



**CHELTENHAM CIVIC SOCIETY**

**Our comments on  
Supporting housing delivery and  
public service infrastructure**

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## **Introduction**

The Cheltenham Civic Society (CCS) objects to the proposal to permit changes from the Commercial, Business and Service use class to residential use without the need for full planning permission, and more specifically to the suggestion of applying this new regime to Conservation Areas as well.

As a local civic society, we are all too aware of the perilous position that now faces Cheltenham's town centre, made much, much worse by the impact of COVID-19. Retail was already contracting fast a year ago. The Promenade, one of the finest shopping streets in Britain, had many vacant shops before the pandemic. The same trend was evident along much of the High Street, despite the recent opening of a John Lewis store in the town centre. Coming on top of the long-term impacts of the trend towards out-of-town shopping, online shopping, high rents and high business rates have driven more and more retail enterprises to the wall or out of more prestigious locations.

The situation is now far worse. Some shops may not reopen at all, and the pandemic may also have done for many of the coffee shops, bars and restaurants, which had begun to replace some shops.

So, we understand that retail will need to contract and that our town centres will have to change in response to the very different economic situation that will come after the pandemic. But further deregulation of the planning system through greater permitted development (PD) is emphatically not the answer.

## **What do we want? Why are we concerned?**

Our vision for the centre of Cheltenham is for a smaller, more concentrated and thriving retail and entertainment area, with more people living "over the shop". Some existing retail and office uses at the "edge" of this smaller central area should indeed be converted to homes. And we also want to see some of the offices in Regency and Georgian properties, which were originally built as homes or boarding houses, converted back to residential use. We believe, however, that this requires planning and will not come about in a good way through the kind of free-for-all changes advocated in the consultation document. The market alone cannot provide the necessary range of uses that are needed to diversify and support our high streets and centres, nor can it ensure that residential investment is made in the wider public interest. Design and stds

In particular, we are concerned that the proposals to widen PD could lead to a 'pepper pot' outcome with gaps in the retail area, so further undermining the prospects of shops that remain. To give a specific example from Cheltenham: there is a large, four-storey department store in the middle of our town near the strategically important junction between The Promenade and the High Street. It overlooks a beautiful tree-lined, pedestrianised part of The Promenade which has become the centre for civic activities, such as street markets and fairs. It backs on to another street with small restaurants, specialised food shops and a theatre. It is common knowledge that the store in question is in a precarious financial position. If it were to fail, under the current proposals the owner could sell it for conversion to flats, leaving a gap in retail frontages in the most important location. This might also miss the opportunity to redevelop the site more usefully and permit poor design to blight a significant site. That might, conceivably, be the right thing to happen for the town centre as a whole, though its negative

economic impacts on nearby retail operations could be serious. This should surely be a matter for the local people to decide through an open participatory process that only a democratic planning system can provide.

The consultation paper does offer a prior approval route which could theoretically be used to address situations where residential development might be proposed in undesirable or unsafe locations, but these criteria do not appear to deal with examples such as the above. And in any case, the danger with deregulation of the planning system through widening PD rights is that it enables, and can often lead, to those less responsible and unscrupulous land and property owners and developers exploiting loopholes. Civic Voice has evidence of this through the previous widening of PD rights allowing office to residential conversions. The Government's own commissioned report, 'Research into the quality standard of homes delivered through change of use permitted development rights' (2020) concluded that PD rights create 'worse quality residential environments'. The risk is that this new PD right, if introduced, would go wider than the office to residential conversions, enabling a much greater range of uses to change and the impacts could, therefore, be greater. It is impossible to legislate for every circumstance.

### **Conservation areas**

We are especially concerned about the proposition that the proposed changes would allow properties in Class E use within conservation areas, to change use to housing without the need for a planning application. The Cheltenham Central Conservation Area protects many streets with shops and commercial uses. The buildings in these streets are the essence of our Regency town. Many buildings retain beautiful and irreplaceable period features.

Conservation areas have been designated locally because they are "areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance" (s69 Planning (Listed Buildings and Conservation Areas) Act 1990). Widening the current PD rights in these areas would allow changes of use that would undermine current protections and threaten conservation areas' special interest, character and appearance.

As our comments above about our vision for the future of Cheltenham's town centre make clear, we do not wish to preserve it in aspic. We recognise towns as dynamic and ever changing. We acknowledge the benefits of encouraging some housing within the conservation area to support its viability and diversity. But how, for example, would the proposals prevent the loss of historic shopfronts and elevational detailing or inappropriate alterations associated with the change of use such as unsympathetic windows or materials?

### **Conclusion**

Cheltenham Civic Society calls on the Government to modify or withdraw its proposals as we believe that they will do harm to the historic centre of towns like ours and threaten their economic vitality. The quality of such towns is a "public good" and it is right that significant decisions about its future should be made by the community through its elected representatives. Certainly, we need private investment in response to changing residential, shopping and leisure needs, but this needs to be harnessed for the public good through an open, transparent, democratic planning system where decisions about the future of our town are made in the public interest.

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