

ITEM NO:

Application No.
19/00741/PAC
Site Address:

Ward:
Bullbrook

Date Registered:
14 August 2019

Target Decision Date:
9 October 2019

Tamar, Clifton and Forth Houses Brants Bridge Bracknell Berkshire

Proposal:

Application for prior approval for the change of use of Tamar House, Forth House and Clifton House from office buildings (Use Class B1a) to residential (Use Class C3 Dwelling Houses) comprising 69 units.

Applicant:

Brants Bridge Ltd

Agent:

Allen Planning Ltd

Case Officer:

Katie Andrews, 01344 352000

development.control@bracknell-forest.gov.uk

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



COMMITTEE REPORT 19/00741/PAC TAMAR, CLIFTON and FORTH HOUSE, BRANTS BRIDGE

1. SUMMARY

- 1.1 Prior approval is sought for the change of use of Tamar House, Forth House and Clifton House from office buildings (Use Class B1a) to form 69 apartments (Use Class C3 Dwelling Houses). An application for prior approval (reference 16/01293/PAC) for the change of use of these office buildings to 79 apartments was granted in 2017.
- 1.2 The proposal complies with the criteria set out in Paragraph O.1 of Class O, Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal satisfies the conditions in Paragraph O.2 of this legislation in terms of highways. At the time of writing, a number of consultee comments are awaited. Subject to no objections being received from the Lead Local Flood Authority and Environmental Health, prior approval can be granted.

2. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Within 5km of the SPA

- 2.1 The site relates to Tamar House, Forth House and Clifton House at The Bridges, Brants Bridge which are offices situated at the north western end of Brants Bridge within an employment area.

3. REASON FOR REPORTING THE APPLICATION TO COMMITTEE

- 3.1 The prior approval must be determined, and a decision issued accordingly within 56 days.

4. RELEVANT SITE HISTORY

16/00766/PAC Application for prior approval for the change of use of B1(a) offices to Class C3 (Residential) to create 52 no. residential units. Refused (inadequate information with regard to contamination risks).

16/01293/PAC Application for prior approval for the change of use of Tamar House, Forth House and Clifton House from office buildings (Use Class B1a) to residential (Use Class C3 Dwelling Houses) comprising 79 units. Granted.

17/00536/FUL Proposed external alterations to building including insertion of dormer windows and addition of terraces. Approved

18/00793/FUL Raising of roof to create a new second floor comprising of 9no. 1 bed flats. Currently under consideration.

18/00900/FUL Erection of boundary wall. Approved

19/00621/FUL Alterations to fenestration and installation of timber fence panels with insertion of doors on rear elevation. Currently under consideration.

5. THE PROPOSAL

- 5.1 Prior approval is sought for the change of use of Tamar House, Forth House and Clifton House at Brants Bridge from Class B1 (a) (offices) to C3 (dwelling houses) in accordance with Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 5.2 It is proposed to convert the office floorspace into 69 units (22 units at Tamar House, 27 units at Clifton House and 20 units at Forth House).
- 5.3 The 151 parking spaces on site are to be retained and no external changes are proposed.

6. REPRESENTATIONS RECEIVED

- 6.1 No representations have been received from Bracknell Town Council or neighbouring properties at the time of writing.
- 6.2 The consultation period expires on 12 September 2019. Any comments will be included in the Supplementary Report.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

- 7.1 See below. No objection subject to conditions/informatives.

Environmental Health

- 7.2 See below. Any updated comments will be included in the Supplementary Report.

Lead Local Flood Authority

- 7.3 See below. Any updated comments will be included in the Supplementary Report.

Environmental Policy Officer

- 7.4 Any comments will be included in the Supplementary Report.

8. RELEVANT LEGISLATION

- 8.1 Class O of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) to a use falling within Class C3 (dwellinghouses) of that schedule.
- 8.2 Paragraph O.1 states that development is not permitted by Class O if:
- (a) The building is on article 2(5) land and an application under paragraph O.2(1) in respect of the development is received by the local planning authority on or before 30th May 2019;
 - (b) The building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Class Order-

- (i) On 29th May 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;
- (d) The site is, or forms part of, a safety hazard area;
- (e) This site is, or forms part of, a military explosives storage area;
- (f) The building is a listed building or is within the curtilage of a listed building; or
- (g) The site is, or contains, a scheduled monument.

