

THIS APPLICATION WAS DEFERRED AT DEVELOPMENT CONTROL COMMITTEE ON MONDAY 9TH FEBRUARY FOR ADDITIONAL INFORMATION TO BE SOUGHT IN RELATION TO TRANSPORT AND HIGHWAY IMPACTS OF THE DEVELOPMENT; AND CONTAMINATION RISKS ON THE SITE.

APPLICATION NO:	15/00034/P3JPA
LOCATION:	East Lane House, East Lane, Runcorn, Cheshire.
PROPOSAL:	Proposed change of use from former office building (Use Class B1a) to 448no. self-contained apartments comprising of 54 1 bedroom flats and 394 studio flats.
WARD:	Halton Lea
PARISH:	None
CASE OFFICER:	Jeff Eaton
AGENT(S) / APPLICANT(S):	Absolute Living Developments Ltd.

The above application is **NOT** a full planning application. In 2013, the Government introduced some changes which made a change of use from Class B1(a) offices to Class C3 (dwellinghouses) permitted development under Part 3, Class J of The Town and Country Planning (General Permitted Development) Order 1995.

There are a number of instances set out below where this change of use is not permitted development.

Development is not permitted by Class J where—

(a) the building is on article 1(6A) land; THIS IS LAND WHICH IS EXCLUDED FROM PERMITTED DEVELOPMENT RIGHTS ALLOWING CHANGE OF USE OF A PROPERTY FROM CLASS B1(A) OFFICE USE TO CLASS C3 RESIDENTIAL. **DOES NOT APPLY**

(b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use; **DOES NOT APPLY**

(c) the use of the building falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order was begun after 30th May 2016; **DOES NOT APPLY**

(d) the site is or forms part of a safety hazard area; THIS LAND IS NOT WITHIN THE CONSULTATION ZONE OF A MAJOR HAZARD SITE OR PIPELINE. **DOES NOT APPLY**

(e) the site is or forms part of a military explosives storage area; **DOES NOT APPLY**

(f) the building is a listed building or a scheduled monument. **DOES NOT APPLY**

None of the above instances apply to this proposal.

This proposal is therefore permitted by Class J subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) **transport and highways impacts of the development;**

(b) **contamination risks on the site; and**

(c) **flooding risks on the site**, and the provisions of paragraph N shall apply in relation to any such application.

As the proposal is permitted development, the principle of development is accepted and the only considerations relevant to the determination of this prior approval application are the **three considerations** set out above.

Transport and highway impacts of the development

It is acknowledged that the proposed residential use would result in a material change in the character of traffic in the vicinity of the site compared to that of an office use. Traffic levels for the office use would have created significant movements in the morning peak towards the site. The use as residential units would be expected to create a lower flow and be spread over a greater period of time flowing away from the site, therefore having a lesser impact on the highway network. These flows would be reversed in the evening peak.

The procedure for dealing with prior approval applications makes clear that the National Planning Policy Framework is relevant to the subject matter of the prior approval. In respect of transport impacts, it states that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

The Highway Officer has commented that the existing lawful use of the building as an office would produce significantly more parking demand than the proposed residential units.

It is also noted that the site is located in a sustainable location in close proximity to Runcorn Shopping Centre which provides a range of amenities and is well located for bus services that provide links with Warrington, Chester and Liverpool and the nearby railway stations with bus stops at both Runcorn Shopping Centre and Halton Hospital. There are also good links to the cycle network which also includes the National Cycle Network.

Considering the likely parking demand in this location, it is noted that the Halton Lea ward in which the site is located has a low level of car ownership and the size of the units proposed would also limit demand. The proposed layout shows that 60 parking spaces would be available for the proposed 448 residential units, however there does appear to be the potential to achieve more parking spaces within the site.

The maximum parking standard set out in the Unitary Development Plan for single bed housing is 1 space per dwelling and this proposal would provide significantly less parking provision than this standard. Even considering the site’s sustainable location and the likely parking demand in this location, there are still some concerns over the level of parking provision proposed, however on balance it is considered that a refusal could not be justified and whilst there would likely be an

impact from the proposed development, it is not considered that it could be demonstrated that it would be severe.

On the basis of the above, it is that the impacts of this proposal would not have a severe transport and highway impact which would warrant the refusal on this ground. The proposal is therefore considered acceptable in this regard.

Contamination risks on the site

The Contaminated Land Officer has reviewed the proposal in respect of contamination risks and whilst the development is for new residential units, the nature of the conversion with no new construction or external space and a lack of historical potentially contaminative land uses mean that there is no requirement for detailed land contamination assessment for the site.

Based on the above, it is not considered that as a result of the proposed change of use, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990 and the proposal is acceptable in this regard.

Flooding risks on the site

The site subject of the application is located within Flood Zone 1 and has a low probability of river or sea flooding (less than 1 in 1000 annual probability). The proposal is therefore considered acceptable in this regard.

Issues raised in representations

At the time of writing this report, 24 representations have been received. A summary of the issues raised is below:

- Inadequate mix of residential accommodation in terms of size and tenure.
- No requirement for this type of development.
- Insufficient parking provision.
- Pedestrian route to Runcorn East station is not attractive.
- The proposal would exacerbate existing anti-social behaviour problems in the area.
- Residential is an inappropriate use in an area of shops and offices.
- Another supermarket on the site is required.
- The building needs to be demolished.
- This development would make obtaining doctors' appointments more difficult.
- There is a lack of amenities in the area.
- The possibility of asbestos in the area is a great concern.

The only considerations which are material to the determination of this application are the three considerations (transport and highway impacts, contamination risks on the site and flooding risks on the site).

Conclusion

Based on the three considerations with this prior approval application, the proposal is acceptable and prior approval is not required.

Recommendation

It is recommended that prior approval for the change of use from Class B1(a) offices to Class C3 (dwellinghouses) is not required.