

APPLICATION NO: 25/00380/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 3rd May 2025	DATE OF EXPIRY: 28th June 2025
DATE VALIDATED: 3rd May 2025	DATE OF SITE VISIT:
WARD: Pittville	PARISH:
APPLICANT:	The Cheltenham Trust
AGENT:	Evans Jones Ltd
LOCATION:	Pittville Pump Room East Approach Drive Cheltenham
PROPOSAL:	Temporary change of use of land for the siting of a trailer/vehicle as a servery and retention of ancillary mobile toilets and store, plus over-cladding of toilets and store.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to Pittville Pump Room a Grade I listed building located within the northern section of Pittville Park. Pittville Park is registered park and garden and is also a designated Local Green Space. The site sits within Cheltenham's Conservation Area and forms part of the Pittville Character Area and Management Plan.
- 1.2 During the early stages of the COVID-19 pandemic Cheltenham introduced a short-term relaxation of enforcement for temporary structures. This relaxation was introduced in order to help and support existing businesses and organisations to continue to operate whilst the Government imposed social distancing restrictions. The Cheltenham Trust benefitted from this temporary relaxation and the former Orangery structure for use as a café was erected at the Pittville Pump Room, alongside ancillary toilets and storage.
- 1.3 In June 2023, the Cheltenham Trust submitted an application for the retention of the structures and use as a café for a period of up to 20 months, this application was approved and the café structure, storage container and toilet facilities remained in place for that period. At the end of the 20-month period, the café structure was removed from the site, however the storage container and toilet facilities remain in-situ.
- 1.4 The Cheltenham Trust are now seeking permission for a further temporary consent to allow for the siting of a food trailer/vehicle on the site, with the retention of the ancillary storage and toilet facilities. Over cladding of the storage container and temporary toilet facilities is also proposed as part of the application.
- 1.5 During the course of the application process further details and justification have been sought and provided, and a revised plan has been submitted. The revised plan showing a slight relocation of the food trailer/vehicle in response to the tree officers comments/concerns. All of this is discussed in more detail below.
- 1.6 In the further information provided, the applicant has identified the periods for which the food trailer/vehicle will be sited on the land, this amounts to a total of 24 months across the period, ending in October 2028.
- 1.7 The application is at planning committee as Cheltenham Borough Council are the landowner.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Central Conservation Area
Listed Buildings Grade 1
Principal Urban Area

Relevant Planning History:

24/01008/PREAPP 2nd October 2024 CLO

Future of the Orangery at the Pump Room expiring on 1st November 2024 - Siting of catering van for cafe use and retention of existing storage and toilet facilities in car park. An extension of time on the temporary consent is required.

21/02560/FUL 23rd February 2022 WDN

Installation of 2 no. temporary buildings and associated services for a period of 3 years on existing hardstanding adjacent to the Pittville Pump Room, to comprise a storage unit and public WC unit to be associated with the existing outdoor cafe and associated events.

21/02618/FUL 3rd December 2021 WDN

Proposal to retain the current temporary Orangery structure on a permanent basis

22/00340/LBC 22nd April 2022 GRANT

Various repairs works

22/01439/FUL 21st October 2022 REF

Temporary change of use of land for up to two years for the siting of an orangery structure to be used as a cafe and the siting of ancillary toilets and storage facility

23/00372/FUL 16th June 2023 PER

Temporary change of use of land for up to 20 months for the siting of an orangery structure to be used as a cafe and the siting of ancillary toilets and storage facility (Revised submission to 22/01439/FUL)

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 6 Building a strong, competitive economy

Section 8 Promoting healthy and safe communities

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

GI1 Local Green Space

GI2 Protection and replacement of trees

GI3 Trees and Development

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD8 Historic Environment

SD9 Biodiversity and Geodiversity

SD14 Health and Environmental Quality

INF1 Transport Network

Supplementary Planning Guidance/Documents

Cheltenham Climate Change (2022)

Central conservation area: Pittville Character Area and Management Plan (July 2008)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	31
Total comments received	11
Number of objections	10
Number of supporting	1
General comment	0

- 5.1 Letters were sent to 31 neighbouring land users, two site notices were displayed and an advert was published in the Gloucestershire Echo. In response, 10 letters of objection and one letter of support has been received. The comments have been summarised, but are not limited to the following:

5.2 Objections

- Impact on the designated heritage assets
- Lack of a need for further café facilities in this location
- Lack of detail with regards to a permanent solution
- Impact on trees
- Impact on neighbouring amenity – noise and pollution
- Visual impact

5.3 Support

- Previous café use of benefit to the area and was well used by residents and visitors

6. OFFICER COMMENTS

6.1 The site and its context

6.2 As already noted in the introduction to this report, the application site relates to the Pittville Pump Room, which is a Grade I listed building located within the northern part of Pittville Park which is a registered park and garden. The site also falls within Cheltenham's Central Conservation Area and Pittville Character Area.

