

<b>APPLICATION NO:</b> 21/02120/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 23rd September 2021	<b>DATE OF EXPIRY :</b> 18th November 2021
<b>WARD:</b> Swindon Village	<b>PARISH:</b> SWIND
<b>APPLICANT:</b>	The Crown Estate
<b>LOCATION:</b>	Gallagher Retail Park Tewkesbury Road Cheltenham
<b>PROPOSAL:</b>	Erection of a restaurant unit with drive-through lane and associated car parking, layout and landscaping amendments.

## REPRESENTATIONS

Number of contributors	<b>2</b>
Number of objections	<b>2</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

25 Dark Lane  
Cheltenham  
Gloucestershire  
GL51 9RN

### **Comments:** 8th October 2021

I wish to object to this planning application on the following grounds:

- 1) This development will create further traffic in this location. There are already serious road traffic problems with vehicular traffic regularly blocking the public highway and the access road to the retail park. The permanent officers of the council no doubt have, and will present to those considering this application, the necessary comprehensive and detailed information from the Police in respect of this.
- 2) The area is already well provided with similar takeaway outlets and therefore another is unnecessary. KFC, Starbucks, Costa, Subway and Macdonalds to name just a few of the eight or more.
- 3) Litter from all these fast food establishments is regularly and frequently strewn around Swindon Village and further afield. Unsightly for residents, liable to attract vermin and a drain on council resources collecting it.
- 4) The council has focused on 'healthy lifestyles' by appointing a councillor to promote this agenda. This fast food development runs counter to the council's policy and should be rejected on those grounds alone.

Food Warehouse  
Gallagher Retail Park  
Tewkesbury Road  
Cheltenham

**Comments:** 1st November 2021  
Letters attached

Mrs L White  
Planning  
Cheltenham Council  
Municipal Offices  
Promenade  
Cheltenham  
Gloucestershire, GL50 9SA

Date: 29/10/2021

Dear Mrs White,

Application 11807/21 : Proposed Drive-Through Restaurant.  
Gallagher Retail Park, Tewkesbury Road, Cheltenham, GL51 9RR

I write to lodge an objection to the above planning application on behalf of Iceland Foods Ltd hereafter referred to as Iceland. Iceland occupy retail premises under their Food Warehouse fascia immediately south of the application site. Given the proximity of the application proposal to my client's store the scheme has potential implications for it.

Enclosed with this letter is an assessment of highways implications prepared by Transport Consultants Vectos. This letter should be read in conjunction with this representation.

Iceland operate a number of stores, mainly Food Warehouses, on retail parks such as Gallagher Retail Park. A number of these retail parks incorporate drive through restaurants and coffee shops. It is the company's experience that, particularly since the easing of Covid restrictions, drive through restaurants have become increasingly popular resulting in increased traffic and increased queueing. In turn this has caused traffic circulation issues at some parks and impeded customers from freely and easily accessing their stores. This experience means my client has significant concerns regarding the application proposal and its potential to impact on store operations.

It is noted that the application proposal is intended to be accessed directly off the main access to both the Iceland Food Warehouse and Sainsbury car park, therefore any impediment, delay or over use associated with the drive through would have the potential to limit access to both Iceland Food Warehouse and Sainsburys. A car breaking down in the queueing lane during a busy period or a high number of customers will result in queueing out into the access road potentially having a severe impact on the local highway network.

In addition to the potential impact associated with queueing and customers visiting the drive through restaurant a number of car parking spaces will also be lost to deliver this proposal reducing car parking numbers in this area of the retail park to around 96. No assessment has been carried out in respect of the needs of car parking at the park to justify the loss of these spaces. This is detailed further in an assessment undertaken by Vectos Transport Consultants enclosed with this letter.

As part of the application the applicant has undertaken a Sequential Test support the proposal including an explanation of the locational requirements of the development. There are two sites which are considered to have not been identified or assessed as part of the sequential test which could potentially accommodate the application proposal.

Land off A4019 immediately west of the North Place Car Park on the edge of Cheltenham Town Centre is a potential alternative site which has not been considered. It is in a sequentially preferable location on the centre edge, has main road frontage and is of sufficient size to accommodate a drive through restaurant such as that proposed by the application. The site is currently an underutilised previously developed site and is not prejudiced by any ongoing uses.

The site forms part of a wider residential allocation with adjoining land under policy HD19 of the Cheltenham Local Plan. The site previously had planning permission for a large supermarket and 143 dwellings and policy HD19 anticipates the delivery of the same number of dwellings approved as part of the previous mixed use scheme. The policy does not preclude the delivery of other uses on the site alongside the residential uses. Given previously approved proposals it is considered that a drive through restaurant could be delivered without prejudicing the delivery of 143 dwellings on the wider allocation. There is no restriction in policy 1 or policy HD19 which would preclude part of the site coming forward in advance of the wider site.

A plan of the site is identified below, Plan 1, and it is considered that the site represents a sequentially preferable site to the application site.

Plan1 – Land off A4019



In addition to the above site the applicant refers to the Caernarvon Road District Centre. In their assessment they refer to the existing retail units and availability but no reference is made to the large car park which serves the Morrisons anchored District Centre. There may be potential for the proposed drive through restaurant to be located on part of the car park and this should be assessed. The plan below, Plan 2, identifies the District Centre and associated car park.





Plan 2 – Caernarvon Road District Centre



Further to the points made in respect of highways impact and the sequential test the applicant has specific obligations to my client in respect of their lease agreement. This agreement requires the applicant to not reduce the number of car parking spaces in the car park outside of the Food Warehouse unit to no fewer than 120 parking spaces and to not build outside of an agreed build zone as defined in the lease. The scheme proposal breaches both of these requirements and therefore is undeliverable. Further details of this can be provided on request.

