

17/01847/PDO – Benwell House, Sunbury.

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# Planning Committee

10 January 2018



<b>Application No.</b>	17/01847/PDO
<b>Site Address</b>	Benwell House, Green Street Sunbury On Thames TW16 6QS
<b>Applicant</b>	Spelthorne Borough Council
<b>Proposal</b>	Prior Approval for the Change of Use from Office (Class B1a) to 33 Residential Flats (Class C3) comprising 14 no. 1 bedroom flats and 19 no. 2 bedroom flats.
<b>Ward</b>	Sunbury East
<b>Called-in</b>	N/A

<b>Application Dates</b>	Valid: 06.12.2017	Expiry: 31.01.18	Target: Under 8 weeks
<b>Executive Summary</b>	<p>The site is located in Sunbury-on-Thames and comprises a three storey purpose built office block constructed in the 1980s.</p> <p>It is located approximately 250m from Sunbury train station and has good road and rail links.</p> <p>Under Class O of the General Permitted Development Order (GPDO), offices can be converted to residential without the need obtain planning permission.</p> <p>An application for Prior Approval is necessary to determine whether the change from office to residential will have any:</p> <ol style="list-style-type: none"><li>1. transport or highways impacts:</li><li>2. contamination risk:</li><li>3. noise implications for the intended occupiers: and</li><li>4. flood risk associated with the site.</li></ol> <p>Benwell House meets the criteria for permitted development under Class O of the GPDO and:</p> <ul style="list-style-type: none"><li>• The proposed layout is achievable;</li><li>• The Transport Statement concludes there are no transport or highways impacts associated with the proposed change of use;</li></ul>		

	<ul style="list-style-type: none"> <li>• The Contamination Report concludes there are no contamination risks associated with the proposed development;</li> <li>• The Flood Risk Assessment concludes there are no flood risks associated with the proposed development; and</li> <li>• The Noise Assessment concludes that the intended occupiers will not be impacted by surrounding commercial uses.</li> </ul> <p>The change of use from office to residential therefore complies with Class O of the General Permitted Development Order.</p>
<p><b>Recommended Decision</b></p>	<p>Approve the Prior Notification application</p>

## MAIN REPORT

### 1. Development Plan

- 1.1 Since this application seeks to determine whether the prior approval of the Council would be required for the proposed change of use from offices to residential use, the policies in the Council's Core Strategy and Policies DPD 2009 are not relevant to the consideration of this proposal.

### 2. Relevant Planning History

SUN/FUL/84/712	Erection of a three-storey office building of 30,000 sq ft (2,787 sq m) gross floorspace, together with 93 car parking spaces and a modified access; (b) the erection of a day centre for aged persons, with 20 car parking spaces; and (c) the erection of three-storey residential accommodation, comprising 25 No. 1-bed flats and 25 No. 2-bed maisonettes, with 75 car parking spaces.	Approved 21.11.1984
SPE/FUL/85/102	Erection of a three-storey office building with gross floorspace of 30,640 sq ft (2,846 sq m) excluding roof plant, together with 95 car parking spaces, a modified vehicular access and landscaping; and (B) a day centre with gross floorspace of 6,552 sq ft (609 sq m) excluding roof plant, together with 11 car parking spaces, a block of 10 garages with gross floorspace of 2,092 sq ft (194 sq m) and landscaping.	Approved 13.03.1985
92/00180/RVC	Relaxation of condition 10 of planning permission E/85/102 to allow a change of occupancy.	Approved 27.06.1992

### 3. Description of Current Proposal

- 3.1 The application site comprises 1.98 acres (0.8 ha) on the east side of Green Street, approximately 0.2 miles from Junction 1 of the M3 motorway. It contains a purpose built office building constructed in the mid-1980s and comprises 2,371 square metres (25,587 square feet) of office floor space over three floors. It is constructed of red brick on a yellow brick plinth under a false pitched roof of Roman half roll tiles.

- 3.2 This application is seeking a determination as to whether the prior approval of the Local Planning Authority would be required for the proposed change of use from Class B1 (a) offices to Class C3 residential use.
- 3.3 The building would provide 3 units over three floors. There are 95 parking spaces on the existing site.

#### 4. Consultations

- 4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
<b>County Highway Authority</b>	No objection subject to condition
<b>Environmental Health</b>	No objection subject to conditions

#### 5. Public Consultation

- 5.1 70 neighbour letters were sent to surrounding properties and one letter of representation has been received that raised the following issues:
- Insufficient parking available
  - Crossroad signalling should be revised as traffic will increase substantially.