6.3 The proposed food trailer/vehicle would be sited on an area of hardstanding to the west of the Pittville Pump Room, with the toilet block and storage container retained in its current location, further north and towards the rear of the building. The toilets are contained within a moveable structure and the storage facility comprises of a shipping container.

6.4 In terms of the wider context, the surrounding development is predominantly made up of residential dwellings. The properties to the north of West Approach Drive consist of detached and semi-detached properties, all but one of these are Grade II listed, to the south are two large, detached buildings which consist of residential flats, one of which is locally listed. On East Approach Drive the properties to north of the highway are detached, some of which are locally listed, and properties to the south of the highway are made up of two storey terraced properties, all located within the conservation area. Within the wider area and park, further café uses are present.

6.5 Pre-application advice

6.6 This application follows a formal pre-application where the LPA were asked to give their view/comments on options for the Pittville Pump Rooms and a café offering. The options presented and advice sought was with respect to the retention of the former orangery structure for an extended period, and the siting of a vintage trailer. In summary, officers raised concerns regarding the further retention of the orangery building and suggested this would not be supported. With regards to the siting of a vintage trailer, officers suggested this could be supported on a temporary basis but was not appropriate as a permanent or long-term solution. Officers advised that detailed information and justification for any future planning application would be required and encouraged the applicant to consider options to improve the visual appearance of the ancillary buildings by use of cladding, boundary enclosure and soft landscaping should an application be submitted.

6.7 Determining Issues

6.8 The key considerations of this application are impact on heritage assets, design, public benefits, impact on neighbouring amenity and highways related matters.

6.9 The proposal

- 6.10 The application proposes the siting of a food trailer/vehicle on an area of existing hard standing to the west of the Pittville Pump Room, this food trailer would be used as a servery to allow a café function to run from the site. The ancillary buildings to the rear of the site would be retained to enable the café use to operate, this includes a shipping container for storage and separate toilet facilities. Works proposed within the application also includes the over cladding of these ancillary buildings in timber.
- 6.11 The applicant is again seeking consent for a temporary period and not as a permanent proposal. As originally submitted, the applicant was seeking consent for a 4-year period. However, following concerns/comments raised by officers, this has since been amended, and the applicant is now seeking consent for a lesser period. The time frames proposed by the applicant would mean that a food trailer could be sited on the land for up to 24 months across a 3-year period, this period ending on 31st October 2028. The periods of time the trailer could be on site are 1st January 2026 - 31st October 2026, 1st April 2027 - 31st October 2027 and 1st April 2028 - 31st October 2028.
- 6.12 The exact specification of the proposed food trailer/vehicle is not provided, however, details and images within the supporting information suggest the idea would be to use something similar to an Airstream trailer, converted to serve food and drink. An example image is provided at fig 4 of the original planning statement. The applicant has also stipulated some maximum vehicle/trailer dimensions and has confirmed their agreement to these being included by way of condition. The maximum measurements for the vehicle/trailer are 8.2 metres in length, 3.1 metres in width and 3 metres in height.
- ### 6.13 Impact on heritage assets
- 6.14 The application site has a particularly sensitive location, the proposed development affects a number of designated heritage assets including the setting of the Grade I listed Pump Room, the Grade II registered park and garden, the conservation area in which it sits and a number of listed buildings that surround it.
- 6.15 Policy SD8 of the JCS relates to the historic environment and states how *‘Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance’*. Section 16 of the NPPF also echoes the importance of conserving and enhancing heritage assets.
- 6.16 As required by the NPPF paragraph 212, *‘great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’*. Furthermore, paragraph 213 of the NPPF states that *‘any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.’*
- 6.17 Concerns and objections to the application have been raised by Cheltenham's Conservation Officer, Historic England, the Civic Society and it in letters of representation from the public. The full/detailed consultee comments can be read in the appendix at the end of this report and all public comments can be read in full on the council's public access webpages.
- 6.18 Cheltenham's senior conservation officer acknowledges that this proposal would have a lesser impact on the designated heritage assets than that of the former Orangery structure by virtue of its smaller size, nevertheless they remain of the view that the proposals would be harmful to the setting and therefore the significance of the Grade I listed building. The officer acknowledges that the proposed timber cladding of the ancillary structures will offer a degree of visual mitigation but considers it would still be visually distracting and therefore remains harmful. The conservation officer concludes the level of harm would be less than substantial and further suggested that there was a lack of justification for the 4-year time period originally sought. Historic England raise similar issues and concerns and are also of

