

<b>APPLICATION NO:</b> 19/01587/FUL		<b>OFFICER:</b> Mr Gary Dickens	
<b>DATE REGISTERED:</b> 29th August 2019		<b>DATE OF EXPIRY:</b> 24th October 2019	
<b>DATE VALIDATED:</b> 29th August 2019		<b>DATE OF SITE VISIT:</b> 4th September 2019	
<b>WARD:</b> Springbank		<b>PARISH:</b>	
<b>APPLICANT:</b>	Mr Paul Fairbank		
<b>AGENT:</b>			
<b>LOCATION:</b>	Holmlea Farm, Springbank Road, Cheltenham		
<b>PROPOSAL:</b>	Formalisation of car park to provide 45 car parking spaces at Holmlea Farm.		

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to Holmlea Farm, Springbank Road to the western periphery of the borough. The site is currently unoccupied and falls within the 45 hectares of land recently purchased by the Council in relation to the Cyber Central plan.
- 1.2 Prior to the Council purchasing the land, the previous owner of the farm had been providing 45 car parking spaces on an informal basis for a nearby Government Department over the previous 8 years. This use did not benefit from written planning permission.
- 1.3 In order to regularise the use of the site, the applicant is seeking a 2 year temporary permission to reinstate the provision of 45 car parking spaces within the site. The application is at planning committee as the Borough Council are the land owners. Members will have the opportunity to visit the site as part of planning view.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Airport safeguarding over 15m  
Development Exclusion Zone (UI 121)  
Hayden Water Odour Monitoring Zone  
Strategic Allocations Red Line Boundary  
Principal Urban Area  
Smoke Control Order

### Relevant Planning History:

**09/00417/PREAPP CLO**

Enquiry regarding enlargement and re-location of garage (approved under ref. 06/00604/FUL)

**00/00915/COU NOTREQ**

Toilet and shower room

**02/00607/FUL 28th June 2002 PER**

Conversion of outbuilding to holiday cottage (Revised Plan)

**84/00246/PF 18th July 1984 WDN**

Adj. To Holmlea Cheltenham Gloucestershire - Use Of Land To Store Caravans And Tourers

**06/00604/FUL 15th June 2006 PER**

Replacement farmhouse and garage

**07/01375/CONDIT 29th November 2007 PER**

Removal of condition 4 (agricultural occupancy) on planning permission ref. 06/00604/FUL for replacement farmhouse and garage

## 3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 3 Plan-making

Section 4 Decision-making

Section 9 Promoting sustainable transport  
Section 11 Making effective use of land

Saved Local Plan Policies

CP 3 Sustainable environment

CP 4 Safe and sustainable living

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD14 Health and Environmental Quality

INF1 Transport Network

## 4. CONSULTATIONS

**Building Control**

*5th September 2019*

No comment.

**GCC Highways Planning Liaison Officer**

*26th September 2019*

No objection subject to parking management plan and yearly reporting of parking numbers & charges associated with use.

Reason - Ensuring the highway authority can address residual impacts of parking associated with overspill parking for extant planning uses.

**Gloucestershire Centre For Environmental Records**

*5th September 2019*

Biodiversity report available to view on line.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	0
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 No letters were sent to neighbouring properties and the application was advertised by way of a site notice. No responses to this publicity have been received.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

- 6.2 The main considerations for this application are the acceptability of using part of the site for formalised car parking on a temporary basis and the impact on the highway network, together with any impact on neighbouring amenity.

### **6.3 Temporary use / Access and highway issues**

- 6.4** The site lies in the vicinity of a Government Department which creates pressure for the on-street parking situation within the area. The site has been used on an informal basis for the previous 8 years to provide 45 off street parking spaces. There exists a relatively large amount of hardstanding within the site which accommodates these parking spaces and no works are needed to support this usage.
- 6.5** Policy INF1 of the JCS requires development to not have a severe impact on the transport network, ensuring safe and efficient access to the highway network. This unauthorised use of the site has helped alleviate the pressure on nearby roads by reducing the amount of on-street parking.
- 6.6** The Highways Authority has been consulted and they raise no objection subject to the submission of a parking management plan and yearly reporting on parking numbers and associated charges. Whilst these comments are duly noted, it would not seem necessary for this condition to be included as this is a temporary permission for two years. Should an application follow after two years to extend this temporary use or for the use to become permanent, then a management plan and reporting of numbers and charges should be submitted and considered accordingly.
- 6.7** Given the above points, the temporary use of the site as a car park is considered to be acceptable and will not adversely affect the highway network.

### **6.8 Impact on neighbouring property**

- 6.9** JCS Policy SD14 and Local Plan Policy CP4 require development to not harm the amenity of adjoining neighbouring properties. The nearest residential properties are located in Sycamore Court to the east and Laburnum Court to the south, which lie approximately 75m and 65m away respectively.
- 6.10** It is not considered that the use of the site in this manner will have any adverse effect on neighbouring properties and it is noted that no complaints have been forthcoming during the unauthorised use of the site. Neither have any objections to this application been received. The Environmental Health Officer has been consulted and is satisfied that the level of lighting will not cause significant disturbance to occupiers of residential properties within the vicinity.
- 6.11** The proposal is therefore considered to adhere to JCS Policy SD14 and Local Plan Policy CP4.

### **6.12 Environmental Impact**

- 6.13** Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed small scale development will have any impact on these species.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** For the reasons set out above, the proposed temporary use of this land to provide 45 off street car parking spaces is considered acceptable. This use has been in existence on the site for the previous 8 years unchallenged and without complaint and will provide a (small) temporary relief to the current on-street parking pressures in this area.
- 7.2** As such, the recommendation to Members is to permit the application subject to the conditions below.

## **8. CONDITIONS**

- 1 The formal car parking hereby permitted shall be removed and the land restored to its former condition on or before 17th October 2021.

Reason: The permanent use of car parking on this site may detract from the amenities of the locality, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.