

APPLICATION NO: 16/02208/FUL	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 13th December 2016	DATE OF EXPIRY : 14th March 2017
WARD: Benhall/The Reddings	PARISH:
APPLICANT:	Hinton Properties (Grovefield Way) Ltd
LOCATION:	Land At North Road West And Grovefield Way, Cheltenham
PROPOSAL:	Hybrid application seeking detailed planning permission for a 5,034 sq.m of commercial office space (Use Class B1), 502 sq.m day nursery (Use Class D1), 1,742 sq.m supermarket food retail unit (Class A1), a 204 sq.m coffee shop retail unit and drive-thru (Use Classes A1 and A3), with associated parking, landscaping and infrastructure works. Outline planning permission sought for the erection of 8,034 sq.m of commercial office space (Use Class B1), together with associated car parking, landscaping and infrastructure works, with all matters reserved (except access).

ADDITIONAL REPRESENTATIONS

Fayrecroft
North Road East
The Reddings Cheltenham
Gloucestershire
GL51 6RE

Comments: 8th December 2017

I understand that one of the reasons for having a coffee outlet in the proposed hybrid business park is that it will be an attraction for the workers in the office blocks.

I feel that several questions need to be raised:

- a) I find it very unlikely that a modern office development will be devoid of beverage making facilities, whether in each office or in a communal kitchen.
- b) If the office workers wish to enjoy hot drinks in a different environment there is KFC and Asda within a few minutes walk. A new coffee outlet only duplicates the existing facilities.
- c) Should Cheltenham Borough Council, which prides itself on its exemplary and comprehensive recycling scheme , be actively promoting an industry which is notorious for its reliance of one use cups that are generally not recycled ? Litter is already an issue in the area and its clear up is reliant on the goodwill of volunteer local residents. I feel a drive through coffee shop will exacerbate this very anti social habit. (Just look at the amount of litter that builds up on the M5 entrances.)
- d) More importantly should the Council be promoting the potentially very hazardous activity of consuming hot drinks while driving? I understand some states in America are looking at introducing legislation to making this illegal. I feel it is only a matter of time before this is seen as being just as dangerous as using a mobile phone when driving.

The Costa Coffee Drive Through should not be allowed to proceed.

Comments: 11th December 2017

I came home this evening on the Park and Ride, having walked to Arle Court earlier in the afternoon.

I was immediately struck by the endless stream of vehicle lights, not only stretching out from all the Arle Court roundabout exits, but as far as the eye could see along the A40.

But walking along Grovefield Way the most noticeable feature was the bitter acrid taste of fuel exhausts in my mouth and the resulting tightness in my chest. (I have asthma.)

The proposed hybrid development on the Grovefield site includes a nursery for pre school children.

If the nursery is built in an area which is already congested with traffic (and is only anticipated to increase) are we not in danger of inflicting a potentially damaging aerosol cocktail of carbon monoxide, nitrous oxide and hydrocarbons on vulnerable young lungs?

Studies have already suggested vehicle pollution can exacerbate asthma.

However, on June 3 2016 the BMJ reported an observational study in Sweden that suggested a possible link between air pollution and the level of medications dispensed for psychiatric disorders in children and adolescents.

While the BMJ recommended that further corroboration was required, it does raise one very important question:

Is this an appropriate site for a nursery?

If so, surely it would be contrary to Cheltenham's Motto: *Salubritas et Eruditio* ("Health and Education") ?

4 Shakespeare Cottage
North Road West
The Reddings
Cheltenham
Gloucestershire
GL51 6RF

Comments: 12th December 2017

The revised drawings submitted do nothing to change the objections to this scheme.

The revised sections are pure fantasy showing fully grown planting and unachievable levels. The existing hedgerow to North Road West is stated as being retained but the ground is shown now falling away immediately from the road - how is that possible?

It is an attempt to blind viewers to the failings of the scheme with greenness

No doubt the building floor levels will be amended at some point in the future anyway as they were on the BMW building.

The landscaped bund to the boundary to North Road West has still been omitted.

1 Frampton Mews
The Reddings
Cheltenham
Gloucestershire
GL51 6UG

Comments: 11th December 2017

I object to this application on the following not insurmountable problems:

1. We do not need more supermarkets in South Cheltenham, we do need more enterprise and quality jobs though so I would endorse an application majoring on office provision and the services (i.e. Childcare!) needed for businesses to thrive.
2. Congestion is a problem during both rush hours from Grovefield Way leading onto the B&Q Roundabout, we need a credible suggestion to prevent/mitigate this infrastructure issue with the delivery of this potential development. Entry from the A40 perhaps?
3. There must be enough provision for workers to park within spaces provided by the development, overflow parking issues into The Reddings will fuel resentment and congest residential roads, not a smart move. I do not believe there are credible assurances are in place to manage this risk.

Pegasus Group on behalf of Asda
Pavilion Court
Green Lane
Garforth
Leeds
LS25 2AF

Comments: 12th December 2017
Letter attached.

003.ES/P17-1167
11th December 2017

Mrs Emma Pickernell
Planning
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
Gloucestershire
GL50 9SA

By Email. emma.pickernell@cheltenham.gov.uk

Dear Mrs Pickernell,

**Re: Planning Application 16/02208/FUL, Hybrid Mixed Use Application –
Land at North Road West and Grovefield Way, Cheltenham, Gloucestershire**

We write on behalf of ASDA Stores Ltd in respect of the above referenced planning application which is due to be considered at Planning Committee on Thursday 14th December 2017.

