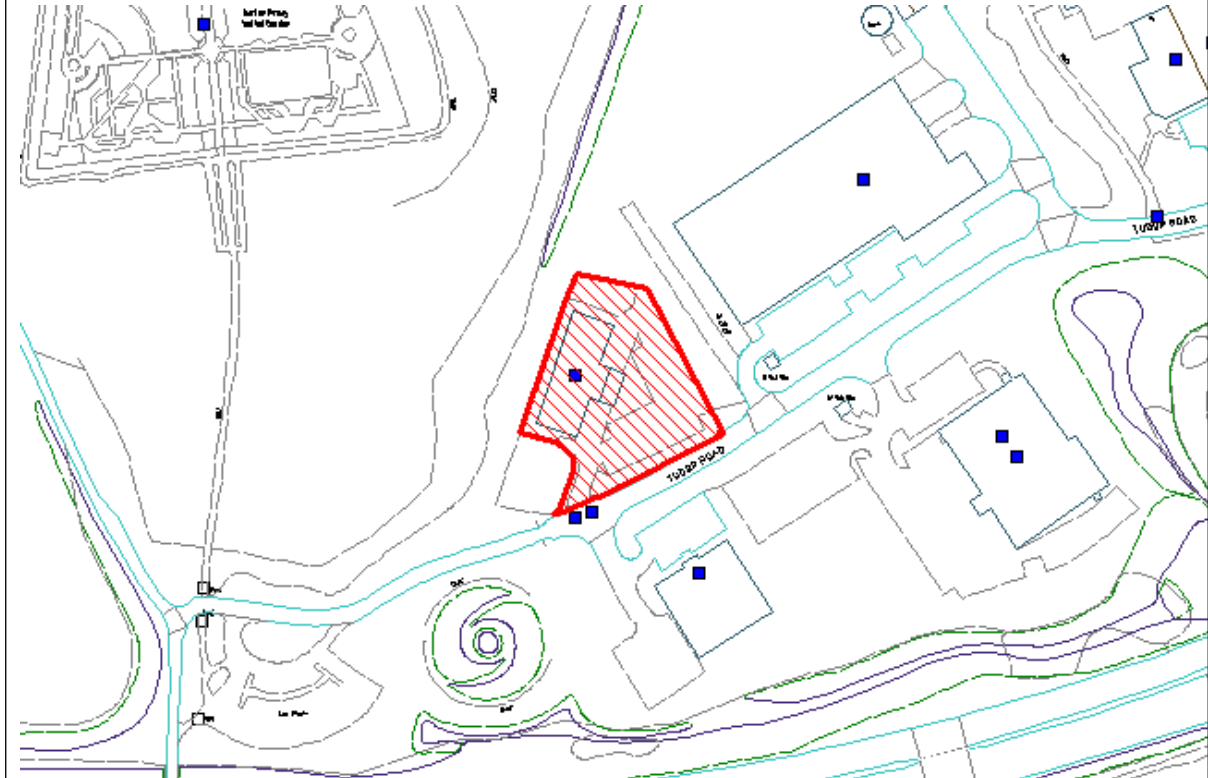


APPLICATION NO:	19/00190/P3JPA
LOCATION:	Axis House, Tudor Road, Manor Park, Runcorn WA7 1BD
PROPOSAL:	Proposed change of use from office building to 26 no. residential units.
WARD:	Daresbury
PARISH:	Sandymoor
AGENT(S) / APPLICANT(S):	North West Portfolio (No.2) Ltd

SITE MAP



Members will recall that the Committee has considered similar prior approval applications for office to residential for other sites in Halton. This application proposes a change of use from office to 26 no. residential units.

This application proposes the conversion of the building into a 26 units, 16 no. 1 bedrooms; 9 no. 2 bedroom; and 1 no. studio. As part of the scheme there are 26 cycle parking spaces proposed and the use of the existing car parking area.

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 with regards to parking provision the proposed development mix of residential dwellings will exceed the maximum standard as set out in the UDP. To ensure the development links to sustainable travel options, walking, cycling and buses, the applicant has drawn up a scheme of proposed off site highway works and links into/through the site to improve pedestrian routes connecting to the wider network. This work should be implemented prior to the occupation of dwellings permitted by the change of use.

The Highway Authority have been informed that due to the nature of the application there is limited consideration that can be given to the current proposal and therefore raise no objection to the application. We would however like to point out that the cycle storage shown on the plans located at the rear of the site is not in a position that provides either security or accessibility.

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. The report details the findings of a preliminary risk assessment based upon a desk study and site reconnaissance visit.

The report identifies the site as being undeveloped up until the construction of the current on-site buildings, with the office use the only listed land use.

No significant potential contaminant sources have been identified and the risk posed by land contamination to the proposed development is assessed as very low, given the change to residential apartments with managed external landscaped areas. The report concludes that no further assessment actions are required.

The Council is in agreement with the report findings and there are no objections on the basis of ground contamination.

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 application is for a residential development in an established commercial/industrial area. In section 4 of the planning application reference is made to a number of reports provided which includes noise. No such report was included with the application. Given the existing use, and orientation of the adjacent units, the current use does not impact the surrounding area to the same extent that some commercial uses might. Therefore a refusal could not be supported on this basis as the existing noise environment is not unreasonable for the proposed purpose. The Council would however require some more information regarding the protection of the internal noise environment in the proposed dwellings.

The applicant should provide a noise survey demonstrating that all dwellings can achieve internal noise levels compliant with the requirements of BS4142, and specifying any mitigation required to achieve these levels.

Conclusion

Based on the four considerations with this prior approval application, subject to the submission of a noise survey, 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.

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 RECEIPT OF A NOISE SURVEY TO SATIFY THE REQUIREMENTS OF PART 3, CLASS O OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED).