

<b>APPLICATION NO:</b> 15/01281/CONDIT	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 5th August 2015	<b>DATE OF EXPIRY :</b> 30th September 2015
<b>WARD:</b> Charlton Park	<b>PARISH:</b> CHARLK
<b>APPLICANT:</b>	Mr Thomas Waldron
<b>LOCATION:</b>	86 Cirencester Road, Charlton Kings, Cheltenham
<b>PROPOSAL:</b>	Variation of Conditions 2 (approved drawings/documents), 3 (delivery management plan), 4 (site contamination), 5 (vehicular access), 7 (phasing), 8 (construction method statement), 10 (design details) 11 (boundary treatment), 12 (materials samples), 13 (hard surfacing), 15 (noise and dust method statement), 17 (waste management plan), 20 (plant ventilation/extraction), 21 (noise emission), 22 (surface water drainage) on 14/01436/FUL - Erection of new convenience store (A1) with associated parking following demolition of all existing buildings on site (revised scheme following 13/02174/FUL). Application sought in response to proposed minor amendments - enlargement of external plant area at the rear, 75mm and 150mm extensions to flat roof area of west and north elevations respectively (to accommodate inboard gutter), alterations to car park spaces and internal layout of the building and relocation of fire escape and delivery door to front elevation. (Part Retrospective)

## REPRESENTATIONS

Number of contributors	<b>6</b>
Number of objections	<b>6</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

21 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

### **Comments:** 24th August 2015

Concerning the above proposal I would like to comment, strongly with reference to "traffic" and "noise or disturbance from the development" - in future and what plans might be incorporated to alleviate this?

Cars are already parked in the road opposite this site in Cirencester Road. Times of delivery to the store etc will be very difficult and dangerous for any other traffic in the immediate vicinity.

Two construction vans have been permanently parked in the Newcourt Road layby during the construction period and no doubt this parking area will be used by customers to the detriment of those who currently use the green space.

Residents of Newcourt Road, Charlton Close and Regis Close already experience extra parking by employees of Bafford Nursing Home and dog walkers who drive here to exercise their dogs or use the green.

The junction of Newcourt Road with Cirencester Road coupled with the current on road parking will make this a potential accident black spot not only for cars but pedestrians - Consideration should be given to making Newcourt Road One Way.

Has any thought been given to parking for staff or management?

Avening  
8 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DJ

**Comments:** 12th August 2015  
Letter attached.

165 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 14th August 2015

It would seem the developer has made an 'error' in the Delivery Management Plan. They now state that the opening hours will be 7.00-23.00 Mon-Sat and 7.30-22.30 Sundays and Bank Hols. However as I am sure you realise the permission granted was as follows:

"The use hereby permitted shall only be open to customers between the hours of 07:00 to 22:00 Monday to Saturday, 07:30 to 21:30 on Sundays and Bank Holidays. Reason: To protect the amenity of the residents in nearby residential properties in accordance with Policy CP4 of the Local Plan."

I would also like to point out that whilst the developer says they aim to "manage deliveries to avoid conflict and potential nuisance/disturbance to local residents" it would seem obvious that the use of block paving in the delivery area will increase the noise of the delivery cages.

ps. How are you going with that housing shortage?

155 Cirencester Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8DB

**Comments:** 1st September 2015

As a family of four, with two daughters studying A Levels at Balcarras, we Strongly object to any tinkering of the Planning Conditions that were imposed by the Planning Committee after nearly 150 local residents and a petition 1000 had voiced our concerns.

I have made comments on this set of condition tinkering and copied Mrs White at CBC so I am disappointed, but not surprised, to not see them listed in this feedback comments section.

Herewith a summary.

DMP. We know the end user is now Sainsburys so why are we still seeing this much vaunted, but deeply flawed and unenforceable, DMP using the Tesco Tuffley DMP that we know from residents in Tuffley is not only NOT adhered to by the Tesco delivery staff and NOT enforced by Glos City Council enforcement team. The DMP remains a point of contention, and concern.

Now that we know it is Sainsburys as the end user it is totally incongruous that the DMP provided by the developer and their agents Corun, remains the flawed and unenforceable Tesco Tuffley DMP previously used by this same discredited developer. The Tesco DMP that once again has

been used without the sanction nor consent of Tesco ( I've spoken with them and informed CBC of this previously) and has been reproduced by CBC and the developer contrary to both the Copyright and Patents Acts, can a Councillor please ask OneLegal for a view.

