

# Planning Committee

**Thursday, 20th October, 2022  
18.00-20.20**

## **Attendees**

**Councillors:** Councillor Paul Baker (Chair), Councillor Glenn Andrews, Councillor Adrian Bamford, Councillor Bernard Fisher, Councillor Paul McCloskey, Councillor Emma Nelson, Councillor Tony Oliver, Councillor John Payne, Councillor Diggory Seacome and Councillor Simon Wheeler

**Officers in Attendance:** Michael Ronan (OneLegal) Ben Warren (Planning Officer), Lucy White (Planning Officer), Clare Donnelly (Planning Officer) Sam Reader (Trees Officer)

### **1. Apologies**

There were apologies received from Cllr Barnes.

### **2. Declarations of Interest**

Cllr Andrews declared that he would be speaking on items 5c and 5d and therefore would not be present for the vote on either item.

### **3. Declarations of independent site visits**

Cllrs Fisher, Bamford and McCloskey visited sites 5a, 5c, 5d and 5e

Cllr Andrews visited sites 5c and 5d

Cllr Payne visited 5b, 5c and 5e

Cllrs Nelson and Seacome visited all sites

Cllr Oliver visited 5a, 5c, 5d and 5e

Cllr Baker visited 5a, 5c and 5d

### **4. Minutes of the last meeting**

The minutes of the meeting held on 22<sup>nd</sup> September were approved.

The Chair then agreed that item 5e would be heard first.

### **5. Planning Applications**

#### **6. 22/01373/FUL 129-133 Promenade, Cheltenham, GL501NW**

The planning officer introduced the report.

There was one speaker who spoke in favour of the application. He made the following points:

- That the benefit of the marquees staying for a further two years outweighs the temporary harm that the structures cause.
- Stated that they were not aware of any complaints until the application was made.
- There was acceptance that the marquees are not an acceptable long term solution in heritage terms, but there were public benefits of retaining them ie jobs, the economy, the viability of the business and the vitality of the town. It is believed that they outweigh the temporary harm.
- The marquees have not caused the capacity of the site to increase as the capacity is set by the licence and this has not changed. The marquees simply allow the outside eating and drinking to continue all year.
- It is anticipated that if the extension is not granted then up to 50 jobs will be at risk.

The response to a Member question was that there were now no longer any covid protocols in place.

During Member debate the following points were raised:

- There was a question to be considered that if covid restrictions hadn't been in place would permission for the marquees ever be granted.
- The area has been made more vibrant by the marquees being in place and a two year extension doesn't seem unreasonable.
- As covid is clearly not over and as it will soon be winter a two year extension seems prudent.
- That some of the marquees are in a poor state of repair and that it is time to claim back the Promenade as there are beautiful buildings and the marquees detract from that.
- The marquees were put up for a very good reason, the business had a business plan before the pandemic and therefore should not be relying on the temporary structure.
- Cheltenham is a tourist town and many people come to see the Georgian buildings. Other businesses in the town have removed their temporary structures therefore it would be fair for all businesses follow the same rules.
- The pandemic is not over as the current figures show therefore a two year extension might be a good thing although the marquees are ugly.
- The marquees seem to be enclosed on all sides which defeats the object if covid is a concern.

The matter went to the vote on the officers recommendation to refuse.

FOR: 6

AGAINST: 4

**REFUSED**

**7. 22/01540/FUL St Marys Mission, High Street, Cheltenham, GL50 3JA**

The planning officer introduced the report. There were no speakers on the item.

In response to a Member question it was confirmed that the flag that would be flying from the pole would be the green flag that has been awarded to the park and garden.

There were no issues for Member debate.

The matter went to the vote with the recommendation to permit.

For: 10 – UNANIMOUS

**PERMITTED**

**8. 22/01439/FUL Pittville Pump Rooms, East Approach Drive, Cheltenham, GL52 3JE**

The planning officer introduced the report as published.

There was one public speaker and a Councillor who spoke on the item. They were both in support of the application.

The first speaker made the following points:

- It was recognised that the structure is not appropriate for the style of building.
- The café is vital to the future sustainability of the Pump Rooms and the Trust as a whole.
- A third of the Trusts income is generated from the Pump Rooms café and the Garden Café.
- The café supports not only the Pump Rooms but the Wilson and free live entertainment family events.
- There is the possibility that 18 employees will be made redundant if the facility closes.
- If the café was moved into the Pump Rooms due to other bookings and commitments the café would only be able to trade for 70 days per year.
- It is financially unsustainable to return to the trestle tables and kiosk that there was before.
- There were so many representations in support that it is clear that the social benefits outweigh the aesthetic impact.

