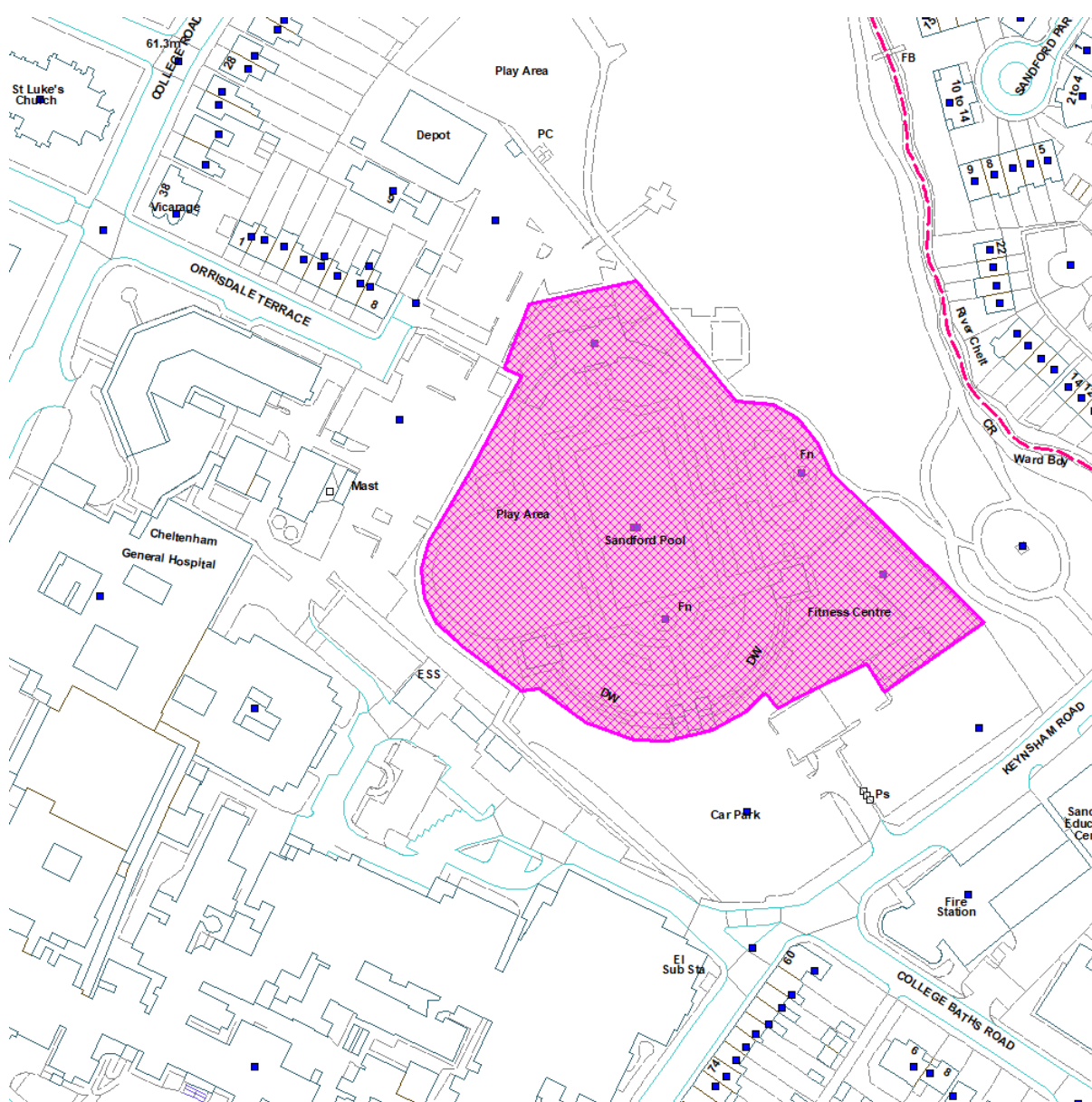


<b>APPLICATION NO: 19/02438/FUL &amp; 19/02438/LBC</b>		<b>OFFICER: Miss Claire Donnelly</b>
<b>DATE REGISTERED:</b> 12th December 2019		<b>DATE OF EXPIRY:</b> 6th February 2020
<b>DATE VALIDATED:</b> 12th December 2019		<b>DATE OF SITE VISIT:</b> 17th December 2019
<b>WARD:</b> College		<b>PARISH:</b> n/a
<b>APPLICANT:</b>	Sandford Parks Lido	
<b>AGENT:</b>	n/a	
<b>LOCATION:</b>	Sandford Lido, Keynsham Road, Cheltenham	
<b>PROPOSAL:</b>	Siting of a Portakabin to be used as an office, including welfare facilities.	

**RECOMMENDATION:** Permit & Grant



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to Sandford Parks Lido; the application site is within the grounds of the Lido, to the south east of the site. The Sandford Parks Lido is grade II listed, as well as a number of associated outbuildings. The site is located within the St Lukes Character Area of Cheltenham's Central Conservation Area.
- 1.2 The applicant is seeking planning permission and listed building consent for the siting of a Portakabin to be used as an office including welfare facilities. The site is located on the site of a gym building which has now been demolished.
- 1.3 The application is before planning committee as the application site is on Council owned land.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Conservation Area  
Flood Zone 2  
Listed Buildings Grade 2  
Principal Urban Area  
Smoke Control Order

### **Relevant Planning History:**

**98/01109/PF**                      **10th December 1998**                      **PER**  
Erection Of A Health And Fitness Studio With Associated Car Parking.