the view that the proposal would result in unacceptable harm to the buildings setting and significance and consider that a permanent solution should come forward for discussion.

- 6.19 The Cheltenham Civic Society have reviewed and objected to the application. They raise concerns over the submission of a further temporary permission and lack of detail to demonstrate what the long-term proposals for the site would be in order to justify the proposal.
- 6.20 Having fully acknowledged the heritage concerns, officers considered there to be a general lack of suitable and necessary information and justification to support the application. Officers queried the 4-year time period being sought and identified the lack of a detailed action plan/programme delivery which would support the proposal for a long-term solution. Furthermore, there was also no progress update on the action plan that was presented for the last application, or any explanation as to why a long-term solution has not been developed during the previous 20-month temporary consent period previously approved. It was also unclear in the information what the responsibilities of the Cheltenham Trust is for the upkeep and maintenance of the Pump Rooms itself. In response to these comments further supporting information has been provided.
- 6.21 The additional information provides more detail and information to assist officers in the considerations of the application and gives a better understanding/justification of the proposal. However, the identified harm to the designated heritage assets as a result of the proposed works remains and the proposal is unacceptable in heritage terms.

6.22 Public benefits

- 6.23 When considering public benefits, the NPPF itself does not define what public benefits are for this purpose. Further guidance is given in the Historic Environment Chapter of the PPG. This refers to anything which delivers the economic, social or environmental objectives of sustainable development described in paragraph 8 of the NPPF. Those objectives are defined in paragraph 8 of the NPPF as follows:-
- (a) Economic - to help build a strong, responsive and competitive economy
 - (b) Social - to support, vibrant and healthy communities
 - (c) Environmental - to contribute to protecting and enhancing the natural, built and historic environment.
- 6.24 The PPG makes clear that the public benefits must flow from the development and must be of a nature or scale that would benefit the public at large but these benefits do not always have to be visible or accessible to the public or to all sections of the public to be genuine public benefits.
- 6.25 The supporting planning statement and further information provided identifies that The Cheltenham Trust is a non-profit organisation that manages five venues in Cheltenham which are owned by Cheltenham Borough Council, one of these being the Pittville Pump Rooms. It is identified that Cheltenham Trust is the lead provider of culture, heritage, sport leisure and entertainment and as such is responsible for sustaining these venues as well as contributing to the towns local and visitor economy.
- 6.26 The supporting planning statement identifies that the former café offering provided clear financial benefits which has helped make the ongoing operation of Pittville Pump Rooms a viable venue. The applicant suggests that the café offering received a positive response from the public, highlighting that the previous application was supported by a petition in favour of its retention.

- 6.27 Further information from the applicant highlights what the Cheltenham Trusts responsibilities are towards securing the long-term future of the Pump Rooms. It is suggested that the income from the café use will help support the ongoing operations at the Pump Rooms to ensure it remains as a positive asset from Cheltenham residents and visitors to enjoy.
- 6.28 The applicant acknowledges that there are already café offerings within the park, and in response to the comments/concerns regarding the need for a further café in this location, the applicant suggests that there is unmet demand by users of the park, with queues often seen at these other cafes. They also believe that the demand for a further offering was clearly demonstrated by the success of the former orangery café before its removal.
- 6.29 The applicant acknowledges that this proposal is not a suitable long-term solution but the applicant considered it necessary in order to allow the ongoing offerings of the Pump Rooms and all that the Cheltenham Trust offer through events in order to secure its long term viability.
- 6.30 Whilst all of the above public benefits are duly noted, the requirement of paragraph 215 requires these benefits to be weighed against any harm to the designated heritage assets. This is discussed in the next section of this report.