Cllr Andrews then spoke in support and made the following points:

- The café is an invaluable asset to the town and to the Trust as it supports the buildings that the Trust is responsible for and its upkeep.
- The loss of amenity argument seems weak as it does not impede on the view from other properties and is only partially seen from the west.
- The fact that it is a Grade 1 listed building is largely irrelevant when talking about the café as there is no change to the Pump Room itself.
- The issue must be supported as it is essential for cultural reasons and funds for maintaining the property.
- It is more than economics it is about social and mental health benefits for people and that should not be ignored.

During the debate Members made the following points:

- The trust should have appreciated the benefit of the café and been making plans for when it was going to be removed over a year ago.
- The glass box detracts from the Grade 1 listed building, it is time to start reclaiming them.
- There was no business plan to support the figures that were being provided. An indoor café like the pump rooms in Bath would be a solution and be grand surroundings.
- The Pump Rooms have always struggled to combine event functions with a café, however the aesthetics of the structure are not good and should not be supported.
- This application is different to the 131 application as the café has not stopped the public being able to see the building.
- The Trust needs to look at a more elegant structure if there is a commercial need. It is good that the money goes back into the town to support the Trusts other properties and will support.
- Although the location of the café is not the best, the beauty of the Pump Rooms can still be seen. It will be for the greater good of the public if it remains and will support.
- The Trust was in financial difficulty prior to the current team taking it over, it would seem that the café is a necessity to provide money back into the Trust and to remove that would seem reckless. Cheltenham Borough Council does not have the money to bail the Trust out.
- The café is not a warm place and the justification is not there as the Pump Rooms will attract visitors regardless.
- The applicant has had two years to come up with an alternative to the structure that they have at the moment. The Trust should be treated the same way as previous applications, acceptance that the Trust put money back into maintaining their

buildings but there should be acknowledgement that 131 had also restored their property.

- There are three other places in the park to buy tea, coffee and treats.

There was then an amendment moved for an extension of one year rather than two. The proposal for the amendment was seconded and the matter was debated and the following points were made:

- Whereas the attractiveness of a one year is appealing, it is not known if the Trust is financially relying on the two year plan as no business case has been put forward.

The planning officer then confirmed that the Trust was relying on a two year plan so a one year plan might not be feasible.

The amendment was then voted on and that fell.

The vote was taken on the officer recommendation to refuse:

For: 5

Against: 4

**REFUSED**

## **9. 22/01438/FUL Cheltenham Town Hall, Imperial Square, Cheltenham, GL50 1QA**

The planning officer introduced the report.

There were two speakers – a representative from the Cheltenham Trust and a Councillor both in favour of the application.

The representative from the Trust made the following points:

- That the Garden Bar has grown from an ice cream kiosk to an all year round destination.
- The Garden Bar grew organically due to visitor demand.
- It offers employment to 20 staff and spend approx. £211,000 to local suppliers.
- The income helps to supplement access to all and keep the museum free of charge.
- There is often live music in the Garden Bar and that supports local entertainers and is provided to the customers free of charge.
- The Garden Bar encourages people to visit the gardens and therefore helps to promote the gardens.
- There was only one objection to the application and there were over three thousand people in support.

The Ward Councillor then made the following points:

- That financially it is a pressing issue to keep the Garden Bar up and running.
- Proceeds supplement many free events.
- The building enhances the look of that part of Imperial Square.
- The building also helps to enhance the uglier western side of the Town Hall.
- The amount of support illustrates that the Garden Bar should remain.
- Refusal will make visiting the gardens and the town less appealing.

There were no Member questions, the matter went straight to debate where the following points were raised:

- The gardens are a lovely place to visit and the building does not have a detrimental effect on them. It is a lovely place to visit especially in the summer. Would definitely support.
- Is in favour as long as the published opening hours are honoured and there is no issue with noise.
- Another Member also said that they would support the application and hoped that a decent permanent structure can be found.
- The building is more attractive than others – will look forward to what the Trust brings forward.

The matter then went to the vote on the officer recommendation to permit:  
For – UNANIMOUS

## **PERMITTED**

### **10. 22/00799/TREEPO 1 Hill Court, Hillcourt Road, Cheltenham GL52 3JJ**

The trees officer introduced the report.

There was one speaker in objection who made the following points:

- That there was no objection to the TPO being made but the fact that the two horse chestnut trees were included.
- If you visited the site from a public vantage point you would see no difference to the canopy with or without the two horse chestnuts.
- The development of the site is clearly an issue whether the two horse chestnuts remain or go development will still be deterred.
- Believed that is unfair that she has to ask permission from a public body to prune the trees.
- The request was made that the committee granted the TPO but removed the two horse chestnuts from it.

The responses to Member questions were as follows:

- Amenity is a bland idea and no fixed description in government and not for this meeting
- A condition cannot be made on the pruning of trees.

The matter then went to the vote to confirm the TPO

For: UNANIMOUS

## **GRANTED**

### **11. Appeal Update**

The details of appeals were noted for information.

### **12. Any other items the Chairman determines urgent and requires a decision**

There were none.

