

<p>APPLICATION NUMBERS & PROPSALS:</p>	<p>19/00285/FUL – Proposed external alterations to insert new windows and doors. Flat roofed extension to rear courtyard elevation to facilitate the creation of 2no. dwelling units. Conversion of basement to 3no. dwelling units and bin/cycle storage for the building (PLANNING APPLICATION);</p> <p>19/00306/P3MPA – Prior notification for proposed change of use of part of ground floor from former bank (Use Class A2) to 2no. independent one bed apartments (Use Class C3) (PRIOR APPROVAL APPLICATION);</p> <p>19/00307/P3JPA – Prior notification for proposed change of use of first and second floor from offices (Use Class B1) to form 10no. independent one bedroom apartments (Use Class C3) (PRIOR APPROVAL APPLICATION);</p> <p>19/00309/P3JPA – Prior notification for proposed change of use of ground floor from offices (Use Class B1) to form 2no. independent one bed apartments (Use Class C3) (PRIOR APPROVAL APPLICATION).</p>
<p>LOCATION:</p>	<p>Victoria Buildings, High Street, Runcorn, Cheshire.</p>
<p>WARD:</p>	<p>Mersey</p>
<p>PARISH:</p>	<p>None</p>
<p>AGENT(S) / APPLICANT(S):</p>	<p>AGENT – Mr Mark Hitchmough – Daccus ACM. APPLICANT - Mr Steve Haigh – Haigh Developments.</p>
<p>SITE MAP</p>	



Members should note that all four applications relate to the same building and are to be determined by the Development Control Committee due to the cumulative number of residential units being proposed. Three of the four applications are prior approval applications under Schedule 2, Part 3, of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended). The fourth application is a full planning application for the external changes required to facilitate the changes of use proposed, a flat roofed extension to rear courtyard elevation to facilitate the creation of 2no. dwelling units and conversion of basement to 3no. dwelling units and bin/cycle storage for the building. Due to the interrelated nature of the applications, they are presented as one report.

Members will also note that a similar package of applications was considered by the Development Control Committee in April 2018. This would have resulted in the building being converted into 29no. residential units. The previous scheme has not been implemented and this current proposal represents a significant reduction in the number of units which the current overall proposal now being for 17no. residential units.

CONSIDERATION OF APPLICATIONS 19/00307/P3JPA AND 19/00309/P3JPA.

These applications both propose a change of use from Class B1(a) offices to Class C3 (dwellinghouses) which is permitted development under Schedule 2, 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—

- (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**
- (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 is within the curtilage of a listed building; **DOES NOT APPLY**
- (g) the site is, or contains, a scheduled monument. **DOES NOT APPLY**

None of the above instances apply to these proposals.

These proposals are 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 (prior approval) of this Part apply in relation to that application.

As the proposals are 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

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 property is in a town centre location and adequate local parking is available. It is also noted that there is a bus stop within easy access of the site.

It is not considered that the proposal would have a severe transport and highway impact.

The proposals are 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 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.

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

The site is located in the centre of Runcorn in a mixed use area which includes residential properties. This part of High Street is becoming more residential in nature and there have been a number of similar proposals changing the use to residential. 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 would have a significantly detrimental impact on residential amenity.

Conclusion

Based on the four considerations with these prior approval applications, the proposals are acceptable and prior approval is not required.

RECOMMENDATION - (19/00307/P3JPA – 10NO. INDEPENDENT ONE BED APARTMENTS & 19/00309/P3JPA – 2NO. INDEPENDENT ONE BED APARTMENTS)
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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.
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CONSIDERATION OF APPLICATION 18/00130/P3MPA

This application proposes a change of use from Class A2 (financial and professional services) to Class C3 (dwellinghouses) which is permitted development under Schedule 2, Part 3, Class M 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 M if —

- (a) the building was not used for one of the uses referred to in Class M(a)—
 - (i) on 20th March 2013, or
 - (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use; **DOES NOT APPLY**
- (b) permission to use the building for a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order has been granted only by this Part; **DOES NOT APPLY**
- (c) the cumulative floor space of the existing building changing use under Class M exceeds 150 square metres; **DOES NOT APPLY**
- (d) the development (together with any previous development under Class M) would result in more than 150 square metres of floor space in the building having changed use under Class M; **DOES NOT APPLY**
- (e) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point; **DOES NOT APPLY**
- (f) the development consists of demolition (other than partial demolition which is reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order); or **DOES NOT APPLY**
- (g) the building is —
 - (i) on article 2(3) land; **DOES NOT APPLY**
 - (ii) in a site of special scientific interest; **DOES NOT APPLY**
 - (iii) in a safety hazard area; **DOES NOT APPLY**
 - (iv) in a military explosives storage area; **DOES NOT APPLY**
 - (v) a listed building; or **DOES NOT APPLY**
 - (vi) a scheduled monument. **DOES NOT APPLY**

None of the above instances apply to this proposal.