I trust the above together with the enclosed prepared by Vectos will be given full consideration in the determination of this planning application. For the reasons outlined it is considered that the application should be refused.

Yours faithfully,

[Redacted signature]

[Redacted name]

Associate

De Pol Associates Ltd

[Redacted contact information]

28<sup>th</sup> October 2021

**Mrs Lucy White**  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
Gloucestershire  
GL50 9SA

Ref: 211028 PW\_CBCLet\_Obj01a

Dear Mrs White,

**RE: OBJECTION AND REQUEST FOR FURTHER INFORMATION ON BEHALF OF ICELAND FOOD STORES IN RELATION TO A PROPOSED RESTAURANT UNIT WITH DRIVE-THRU AT GALLAGHER RETAIL PARK (REF: 21/02120/FUL)]**

I write on behalf of Iceland Food Stores objecting, and requesting that additional information be provided, in relation to a proposed restaurant unit with drive-thru at Gallagher Retail Park in Cheltenham (Ref: 21/02120/FUL).

We have taken the opportunity to review the documents available on the planning portal and have specifically scrutinised the proposed site layout plan (Drawing No. 154895-STL-DT-00-DR-A-XXXX-08002) and the Transport Statement prepared by Stantec (10<sup>th</sup> September 2021).

We understand that the proposal is for a restaurant unit with a drive-thru that will utilise part of the existing retail park car park as well as an area of vacant hardstanding, adjacent to Unit M (currently occupied by Iceland Food Stores). This will result in a loss of car parking within this part of the retail park, but specifically a loss of car parking available to Iceland customers in the immediate vicinity of their store.

In reviewing the application, whilst much of the content we would expect to see in any Transport Statement is provided, we have concluded that additional information is still required in order for a suitable judgement to be made regarding the impact of the development proposals. Without the provision of additional information which clearly demonstrates no severe impacts, the only logical recommendation at this time would be a recommendation for refusal. This is largely due to the lack of detail on the following items:

- Loss of parking; and
- Additional queuing and congestion.

**Item 1: Loss of Parking**

Iceland customers currently utilise the car parking area directly outside the store which has parking provision for 141 spaces (including seven disabled). Under the proposals there will be an overall net loss of spaces (including a disabled space) but with an additional parking demand generated by the proposed restaurant unit.

In similar schemes we have worked on recently where new development is proposed within an existing car park, we have been asked by Councils to demonstrate that the reduction in parking supply, combined with an additional parking demand, can be accommodated and would not result in a residual cumulative impact on the local highway network or the safety of all road users within the retail park. The TS as submitted does not present any data to demonstrate that there will continue to be sufficient supply in this part of the retail park to cater for current and predicted future demands. There is also no consideration of how any displaced parking demand might be accommodated elsewhere within the retail park, and whether this can be accommodated without localised congestion caused by queueing to find a space. The TS makes the following broad statement only, "*From observations, these car parking spaces are not heavily utilised and there are frequently spare parking spaces available.*"

We would suggest that in order to corroborate this statement, and to allow a more informed decision to be made regarding the development proposals, that traffic data including a parking beat survey for a weekday and weekend period (incorporating both the existing retail park peak and likely future development peak) be conducted to ascertain current demand for parking and then assess the likely future demand with the addition of the proposed development and net reduction in space. We would expect any parking beat survey to consider the area of parking affected in the vicinity of the Iceland but also the other main parking areas available within the retail park. Without this information, it is not possible to make a fully informed decision with regards to the impact of the development proposals.

**Item 2: Additional Queuing and Congestion**

As presented in the TS, access into the proposed restaurant unit will be taken from the retail park’s internal roundabout, where customers will turn into the existing car parking area and either use the drive-thru loop road or park up to make a walk-in order. The proposed drive-thru lane has capacity for a maximum of 15 vehicles, before vehicles are backing onto the internal loop road and roundabout. Whilst the TS provides trip generation figures, there is no modelling to support the statement that *“the vehicular impact of the proposed development on the surrounding highway network is considered negligible.”*

Whilst it is acknowledged that many of the trips associated with the proposed development may already be present on the external local highway network (i.e. diverted trips from Manor Road or Tewkesbury Road), thereby limiting the wider impact, the trips will still be largely new trips to the network within the retail park in the immediate vicinity of the proposed development. Despite this, there is no assessment of the operation of the existing roundabout within the retail park to allow a judgement to be made as to the impact of the additional development trips. As such, it is not currently possible to corroborate the statement that the impact would be negligible.

To form part of a robust assessment, and to ensure additional trip demands at the retail park roundabout (combined with the loss of parking spaces) do not result in additional queueing which may extend to affect the operation of the local highway network, we believe that a formal assessment (including modelling) of the internal retail park roundabout should be presented including analysis of turning count data, queue length data and assessment of likely future operation.

**Summary**

Based on the information available on the planning portal, and our initial review, it is considered that an overall positive judgement of the potential impacts cannot be made at this time without the provision of additional information. Additional information relating to current parking demands is required along with an assessment of the internal retail park roundabout to ensure that any impacts do not adversely affect the safe and efficient operation of the local highway network in the vicinity of the site.

I hope that the content of this letter is self-explanatory and provides a useful summary of Iceland Food Store’s position at this time. We will continue to monitor the planning portal for any additional information which may be made available in the coming weeks, and will provide further updates as required regarding any additional assessments or data that are presented as part of the application.

Yours sincerely

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for and on behalf of Vectos (North) Limited

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