#### 6. Planning Issues

- 6.1 This application seeks a determination as to whether the prior approval of the Council would be required for the proposed change of use from Class B1(a) offices to Class C3 residential use.
- 6.2 This application is submitted under Class O of the GPDO 2015 as amended and requires an assessment of the following impacts of the development:
- a) transport and highways impact of the development,
  - b) flooding risks of the site,
  - c) contamination risks of the site; and
  - d) impacts of noise from commercial premises on the intended occupiers of the development

## 7. Planning Considerations

- 7.1 In April 2016, the government confirmed that permitted development rights allowing the change of use from office to residential were made permanent by an amendment to the General Permitted Development Order (GPDO) 2015.
- 7.2 It is Class O of the GPDO that applies to the change of use of offices to dwelling houses and states that permitted development relates to:
- “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) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwelling houses) of that Schedule”.*
- 7.3 There are a number of categories where development is *not* permitted under Class O including a listed building or a scheduled monument but none apply in this particular case.
- 7.4 Development under Class O of the GPDO is permitted to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether 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.
- 7.5 A Transport Assessment was submitted with the application which determined that the site is accessible by non-car modes being located within walking and cycling distance of day to day facilities and public transport services.
- 7.6 In respect of public transport there is a southbound bus stop directly outside of the site and a northbound stop, 130 metres south of the site. The Sunbury rail station is 250 metres north of the site, which provides two services an hour to Shepperton and London Waterloo.
- 7.7 The relative number of trips generated by the office use and the proposed residential use have been estimated, by the applicant, based on TRICS data. This shows that the residential use would generate fewer pedestrian and vehicular trips at peak morning and evening times. Over a day the net impact would be 276 less vehicle movements and 345 fewer pedestrian movements.

- 7.8 The site currently provides 95 parking spaces and the Transport Assessment indicates a likely demand of 33 spaces, based on the 2011 Census. The Council's Supplementary Planning Guidance (SPG) on Parking Standards would require a minimum of 47 spaces but given its sustainable location, a lower provision could be accepted.
- 7.9 The site currently provides no dedicated, secure cycle parking. The Transport Assessment identifies that parking for 33 bicycles in a secure compound would be provided in accordance with the Council's Parking Standards SPG. These details will need to be submitted to the Local Planning Authority to agree.
- 7.10 No changes to either the existing pedestrian or vehicular accesses are proposed and all servicing can be achieved within the site.
- 7.11 The County Highway Authority's assessment regarding the likely net additional traffic generation, access arrangements and parking provision concludes that the application would not have a material impact on the safety and operation of the adjoining public highway.
- 7.12 The Environment Agency's flood map identifies the site as being located within Flood Zone 1. A formal flood risk assessment was submitted which was considered to be appropriate to the scale and nature of the development and the risk involved.
- 7.13 The risk from fluvial, costal, groundwater, surface water and sewer flooding has been identified as negligible and there are there are therefore no justifiable objections on flooding grounds.
- 7.14 An acoustic report has been submitted with the application and has assessed the noise impacts on future residents. The report concludes that there would be no adverse impact on future residents.
- 7.15 In summary, there are no impacts of noise from commercial premises on the intended occupiers of the development and therefore the proposed development is deemed as acceptable on noise impact grounds.
- 7.16 The building is located in a primarily residential area and is unlikely to be subject to noise impacts that would affect the amenity that the residents might reasonably expect to enjoy.
- 7.17 A desk top study of ground contamination has been provided which concludes that there is a low risk of contamination and since the current proposal does not include any ground works it is not considered that further ground investigations are required at this stage.

## **8. Conclusions**

- 8.1 Based on a review of the technical information provided with this application it has been determined that there:
- are no adverse transport or highways impact associated with this development;
  - are no material flood risks associated with the site;
  - no contamination risks associated with the proposal; and
  - are no commercial premises within the vicinity that would impact on the intended occupiers

## 9. Recommendation

- 9.1 In accordance with Class O of the General Permitted Development Order 2015, as amended, it is recommended that prior approval for the Change of Use from Office (Class B1a) to 33 Residential Flats (Class C3) comprising 14 no. 1 bedroom flats and 19 no. 2 bedroom flats is **APPROVED**.

## 10 Conditions

- 10.1 The development hereby approved shall not be occupied until the facilities for the secure, covered storage of bicycles have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

**Reason:** The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy Framework 2012 and policies CC2 and CC3 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

- 10.2 No development shall take place until:-
- (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.
  - (ii) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.
  - (iii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.



