



This application is **NOT** a full planning application. A change of use from Class B1(a) offices to Class C3 (dwellinghouses) is permitted development under Part 3, Class O of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended).

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

Development is not permitted by Class O where—

- the building is on article 2(5) 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**
- 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**
- 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**
- the site is or forms part of a military explosives storage area; **DOES NOT APPLY**
- 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 O 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;**

(c) **flooding risks on the site;**

(d) **impacts of noise from commercial premises on the intended occupiers of the development,** and the provisions of paragraph W 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 **four 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 have a similar parking demand to that of the proposed residential units. The agent has indicated that additional parking would be provided in a covering letter. No details for accessible space provision has been provided. It is however noted that there are currently marked disabled bays on site. Advice on this has been provided to the agent for information purposes.

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 links to the cycle network which also includes the National Cycle Network. There are two pedestrian links into the site with one linking to East Lane and one to the footpath linking to the footbridge serving Runcorn Shopping Centre which are acceptable. However facilities for pedestrians and cyclists within the site are considered poor and could be improved.

160 parking spaces currently exist and would be available for the proposed 241 residential units. On-site parking would need to be managed and monitored by the building manager.

This application is not accompanied by a Transport Statement. The application for the adjacent site (East Lane House, East Lane) under the same prior approval procedure for a change of use from office to residential was accompanied by a Transport Statement. This was considered when processing that application and also by the Planning Inspectorate who allowed the appeal. Given that the development on the adjacent site was for a significantly higher number of units with a lower parking ratio, the conclusions in relation to Transport and Highway Impacts would likely be very similar. In this instance, it is considered that the Council has sufficient information to consider the Transport and Highway Impacts..

Given the site's sustainable location, proposed parking arrangement and the likely parking demand in this location, it is not considered that the proposal would have a severe transport and highway impact.

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 site is on the edge of a Critical Drainage area but not within it, so we would not be able to require a reduction in surface water runoff as a 'brownfield site', which in any event the site is unlikely to fall into as a change of use only, and not a site redevelopment.

The proposal is therefore considered acceptable in this regard.

### **Impacts of noise from commercial premises on the intended occupiers of the development**

The site is located in the Halton Lea area of Runcorn. The surrounding land uses are mixed in nature and comprise of residential, retail, office, day nursery and parkland. The proposed residential use is considered to be compatible with the adjacent land uses and it is not considered that the impacts of noise from commercial premises in the locality would have a significantly detrimental impact on residential amenity.

### **Issues raised in representations**

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

- This area does not need more houses, flats or apartments.
- The existing amenities in Runcorn are inadequate.

The only considerations which are material to the determination of this application are the four considerations (transport and highway impacts, contamination risks on

the site, flooding risks on the site and impacts of noise from commercial premises on the intended occupiers of the development).

### **Conclusion**

Based on the four 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.

Condition:

Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.