

Unrestricted Report

ITEM NO: 8

Application No.
14/01000/PAC

Ward:
Crowthorne

Date Registered:
10 September
2014

Target Decision Date:
5 November 2014

Site Address:

**Guildgate House High Street Crowthorne Berkshire
RG45 7AP**

Proposal:

Application for Prior Approval for the change of use of the first and second floor of the building from B1 (a) offices to C3 (Dwelling houses) in the form of 16 studios/apartments with entrances at ground and lower ground floor level and parking to the rear.

Applicant:

TA Fisher Commercial Ltd

Agent:

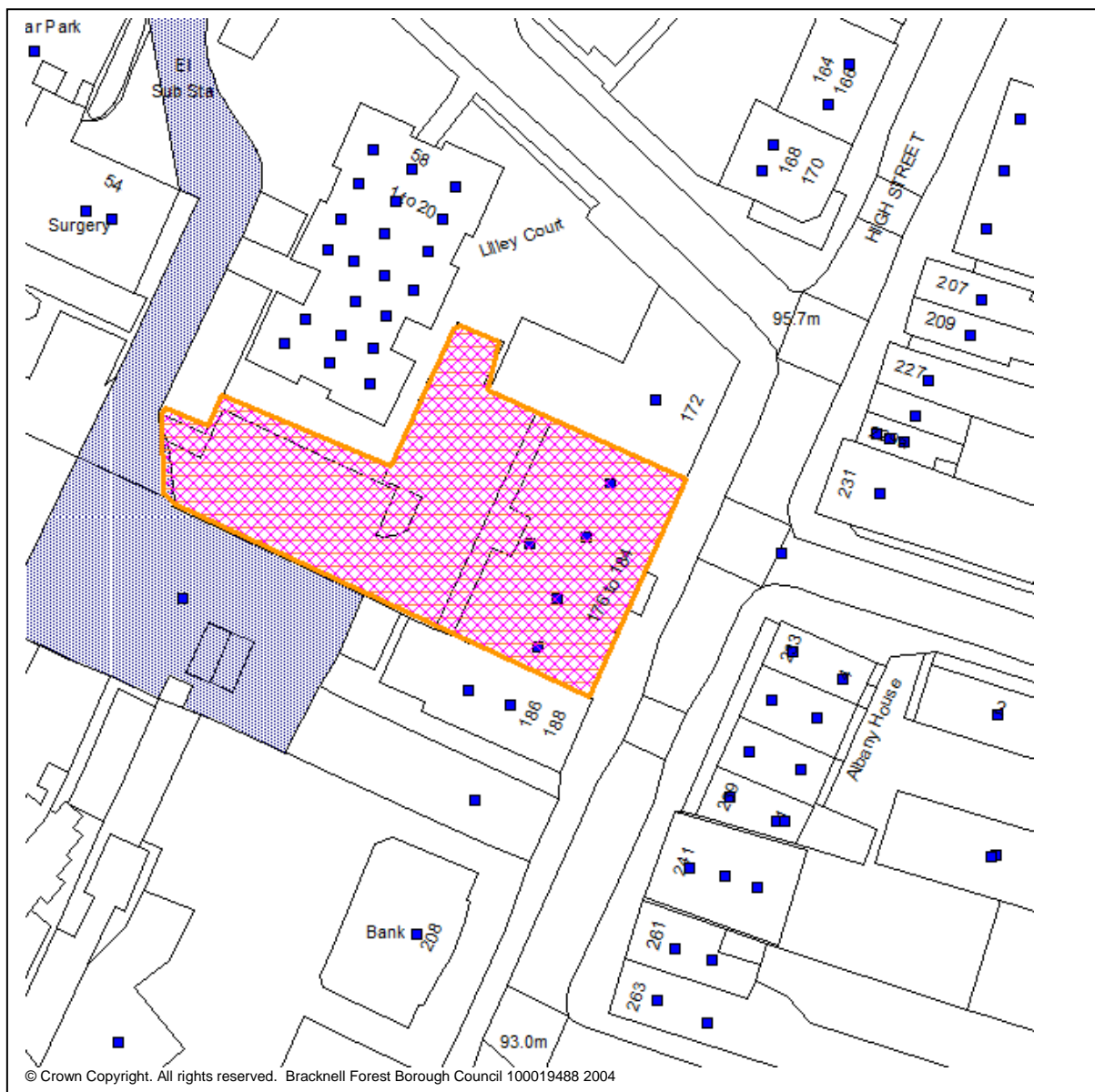
Day Turner Partnership

Case Officer:

Simon Roskilly, 01344 352000

Development.control@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application is reported to Committee as more than 3. objections have been received.

2. SITE DESCRIPTION

The application site contains a 3 storey building with two of the three floors being B1(a) office use and the ground floor for shops along with an entrance lobby and stairwell for the offices. There is a car park to the rear accessed from Heath Hill Road South together with undercroft parking.

The site is located within 5km of the Thames Basin Heaths Special Protection Area.

3. RELEVANT SITE HISTORY

11/00143/FUL -Change of use of first and second floors from office to residential comprising 4no. one bedroom and 4no. two bedroom apartments and 4no. studio apartments with associated cycle and vehicle parking and bin storage and retention of ground floor retail units. APPROVED BUT NOT IMPLEMENTED.

14/00079/PAC Application for Prior Approval for the change of use of first and second floors from offices (Class B1(a)) and the lobby access from the street and rear car park to residential (Class C3) consisting of 12 no. studio apartments. PRIOR APPROVAL GRANTED.

4. THE PROPOSAL

The applicant wishes to change the use of the first and second floors from Class B1(a) (offices) to Class C3 (dwelling houses) in accordance with Class J of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Pursuant to paragraph N of the same legislation, the applicant is applying for prior approval for this change of use. The application form advises that 16no. studio apartments are proposed. The change in use would include floors 1 and 2 and the lobby access from the street and rear car park. This application does not apply to any of the ground floor shop units.

No external alterations are required to facilitate the change of use.

5. REPRESENTATIONS RECEIVED