8.3 Paragraph O.2(1) states that development under Class O is permitted subject to the condition that before beginning the development, the developer must 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, and
- (d) Impacts of noise from commercial premises on the intended occupiers of the development,

And the provisions of paragraph W (prior approval) apply in relation to that application.

8.4 Paragraph O.2(2) states that 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.

8.5 Paragraph W sets out the procedure to be followed where a developer is required to apply for prior approval to the Local Planning Authority under any class falling within Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This paragraph states that the Local Planning Authority may refuse an application where, in the opinion of the authority, the proposed development does not comply with, or the development has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

9. ASSESSMENT

9.1 With regards to the criteria set out in paragraph O.1:

- (a) The building is not on article 2(5) land and an application under paragraph O.2(1) was received on 6th August 2019.
- (b) The building was last used as an office falling within Class B1(a).
- (c) The site does not form part of a safety hazard area.
- (d) The site does not form part of a military explosives storage area.
- (e) The building is not Listed or within curtilage of a Listed Building.
- (f) The site is not, and does not contain, a scheduled monument.

9.2 With regards the conditions listed in paragraph O.2:-

(a) Transport and Highways Impact of the Development:

Access

9.3 The site takes access from Brants Bridge, an adopted road subject to a 30mph speed limit. Parking on Brants Bridge is restricted at all times, with double-yellow lines present.

- 9.4 The site's access onto Brants Bridge currently has a give-way line set back circa 16.5m from the connection to the adopted highway. This give-way line is not suitably located for visibility splays onto Brants Bridge. Between the give-way line and the adopted highway is an access to Clifton House and a kerb build-out which narrows the carriageway and directs vehicles to enter and exit the site to the south-east rather than using the turning area on Brants Bridge to the north.
- 9.5 There are discrepancies between the submitted Site Plan (drawing 294-120.P2) and what has been observed on site. At the access onto Brants Bridge on the Site Plan, pedestrian routes are shown from Brants Bridge adjacent to the vehicular access to both north-west and south-east. However, on site, brick walls have been constructed. It is probable that these walls were intended to implement permission 18/00900/FUL, however the position of the walls appears to be within the adopted highway north of the access and not constructed in accordance with approved plan BB-BP-001 of application 18/00900/FUL.
- 9.6 If this prior approval is granted, the walls will need to be removed to accord the associated Site Plan.
- 9.7 If retained, the walls would force pedestrians to use the carriageway at the site access in order to access Tamar, Clifton or Forth House. The height of the walls is such that it could obscure views, for vehicles exiting the site, of child pedestrians stepping on to the carriageway of the access. There is also a lifting barrier from the site's former office use, which is similarly not shown on the site plan.
- 9.8 For highway safety reasons, the Highway Authority therefore considers that a pedestrian footway should be provided adjacent to the site access from Brant's Road. This should be a minimum of 1.5m wide and a carriageway of 4.8m wide should be maintained. The give-way line should be moved to the boundary with the public highway for highway safety reasons: to provide sufficient visibility onto Brants Bridge from the give-way line and to prevent confusion over vehicle priorities at the access to Clifton House.
- 9.9 Pedestrian routes within the development area also appear to be obstructed on the Site Plan, which may give rise to highway safety issues within the car park. Specific areas of concern include:
- the pedestrian route to Tamar House is unclear around bin stores T1 and F1 to Tamar House's entrance;
 - the pedestrian routes to Forth House are obstructed by parking spaces 82, 83 and 84 or bin store C2;
 - the pedestrian route between parking and Clifton House is obstructed by parking spaces 82, 83 and 84;
 - there is no pedestrian route to the cycle store indicated;
 - on the site plan there is an unobstructed pedestrian route south-east of spaces numbered 82, 83 and 84. Through observation on site, this area appears to have been obstructed with planting, and 'butterfly' cycle stands (a type not advised within Bracknell Forest Parking Standards Supplementary Planning Document (SPD) March 2016). The cycle stands and planting does not appear to accord with that previously permitted under application 16/01293/PAC.
- 9.10 A condition is recommended to be imposed to address these matters.

