



14th October 2025

**To all Members of Cheltenham Borough Council Planning Committee
By email**

Dear Councillor

**Glenfall House, Charlton Kings
Applications 25/01260/CONDIT & 25/02081/CONDIT**

In advance of the committee meeting on Thursday, we wish to cover some context and key points which would be very difficult to do in the allotted 5-minute speaking slot; hence the necessary length of this letter.

Background

The applicants' sole reason for having to make this application is because, when amending the design of the original application for about the third time at officers' request, they were asked to clarify the uses on site. They confirmed they wished to enable occupation for extended family, staff, potential tenancies etc and were advised this would be a change of description and require re-consultation. It was explained that to avoid further delay, it would be preferable not to alter it. Having waited 3 years to get to committee, the applicant did not want this additional delay and so agreed, reluctantly, to leave the description of uses as it was. Frustratingly, a fresh 28-day re-consultation was initiated regardless. In hindsight, the applicant wishes they had ignored the advice given and changed the description to include the uses now sought as it would likely have been approved at committee a year ago.

For the avoidance of doubt, this committee and the LPA did not elect to impose a holiday let restriction as part of a focused planning assessment. The restriction exists as a direct result of the description which was attached to the application at the time.

The original applications here were approved unanimously by committee, with the minutes recording that members confirmed *'the proposed development, including the demolition of the existing outbuildings and construction of new buildings resulting in less than substantial harm to heritage assets. This harm being outweighed by the significant public benefits, including enhancement of the main listed building, removal of harmful later additions, reinstatement of original features, creation of a more rational layout that enhances the setting of the listed building, the biodiversity net gain in habitats and hedgerows.'*

HEAD OFFICE: 12 ROYAL CRESCENT, CHELTENHAM, GLOUCESTERSHIRE GL50 3DA T: 01242 231575

ALSO AT: No1 BUSINESS CENTRE, 1 ALVIN STREET, GLOUCESTER GL1 3EJ T: 01452 527997

 @sfplanningltd info@sfplanning.co.uk www.sfplanning.co.uk

REGISTERED NO: ENGLAND 06114677

Indeed, the report that accompanies the original application states that ***'the appropriate conversion or sub-division of an isolated building in the countryside to residential use is likely to be supported'***

To be clear, 2 of the units are a result of the sub-division of the main house. The other 3 result from the replacement of pre-existing unrestricted residential units.

The report went on to confirm that, ***'Given the rather unique circumstances of this site and its planning history, the principle of the proposed redevelopment and provision of new build residential units/holidays lets in an isolated, rural location outside the PUA, on balance, is considered acceptable.'***

The previous application to remove the holiday let condition was withdrawn as it was opposed by highways and there were some heritage concerns. The applicant therefore took the opportunity to provide additional information on highways and heritage matters to demonstrate to officers the acceptability of the proposal. Correctly, just as with the recent amendment to double to six the number of residential units at Castle Dream Stud, highways no longer object to this variation. The concerns of conservation, from an officer who we understand has not visited the site, regrettably remain.

Heritage concerns

Although the report says the main issue is the *'acceptability of removing Condition 9 and allowing an unrestricted residential occupation of the 5no. units'*, this is not completely correct. Whilst that matter is relevant, the main issue remains that of heritage – specifically does the impact of the proposal as a whole positively enhance the setting?

Last time, the committee concluded unanimously that the proposal would indeed positively enhance the setting, as confirmed by the recorded minutes. These same enhancements and benefits remain with this application. To be clear, the proposals are physically **identical** (there are no external or internal changes whatsoever) and, based on the overwhelming support members gave the scheme a year ago, we struggle to see how a different conclusion could be reached now.

Report inaccuracies

Alongside what appears to be a fundamental flaw in how the application in its entirety has been assessed, bearing in mind it is the proposals as a whole that are considered again, there are some specific errors in the report the applicant wishes to address.

6.5 - The report says there are 5 residential units within the outbuilding extension. In fact, only 3 units are in the new outbuilding extension, with 2 in an existing extended part of the main house. 6.15 of the report explains the position correctly.

6.6 – This references 5 units in the extension (whereas 2 are within the existing/retained building); and that they could be sold separately. Members will be aware that planning cannot control ownership of land/buildings, and this is not a planning consideration. Simply put, there is nothing whatsoever preventing the approved holiday lets from being sold and being decorated/arranged however an owner wished (within the limits of the extensive control the LPA retains over the site – see bullets below)

6.10 – With reference to the last report, 5 new residential units are mentioned. To confirm, 3 are replacement dwellings and 2 involve a part conversion of an existing/retained building.

