

APPLICATION NO: 23/01597/FUL		OFFICER: Mrs Lucy White
DATE REGISTERED: 20th September 2023		DATE OF EXPIRY : 15th November 2023
WARD: Lansdown		PARISH:
APPLICANT:	Lucky Onion Group	
LOCATION:	129 - 133 Promenade Cheltenham Gloucestershire	
PROPOSAL:	Retention of and alterations to a reduced number of marquees at 125, 127, 129, 131, and 133 Promenade, Cheltenham for an additional 12-month period (revision to planning application ref: 22/01373/FUL)	

REPRESENTATIONS

Number of contributors	16
Number of objections	11
Number of representations	0
Number of supporting	5

4 Taylors End
Cheltenham
Gloucestershire
GL50 2QA

Comments: 15th October 2023

These marquees are thin-skinned structures with no insulation and are heated by an inefficient fossil-fuel fired system. As a result there will be enormous greenhouse gas emissions associated with use of these structures through the winter. If the owners used the adjoining solid buildings instead, the greenhouse gas emissions would be substantially reduced.

This situation has been going on for some years now. Why should repeated applications for use of temporary, poorly insulated structures be an allowable route to avoid the insulation normally required of owners of structures in the town (assuming those structures were constructed to meet building regulations)?

In view of the council's professed policy of sustainability, this application should be refused.

322 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YJ

Comments: 20th September 2023

I support this new plan. It addresses previous negative aspects of the design and would allow for a short period of time for its visual and commercial impact to be reviewed. It is good visually and in keeping with the tented events often permitted in Imperial Gardens and Montpellier Park. It is good for employment and in keeping with a "Festival" town.

Flat 4
40 Evesham Road
Cheltenham
Gloucestershire
GL52 2AH

Comments: 29th September 2023

Dear Mrs White,

Many thanks for the letter received regarding the proposed revised planning application by Lucky Onion concerning 129-133 Promenade.

I am saddened that there are still applications coming regarding this, I feel that not only the actual buildings concerned obstructed still but also the view down the Prom is dramatically modified which surely is far from "in keeping" with the Regency façade of that part of Cheltenham? I reiterate what I said previously regarding the erection of the encampment, it was an understandable request, granted during a very difficult time as a temporary solution to give the business and customers an opportunity to socialise. There was ample time for the business to prepare for the culmination of these special conditions. One does not produce a business plan that bases itself on a temporary structure? It does not benefit the aesthetic of our town in any way.

There are a number of unoccupied premises around the town centre which would perhaps benefit from a relocation of the business from its temporary location?

I trust this helps

Sincerely

32 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 6th October 2023

In essence, this Application is very similar to a previous Application (22/01373/FUL) which was refused. The Applicant appealed the Decision. The HM Inspector refused the Appeal.

All the matters of substance given by HM Inspector in his detailed report are relevant to the current Application and should be taken into account.

The Application offers a small reduction in the number of marquees, from 19 to 16. However, this is not a reason for allowing the Application. The number of marquees on site at the time of HM Inspector's visit was already 16 and the Inspector not only rejected the 16 marquees that he saw; he went further and rejected all the marquees on the basis of the harm that they caused.

The Application does offer to reduce the height of the marquees. This was a point mentioned by the Inspector. However, it is not greatly significant. The Inspector rejected the case for the marquees. He did not indicate that a reduction in height would make them acceptable.

It is nonsense to forward an argument that the marquees should be retained because of the redundancies that may result from their removal. The business operated without the marquees until the temporary relaxation of the planning rules during the Covid pandemic. It was always known that the Covid planning relaxations were temporary. Any extra staff taken on must likewise have been viewed as temporary. Obviously and inevitably, the additional staff would not be required when the Covid planning relaxations came to an end.

This Application is yet another attempt to drag out the removal of the temporary marquees. Other businesses have had to remove their temporary structures and the Applicant should be required to do the same.

The Application should be refused.

17 The Pavilions
Sandford Road
Cheltenham
Gloucestershire
GL53 7AR

Comments: 21st September 2023

I would like to reconfirm my strong objection to the retention of any marquees whatsoever outside these premises.

This Grade 2 Listed building should grace the approach into Cheltenham town centre and should not be shrouded by this unsightly tented frontage.