6.31 Impact on heritage assets versus public benefits test

- 6.32 Public benefits have been identified by the applicant, further detail and additional information regarding the benefits that are associated with the café have been provided during the course of the application and in response to officer's comments. The further detail and level of this information has enabled officers to better understand the extent of public benefits that the income from the café use is currently providing. In addition to the clear economic benefits which results in re-investment in the town, there are social benefits associated with the café in providing a place for Cheltenham residents and visitors to enjoy social gatherings within the setting of one of Cheltenham's most well-known listed buildings and registered park and gardens.
- 6.33 Concerns regarding the impact of the orangery on the various designated heritage assets, most notably the setting of the Grade I listed building have been raised by a range of consultees and local residents. In particular, the council's senior conservation officer and Historic England identify the level of harm as being 'less than substantial'; officers agree with this conclusion. As harm has been identified, paragraph 215 of the NPPF is relevant to the considerations of this application. Para 215 states 'Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.'
- 6.34 Whilst officers acknowledge that the structures will result in harm, and that the siting of these structures is not an appropriate long-term solution, the identified public benefits are considered to be of value to Cheltenham residents and visitors and therefore must be carefully considered. Given the temporary consent period, with the structures being fully removable from the site without any loss of historic fabric, officers are of the view that, on balance, the public benefits do outweigh the less than substantial harm to the designated heritage assets.

6.35 Impact on neighbouring property

- 6.36 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. The Local Authority will consider matters such as potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact. Policy SD14 of the JCS and Cheltenham Plan Policy SL1 require development not to harm the amenity of adjoining neighbours.

- 6.37 Due to the position of the proposed vehicle/trailer, the ancillary storage container and toilet facilities within the site and their relationship with nearby neighbouring land users, officers do not consider there would be any unacceptable loss of light, loss of outlook, overbearing impact or loss of privacy to any nearby residents.
- 6.38 Concerns are raised by some local residents, specifically with regards to noise and disturbance from the café use and associated deliveries. The properties that have the most potential to be impacted by the development are those properties directly to the west of the site located on West Approach Drive, this includes the properties known as Park Gate and Chaseley Lodge, which are approximately 30 metres away.
- 6.39 The proposed use will require deliveries to the site, and the toilet facilities will need servicing, all of which could give rise to noise and disturbance to nearby residents. Officers also acknowledge that the facilities will generate general noise and disturbance from day to day operations and from a potential increase in visitors. It is however also acknowledged that this is a public park/gardens whereby the number of visitors is unrestricted.
- 6.40 Officers consider that whilst the use may generate some level of noise and disturbance, the proposed operating hours, which are the same as those used for the previous orangery facility, are not considered to be unreasonable. These being Monday – Friday 09:30 – 17:00, Saturdays 09:30 – 19:00 and Sundays 09:30 – 17:00. A condition to restrict operating hours to these times is recommended. In addition, a further condition is recommended which would restrict the hours for deliveries and servicing of the facilities to certain hours, these being Monday – Friday 07:30 to 18:00, Saturdays 08:00 – 13:00 and never on Sundays and bank holidays. These conditions reflect those imposed on the previous approval for the orangery.
- 6.41 With the conditions in place, officers are of the view that the development would not give rise to unacceptable amenity implications and the development would comply with Cheltenham Plan policy SL1 and JCS policy SD14.

6.42 Access and highway issues

- 6.43 Adopted JCS policy INF1 sets out that planning permission will only be granted where the impact of the development is not considered to be severe.
- 6.44 Gloucestershire County Council as the Local Highways Authority has been consulted on this application and their detailed comments can be read above. No objection has been raised and they conclude that the development does not result in an unacceptable impact on highway safety or result in a severe impact on congestion. The proposal is therefore considered to be compliant with adopted JCS policy INF1.

6.45 Sustainability

- 6.46 As members will be aware Cheltenham adopted the Climate Change SPD in June 2022. The SPD sets out a strategy for decarbonising buildings and other development in order to help Cheltenham meet its target of becoming carbon neutral by 2030.
- 6.47 In this instance the development is for a temporary structure and is proposed for a temporary period, this therefore means there is little opportunity to include specific low carbon technologies.

