

APPLICATION NO: 24/00471/FUL	OFFICER: Mrs Victoria Harris
DATE REGISTERED: 1st April 2024	DATE OF EXPIRY : 27th May 2024
WARD: Prestbury	PARISH: PREST
APPLICANT:	Mr And Mrs Lawrence
LOCATION:	Little Duncroft Evesham Road Cheltenham
PROPOSAL:	Change of use of garage building as a standalone residential property. Retention of external cladding, easterly facing window, roof lights and boundary fencing (part retrospective), (Resubmission of planning application 23/01739/FUL).

REPRESENTATIONS

Number of contributors	1
Number of objections	1
Number of representations	0
Number of supporting	0

Daneway House
Evesham Road
Cheltenham
Gloucestershire
GL52 3JN


Comments: 25th April 2024

Letter attached.

Daneway House
Evesham Road
Cheltenham GL52 3JN

By Hand

25th April 2024



Ref: 24/00471/FUL: Change of use of garage building as a standalone residential property. Retention of external cladding, easterly facing window, roof lights and boundary fencing (part retrospective), (resubmission of planning application 23/01739/FUL) – at Little Duncroft Evesham Road Cheltenham.

We object to the resubmission as we did to application 23/01739/FUL.

Our objection relates to the change of use and to the harmful impact of the building itself.

We viewed the withdrawn application, and this resubmission, as a combination of issues previously refused, and identified as concerns, by Planning and the reversal of voluntary undertakings made to secure the existing approvals. Nothing of relevance has changed.

The suggestion that a recently approved application 23/02063/FUL establishes relevant precedent is in our opinion flawed. The building concerned is a single-storey flat roofed bungalow, estimated to be at least 2m lower than the existing Little Duncroft garage building, with no privacy intrusion on neighbouring properties.

Our objection is based on the realisation of the harmful impact concerns previously articulated by the Council's Planning team. Our house is significantly closer to the building than the other consulted neighbouring houses and is consequentially most significantly impacted.

The existing building, which is estimated at some 6m high, is less than an estimated 3.5m from our house and significantly less from our boundary. The close proximity of the proposed garden (to the east of the building) unfortunately affords clear sight lines into our bedrooms located on our front east-facing elevation and what appears to be the sole entrance at the southwest corner of the building is intrusive as a consequence of its proximate location and access step(s).

Claims that the withdrawn proposal was supported by the provisions of the Cheltenham Plan (CP) and the Joint Core Strategy (JCS) feel at odds with the apparently unambiguous reasoning provided by the Planning team that the current prohibition on self-contained use was made with regard to both the CP and JCS.

We respectfully request that the resubmitted application be refused with consequent enforcement of previous approvals and conditions. We understand that it is more than 24 months since certain unfilled planning conditions were imposed.

Notes

- A. Condition 8 to the approval of Application 21/02763/FUL stated that:- “The outbuilding hereby permitted shall not be occupied other than for purposes ancillary to the residential use of the dwelling known as Little Duncroft; as shown on the approved plans.”

The reason given is equally unambiguous:- “Use of the outbuilding as independent residential accommodation and the resultant sub-division of the plot are inappropriate due to the size and configuration of the plot and the potential harmful impact upon the amenities of occupiers of neighbouring properties; having regard to the provisions of the Cheltenham Plan (2020) and the Joint Core Strategy (2017).”

- B. Paragraph 6.8 of the Delegated Officer Report relating to Application 21/00911/FUL notes that “The above concerns (*presumably those outlined in paragraphs 6.6 & 6.7 of the report*) were discussed with the applicant who agreed to remove the first floor residential element, reduce the footprint and scale of the proposed outbuilding and re-position the building closer to the main house. The applicant has also confirmed that the use of the proposed outbuilding would remain ancillary to the residential use of the main dwelling and would not be occupied separately or independently from the main dwelling”.
- C. Paragraph 6.9 of the above referenced report further states: “Officers also maintain their reservations about the potential for converting this building into a self-contained residential unit at some point in the future (as originally proposed). As such a condition has been added to ensure that the use of the proposed outbuilding remains ancillary to the main building and is not occupied independently of the main dwelling”.
- D. The structure referred to as a garage building would appear to have already been configured for standalone residential use as observable from Airbnb advertisements describing it as ‘an entire guest house; 4 guests, 2 bedrooms, 1 bathroom’ along with relevant photographs.
- E. The resubmission, and previous application, appear to direct consideration to changes from the existing building rather than from that previously approved (21/02763/FUL). Even potentially inaccurate scaling off submitted plans would suggest that many of the key dimensions of the existing building may exceed those approved; materially so in some instances.