Our objection relates to the supermarket food retail element of this proposal, taking into account national and local planning policy considerations and the planning history of the site. We have reviewed the Officer Report to the committee and have a number of significant concerns with the report and recommendation to approve the application as set out below.

Presumption in Favour of Sustainable Development

The Report outlines that the Presumption in Favour of Sustainable Development in the NPPF applies and that this should be interpreted as meaning granting planning permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
- **specific policies in the NPPF indicate development should be restricted.**

It must be noted that footnote 9 of the NPPF confirms that '*land designated as Green Belt*' is a specific policy which indicates development should be restricted.

Green Belt

At the present time, the site is within the Green Belt where the development proposed is inappropriate by definition and should not be approved except in very special circumstances.

The original appeal decision supporting B1 development on the site stated that "*I conclude that the serious shortfall in local employment land provision, up to 2011 at least, is a very special circumstance that justifies the use of this site for B1 development.*"

It is identified that the emerging Joint Core Strategy proposes to remove the site from the Green Belt to form an Employment Allocation. The proposals to remove the site from the Green Belt was made on the basis of the overriding need for employment land and that part of the site was already under construction following Very Special Circumstances having been demonstrated for employment uses.

The proposals to develop the site for non-B uses does not justify the removal of the site from the designated Green Belt.

Sequential Test

Paragraph 24 of the NPPF states that “Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.”

The application site is not in an existing centre and is not in accordance with an up-to-date Local Plan. The site is identified as being within the Green Belt and certainly not allocated for retail development.

The application includes 1,742 sq.m of floorspace for a supermarket food retail unit and therefore the sequential test must be applied. This requires the applicant to demonstrate that there are no suitable, available and viable sequentially preferable sites that could accommodate the proposed development.

Paragraph 6.7.6 of the Officer Report confirms that the Council’s independent retail assessment agrees that “**subject to the Council’s own knowledge of the North Place site** and the proposed relocation of the Council offices from the Promenade there are no suitable sites available in sequentially preferred locations and therefore the test is met.”

Paragraph 6.7.8 of the Officer report confirms that “*the North Place scheme will not be going ahead in its current form and that Morrisons are no longer involved in the site. As such it seems likely that an alternative proposal will come forward for this site, however it is not clear at this stage what form this will take or what mix of uses it will entail. In officer’s view **the applicant are in a position where it is more or less impossible for them to pass the sequential test** because of the lack of information over the intentions for North Place. However **not passing the sequential test is not an adequate reason for refusal in its own right.**”*

The North Place site has consent for a mixed-use scheme including a food store, but will not be built out as consented. Contrary to satisfying the sequential test, this demonstrates that it is likely that an alternative proposal will come forward and no information has been provided to demonstrate why this sequentially preferable site

is not suitable, available and viable to accommodate the retail development proposed under this application.

Officers also confirm that it is (more or less) impossible for the applicant to pass the sequential test and in such circumstances paragraph 27 of the NPPF is clear that:

"Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors it should be refused."

The sequential test has not been satisfied and Paragraph 27 of the NPPF confirms that the application should therefore be refused.

Employment Use

The site is proposed to be allocated for Employment use and emerging Policy EM3 relates to development on such sites, stating that:

Proposals for traditional B class employment uses or Sui Generis uses that exhibit the characteristics of traditional B class employment will be supported at these locations, subject to being in accord with other relevant policies within this Plan.

Whilst the site is presently within the Green Belt, the emerging policies are specific regarding the uses which will be supported and safeguarded on the site and these do not support retail development.

Phasing

Paragraph 6.6.12 of the Officer Report indicates that the floorspace provided by the A1 (retail) element equates to 12% of the overall floorspace of the development, noting that 'this is a relatively small amount and in itself does generate some jobs'.

It must be noted that the Aldi foodstore would only represent 12% of the floorspace if all of the Office units under both the full and outline elements are constructed. If only the full elements are implemented, the non-B uses would represent 33% of the total floorspace.

It is not considered that the S106 provides sufficient commitment that all office units will be occupied for their intended purpose, and there is no commitment for the outline office elements of the scheme to be built out.

Transport

The Transport Statement is based on data collected between 6th – 12th July 2016. The guidance of Department for Transport does not identify July as a neutral month, and as such, observations of highway network operation and traffic data gathered in July cannot be considered to be representative and should not be used to assess the impact of the development proposals.

The trip generation of the store has also been significantly underestimated and this can be seen from comparing trip generation from a number of stores of a similar size to that proposed. The data provided in the Transport Statement is not representative of the likely trip generation and the overall highway impact of the development proposals.

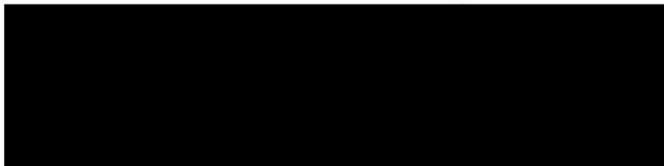
Summary

In summary, we would strongly urge refusal of the planning application for the following reasons:

- The proposals represent inappropriate development as the site is within the designated Green Belt where Very Special Circumstances have not been demonstrated;

- The application fails to satisfy the sequential test and Paragraph 27 of the NPPF is clear that the application should therefore be refused;
- The emerging plan proposes to allocate the site for employment development and does not support retail development in this location;
- The S106 does not provide sufficient assurances to the delivery of non-retail elements on the site and therefore retail uses would represent a significant proportion of the overall development;
- Traffic data used in the Transport Statement was gathered in a non-neutral month and trip generation figures are grossly underestimated.

Yours sincerely,



EDWARD SENIOR
Senior Planner

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