This proposal is therefore permitted by Class M 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 in relation to the building,**
- (c) **flooding risks in relation to the building,**

(d) whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order because of the impact of the change of use—

(i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops), Class A2 (financial and professional services) or Class A5 (hot food takeaways) of that Schedule or, as the case may be, a building used as a launderette, but only where there is a reasonable prospect of the building being used to provide such services, or

(ii) where the building is located in a key shopping area, on the sustainability of that shopping area, and

(e) the design or external appearance of the building,

and the provisions of paragraph W (prior approval) of this Part apply in relation to that 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 considerations set out above.

Transport and highway impacts of the development

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 property is in a town centre location and adequate local parking is available. It is also noted that there is a bus stop within easy access of the site.

It is not considered that the proposal would have a severe transport and highway impact.

The proposals are 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 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.

Desirability of the building to change to a use falling within Class C3 (dwellinghouses)

There is considered to be adequate provision of services in respect of Class A1 (shops), Class A2 (financial and professional services), Class A5 (hot food takeaways) and a launderette in the locality. The site is located the Runcorn Town Mixed Use Area and the relevant policy relating to this indicates the suitability of a Class C3 use in this area. It is concluded that the proposal would not compromise the sustainability of the Runcorn Old Town shopping area. The proposal is therefore considered acceptable in this regard.

Design or external appearance of the building

It is noted that there is provision in this particular class to undertake building operations necessary to convert the building. These alterations are considered to respect the character of the building which has strong design features in its outward facing elevations. The resultant external appearance is considered to be acceptable.

Conclusion

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

RECOMMENDATION – 19/00306/P3MPA – 2NO. INDEPENDENT ONE BED APARTMENTS.

It is recommended that prior approval for the change of use from Class A2 financial and professional services to Class C3 (dwellinghouses) is not required.
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Conditions:

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| 1) Development under Class M(b) must be completed within a period of 3 years starting with the prior approval date; and |
| 2) A building which has changed use under Class M is to be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as such a dwellinghouse. |

APPLICATION 19/00310/P3PPA

Members will note that the recently submitted application 19/00310/P3PPA was a prior notification for a proposed change of use of basement from storage or distribution (use class B8) to form 3 no. independent one bed apartments. Application 19/00310/P3PPA sought to utilise Schedule 2, Part 3, Class P of The Town and

Country Planning (General Permitted Development) (England) Order 2015 (as Amended) for a change of use from Class B8 (storage or distribution centre) to Class C3 (dwellinghouses), however this was a temporary provision which has not been extended by the Government. The applicant has now **WITHDRAWN** this application and the proposals for the basement have been incorporated into the full planning application (**19/00285/FUL**).

CONSIDERATION OF APPLICATION 19/00285/FUL

This application proposes external alterations to insert new windows and doors, flat roofed extension to rear courtyard elevation to facilitate the creation of 2no. dwelling units and the conversion of basement to 3no. dwelling units and bin/cycle storage for the building.

Principle of Residential Development

The site is located in a Mixed Use area as designated by the Halton Unitary Development Plan (UDP). Policy TC10 'Runcorn Town Centre Mixed Uses Areas' of the UDP indicates a number of different uses will be acceptable in this area including dwelling houses (Use Class C3). The principle of extending the building and also the utilisation of part of the existing building is considered to be acceptable. It is also noted that an implementable package of applications from 2018 exists and would result in the building being converted into 29no. residential units. The overall package under consideration this time would be for a reduced number of 17no. residential units.

Design

The current proposal acknowledges the strong design features in its outward facing elevations of this building and seeks to reuse the existing window and door openings as part of the building's conversion to residential. The alterations in the other elevations which do not face High Street or Devonshire Place are considered to be acceptable.

The application also includes a flat roofed extension to the rear courtyard elevation. This would involve extending upwards to facilitate the creation of 2no. dwelling units at second floor level. The existing roof which would be removed is pitched and would be replaced by a flat roof. In design terms, a pitched roof is generally considered preferable to a flat roof, however given the location of the extension which would be concealed from the main outward facing elevations due to its lower height. In terms of the way the building would be viewed from the south, these elevations are viewed as being secondary to the main outward facing elevations on High Street and Devonshire Place and the resultant appearance of the extension is not considered to be seriously detrimental to warrant the refusal of the application.

In order to ensure satisfactory appearance, it is considered reasonable to attach a condition ensuring that the materials to be used match or closely harmonise with existing finishes.

The overall external design of the scheme is considered to be acceptable in compliance with the UDP.

Amenity

The proposed 2no. residential units at second floor level subject of this planning application are considered acceptable from an amenity perspective by virtue of the location of the window openings which would serve habitable rooms.

Of the proposed 3no. residential units located in the basement, two of the units would be served by lightwells with the remaining unit being served by windows. It is acknowledged that the basement units do not represent the highest level of quality for a residential development in terms of amenity, however it is noted that the current proposal does represent an improvement in terms of space compared to the 2018 proposal which was for 5no. residential units and a bin and cycle storage solution which would unlikely be used by virtue of its location down a number of steps.

The Council's Design of Development SPD seeks that apartment developments make provision for private outdoor amenity space with 50sqm being used as a guide. This proposal is for the conversion of a building which has been vacant for some time and does not benefit from any areas of outdoor space. There are many examples in town centre locations where apartments do not benefit from private amenity space and the refusal of this application on the basis of lack of private amenity space is not considered to be substantiated.

In conclusion, whilst some of the residential units proposed do not represent the highest quality of residential development in terms of amenity, the overall scheme represents a significant improvement over the 2018 scheme with the conclusion being that the proposal is acceptable from an amenity perspective in compliance with the UDP.

Highway Considerations

The Highway Officer has commented that the proposal does not offer any off street parking and although a sustainable location in terms of access to bus services and the local train station good quality provision to encourage the use of cycles is an important consideration.

The Highway Officer considers that the cycle storage shown in the basement accessed via the narrow side passage through roller shutter doors or down a set of stairs is considered poor and unlikely to attract occupants or visitors to utilise cycling as an alternative mode of travel.

The Highway Officer is of the view that the bin storage positioning is not considered to be convenient and even with careful management on collection day the sheer number of wheelie bins shown on the plan could cause issues on the adjacent adopted highway.

Members are advised that during the processing of the application, both the bin and cycle storage provision has been significantly enhanced over the solution originally submitted and also that which was included as part of the 2018 package of applications. Whilst they do not represent an optimum solution, it is considered that the applicant has made endeavours to enhance the proposal. It should also be noted that the Highway Authority have powers to deal with obstructions on the highway. Given the considerations set out above and also being mindful of the potential fall-back position with the 2018 proposals, it is not considered that a refusal on these grounds can be sustained in this instance.

It is not considered that any significant highway implications result from the proposals subject of the full planning application and the proposal is compliant with the UDP.

Open Space

Policy H3 of the Halton Unitary Development Plan states that for new residential development, developers will be required to ensure that there would be sufficient recreational greenspace to meet the local needs of the people living there.

Based on the ministerial statement in government policy on small scale developers dated 28th November 2014 and the changes to the Planning Policy Guidance (PPG), contributions for schemes which are for less than 10 dwellings are no longer being sought.

Ground Contamination

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, the location of the proposed extension 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, the proposal is considered to be compliant with the UDP.

Waste Management

Policy WM9 of the Joint Merseyside and Halton Waste Local Plan is applicable to this application. In terms of waste management based on the amount of development proposed, there is likely to be sufficient space for the storage of waste including separated recyclable materials within the proposed bin store. The proposal is considered to be compliant with Policy WM9 of the Joint Merseyside and Halton Waste Local Plan.

Conclusion

The proposed external alterations, extension to the building along with conversion of part of the building to create 5no. residential units is considered to be acceptable and the application is recommended for approval.

RECOMMENDATION - 19/00285/FUL – PROPOSED EXTERNAL ALTERATIONS TO INSERT NEW WINDOWS AND DOORS. FLAT ROOFED EXTENSION TO REAR COURTYARD ELEVATION TO FACILITATE THE CREATION OF 2NO. DWELLING UNITS. CONVERSION OF BASEMENT TO 3NO. DWELLING UNITS AND BIN/CYCLE STORAGE FOR THE BUILDING.

Grant planning permission subject to the following conditions:

- 1. Time Limit**
- 2. Approved Plans**
- 3. External Facing Materials**
- 4. Implementation of Bin and Cycle Storage.**

Informative:

- 1. Construction Management**

SUSTAINABILITY STATEMENT

The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals in the Development Plan set out above. The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with planning applications in accordance with Part 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.