



CHEL TENHAM
BOROUGH COUNCIL

Built Environment Cheltenham Borough Council
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Application to determine if prior approval is required for a proposed: Change of use from
Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as
amended) - Schedule 2, Part 3, Class MA

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

| | |
|----------------|---|
| Number | <input type="text" value="30"/> |
| Suffix | <input type="text"/> |
| Property Name | <input type="text"/> |
| Address Line 1 | <input type="text" value="St Georges Place"/> |
| Address Line 2 | <input type="text"/> |
| Address Line 3 | <input type="text" value="Gloucestershire"/> |
| Town/city | <input type="text" value="Cheltenham"/> |
| Postcode | <input type="text" value="GL50 3JZ"/> |

Description of site location must be completed if postcode is not known:

| | |
|-------------------------------------|-------------------------------------|
| Easting (x) | Northing (y) |
| <input type="text" value="394727"/> | <input type="text" value="222578"/> |

Description

Applicant Details

Name/Company

Title

Company Name

Address

Address line 1

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

**** REDACTED ****

Secondary number

Fax number

Email address

**** REDACTED ****

Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible.

The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

The current building and site

Please note: Eligibility questions relating to the current building being vacant for 3 months, and it's floorspace not exceeding 1,500 square metres were removed after these limitations were lifted by government on 5 March 2024.

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:

- For periods prior to 1 September 2020
 - Shops (Use Class A1);
 - Financial and professional services (Use Class A2);
 - Food and drink (Use Class A3)
 - Business (Use Class B1);
 - Medical or health services
 - Non-residential institutions (Use Class D1(a));
 - Crèche, day nursery or day centre
 - Non-residential institutions (Use Class D1(b));
 - Indoor and outdoor sports
 - Assembly and leisure (Use Class D2(e)), other than an indoor swimming pool or skating rink;
- For periods from 1 September 2020
 - Commercial, Business and Service (Use Class E)

Yes

No

Is any land covered by, or within the curtilage of, the building:

- in a site of special scientific interest;
- a listed building or land within its curtilage;
- a scheduled monument or land within its curtilage;
- a safety hazard area;
- a military explosives storage area;

Or, is the building:

- in an area of outstanding natural beauty;
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
- in the Broads;
- in a National Park;
- in a World Heritage Site

Yes

No

The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses from Offices (Use Class B1(a)/E(g)(i)).

Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

Yes

No / Not relevant

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the [nationally described space standard?](#)

Yes

No

Following the development, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

Yes

No

Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenancy agreements that are currently in place need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is any part of the land covered by or within the curtilage of the building to be demolished occupied under any agricultural tenancy agreements?

Yes

No

Fire Safety

Where the building (as proposed) exceeds certain limits, legislation has been put in place to ensure the adequate consideration of fire safety by the Local Authority (including its decision to grant prior approval) and other relevant parties.

Would the proposed development result in a building that contains one or more dwellinghouse, and is:

- 18 metres or more in height (as measured from ground level to the highest part of the roof); and/or
- Contains 7 or more stories

Yes

No

Description of Proposed Works, Impacts and Risks

Proposed works

Please describe the proposed development including details of any dwellinghouses and other works proposed

Change of use from existing Class E office building to 2 No. C3 residential houses. There is no proposal to extend the property. House 1 will have an internal floor area of 143 square metres and house 2 will be 79 square metres.

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

All bedroom and living spaces within the proposed flats will have access to natural light via the existing windows of the building which will be retained for this purpose. As such none of the bedrooms and living spaces will be without appropriate levels of natural light.

What will be the net increase in dwellinghouses?

2

This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building prior to the development.

Impacts and risks

Please provide details of any transport and highways impacts and how these will be mitigated, particularly to ensure safe site access

The impact of the development on transport and highways is considered not to be detrimental or harmful due to the proposed development resulting in a lower parking demand than the current office use whilst the parking facilities available to future site users will remain the same as in the current scenario. The property has 1 allocated parking spaces and these are included within the red edge of the application site for allocation to the new dwellings. It is therefore considered that adequate parking space is provided within the vicinity of the site and that the proposed development would not result in any parking that would be detrimental to highway safety.

In a previous Class O application to convert the existing building in to 2 flats, GCC Highways Development Management wrote " The development will result in an overall decrease of the number of multi-modal trips to and from the site when compared to its lawful use, therefore on this basis, the Highway Authority raises no objection to the proposal." (Application 21/01708/P3OPA)

In addition, planning permission is currently active for a more intensive scheme which would result in 7 No. flats with no mitigation measures required for transport and highways.

Therefore it is highlighted that the proposed change of use will not amount to a substantive impact on the highway network

Please provide details of any contamination risks and how these will be mitigated

The building is currently in office use and therefore it is not considered that there would be any concerns regarding contamination.

The building is long standing and its uses have never been associated with the use of hazardous materials, hence the potential for contamination is very low.

It is therefore concluded that the change of use would not cause any contamination risk to surrounding uses or areas.

Please provide details of any flooding risks and how these will be mitigated.

The site falls within Flood Zone 1. As such the development is not at risk of flooding either now or into the future.

A flood risk assessment should accompany the application where the site:

- is in Flood Zones 2 or 3; or
- is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).

[Check if your site location is in Flood Zone 2 or 3 online](#)

Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated

This property is within an existing residential area and there are no substantive noise generating uses surrounding the application site.

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor. Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated

The building is in a conservation area and is currently in poor condition. It is located at the end of a terrace with the buildings to the north and west being used as residential accommodation. The building already benefits from 2 full planning permissions (one at appeal) for conversion to residential hence it is not expected that the proposed residential conversion will not have any detrimental impact on the sustainability or character of the conservation area.

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated

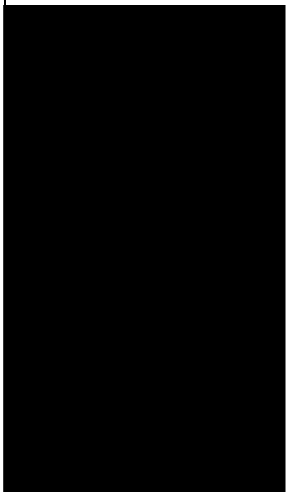
not applicable

If the proposal involves the loss of services provided by a registered nursery, or a health centre. Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated

not applicable

List of flats and other premises in the existing building

Please provide a list of all addresses of any flats and any other premises within the existing building



Declaration

I/We hereby apply for Prior Approval: Change of use – commercial/business/service to dwellinghouses as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

[Redacted Signature]

Date

16/04/2024