Parking

Car Parking

- 9.11 The proposed layout shows 141 parking spaces on drawing 294-120.P2; disabled spaces and electric vehicle charge points are not shown. Based on the dwelling mix proposed, Bracknell Forest Parking Standards Supplementary Planning Document (SPD) March 2016 requires 79 car spaces for residents and 14 car spaces for visitors, giving a total of 93 spaces. Of which 10% (10 spaces) should have the capacity of being made into a disabled parking space for any future residents with a defined need.
- 9.12 The 141 car parking spaces proposed is an over-supply of 48 spaces against Bracknell Forest Parking Standards Supplementary Planning Document (SPD) March 2016.

Cycle Parking

- 9.13 Cycle parking of 108 spaces is proposed in an area 23m x 4.5m. It is assumed that this provides two rows of cycle stands. Given the dimensions in Annex C of the Bracknell Forest Parking Standards Supplementary Planning Document (SPD) March 2016 the Highway Authority is concerned that the row of cycle stands behind would be inaccessible. It is also not clear how the cycle parking area is to be secured (for each building as a minimum), particularly given that all of the cycle spaces are proposed in one area.
- 9.14 Based on the Bracknell Forest Parking Standards Supplementary Planning Document (SPD) March 2016, 79 secure cycle spaces are required, at 1 cycle space per bedroom; and 14 visitor cycle spaces are required, at 1 space per 5 units, which could be provided as Sheffield stands. Accordingly, the 108 spaces proposed is an over-provision against standards.
- 9.15 Ideally, electric vehicle charge points should be provided for a minimum 16% of parking spaces, with ducting and cabling provided to allow easy retrofit of charge points in the remaining spaces in future. Electric vehicle charging infrastructure should allow 'smart' charging in accordance with Department for Transport requirements.
- 9.16 A condition is recommended to be imposed to address these matters.

Refuse Collection

- 9.17 Bin stores are proposed to be located in four places:
- circa 10m north-east of the entrance to Tamar House (T1);
 - circa 20m south of the entrance to Forth House (F1);
 - circa 45m south of the entrance to Clifton House (C2); and
 - circa 20m north of the entrance to, and behind, Clifton House (C1).
- 9.18 On-site observation was that bin store C1 appears may have already been constructed.
- 9.19 The access road into the site is not adopted, but residential dwellings would typically be served by Bracknell Forest Council's waste collection service. The applicant should be mindful of the criteria for refuse carry distances which require a refuse collection vehicle to get to within 25m of a refuse collection point.

- 9.20 The current bin store locations are not considered to be conducive to refuse collection arrangements and should preferably be relocated. The only bin store within 25m of the adopted highway is C1 and this is located in a remote location.
- 9.21 The Planning Authority is recommended to speak to the Waste team to confirm whether the bin stores are appropriately sized for the number of dwellings and to further discuss refuse collection arrangements.
- 9.22 Alternative arrangements suggested by the Highway Authority are:-
- offer a section of the access road within the development for adoption, to facilitate Bracknell Forest Council's waste collection vehicles;
 - provide a management plan setting out the mechanism by which refuse to be moved to a collection point within 25m of the adopted highway on collection day, along with a location where this collection point is situated within the development. This could be secured by planning condition;
 - provide private refuse collection.
- 9.23 An informative is recommended regarding waste collection as per prior approval 16/01293/PAC.

(b) **Contamination Risks on the Site** (comments from application 16/01293/PAC)

- 9.24 The site was previously occupied by a wire works which could have caused contamination on the site. Following the submission of a ground investigation report it has revealed through intrusive investigation and monitoring that ground gas concentrations in the area of the building are very low. The site would therefore not require any gas protection measures and the existing damp proof membrane would provide an inherent basic gas protection measure that would be sufficient for the proposed residential use of the buildings.
- 9.25 It is therefore not considered there are any contamination risks on the site.
- 9.26 Any further comments from Environmental Health will be included in the Supplementary Report.

(c) **Flooding Risks on the Site** (comments from application 16/01293/PAC)

- 9.27 The site is within Flood Zone 1 and not considered to have any critical drainage issues that would affect the development. It is therefore not considered that there are any flooding risks on the site.
- 9.28 It is noted that Flood Zones 2 and 3 are located on the access roads which lead to the site however these are not on site and the Flood Risk Assessment has advised that a Flood Evacuation Plan will be prepared prior to the occupation of the development detailing the actions to be taken should the access routes be affected by fluvial flooding. They advise that this will be informed by the Environment Agency's flood warning service.
- 9.29 Any further comments from the Lead Local Flood Authority will be included in the Supplementary Report.

