetic rather than a structural consideration.

6.2 The site and its context

The tree is one of the few trees in an area with a sparse medium-large tree population density. The tree is large and potentially very large with dark foliage which casts significant shade when in leaf (May to October annually). The tree predates the adjacent houses in this area. It is likely over 80 years old.

6.3 Design and layout

The tree is situated to the front of 16 Thompson Drive and the front/side of 14 Thompson Drive. It is closer to 14 than 16 Thompson Drive. There is a garden room to the rear of 14 Thompson Drive. A telephone cable runs through the tree.

6.4 Impact on neighbouring property

The trunk of the tree is within 2-3 metre of the drive of 14 Thompson Drive and the crown is approximately 3 metres over the property boundary following the most recent pruning. The tree is to the north east of 14 Thompson Drive and as such casts some morning shade to the north of 14 Thompson Drive.

Being close to the building, falling tree debris has no doubt been an issue. There is evidence of the tree roots of the tree affecting tarmac in the driveway of 14 Thompson Drive. The ongoing effects of the roots of the tree will be stymied by the pruning works already undertaken on the tree. It would likely be possible to rectify the driveway and fence damage without the removal of the tree.

Whilst no doubt the tree does drop seasonal leaves, flowers, seeds, twigs etc, the impact of tree litter blocking drains could be reduced by installing gutter covers.

Whilst the tree extracts water from the ground under the garden of 16 Thompson Drive, the lawn appears to be in reasonable condition. It is noted that the cypress hedge around the lawn at 16 Thompson Drive will also be extracting moisture from this lawn area.

Should the tree be implicated in causing subsidence to the property and no other options are available other than complete tree removal this council would not likely refuse an application to fell.

6.5 Access and highway issues

Not applicable

6.6 Sustainability

It is considered that all visual and ecological benefits associated with this tree outweigh the nuisance caused to the objector/neighbour. The perceived nuisance will have been dissipated by the significant crown reduction on the side of 14 Thompson Drive.

7. CONCLUSION AND RECOMMENDATION

Trees Officers consider the Tree Preservation Order on this tree should be confirmed.

APPLICATION NO: 21/02201/CONF		OFFICER: Mr Sam Reader	
DATE REGISTERED: 4th October 2021		DATE OF EXPIRY : 4th April 2022	
WARD: Leckhampton		PARISH: LECKH	
APPLICANT:			
LOCATION:	16 Thompson Drive Cheltenham Gloucestershire		
PROPOSAL:	To confirm TPO no 781		

REPRESENTATIONS

Number of contributors	1
Number of objections	1
Number of representations	0
Number of supporting	0

14 Thompson Drive
Cheltenham
Gloucestershire
GL53 0PL

Comments: 10th September 2021

Following the notice received yesterday 9th September reference 21/00781/TREEPO, I would like to raise a formal objection to the application based on both a current legal nuisance and continued negligence in respect to the duty of care from the Owners of 16 Thompson Drive.

As you can see from the plans and inspection you have carried out. The Beech tree that has been subjected to the tree preservation order is significantly encroaching on our boundary causing a nuisance to our family and property for a number of reasons:

1. The encroachment of branches have previously damaged cars in the driveway and have blocked our gutters/drainage system and blocks light into our home, which affect the enjoyment of our property; more seriously
2. There are problems being caused by the roots in regards to damage to our fencing, driveway and we are concerned about future subsidence of our house
3. The roots also affect the water content of the soil impacting the health of our grass and plants
4. The above cause undue stress to myself and my family

The owners of 16 Thompson Drive have failed to adequately maintain the tree for the 10 years we have lived at 14 Thompson drive, i.e. no regular pruning. Despite a number of conversations with various family members regarding our concern, they had until recently refused any maintenance contribution towards the tree. We had undergone pruning on our border to prevent further damage to our property as listed above. Due to the lack of regular maintenance from number 16 over the years the Crown of the tree has become unbalanced (according to council recommended tree surgeons), 2 years ago we had an amicable conversation with number 16 to split the cost of maintenance to rebalance the tree. After paying the contribution for our half the work was never completed satisfactorily based on the agreement from the Tree surgeon and the

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tree remains unbalanced - which is both not aesthetically pleasing and a future safety risk if is not remedied.

I am disappointed there has not been any open discussion or consultation with us prior to the issue of this tree preservation notice and will be seeking further legal advise on how to prevent the continued Negligence from number 16 in order to prevent or minimise the risk of interference with and future damage to our property. I would like to see an agreed maintenance schedule approved by yourself for the tree moving forward to bring balance and restrict excessive growth.

Please confirm acknowledgement of my concerns and objection to the tree preservation order 21/00781/TREEPO in writing or by responding to the email below.

Appeals Lodged Sept/Oct 2021

' Nothing to report'

Appeals Determined

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
3 Hetton Gardens Cheltenham Gloucestershire GL53 8HU	Demolition of Garage and Carport, Proposed Two Storey Side Extension, Garage, and General Modernisation and Facade Treatments	Delegated Decision	Written representation	Appeal Dismissed	Appeal ref: 21/00007/PP1 Planning ref: 21/00069/FUL
Church Court Cottages Mill Street Cheltenham Gloucestershire	Re-build and reinstatement of former outbuilding to the north of Church Court Cottages to be used as storage associated with Cleve Cottage, Church Court Cottages (part retrospective).	Delegated Decision	Written representation	Appeal Dismissed	Appeal ref: 21/00010/PP1 Planning ref: 20/01711/FUL

Authorised By: Andy Robbins 04.10.21

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