The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

**Reason:** To protect the amenities of future residents and the environment from the effects of potentially harmful substances in accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

**NOTE**

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected By Contamination - Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk).

- 10.3 Prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

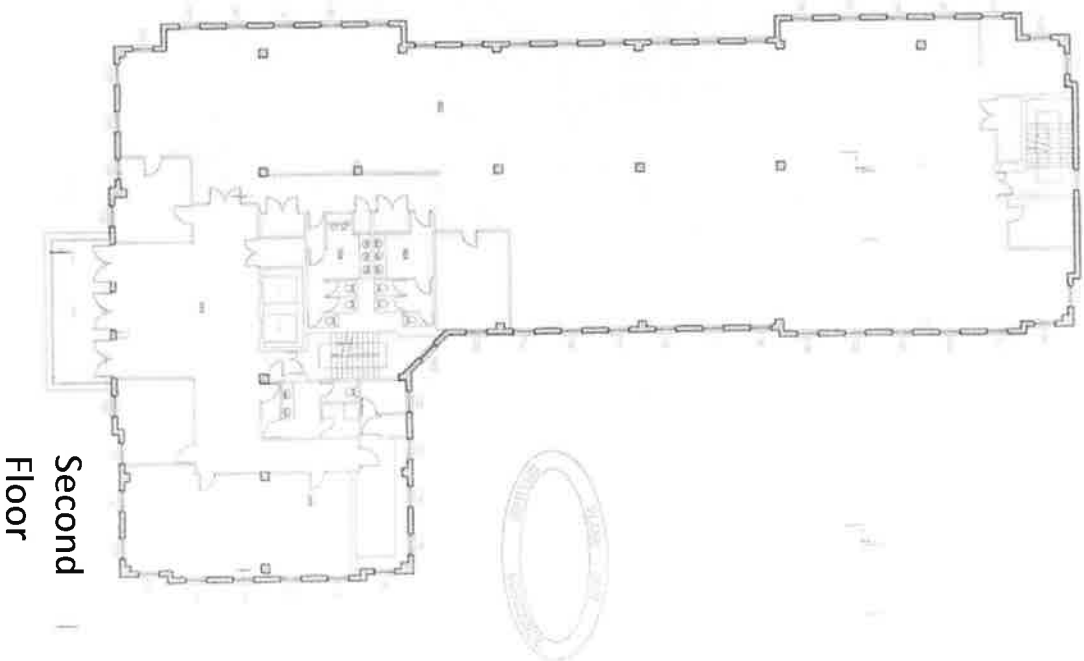
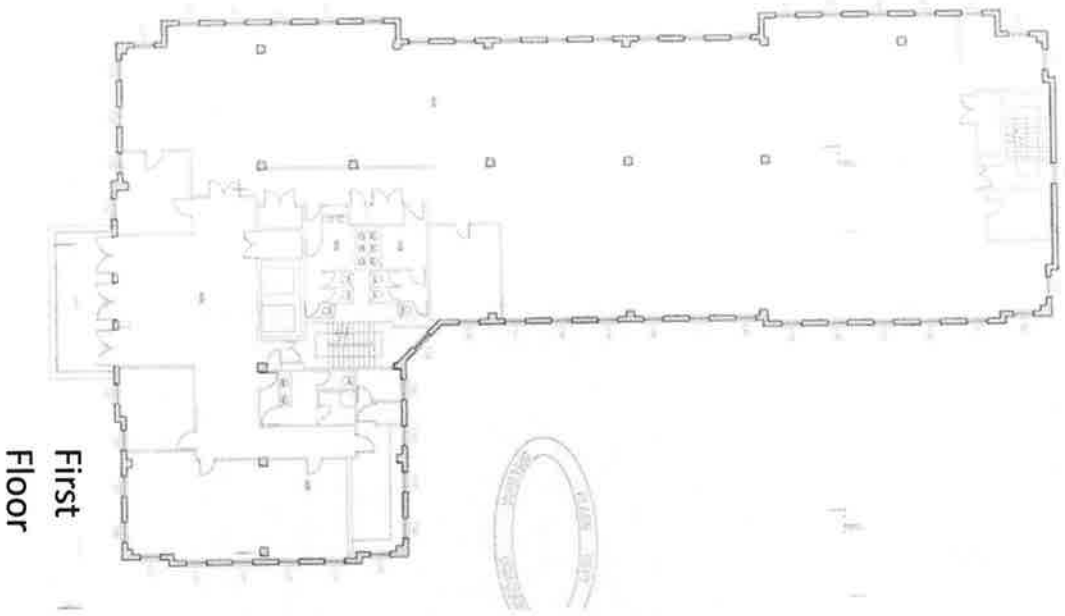
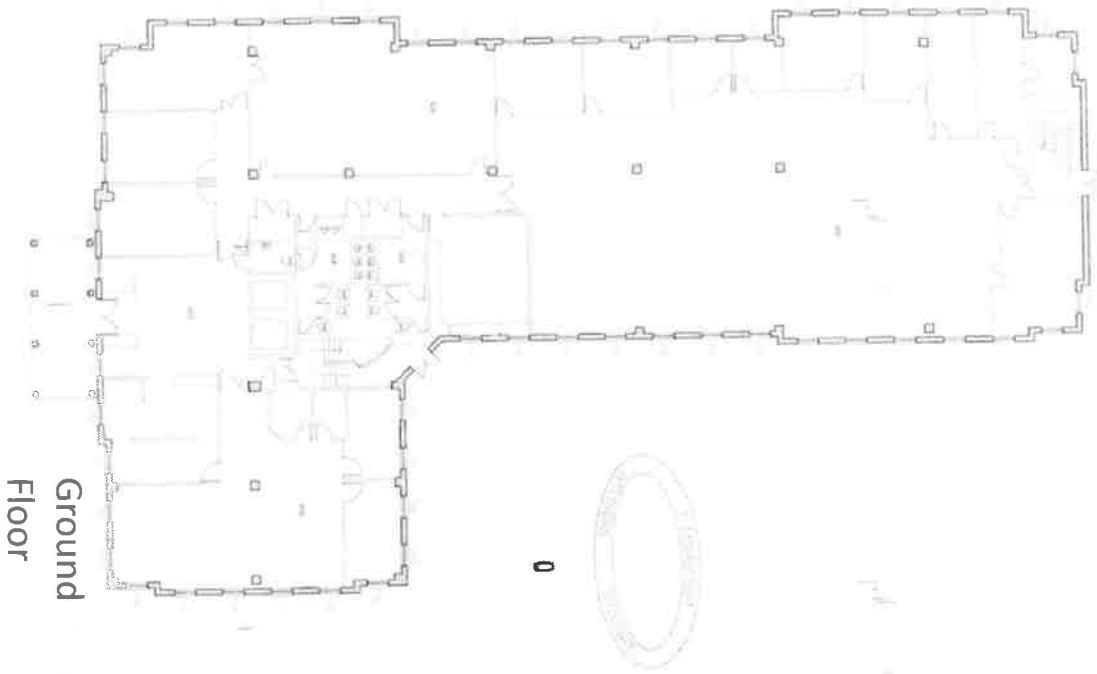
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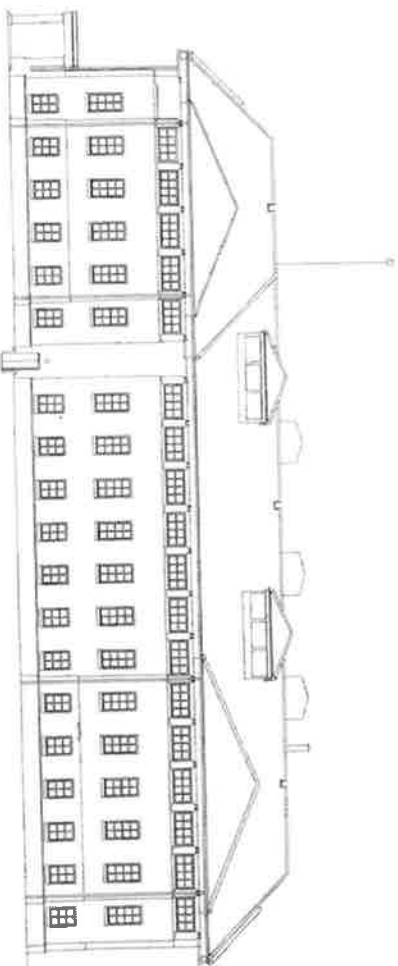
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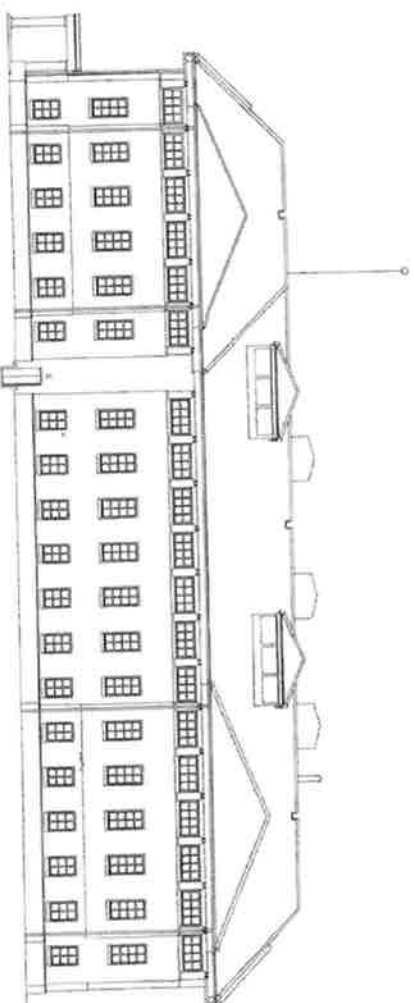
## 11 Informatives

