

APPLICATION NO: 18/01004/FUL	OFFICER: Mr Joe Seymour
DATE REGISTERED: 23rd May 2018	DATE OF EXPIRY : 22nd August 2018
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 5,914 sq.m of commercial office space (Use Class B1), 502 sq.m day nursery (Use Class D1), 1,742 sq.m food retail unit (Use Class A1), with associate 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 (resubmission).

ADDITIONAL REPRESENTATION

25 Timperley Way
Up Hatherley
Cheltenham
GL51 3RH

Comments: 15th October

Letter attached.

Aldi Re-submission (18/01004/not-Full) : Continued Refusal Grounds

CBC should not settle for 5,900 m² of Office being a **Full** application (i.e. reasonably secure/certain) but a massive **8000 m²** of Office ('Offices 3 & 4') being **merely Outline**, (i.e. they could be re-applied for as yet more Retailing (once the Aldi precedent and its frontal-prominence were established/conceded).

Taking account of the existing (huge and overbearing) BMW **car retailing** development, this former Green Belt land would (by adding an Aldi superstore) become a prominent Retail-oriented site.

Swapping the Costa cafe for a minor 870 m² "Office 5" makes little difference to the intended Retail prominence (and potential dominance). The superstore could subsequently apply to enlarge (and include a cafe), easily displacing/deleting the small 'Office-5' plot.

For an Aldi in Gloucestershire this would be relatively large (1742 m²; Cheltenham's Tewkesbury Road Aldi is 1570 m²); it will therefore draw customer traffic from a wider area. However, the new Lidl rivals on Tewkesbury Road and at Bishops Cleeve are increasing in size to 2856 m² and 2753 m² respectively.

Refusal Reason-1

CBC's 'Strategic Land Use Team' states in its 'Summary Conclusions':

"There remains a shortfall in B-class employment land across the Borough".

Here is a most excellent site ready approved for B1 Offices, and accordingly it is valid to maintain **Refusal Reason-1** and seek to preserve that B-class provision, well served by access to the major highway network.

With a superstore added, the overall larger site (the land between the Golden Valley Bypass and North Road West) would be 'eroded' to have far more Retail (and nursery) than the planning officer's claimed "**12%**".

Overall the non-B1 uses would NOT "be subservient" to B1, nor could their necessary frontal (and aerial) signage be reticent.

The primary objection is to the inclusion of any high-movements Retail at this sensitive rural-edge site, entered directly off the single-carriageway South West 'Ring Road', where maintaining uncongested flow is vital.

Councillors were poorly advised not to include any objection to the superstore's non-compliance with CBC's extant Retail Policies, **RT-1** and **RT-7(b)**, (whose status is still subject to objection and debate in the Local Plan Examination). In addition there remain unresolved objections to the wording of Policy EM3 of the submitted Local Plan, pending its Examination.

Regardless, third-parties are capable of progressing these **Retail Policy considerations** at the January appeal, and can win an appeal on grounds where a council might be cautious or timid.

Since before the 2006 Plan revision, Cheltenham has maintained a carefully defined Hierarchy of retail centres: 'Town Centre', 'District Centre', and 'Neighbourhood Centre'.

Yet impact on Neighbourhood Centres is simply ignored in the applicant's poor Retail assessment.

Walking to the only bus route (the 94) is awful and polluted.

Nor are the Arle Court junctions safe for cycling.

This would therefore be a **drive**-to location for retailing, which therefore does not even qualify under the last **clause (e)** of **Policy RT-1** as being an out-of-centre site ***"accessible by a regular choice of means of transport"***.

Revision of Cheltenham's Retail Policies was deferred by the JCS Examination into the "immediate review" for Gloucester and Tewkesbury's housing shortfalls.

However, the JCS officers' draft of this Review has just been published, making it a more leisurely (almost 'long grass') "JCS-2" rather than "immediate".

Therefore the Cheltenham Local Plan will be asked to address this special town's Retail Policies and its local shopping-centre 'hierarchy' (which the other two Districts do not have).

In the Retail Review for Cheltenham, 'Arle Court' may finally become recognised as a 'District Centre', but that should NOT be extended/enlarged along traffic-sensitive Grovefield Way, beyond B&Q.

Refusal Reason-2

The linked roundabouts of Arle Court, (on the A40 and on the South West 'ring Road' of Grovefield Way-Up Hatherley Way, connecting to the A46) are **critical road infrastructure** for the (reasonably) uncongested functioning of Cheltenham (and of the West Cheltenham urban extension).

Having B&Q and Asda accessed directly via roundabouts is just tolerable, but NOT an Aldi (which involves a particularly high-turnover customer carpark) accessed straight off the single-carriageway, queue-prone South West 'ring Road'.

Increasing 'Arle Court' further as a 'retail destination' will also add to the severe load on the section of A40 coming from the Benhall Roundabout, which is currently the focus of a government anti-pollution grant.

For the forthcoming appeal, it matters not that planning officers have wilted on a 'highways network' objection, in the absence of any spine from the useless Gloucestershire Highways (who failed at the JCS Examination to contribute any credible strategic highways scheme for the massive West & NorthWest Cheltenham urban extensions, and who pronounced the Leckhampton-650 development acceptable which the Secretary of State then refused for "severe" traffic impact). Other parties can sustain these highways objections, which councillors also ought to have the local appreciation to endorse.

Refusal Reason-3 remains relevant despite the minor improvement of deleting the Costa outlet.

Recommended Action

Councillors should simply decline to determine this re-application before the forthcoming appeal debate and verdict. (The applicant cannot 'go to appeal' twice.)

At most, in case the inspector were to ask for the Committee's "mindedness", then the councillors might consider their view now, but in camera at this stage pre-Appeal.

Nothing significant has changed since this retail-led scheme was refused in January, considering that:

- (1) the Costa removal is trivial (and reversible);
- (2) nothing specific has been cited in the revised NPPF to invalidate the strong local refusal grounds, nor disqualify Cheltenham's orderly hierarchy of acceptable 'shopping centres'.