

<b>APPLICATION NO: 21/00483/FUL</b>		<b>OFFICER: Miss Claire Donnelly</b>
<b>DATE REGISTERED:</b> 9th March 2021		<b>DATE OF EXPIRY :</b> 4th May 2021
<b>WARD:</b> Park		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Jay Adler	
<b>LOCATION:</b>	Hatherley Park, Hatherley Court Road, Cheltenham	
<b>PROPOSAL:</b>	Siting of a temporary structure on a purpose built hard standing area within Hatherley Park to serve refreshments	

### REPRESENTATIONS

Number of contributors	<b>3</b>
Number of objections	<b>3</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

80 Bournside Road  
Cheltenham  
Gloucestershire  
GL51 3AH

#### **Comments:** 11th April 2021

I am writing to express my opposition to the above application. My reasons for doing so are set out below but principally I object to an idyllic and arguably, unique part of Cheltenham that has been enjoyed, by generations for over eighty years, should be despoiled in this way. Further, a public notice has recently appeared inviting comments by 12 April to be put before the Planning Committee in order to assess an application, to dispose of the land.

However, the land has now been disposed of, a lease agreed with a for-profit business and the business is trading as it has been doing for the past nine months, save a brief period whilst a concrete hard standing and electrical supply were installed. I enquired of the Council if this was not 'putting the cart before the horse' but was told that the scheme was given the green light under the temporary relaxation for planning permission on temporary structures, authorised by the government in response to the CV-19 situation. Reading the governments rationale for introducing this easement, it is clear it was designed to assist essential services to function effectively during the emergency and cites temporary mortuaries, medical facilities, and existing businesses to allow them to operate continuing to supply services and to protect employment. That CBC have used this vital emergency concession to nod through a vanity project is, in my view shameful.

There are many aspects to this application and indeed to the whole scheme that should be of concern to all council tax-payers, not least that the decision to grant planning permission was given three days prior to the application date, however there are too many to list here, so I have composed a set of questions, that if necessary I will obtain answers under the FOI Act, that need answering.

What concerns me greatly is that once public land in has been disposed of to a for-profit business, with little or, I would say, no proper public consultation, this establishes the

principle that public amenities can be sold off to private businesses, and I have to wonder when we will see the time when advertisements appear from large housing developers offering "Hatherley Park, Unique Lakeside Executive Development".

I have attached the above list as an appendix to this letter.

**Comments:** 11th April 2021

Appendix attached.

26 Hatherley Court Road  
Cheltenham  
Gloucestershire  
GL51 3AG

**Comments:** 6th April 2021

Application is missing critical analysis of the parking problems the development is causing around park entrances. The park has become a destination/meeting place due to the cafe and this is clearly evidenced in the parking accumulations around the entrances during peak times, with cars parking wherever they can find a space, or up on the footways if not.

As a local resident I am supportive of the cafe and the wider benefits it brings to Hatherley Park, particularly contributing towards park maintenance. As a highway consultant (owner of Cotswold Transport Planning in Cheltenham), I feel very apprehensive of the risk to local highway safety that parking congestion is causing around the park entrances, exacerbated by this cafe. The conflict between people in the road, and cars navigating the bottleneck caused by cars parking on both sides of the road, is evident to me, and should at least be acknowledged through some kind of transport assessment.

The cafe use has caused a tangible change in the level of traffic (and parking) to Hatherley Court Road and Bournside Road and I do not think it would be reasonable to assume the park prior to this development was causing the issue at the level it is now occurring. I would encourage CBC to ask the applicant for more information regarding trip attraction and parking accumulation, and would like to see GCC consulted with as the local highway authority.

Based on what I observe almost daily, I feel it is a matter of time until there is an accident on the road, where excited children move so freely around parked vehicles. I hope my objection triggers some collaborative discussion between CBC, GCC and the applicant over some sensible mitigation, or as a minimum an audit trail demonstrating assessment of the risks.

5 Hatherley Court Road  
Cheltenham  
Gloucestershire  
GL51 3AQ

**Comments:** 19th March 2021

I wish to formally object to the proposed construction of a structure in Hatherley Park, Cheltenham for the sale of refreshments.

Montpellier Gardens has a small café. Pittville Park has two cafés. Imperial Gardens has a bar. However, these parks also have public toilets and baby changing facilities.

Some years ago, Hatherley Park had public toilets behind 6 Hatherley Court Road which were removed by Cheltenham Borough Council. Despite my requesting an explanation for the removal, I have never been given one by the Council.

Last year the Friends of Hatherley Park needed to cut down some shrubbery in an area of the park which was being used by the public as a toilet. The closest public toilets are at Morrisons supermarket or Montpellier Gardens. On several occasions, I have found the same gentleman urinating in Hatherley Park against the fence at the bottom of our garden during a break in walking his two dogs. I have also often seen mothers changing their babies on the ground behind a tree.

I believe that the construction of a structure in Hatherley Park for the sale of refreshments needs to go hand in hand with the development of some public toilets and baby changing facilities in Hatherley Park for reasons of public hygiene.

There is a pavilion with a toilet in Hatherley Park, but it is never open for the public to use.

I assume that Cheltenham Borough Council regulates, monitors and cleans the public toilets and baby changing facilities in Montpellier Gardens, Pittville Park and Imperial Gardens. I therefore fail to understand why the Council could not do so with public toilets and baby changing facilities in Hatherley Park.

The Council never mailed the opportunity out to me as promised in its letter of 20 November 2020.

Hatherley Court Road is very busy with parking and traffic. The police were called to a serious incident two years ago.

The proposal has been supported by people whose properties do not back onto Hatherley Park.

I thank you for your attention to this matter and look forward to hearing from you further.

**Comments:** 29th March 2021

I wish to formally object to the proposed construction of a structure in Hatherley Park, Cheltenham for the sale of refreshments without also the construction of some public toilets and baby changing facilities.

Montpellier Gardens has a small café. Pittville Park has two cafés. Imperial Gardens has a bar. However, these parks also have public toilets and baby changing facilities.

Some years ago, Hatherley Park had public toilets behind the garden of 6 Hatherley Court Road which were removed by Cheltenham Borough Council. Despite my requesting an explanation for the removal, I have never been given one by the Council.

Last year the Friends of Hatherley Park needed to cut down some shrubbery in an area of the park which was being used by the public as a toilet. The closest public toilets are at Morrisons supermarket or Montpellier Gardens. On several occasions, I have found the same gentleman urinating in Hatherley Park against the fence at the bottom of our garden during a break in walking his two dogs. I have also often seen mothers changing their babies on the ground behind trees. Moreover, I have witnessed mothers trying to breast feed their babies on park benches with members of the public walking past.

I believe that the construction of a structure in Hatherley Park for the sale of refreshments needs to go hand in hand with the development of some public toilets and baby changing facilities in Hatherley Park for reasons of public hygiene. At this time of the covid-19 pandemic and the busy use of public parks, it is also vital that there are facilities in which people can thoroughly wash their hands.

There is a pavilion with a toilet in Hatherley Park, but it is never open for the public to use. I have wondered whether this building could please be adapted.

I assume that Cheltenham Borough Council regulates, monitors and cleans the public toilets and baby changing facilities in Montpellier Gardens, Pittville Park and Imperial Gardens. I therefore fail to understand why the Council could not also do so with public toilets and baby changing facilities in Hatherley Park.

I thank you for your attention to this matter and look forward to hearing from you further.