These marquees have been allowed to remain in place far too long after fulfilling their purpose during the Covid restrictions.

Outside tables and umbrellas as previously utilised are not unattractive and can usefully be sited to increase covers without obscuring the beauty of this building.

36D The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 29th September 2023

This application is based on the following:

1. A minimal change to the number of marquees, 19 to 16
2. A reduction in their height.
3. Retention reduced from 2 years to 1 year.
4. Additional information regarding the economic and social benefits of the proposal but this is not shared with the public.

Dealing with each individually.

1. The Inspectorates report was explicit in describing how the open spaces around the buildings remain a key aspect of how the assets are appreciated. Pointing out that the open nature of these spaces allow the ground floor elements that contribute to the significance of the buildings to be viewed and seen in the context of the building as a whole. Stating that the open space forming the appeal site thus makes a major contribution to the significance of 125 and 127 Promenade, 129 and 131 Promenade and 133 Promenade. At the time of his observation there were only 16 marquees on the site so suggesting that a reduction from 19 to 16 is significant is nonsensical and irrelevant.

2. The 30% reduction in height is made up of the peaked roofs so this only translates as a reduction of approximately 15% in the degree of obscuration the marquees create and is therefore insignificant

3. The marquees should have been removed a year ago. Previous applications and appeals have just delayed their removal. The applicant has had 3 years to design and apply for a permanent structure. To apply for another year is just more delay and an attempt to postpone of their removal.

4. Additional information regarding the economic and social benefits of the proposal is not in itself significant. As far as social benefit goes there are numerous similar businesses in the location, many offering outdoor dining and many have removed their temporary structures. When considering the economic case for the business it must be remembered that the short-term changes to rules concerning Temporary Structures were intended to help businesses survive. The Lucky Onion decided to take advantage of these changes to increase the size and offer of the 131 operation. Taking on more permanent staff would seem a poor management decision given the changes to the rules were always intended to be temporary. The hospitality industry in general is feeling the pinch but there is no reason that this particular business should be treated differently from the rest. It took a risk in expanding its offer based on temporary rules changes. Now it wants rules to be ignored to make its offer permanent.

This application must be rejected and the marquees removed as quickly as possible.

6 Imperial House
Lypiatt Road
Cheltenham
Gloucestershire
GL50 2QJ

Comments: 12th October 2023

I have just returned from holiday and I wish to object to this application on the following grounds: a) these 3 buildings are beautiful and sit on Cheltenham's main square; b) they presently look like part of a circus with those awful tents that have been erected; c) nothing is acceptable to us at the front of these buildings, barring what was originally there (tables, chairs and umbrellas); d) why can't they erect something at the back of the buildings?

1 Claremont Lodge
Montpellier Spa Road
Cheltenham
Gloucestershire
GL50 1UG

Comments: 24th September 2023

I would like to reconfirm my existing objection to the retention of any marquees whatsoever outside these premises. These Grade 2 Listed buildings on Cheltenham's once-prestigious Promenade should not be obscured by unsightly marquees whatever their shape or size. Outside tables/chairs/umbrellas are in use at many hospitality establishments (eg the new restaurants in the Quadrangle) and 'special treatment' should not be afforded to one particular establishment. The new application also seems to fly in the face of the spirit of the recent Inspector's report and his rejection of The Lucky Onion Group's appeal.

32 Imperial Square
Cheltenham
Gloucestershire
GL50 1QZ

Comments: 6th October 2023

I object to this repeated Application. The number of Marquees had already been reduced but still cover the front of 3 listed buildings. HM inspector has refused the appeal, and other than lowering the marquees slightly and reducing the period to 1 year (they have already been there a year since they should have been removed) nothing has really changed. They still block the view of 3 listed buildings. The application should be refused again.

37 Montpellier Villas
Cheltenham
Gloucestershire
GL50 2XQ

Comments: 10th October 2023

I totally support this application as these premises are a great sophisticated and vibrant asset to Cheltenham.

