

Unrestricted Report

ITEM NO: 12

Application No.
14/01168/PAC
Site Address:

Ward:
Crowthorne

Date Registered:
4 November 2014

Target Decision Date:
30 December 2014

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. (This application is a resubmission of 14/01000/PAC with additional information in the form of a car parking assessment)

Applicant:

TA Fisher Commercial Ltd

Agent:

Day Tanner 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 to give the application the opportunity to be determined within the 56 day period required.

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.

14/01000/PAC 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. PRIOR APPROVAL REQUIRED AND REFUSED.

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.

This application shows a parking layout similar to one of the earlier plans submitted under Prior Approval application 14/01000/PAC, which at the time was considered inadequate. This submission is accompanied by supporting statement justifying the applicant's approach in providing 17no. parking spaces.

5. REPRESENTATIONS RECEIVED

1no. objection was received at the time the report was written raising the following concerns:-

1. Major increase in traffic flow/speed of traffic using shared private pedestrian/vehicular road access. [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.]
2. Proposed parking plan would block/restrict access to refuse bin room at rear of Lilley Court for refuse collection. [Officer Comment: Adequate access to the bin storage area will be provided]
3. Proposed increase in new bin storage for 16 flats/shops(from previous shops/offices) would cause possibility of increased noise/smell/waste litter etc. [Officer Comment: Environmental Health have not objected to the Prior Approval submission and any issues regarding noise, and smell can be dealt with under separate Environmental Health legislation.]
4. 'Overflow' when proposed parking plan spaces are full may cause parking elsewhere on shared private road. [Officer Comment: If the parking provision is considered by the Local Highways Authority to adequately serve the use then there would be no need to provide overflow parking provisions]

6. SUMMARY OF CONSULTATION RESPONSES

(i) Environmental Health:

No objection.

(ii) Environment Agency:

No objection.

(iii) Transportation Officer:

The applicant has failed to provide a parking plan that adequately serves the proposed 16no. flats. However there may be a solution to provide 18no. spaces that the Local Highways Authority believe would be adequate for the use proposed. The applicant has been asked to provide an amended plan showing 18no. spaces (16no. for the flats and 2no. for visitors).

(iv) Crowthorne Parish Council:

Refusal is recommended on the grounds of insufficient parking and overdevelopment.

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)

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 or 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

This application is a resubmission of 14/01000/PAC which was also for 16 no. 1 bed studios/apartments. Additional information in the form of a car parking assessment has been provided. The Local Highway Authority objected to 14/01000/PAC on the grounds that parking provision was below the required standards and there would be a shortfall in provision for both residents and their visitors. 19 parking spaces were required to accord with the parking standards. 17 parking spaces were proposed. This included 4 tandem parking spaces within an under-croft and 13 parking spaces in an open parking area. There was effectively over-provision of parking within the under-croft as 2 units would have had 2 tandem parking spaces each, which could not be used by other units, whilst the remaining 13 parking spaces in the open parking area would be available for 14 units. Thus parking provision was below the required parking standards.

A revised parking layout was provided by the applicant, as part of 14/01000/PAC. 19 parking spaces were proposed, with 17 open parking spaces and 2 individually accessible parking spaces within the under-croft. The Local Highway Authority objected on the grounds that this parking layout was not practical and useable and created a safety concern.

This current application (14/01168/PAC) proposes 17 parking spaces for the residential accommodation with 8 parking spaces retained for the existing ground floor retail units within an under-croft. It is noted from a site visit that a number of parking spaces in the open parking area are currently being used by existing retail units operating from Guildgate House and spaces have been signed as being used by This 'n' That and McParland. In addition, spaces within the under-croft which are proposed for use by the proposed residential accommodation are signed as being used by Lease Drive.

A Car Parking Assessment has been carried out in which it is argued that Crowthorne is a sustainable location and notwithstanding this, there is ample off-site public parking located within 5 minutes walking distance of the site. Such a statement has not been substantiated by any survey information, though a site visit made by the Local Highway Authority around midday on a Friday (a time during which this town centre is likely to be busy) supports the notion that there is space capacity. On-street parking and public car parks are there to serve a range of shops and other facilities within the town centre and it should be noted that the provision of 20 parking spaces for the office space accords with the parking standard.

Notwithstanding this the Highway Authority objects to this application for prior approval as submitted as the parking provision is below the Council's parking standards. There is a shortfall of 2 visitor parking spaces.

The application includes a parking layout (Drawing 3202/02/C). A review of the drawing and on-site observations indicate that an additional parking space could be accommodated within the block of parking bays 9 to 15 by extending these outwards slightly into the access way adjacent to parking space no. 9 and extending them slightly towards the store adjacent to parking space no. 15. A hatched marking would be required across the front of parking bays 1 to 8, as the additional parking bay will effectively project into the existing access way. Such a parking layout could be practical and useable and acceptable access could be provided. This would enable 18 parking spaces to be provided (16 resident parking spaces and 2 visitor parking spaces). Although one space less than the Council's parking standards this parking provision would be acceptable to the Highway Authority.

(b) Contamination risks on the site

Guildgate House building is not situated on land that has been indicated as a potential contaminated land site, and there is no other information available that would indicate that Guildgate House is situated on contaminated land as described in part 2A of the Environmental Protection Act 1990.

(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 as submitted is considered inadequate for the number and mix of the units sought and as a result highway safety concerns arise. However the Highway Authority has suggested a possible solution to the problem and the recommendation is that Prior Approval is required and Prior Approval will be granted, subject to suitable parking provisions being submitted and approved by the Highway Authority.

RECOMMENDATION

Prior Approval is required and Prior Approval be granted, subject to suitable parking provisions being submitted and approved by the Highway Authority. The proposal, with the submission of acceptable amended plans, does 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