(d) **Impacts of Noise from Commercial Premises on the Intended Occupiers of the Development**

- 9.30 An acoustic assessment was with application 16/01293/PAC. The commercial premises within the immediate vicinity of the proposal have been identified for their potential to emit noise. Assessments have determined that existing ambient and background levels would be acceptable for the majority of the flats.
- 9.31 Environmental Health was satisfied with the proposals, as amended, provided that the works were carried out in accordance with the consultant's recommendations. Any further comments from Environmental Health will be included in the Supplementary Report.
- 9.32 The site is located within 5km of the Thames Basin Heath Special Protection Area. Comments are awaited from the Environmental Policy Officer in terms of the impact on this designated area.

10. CONCLUSIONS

- 10.1 An assessment has been made of the proposal and it is considered that prior approval is required for the change of use of the buildings from office use (B1)(a) to residential flats (C3).
- 10.2 The proposal complies with the criteria set out within Paragraph O.1 of Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal satisfies the conditions in Paragraph O.2 of the same legislation in terms of transport and highways considerations. Subject to no objections from the Lead Local Flood Authority and Environmental Health, prior approval can be granted, with conditions.

11. RECOMMENDATION

- 11.1 Subject to no objections from Environmental Health or the Lead Local Flood Authority, that Prior Approval is granted with the following conditions:-

01. This development must be carried out in accordance with the following plans and information received by the Local Planning Authority on 14 August 2019:-

- Dwg 294-120-P2 Site plan
- Dwg 294-T-210.P2 Proposed Floor Plans Tamar House
- Dwg 294-C-210.P3 Proposed Floor Plans Clifton House
- Dwg 294-F0-210.P2 Proposed Floor Plans Forth House.

02. No dwelling hereby permitted shall be occupied until continuous, hard-surfaced pedestrian routes, with an unobstructed width of at least 1.5m and dropped-kerbs suitable for use by wheelchair users, are provided between the adopted footway of Brants Bridge and each access point to Tamar House, Forth House and Clifton House; and between Tamar House, Forth House and Clifton House and the permitted cycle store and bin stores.

REASON: In the interests of highway safety for pedestrians.

[Relevant Policies: Core Strategy DPD CS23]

03. No dwelling hereby permitted shall be occupied until the existing give-way road markings located circa 16.5m from the adopted highway are removed and new give-way road markings are created at the adopted highway boundary with Brants Bridge. The new give-way markings shall be marked in accordance with the Traffic Signs Regulations and General Directions, 2016 (as amended).

REASON: In the interests of highway safety in terms of visibility from the give-way line.

[Relevant Policies: Core Strategy DPD CS23]

04. The car parking area for the development hereby permitted shall not be brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority

- (a) directional signs and their locations;
- (b) surface materials and markings;
- (c) location and design of any lighting;
- (d) pedestrian routes within the car park;
- (e) location and design of cycle parking;
- (f) the location of 10 level car parking spaces for people with disabilities including details of marking out and signage;
- (g) gradients of the pedestrian and access routes;
- (h) location of 15 electric charging points; and

No parking space shall be brought into use until the approved scheme in respect of the car parking area has been complied with in full. Thereafter the car parking area shall be maintained in accordance with the approved scheme.

REASON: In the interests of the accessibility and highway safety of the car park users.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

Informatives:

01. It is a condition of the consent given by the General Permitted 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 (the Council) has given written approval under the Habitats Regulations 2010. This Prior Approval Notice does NOT constitute approval under the Habitats Regulations. The Council and Natural England are of the view that any residential development between 400 metres and 5 kilometres of the boundary of the Thames Basin Heaths Special Protection Area or residential development of 50 or more dwellings between 5 kilometres and 7 kilometres of such boundary cannot be approved under the Habitats Regulations unless a planning obligation is entered into under Section 106 of the Town & Country Planning Act 1990 to ensure that the development has no adverse impact upon the Special Protection Area. Your development falls within one of the two types of development referred to in the heading above.
02. Any external alterations proposed would require the submission of a full planning application.
03. The applicant will need to investigate bin collection arrangements for the proposed residential use.
04. The layout and size of the dwellings created must be sufficient for the safe use of the amenities and must not result in over occupation, otherwise a Hazard under

part 1 of the Housing Act 2004 may be created and as such could be subject to formal action under that legislation.

05. 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.
06. Highways and Transport should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks' notice to obtain details of underground services on the applicant's behalf.