Parkgate House
West Approach Drive
Cheltenham
Gloucestershire
GL52 3AD

Comments: 20th October 2023

These polythene tents are ugly beside the Regency architecture and should be refused. Nevertheless it's interesting that Cheltenham Trust, a charity whose sole function is to run a few public buildings for Cheltenham Borough Council has been allowed to keep a prefabricated greenhouse with a white polythene roof running as a café beside Cheltenham's only Grade 1 listed building despite the planning application being rejected last October. 22/01439/FUL

131 has at least had to appeal and then make a modified application.

Without an appeal and with no changes made Cheltenham Trust were allowed to keep the greenhouse by saying they would change the roof to clear plastic like those in 131 (23/00372/FUL) but the roof was never altered.

The plastic tents in 131 are equally unattractive and equally environmentally disastrous but at least they are only beside a grade 2 building of which there are many in Cheltenham not the iconic Grade 1 Pump Room.

Both structures should be removed as soon as possible.

There is plenty of space inside those buildings to run cafes/restaurants without defacing the classical architecture.

10 College Road
Cheltenham
Gloucestershire
GL53 7HX

Comments: 21st September 2023

These tents are obviously an eyesore and ruin the, what should be, a beautiful drive into the heart of our beautiful town. Also as a business owner I would not be allowed to put up a marquee in my garden. Why should Lucky Onion be allowed to put up 16? If I put a marquee up in our garden then I would create more jobs but it's not allowed so I cannot. There would not be 50 redundancies, a simple look at the recruitment website Indeed shows us that there are more than 50 vacancies in the Cheltenham hospitality sector and surely the removal of the tents will make it busier inside? More personnel needed there I presume?

13 Rotunda Terrace
Montpellier Street
Cheltenham
Gloucestershire
GL50 1SW

Comments: 26th October 2023

Following the CBC's decision to extend similar planning applications, such as 23/00372/FUL for the Pittville Pump Rooms (a temporary structure on a Grade 1 listed building), it seems grossly unfair to not allow a similar extension on a lesser Grade 2 historic building that does not have links with the CBC.

Businesses should be given a level playing field, and the precedent for extending temporary structures has unfortunately been set by the council's planning department

3 Montpellier Gardens
Montpellier Terrace
Cheltenham
Gloucestershire
GL50 1UZ

Comments: 5th October 2023

I do not think that the marquees are unsightly and they provide a much-needed venue for entertainment and dining. They contribute greatly to the prosperity of the town, provide jobs and help keep the night-time economy vibrant.

Red Stables
Yokehouse Lane
Stroud
GL6 7QS

Comments: 3rd October 2023

Hello, I am a resident of Gloucestershire and have been for 23 years. I come into Cheltenham 2-3 times every week and visit 131 on many of my trips. 131 is a draw for me and I plan shopping and other Cheltenham activities around meeting friends in the lovely outside/inside space. I urge you to allow 131 to keep this space as I would not be inclined to visit Cheltenham so often otherwise nor bring my guests. I love the ambience and the vibe of the space. It is sophisticated and very cool.

40B The Broad Walk
Imperial Square
Cheltenham
Gloucestershire
GL50 1QG

Comments: 4th October 2023

Letter attached.

**40B THE BROADWALK
IMPERIAL SQUARE
CHELTENHAM GL50 1QG**



3/10/2023

BY HAND

The Planning Officer
Cheltenham Borough Council
Municipal Offices
The Promenade
Cheltenham GL50 9SA

Dear Planning Officer,

23/01597/FUL | Retention of and alterations to a reduced number of marquees at 125, 127, 129, 131, and 133 Promenade, Cheltenham for an additional 12-month period (revision to planning application ref: 22/01373/FUL) | 129 - 133 Promenade Cheltenham Gloucestershire

I refer to the above Application to retain the tents in front of 125, 127, 129, 131, and 133 Promenade, Cheltenham for an additional 12 month period.

Prior to this Application the Planning Inspectorate dismissed an appeal by the Applicant to retain the tents for two years.

The Inspector's report gave comprehensive and detailed reasons why the tents should not be allowed to remain.

I agree, totally, with the Inspector's findings and object to the tents remaining any longer. The modification to their tops does not significantly change their visual impact on the street scene.

Following the due process and decision of the Appeal the tents should be removed. This further Application would seem to be a ploy to prolong their presence.

Yours faithfully,

