

APPLICATION NO:	19/00575/P3JPA
LOCATION:	Halton 5, (Grosvenor House), Northway, Runcorn, Cheshire
PROPOSAL:	Proposed change of use from office building (B1) to 170 no. residential flats (use class C3).
WARD:	Halton Lea
PARISH:	None
AGENT(S) / APPLICANT(S):	Empire Property Concepts Ltd

SITE MAP



Members will recall that the Committee has considered a similar prior approval applications for the site at Castle View, Ref:- 17/00375/P3JPA and East Lane House, Ref:- 15/00034/P3JPA for a change of use of offices to residential under the terms of planning permitted development.

The planning history for this current site is a mix of permissions for telecommunications equipment and small permissions in association with the office use of Grosvenor House. The most recent and relevant history is that of;- 15/00154/FUL – permission for external alterations, landscaping, car parking and a ramp; 15/00155/P3JPA and associated application 15/00154/FUL – permitted development for 63 units and 41 car parking spaces (for the northern and central arms of the building); 15/00470/FUL – permission for part of the 3rd floor for a change of use to non-residential education facility.

This application proposes the conversion of Grosvenor House, Northway, Shopping City and seeks to convert it into 170 No. of residential units. The development comprises of a mix of 128 1-bedroom units and 42 2-bedroom units.

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.

Members will be aware that such applications for prior approval are subject to a strict timescale of 56 days and that there is no scope to extend that timescale.

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 and pedestrian movements in the vicinity of the site compared to that of its office use. This application is not accompanied by a Transport Statement.

The Local Highway Authority is reviewing the proposal and their comments will be reported verbally to the Development Management Committee and further advice provided as to the acceptability of the proposal.

Contamination risks on the site

Whilst the proposed residential end-use would be of some sensitivity to land contamination, it is relatively low due to the development comprising flats within an existing structure with minimal alterations to the outside space (no private gardens). Furthermore the site history does not identify any previous land uses that are likely to have given rise to potentially significant land contamination (the site was open fields prior to the construction of the former office block and the wider Halton Lea development). There are no grounds to suspect that the site could be considered Contaminated Land under Part 2A of the Environmental Protection Act 1990

Therefore, an assessment of land contamination implications is not necessary and there are no objections to the proposed scheme on these grounds.

Flooding risks on the site

The site is shown to lie in Fluvial Flood Zone 1 and has a very low surface water flood risk. The site lies within a Critical Drainage Area. No Flood Risk Assessment has been submitted with the application.

The Lead Local Flood Authority is reviewing the proposal and their comments will be reported verbally to the Development Management Committee and further advice provided as to the acceptability of the proposal.

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

The site is located in the Shopping City 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.

Conclusion

Of the four considerations with this prior approval application, the proposal is currently deemed *acceptable* and prior approval is not required, only in relation to noise impact and contamination. Detailed consideration is ongoing with respect to the acceptability of the proposals with respect to flood risk and transport/ highway impacts. Consideration is also ongoing with respect to the implications of the previous planning permission for change of use of part of the building to a non-residential education facility, whether that was implemented and whether this affects the applicability of the prior approval process in this case. Members will be updated orally.

Recommendation

Given that consultations are not yet concluded and the outstanding issues under consideration, Officers are unable to provide a recommendation at this stage and to do so could leave the Council open to criticism of pre-determination. Given the restrictions imposed by the 56 day prior approval process it is not possible to defer this application to a future Committee to allow full and proper resolution. Members will be updated verbally of the responses from the Local Highway Authority and Lead Local Flood Authority in relation to flood risk and highway safety and will be advised as to the acceptability of the proposal in relation to these issues.

DUE TO NEED TO ISSUE A DECISION WITHIN A 56 DAY PERIOD, DELEGATED AUTHORITY FOR THE OPERATIONAL DIRECTOR – PLANNING, POLICY AND TRANSPORTATION TO DETERMINE THIS PRIOR APPROVAL APPLICATION FOLLOWING THE EXPIRY OF THE PUBLICITY AND THE CONSIDERATION OF ANY REPRESENTATIONS RECEIVED WHICH ARE RELEVANT TO THE CONSIDERATIONS OF THIS APPLICATION AS SET OUT IN THE REPORT IS SOUGHT.