6.48 Trees

- 6.49 A number of trees are located within close proximity of the development, the council's tree officer has therefore been consulted. The tree officer raises concerns with specific regard to an existing Strawberry Tree which is in close proximity to the proposed location for the food trailer. Due to presence of lower-level limbs, concerns are raised by the tree officer

with regards to the impact on this tree and potential pressures for future pruning works. In response a revised plan has been submitted which shows a minor relocation of the area for the proposed vehicle/trailer, which would move it away from this tree. The tree officer considers this revised location to have addressed their concern regarding impact on this Strawberry Tree. It is noted that this new location would move the vehicle/trailer to an area within the sphere of influence of the Lime tree, however, due to the height of the lowest branches, the siting of the trailer in this location should not result in any conflict. The proposal is now considered to comply with Cheltenham Plan Policy GI2.

6.50 Biodiversity Net Gain and ecology

- 6.51 The Councils ecologist has reviewed the application, no specific comment or concerns have been received. The proposed works does not impact a priority habitat and impacts less than 25 square metres of on-site habitat and 5 metres of on-site linear habitats such as hedgerows and as such the statutory 10% biodiversity net gain is not required.

6.52 Public Sector Equalities Duty (PSED)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1 It is quite clear that from a heritage perspective the proposed siting of a food vehicle/trailer and the retention of the associated ancillary buildings, as proposed, is harmful to the designated heritage assets, in particular the setting of the Grade I listed Pittville Pump Rooms. As such, the proposal fails to comply with the relevant policies in this regard. However, with the level of harm to the designated heritage assets being ‘less than substantial’, the requirement of the NPPF, is that this harm should be weighed against the public benefits of the proposal.
- 7.2 Public benefits have been identified and are discussed in the comments above, as such, officers have weighed these benefits against the identified harm to the designated heritage assets. Overall, it is officers view that given the temporary period of time for the siting of the food trailer/vehicle and retention of the ancillary buildings, with no direct loss of historic fabric as a result of the works and the public benefits identified, on balance, officers consider the public benefits in this instance do outweigh the less than substantial harm. It is however clear that this development is not appropriate/acceptable as a long-term solution and any future applications for longer periods, or similar temporary proposals will be resisted.

- 7.3 In terms of all other material planning considerations, the application is considered to be acceptable in terms of impact on neighbouring amenity, impact on trees, sustainability, highway safety, biodiversity net gain and ecology.
- 7.4 Having considered all of the above, on balance, officer recommendation is to support the application subject to conditions.
- 7.5 Officers consider conditions necessary that control the temporary time period for the consent and subsequent removal of the structures, a condition which stipulates the maximum size for the food trailer/vehicle and the submission of its exact details. Further conditions restrict the operating hours, servicing and delivery times and requires the proposed cladding of the ancillary buildings to take place prior to the first beneficial use of the café.

8. CONDITIONS / INFORMATIVES

- 1 The food trailer/structures hereby permitted and listed below shall be removed from the site and the land restored to its former condition on or before 31st October 2028.

- a) Food trailer/vehicle
- b) Ancillary toilets and storage facility

Reason: The permanent siting of these temporary buildings/structures on this site will have a detrimental impact on the designated heritage assets, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017) and in the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 2 The food trailer/vehicle hereby permitted shall not be sited, stored or used on the land outside of the following periods:

1st January 2026 - 31st October 2026
1st April 2027 - 31st October 2027
1st April 2028 - 31st October 2028

Reason: The permanent siting of these temporary buildings/structures on this site will have a detrimental impact on the designated heritage assets, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017) and in the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 3 The size of the food trailer/vehicle shall not exceed 8.2 metres in length, 3.1 metres in width, and 3.0 metres in height, and prior to the siting of any such food trailer/vehicle on the land, details/specification of the trailer/vehicle shall have first been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of design and impact on the designated heritage assets, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 and SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 4 Prior to the siting and first beneficial use of the food trailer/vehicle, the proposed external cladding works to the toilet and storage block, as shown in drawing number 16369 1-4 shall be completed.

The cladding shall not be applied, unless in accordance with a physical sample panel showing the final material finish, which shall have first been made available to view on site and approved in writing by the Local Planning Authority.