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework**

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 8 Promoting healthy and safe communities  
Section 12 Achieving well-designed places  
Section 16 Conserving and enhancing the historic environment

### **Adopted Joint Core Strategy Policies**

SD4 Design Requirements  
SD8 Historic Environment  
SD14 Health and Environmental Quality

### **Saved Local Plan Policies**

CP 3 Sustainable environment  
CP 4 Safe and sustainable living  
CP 7 Design

### **Supplementary Planning Guidance/Documents**

Central conservation area: St. Luke's Character Area and Management Plan (July 2008)

## **4. CONSULTATIONS**

### **Building Control**

*13th December 2019*

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

### **Heritage And Conservation**

*30th January 2020*

The proposed portakabin is located within a service yard and staff carpark of Sandford Park Lido. Notably the proposed portakabin replaces a larger portakabin that existed in this location until its demolition April 2019. It is a relatively discreet location, set away from any prominent views where it might be seen in the context of the historic part of the main Sandford Park Lido building. The portakabin will however be seen in the context of the historic plant room. Given the relatively discreet location and a larger portakabin until recently existed here no objection is raised over the proposed works. The proposed works are therefore considered to sustain the designated heritage assets and therefore comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.

### **Cheltenham Civic Society**

*3rd February 2020*

#### **OBJECT**

The proposed Portakabin will be positioned in the curtilage of a listed building (the history of which is very well documented in the application). It is likely to be visible from Sandford Park where the LINC garden has recently been re-landscaped to a high specification. The Civic Society Planning Forum is concerned that the application does not specify a time limit for this temporary building. The application only includes a suggested appearance of a generic Portakabin. This is inadequate.

Is it not possible for the Lido Trust to bring an existing building back into use? Alternatively, there are other prefabricated structures which could be more in keeping with the Lido setting.

The Civic Society would be happy to meet with the Lido Trust to help devise some better solutions.

## **5. PUBLICITY AND REPRESENTATIONS**

- 5.1 A site notice has been displayed at the entrance of the site, and an advert has been placed in the Gloucestershire Echo; no responses have been received.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.2 The key considerations in relation to this application are the design, the impact on the listed building and conservation and any impact on neighbouring amenity.

### 6.3 Design

- 6.4 Policy SD4 of the JCS and saved Local Plan policy CP7 require development to be of a high standard of architectural design that responds positively to and respects the character of the site and its surroundings. This draws from section 12 of the NPPF which seeks to ensure development is well designed.
- 6.5 Policy SD8 of the JCS requires development to *'make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment'*. The policy also goes on to set out that *'consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy'*.
- 6.6 The proposed portakabin would replace a larger temporary structure which was demolished in early 2019. The siting of the replacement structure is relatively discreet within the site and there would be limited views to the portakabin from the main Sandford Parks Lido Building. It is appreciated that there would be limited views from the Park to the temporary building, however given the building is to be a temporary measure any view would not be long term.
- 6.7 The council's conservation officer has commented on the application, full comments can be read above. The conservation officer raises no concerns in regards to the siting of the portakabin in terms of its impact on the designated heritage assets within the site of Sandford Parks Lido.
- 6.8 The civic society has commented on the application and object to the proposal. This is based on the lack of information, the visibility from Sandford Park and the lack of a time frame for the proposal. More detailed plans have been submitted clearly stating the dimensions of the portakabin, along with an image of the proposed unit. In addition, it has been confirmed that the lease of the portakabin would last 3 years, however the council see it to be appropriate that a temporary time condition is added to the proposal so the quality of the structure can be monitored and controlled if required.
- 6.9 Following the submission of further details, the proposed portakabin is considered to be of an acceptable design for a temporary structure in this location. The conservation officer has confirmed that it would not harm to setting of the Listed Buildings therefore the proposal is considered to be acceptable.
- 6.10 As such, given that there are no concerns relating to the impact on the listed buildings within the site, or wider conservation area, and the design of the building is typical of a portakabin and therefore considered to be appropriate. The proposal complies with the relevant policies.

### 6.11 Impact on neighbouring property

- 6.12 Policy SD14 of the JCS and saved Local Plan policy CP4 require development not to cause unacceptable harm to the amenity of adjoining land users and the locality. This draws from the guidance set out within section 12 of the NPPF which seeks to ensure development protects the amenity of existing and future users.
- 6.13 No responses have been received in regards to the proposal. A visit to the application site has been carried out and there are no concerns that the proposed portakabin would result in harm to the amenity of adjoining land users given its location within Sandford Park with no immediate neighbours. The proposal therefore complies with the relevant planning policies in terms of protecting neighbouring amenity.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1 Based on the above the proposed siting of a portakabin is considered to be appropriate in terms of its design and would not result in harm to the heritage assets or the wider conservation area.
- 7.2 As such the recommendation is to permit this application subject to the conditions set out below.

## **8. SUGGESTED CONDITIONS / INFORMATIVES**

### **19/02438/FUL**

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 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.

- 3 The portakabin hereby approved shall be removed from the site and the land restored to its former condition 3 years from the date of this permission unless a renewal of permission has been granted.

Reason: The building is of a temporary nature and the Local Planning Authority wish to retain control over it in the interests of the visual amenities of the area which is within the curtilage of a listed building and a designated Conservation Area.

### **19/02438/LBC**

- 1 The listed building consent hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The listed building consent 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.