6.11 - The site is not 4km from local services as stated. It is in fact 2km from the Tesco Express and other shops at the Hales Rd/Hewlett Rd junction, and 2.2km from Sixways.

6.22 (and the matters in general the report is concerned about) – these are all things that can be controlled by the LPA, because:

- Being in the curtilage of a Listed Building, and in the National Landscape, planning permission is needed for any changes that materially alter the external appearance of outbuildings
- Permitted development rights for boundary treatments, including walls, fences, or other structures, were removed by condition 22 of the previous permission. This condition should remain unchanged, meaning that any such modifications require planning permission and the LPA retains full control over the appearance of the buildings and the site generally.
- All soft and hard landscaping, and details of new walls, fences, boundary treatments etc, must be submitted to and approved by the LPA under Condition 15. Again, the LPA has full control of how these elements will look. Any deviation from the approval requires planning permission, which the LPA can refuse if not acceptable.
- Items of furniture and other domestic paraphernalia are no less likely to appear for the approved holiday let use; mindful of course that many of these things do not constitute development and so do not need permission anyway.
- Planning cannot control ownership. Whilst the applicant has no intention at all of selling off any part of the site, there is no greater risk of separate ownership arising from the current application compared to the approved scheme.

6.25 – the assumption here that future occupiers would not have access to the grounds is frustrating. The application covering letter explained how future occupants would have access to the extensive, shared grounds. It is not uncommon for large houses to contain numerous units, and for amenity space to be provided in this way. The same would work here, just as it did for example with the conversion of Thirlestaine House (former Chelsea Building Society HQ), where little or no amenity space is adjacent to some of the units. Shared cycle parking and bin storage is also very common in such situations, with parking too sometimes not adjacent the house – again just like Thirlestaine House. These concerns were only raised in the report, and not beforehand, giving the applicant no chance to respond until now.

Planning Policy

In places the report correctly confirms there are currently 3 residential units in one of the existing outbuildings. Three of the proposed dwellings (those in the new outbuildings) can therefore be very fairly considered as replacement dwellings, which is perfectly acceptable in policy terms in this location.

Two of the proposed units are in an existing and retained part of the extended house; and again, policy fully supports the creation of additional units in this way in this location.

In housing supply terms, and bearing in mind there is no 5-year supply, there will be a net increase in 5 dwellings compared to the approved scheme. In fact, if the current

restriction remains CBC will lose 3 dwellings. The report last year confirmed the holiday lets do not contribute to housing supply. The five small dwellings now proposed therefore positively add to that supply. This should be given **significant** weight, something inspectors have confirmed is given to proposals for one or two dwellings where the shortfall is less severe than it is here.

In summary, what is now proposed is:

- The **replacement** of 3 existing dwellings in an outbuilding which is harmful to the setting of heritage assets, with 3 dwellings in an outbuilding which significantly enhances the setting
- Two new dwellings in part of the retained extension of the main house (the **change of use/sub-division of an existing building**)

Both elements are compliant with local and national policy, and schemes of this nature (appropriate replacement dwellings and sub-division) have been approved many times in the past.

The report is regrettably flawed in how it seems to understand the site, how the proposals are assessed, and in turn how it balances (or doesn't) the considerations. There is no policy conflict as far as the provision of these dwellings are concerned and so, in accordance with 11d of the NPPF, the development should be approved. The lack of a 5-year housing supply and this proposal delivering 5 new dwellings adds extra weight in support.

The applicant does not consider there is any harm to assets of importance. The committee confirmed the same with their unanimous approval of the last application.

Even if using these 5 units as dwellings were considered to cause some harm, that harm would still need to be balanced against all the significant benefits of the proposal. We do not see how, in the overall context explained in this letter, that harm (even if it exists) could **significantly and demonstrably** outweigh the benefits, this being the very high bar set by the paragraph 11d test.

In addition, the concerns set out in the report are unfounded because:

- The LPA has full control over those things
- It is not a planning consideration (ownership)
- They could occur in any event with the holiday lets

Thank you for taking the time to read this letter. The applicants hope it assists you in your considerations to approve these applications.

Yours faithfully

Simon Firkins
SF Planning Limited