The applicant is advised that the site is in close proximity to the M3 motorway and suitable mitigation measures should be adopted to address the noise impact of future occupiers of the development..

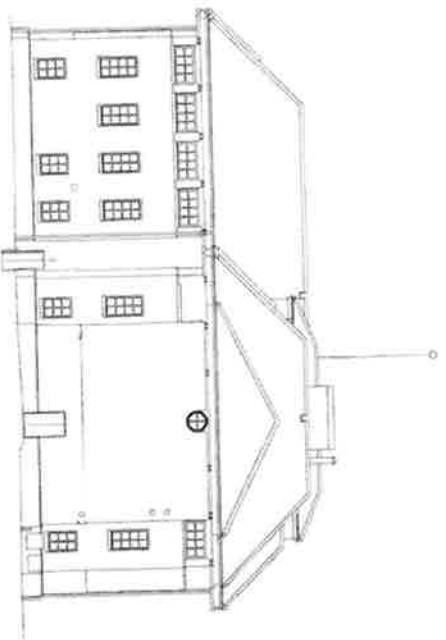




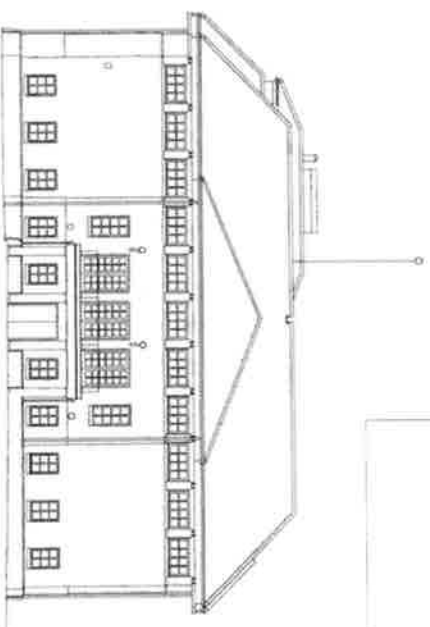
West Elevation



East Elevation



North Elevation



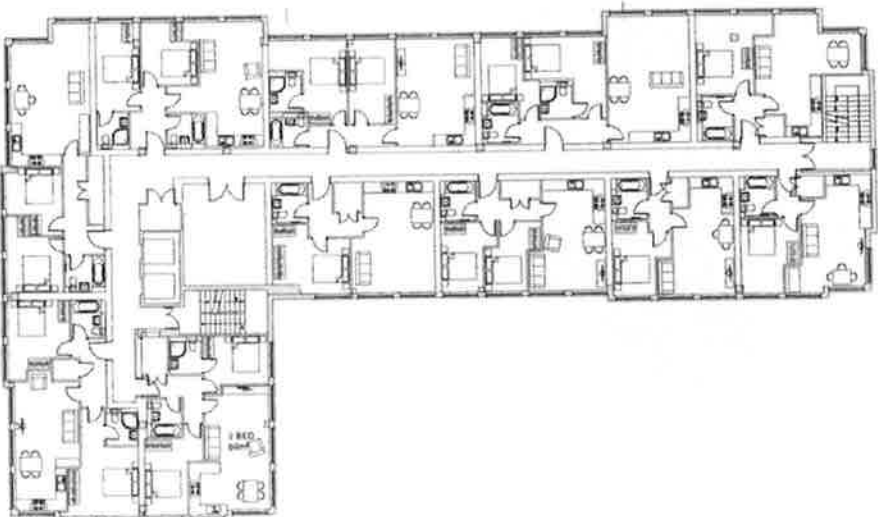
South Elevation



Ground Floor



First Floor



Second Floor