It is equally incongruous that Sainsburys would sign up to the promised DMP of an entirely different company and competitor so can a Councillor please ask for a DMP from Sainsburys because I seriously doubt they would feel obliged to comply with something devised by another company. Given that the DMP was heavily endorsed by CBC Officers this point is critical.

Re the "mistake" with the store opening in the DMP, this smacks of poor attention to detail on a sensitive site. Please note, Balcarras ends its school day at 1535, St Edwards on the Cirencester Road is later. Can a Councillor please make sure that times of school hours are researched properly and applied because far too many times local residents are contradicting or updating information provided by the applicant and officers at CBC and GCC because no checks have been made and which could have been avoided if the equally much vaunted CBC pro active consultation on planning matters, actually the pre consultation is only with the developer isn't it, not the people or community most concerned as stated in the NPPF AND the Localism Act, had actually consulted with home owners a lot earlier than they actually did. Would save time, energy and avoid suspicion all round wouldn't it.

CBC Officers were clever to word the refusal notice on the first application for this site in order to make it really hard for Councillors to not pass (eg the ATM was cited as the only noise issue, so put it inside, the perceived only noise source goes away, dear Councillors you cannot refuse now as the reason for refusal has been mitigated against. But what about the other noises dear Cou chillies, car engines, radios blaring, contents of shop cages rattling and making noise, which incidentally is more likely to occur now given the proposed new car park surface, could Councillors please exercise due diligence and ask some serious questions yourselves.

We would also like to know from Sainsburys will you actually be taking waste away from the site with the same delivery vehicles that brings the food stuffs?

32 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DJ

**Comments:** 27th August 2015

The timing of this variation does seem rather convenient falling as it does during the school holidays but leaving that aside my objections are as follows.

Parking. Already an issue on Newcourt Rd and Cirencester Rd. With the proposed reduction in the size of the car park spaces on the revised plan this will lead to more store customers parking on the local roads. Consideration also needs to be given to staff car parking.

Opening hours. I trust that the application to revise the opening hours to 07.00-23.00 Mon-Sat and 07.30-22.30 Sunday will be resisted and the original hours reinstated.

Deliveries. I note that deliveries can last for up to 60 minutes each and that they are proposing between 07.00-19.00 Mon-Sat, 08.00-18.00 Sat and 10.00-14.00 Sun. This could result in significant noise and disruption at inconvenient times. I note that in the DMP they have attached a Tesco store delivery risk assessment which states "No delivery to store between 15.00 and 09.30. Self imposed restriction due to residential and traffic issues. Keep noise to an absolute minimum at all times" Well done Tesco...this would seem like a sensible solution for 86 Cirencester Rd as well.

School hours. The DMP says they will avoid deliveries between 08.15-09.15 and 15.00-15.45 during term time. These periods need to be extended as not all children and their school hours fit into these rather narrow time windows.

Highways and pedestrian safety. My biggest concern is the increase in traffic and parked cars which will make an already congested road even more treacherous to cross, especially for the many school children who have to cross Cirencester Road daily. Highways should be giving more consideration as to how to improve sightlines for both pedestrians and road users by restricting parking and providing pedestrian crossing points etc.

Goodwood  
Newcourt Road  
Cheltenham  
Gloucestershire  
GL53 9AZ

**Comments:** 27th August 2015

The hours of opening of this proposed supermarket were changed to be shorter because of the opposition from local residents. Now the developer chooses to state that it was a "mistake". This change to reduced opening hours because of concerns over noise was a very important factor in the granting of the appeal at planning. Applying for a change to this in the middle of the summer holidays looks like classic developer tactics to revert to the original by "slipping it under the fence" at a time when many people are away. I oppose strongly and hope that the planning committee will not give in to the developer's tactics to get their way, either this time or in the future.

BUILT  
11 AUG 2015  
ENVIRONMENT

8 CHARLTON CLOSE  
CHARLTON KINGS

REF.  
86 Cirencester RD

Cheltenham.  
GL53 8DJ.

Mrs White.

Received your letter. Your Ref  
15/0128/1

[REDACTED]

So here is my comment  
on. Proposal of condition.

There really is only one.

Parking for staff.

At the moment we have difficulty  
getting out of Charlton Close as  
No 1 Charlton Close has stopped  
parking at Rafford the Nursing  
Home for their staff. Why?  
So of course they park in Charlton  
Close right on a bad corner.

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No 1 Chalkin Close, I've been told,  
own Bafford the Nursing home.  
So I dread to think if stay  
from the super market park  
down the back of the shop  
in Newcourt Road.

Please give this your attention  
& stop it with a clause before  
it really does start. & causes  
accidents:

Thanking you.