12no. objections were received objecting for the following reasons:-

- Increase in traffic [Officer Comment: the proposed change of use from Office to Residential is not considered to result in an intensification in use of the site although the pattern of movement will change due to the nature of the intended use. This is not considered to be a concern.]

- Conflict between pedestrians and vehicles [Officer Comment: It is understood that the rear vehicular access to the site runs past a pedestrian access to elderly person's accommodation (Lilley Court). There is no reason to believe that the change in use as proposed would have an adverse affect upon residents at Lilley Court.]

- Insufficient parking [Officer Comment: This concern regarding the proposed parking provision and the intended use of the site is addressed in section 9 of this report]

- Noise and disturbance [Officer Comment: When assessing whether the proposed change of use is permitted development issues such as noise and disturbance cannot be taken into consideration. However if it was felt that the proposed scheme was permitted development and therefore could go ahead there is separate legislation that could deal with any noise and disturbance issues.]

- Overlooking [Officer Comment: This is not a consideration of this application.]

- Municipal waste removal [Officer Comment: This is not a consideration of this application.]

6. SUMMARY OF CONSULTATION RESPONSES

(i) Environmental Health:

No comments had been received at the time this report was written.

(ii) Environment Agency:

No objection.

(iii) Transportation Officer:

Objects to the application for Prior Approval on the grounds that the parking provision as shown would be inadequate for the number and mix of units proposed.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Policy NRM6 of the South East Plan (SEP) (May 2009)

Site Allocations Location Plan 2013 (SALP)

Core Strategy Development Plan Document 2008 (CSDPD)

'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)

Bracknell Forest Borough Policies Map 2013

8. PRINCIPLE OF DEVELOPMENT

In assessing this type of prior approval application the Council can only assess whether the proposal is likely to result in any flooding, land contamination and highways safety implications. If the development does not raise any concerns along these lines then the development is considered to be permitted development. However if relevant concerns are raised then Prior Approval will be refused and the applicant would have to submit a planning application.