Reason: In the interests of design and impact on the designated heritage assets, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 and SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 5 No customers shall be served from the food trailer/vehicle outside of the following hours, without express planning permission:

Monday to Friday : 09:30 to 17:00

Saturday: 09:30 to 19:00

Sunday / Bank holiday 09:30 to 17:00

Reason: To safeguard the amenities of the locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 6 Deliveries, collection of waste and servicing of the temporary toilets shall only take place during the following hours:

Monday to Friday : 07:30 to 18:00

Saturday: 08:00 to 13:00

Never on Sundays / Bank holiday

Reason: To safeguard the amenities of the locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

Consultations Appendix

Tree Officer - 6th August 2025

The updated proposal, moving the canteen trailer away from the Arbutus is welcomed by the Trees Section. It will now be in the sphere of the influence of a lime tree and, while this may be a source of seasonal debris and potentially honeydew, it is at least a larger tree with more space beneath it to accommodate the trailer. It should be noted that the Trees Section will resist any calls for pruning this tree due to conflict arising from such seasonal debris or other conflict arising from the placement of the trailer in the sphere of the lime tree.

Tree Officer - 25th July 2025

The Evans Jones response to the previous Trees Officer comment is noted.

Previous trees officer comment referred not to the impact of the root protection area of the tree, but to the anticipated necessary significant pruning of the adjacent high value strawberry tree as well as on going nuisance that tree would cause if a semi-permanent structure is situated underneath it's crown.

The proposed footprint of the airstream trailer is shown to be under the canopy of the only strawberry tree in Pittville Park and one of only a handful in Cheltenham. The limbs of the tree grow at an acute angle over the parking area. The height of the lowest branch work is approx. 2 metres above ground and the proposed trailer will not fit under the tree unless significant pruning is undertaken to the tree which would reduce its amenity and its visual enhancement of the adjacent Pumprooms.

The previous orangery was not located under the canopy of this tree.

A strawberry tree (*Arbutus unedo*) is an unusual species of evergreen broadleaved tree, native to SW Ireland but nowhere else in Great Britain and Ireland. This particular tree is fully mature.

The tree produces much tree "litter" during/after the annual flowering period (many panicles of small white flowers) and subsequently 1-2cms diameter "strawberry" fruit. The fruit are soft and "mushy". To locate a large shiny trailer under the canopy will make the shiny surface dirty and sticky.

The trailer should be moved away from the existing site constraint (this tree). This is in accordance with paragraphs 5.2 and 5.3 of BS 5837 (2012) - Trees in relation to Design, Demolition and Construction-Recommendations. BS5837 (2012) is within Local Plan Policy G13 "Development which would cause permanent damage to trees of high value will not be permitted".

Tree Officer - 27th May 2025

The vending trailer should be moved out of the sphere of influence of the strawberry tree to the north. With this minor amendment to the scheme, the Trees Section has no objections.

**Cheltenham Civic Society - 21st May 2025 –
OBJECT**

Pittville Pump Room is one of only five grade I listed buildings in Cheltenham. Although this is proposed as a temporary solution, we have had nearly five years of 'temporary' structures. Neither the proposed servery nor the camouflaged loos are of a design that is fitting for such a setting. They could only be permitted if there is a credible timetable for preparing and implementing a permanent solution.

We recognise the need for the Trust to generate an income, and the café was a resource that was much appreciated by residents and visitors, but this scheme is deficient in itself and merely defers - yet again - the decision about a permanent solution. Such a solution should take a comprehensive look at the whole area around the Pump Room, including the land behind it; and should look at how to house some of the proposed uses within the building.

Gloucestershire Centre For Environmental Records - 13th May 2025
Report available to view in public access

The Gardens Trust - 27th May 2025

Thank you for consulting the Gardens Trust in its role as Statutory Consultee on the above application which may have a material impact on the significance of Pittville Park, a Grade II registered park and garden (RPG) included by Historic England on the Register of Parks and Gardens of Special Historic Interest. Pittville Park was originally a garden laid out between 1825 and 1842 designed by Richard Ware for Joseph Pitt. The gardens were created in order to provide walks for those using the Pittville Pump Room or living on the estate and, in 1913, the Marle Hill Annexe was incorporated into the grounds to form Pittville Park.

We have considered the information provided and liaised with our colleagues at The Gloucestershire Gardens and Landscape Trust and, on the basis of this, we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals. However, if you have any further queries, please contact us at this email address, and we would be grateful to be advised of the outcome of the application in due course.

Building Control

7th May 2025 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Heritage And Conservation - 6th August 2025

The revised block plan indicates the siting of the Airstream-style trailer to be in position April - October. The design of the caravan trailer is an iconic design, makes a design statement and will be visually very obtrusive. I feel measures/options to mitigate its impact should be considered in addition to the natural softwood boarding in a 'hit and miss' configuration to the WCs and storage container.

If we are minded recommending approval, I recommend the following condition as there is very little/no detailed information regarding the screening. For example, the softwood needs to be protected from rot – how ? I feel it should be stained to 'toned down' the lightness of the timber proposed.

Suggest condition:

Prior to the commencement of works a sq. metre of boarding/screening panel shall be located on site (adjacent to the host structure) for the local authorities written approval.

Heritage And Conservation - 30th May 2025

Description of site and proposal

The Grade I listed Pittville Pump Room is located with Pittville Park (Grade II listed Park & Garden) within Pittville Conservation Area. In this context, collectively it is one of the most important and significance clusters of designated heritage assets within Cheltenham

This application seeks the temporary change of use of land for the sitting of a trailer /vehicle as a servery and retention of ancillary mobile toilets and store plus the over-cladding of toilets and store.

Relevant Legislation, Policies and Guidance

Of particular importance is the Planning (Listed Buildings and Conservation Areas) Act 1990. Para 16 (2), which requires local authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. Para 72(1) requires local planning authorities to pay special attention to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area.

The Joint Core Strategy 2017 (JCS) policy SD8 also requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance.

A core principle of the National Planning Policy Framework 2024 (NPPF) is for heritage assets to be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 202 - 221 sets out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations of these paragraphs, including para 203 of the NPPF which requires the significance of heritage assets to be sustained and enhanced and para 212 of the NPPF requiring great weight to given to the asset's conservation. Also relevant in this instance is para 213 of the NPPF , which requires clear and convincing justification for

any harm to, or loss of, the significance of a designated heritage asset and para 215 of the NPPF, which address harm, specifically where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

Comments on proposed alterations

The current arrangement was granted temporary planning permission in 2021 with the intention to develop a permanent provision within the Pump Room and the subsequent removal of the existing temporary arrangement. It is unfortunate no such long-term solution has come forward during the intervening four years.

While this is a temporary solution in providing a continuing catering facility for the Pump Rooms, the location and appearance of the structures do, collectively result in significant harm to the setting and therefore significance of the Grade I listed building. The proposed timber screening will offer a degree of visual mitigation but may be visually distracting in itself with the appearance of the temporary structures being visible over the screening.

A substantial part of the interests and significance of the Pittville Pump Room lies in its physical form, architectural interest and historic importance.

Conclusion and Recommendation

The proposed boarding to the existing temporary WC and storage structures attempts to mitigate the visual impact. However, it does not reduce the harm to the setting of the Grade I listed building.

The proposal will cause considerable (but less than substantial) harm to the character and appearance of the Pittville Pump Room and the Park.

It is my understanding there are other similar facilities within the grounds of the park. The NPPF requires local authorities to weigh up the public benefits of any harm to the character or setting of any heritage assets by a proposal. In my view, any public benefits are very limited due to similar services on offer to the public. In addition, the experience of visitors to the Pump Room may be compromised due to the prominence of the proposal located so close to the main entrance and principal elevation of the building. However, the rental use and visitor attraction of such facilities will generate income to the heritage asset's upkeep.

There is a lack of robustness and justification for the four-year extension of time. I do not support the four-year extension of time due to the continuing harm on the character and setting of the heritage assets identified as they are contrary to the legislation and policies highlighted above. However, I feel a 1-2 two-year extension of time should be considered and may offer a pragmatic temporary solution and will significantly mitigate the protracted nature of the harm being caused as identified above.

CBC Ecologist - 14th May 2025

No Comment

Historic England - 22nd May 2025

Full report available to view in public access

Summary

While this is a proposed temporary solution in providing a continuing catering offer for the Pump Rooms, the location and form of the temporary structures would still result in unacceptable harm to the building's setting and therefore significance. We advise that this harm is minimised and more importantly, that a permanent solution comes forward for further discussion.

GCC Highways Planning Liaison Officer - 2nd June 2025 –

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection.

The justification for this decision is provided below.

The proposed development has no impact on a vehicular access, relocates the existing pedestrian access and has no detrimental impact on the highway.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained

The Highway Authority therefore submits a response of no objection.