9. ASSESSMENT

Paragraph J.1 compliance:

- The building is not on article 1(6A) land.
- The building was last used for a use falling within Class B1(a) offices.
- The applicant intends to commence use within Class C3 (dwelling houses) before 30 May 2016.
- The site does not form part of a safety hazard area.

- The site does not form part of a military explosives storage area.
- The building is not listed or a scheduled monument.

Paragraph J.2 conditions:

(a) Transport and highways impacts of the development

The applicant states that, 'the development would be provided with 17 car parking spaces with provision for a further 8 parking spaces retained for the existing ground floor retail units'. This existing parking provision and layout was agreed as acceptable for 14/00079/PAC, which consisted of Prior Approval for 12no. 1 bed studio units.

Prior to this, consent was given in 2011 (11/00143/FUL) for change of use of first and second floors from office to residential comprising 4no. one bedroom and 4no. two bedroom apartments and 4no. studio apartments with a parking layout that differed from what has now been submitted. That application, including the agreed parking arrangement, was never implemented and has now expired.

This proposal is for 16 no. 1 bed studio/apartments. 16 car parking spaces for residents, together with 3 visitor car parking spaces, are required to accord with the Bracknell Forest Borough Parking Standards (2007).

The existing parking layout shown on the Existing Site Plan and Proposed Floor Plans is not acceptable, as the provision of 17 parking spaces is below the parking standards. Furthermore, the 4 parking spaces shown within the undercroft are tandem spaces. Parking spaces need to be individually accessible, as each studio/apartment is a separate entity.

The Local Highway Authority therefore objects to this application for prior approval as the parking provision is substandard.

The Local Highway Authority considers that the mix of dwellings will need to be amended or a revised parking layout is required to ensure parking provision accords with the required standards and parking spaces are individually accessible.

The Proposed Floor Plan shows 16 cycle parking spaces being provided on the Lower Ground Floor. The access to the cycle parking spaces via the retail unit car parking spaces would be restricted by parked vehicles. No visitor cycle parking is shown.

To conclude the Highways Authority has objected on the grounds that the parking layout would be inadequate to serve the proposed number and mix of units; and is likely to lead to conflict with uses on and off the site to the detriment of highway safety.

(b) Contamination risks on the site

No comments from the Council's Environmental Health Department were received at the time this report was written.

(c) Flooding risks on the site

The site is within Flood Zone 1 and for that reason the Environment Agency had no concerns regarding the proposed change of use. It is not therefore considered that there are any flooding risks on the site.

(d) Other matters

The site is located within 5km of the Thames Basin Heaths Special Protection Area. It is a condition of any planning permission granted by a general development order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority has given written approval under the Habitats Regulations 2010. As this proposal would create additional dwellings and is located within an area where additional dwellings would lead to a significant impact on the SPA if not mitigated, the decision notice should include an informative advising the applicant how to apply for approval under the Habitats Regulations 2010. It is also advised that the consultation memo received in relation to the impact on the SPA be forwarded to the applicant in its entirety to inform the applicant how to proceed in this respect.

10. CONCLUSION

It can be confirmed that the proposal would result in no flood related issues. At this time it cannot be confirmed that there would not be any land contamination issues, however it will be noted that none were identified in relation to the previous prior approval application.

As described above the parking provision is considered inadequate for the number and mix of the units sought and as a result highway safety concerns arise. Prior Approval is therefore required and it is recommended that it is withheld.

RECOMMENDATION

It has not been demonstrated that the proposal complies with the Local Planning Authority's standards in respect of vehicle parking and cycle parking. This would be likely to encourage on-street parking and therefore have a detrimental impact upon road safety and the flow of traffic. The proposal does not therefore comply with Class J of the Town and Country Planning (General Permitted Development) Order (as amended).

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk